

Special Education Policies and school mediation in municipalities of Central-South Rio de Janeiro: from the right to mediation to the mediation of law

Políticas de Educação Especial e mediação escolar em municípios do Centro-Sul Fluminense: do direito à mediação à mediação do direito

Políticas de educación especial y mediación escolar en municipios de la región Centro-Sur de Río de Janeiro: del derecho a la mediación a la mediación del derecho

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Abstract

This article aimed to investigate the profile and performance of the school mediator in municipalities in the Central-South Region of Rio de Janeiro. The research analyzed how inclusive education policies are implemented in schools through the Theory of Action. A qualitative study of a descriptive nature, involving semi-structured interviews and documentary analysis of municipal regulations, was conducted. The results revealed a gap between laws and the reality of the surveyed schools, along with a multifunctional performance of mediators hindered by inadequate training. The lack of clear regulations has led to misunderstandings. The inclusion of the mediator in the school context is necessary, also ensuring their permanence, participation, and learning, de facto or de jure.

Keywords: *Special Education, School Mediation, Inclusion.*

Resumo

Este artigo teve como objetivo investigar o perfil e a atuação do mediador escolar em municípios da Região Centro-Sul Fluminense. A pesquisa analisou o modo como as políticas de educação inclusiva se concretizam nas escolas por meio da Teoria de Atuação. Foram realizadas pesquisa qualitativa de cunho descritivo, entrevistas semiestruturadas e análise documental das normativas dos municípios. Os resultados apontaram distanciamento entre as leis e a realidade das escolas pesquisadas, como também uma atuação multifuncional dos mediadores limitada pela formação deficitária. A falta de normativas claras tem gerado equívocos. É necessária a inclusão do mediador no contexto escolar para além de sua presença, garantindo também sua permanência, participação e aprendizagem, de fato e de direito.

Palavras-chave: Educação Especial, Mediação Escolar, Inclusão.

Resumen

Este artículo tuvo como objetivo investigar el perfil y desempeño del mediador escolar en municipios de la Región Centro-Sur de Río de Janeiro. La investigación analizó cómo se implementan las políticas de educación inclusiva en las escuelas a través de la Teoría de la Acción. Se realizó una investigación cualitativa descriptiva, entrevistas semiestructuradas y análisis documental de la normatividad de los municipios. Los resultados apuntaron a un distanciamiento entre las leyes y la realidad de las escuelas encuestadas, así como a un desempeño multifuncional de los mediadores limitado por una formación deficiente. La falta de regulaciones claras ha generado malentendidos. Es necesario incluir al mediador en el contexto escolar más allá de su presencia, sino también para garantizar su permanencia, participación y aprendizaje, de hecho y de derecho.

Palabras clave: Educación Especial, Mediación Escolar, Inclusión.

Introduction

The *National Special Education Policy from the Perspective of Inclusive Education* – PNEEPEI - (Brasil, 2008) aims to ensure an inclusive educational system and the right to enrollment, participation, and learning of students with disabilities, global developmental disorders, and high abilities or giftedness in regular schools. According to this policy, inclusive education constitutes an educational paradigm based on human rights; therefore, all students have the right to be together, learn, and participate without any type of discrimination.

Through this inclusive educational scenario, actions have been designed and implemented to support the schooling of students with disabilities, who are increasingly enrolled in ordinary classes and require tailored support for their individual learning needs. Thus, other *forms of support* for these students, the audience of special education and this research are indicated in different documents. We cite the legislation – *Law No. 9,394 of December 20, 1996* (Brasil, 1996), the Law of Directives and Bases of National Education (LDB); PNEEPEI (Brasil, 2008); *Law No. 12,764 of December 27, 2012* (Brasil, 2012), known as the Berenice Piana Law, and *Law No. 13,146 of July 6, 2015* (Brasil, 2015), the Brazilian Law of Inclusion (LBI) -, Resolutions – *CNE/CEB Resolution No. 2 of September 11, 2001* (Brasil, 2001), and *Resolution No. 4 of October 2, 2009* (Brasil, 2009) -, and a technical note, the *SEESP/GAB Technical note No. 9/2010* (Brasil, 2010), designed to ensure the inclusion of these students in the face of the demands of a school for all.

Thus, the figure of the “school mediator” emerges. We chose this term for this article, even without any systematic record (Mousinho et al., 2010), to support students who require assistance in both the classroom and school environment. Currently, the theme gives rise to doubts about the different nomenclatures that cover it, such as caregiver, monitor, or support professional, according to the legislation cited in the previous paragraph; there is a lack of clarity regarding specific training, profile, and performance (Bezerra, 2020; Lopes, 2018; Martins, 2014). Therefore, it is necessary to think about and analyze the performance of school mediators in institutions and policies that involve them when materializing in schools to ensure the rights to education of public Special Education students. These definitions or indefinitions can be divided into *median actions* given the demand for school inclusion of students with disabilities, and positively or negatively affect the relationships and positions of the subjects, as indicated by Dainez et al. (2022).

Given this context of achievements and reflections and amid doubts and questions concerning the figure and performance of school mediators - remembering that they, as pointed out by Martins (2014), already work in schools–, this research aims to answer the following problem: what is the profile and performance of school mediators in the context of inclusion of public Special Education students in municipalities in the Central-South Region of Rio de Janeiro?

Although the presence of these professionals is recent in Brazilian schools, Lopes (2018) points out that the importance of this type of professional is already recognized in countries such as France and the United States, which have older experiences regarding school inclusion policies. They are referred to, in France, as *school life aides*, and as *paraprofessionals* in the United States. According to Mousinho et al. (2010), inclusion through school mediators emerged in Brazil in the 2000s, and the function was improved and expanded little by little.

The research analyzed how the public policies of Special Education in the inclusive perspective occur in practice based on the Theory of Action (Ball et al., 2021). We analyzed the context of text production of the investigated municipalities and federal regulations that represent politics in general, arising from articulations of the public interest in its generality, in a more formal and official sense. We also analyzed the context of practice based on the Theory of Action, which addresses how this text is translated into practice, with responses and consequences that can transform the original policy. For this purpose, a qualitative descriptive research was conducted through semistructured interviews with 18 participants: two coordinators of inclusive Special Education, two directors, and 14 mediators. There was also a documentary analysis of the regulations of each municipality on the subject, such as Goal 4 of the Municipal Education Plans (PME); the Municipal Special Education Policy from the Perspective of Inclusive Education (PMEEPEI); and the calls for tenders and/or public selection processes for school mediators. Secondary data were produced through research on the official websites of the investigated municipalities.

The study¹ was conducted in public municipal schools of two Brazilian municipalities that are part of the Center-South Region of Rio de Janeiro. The interviews took place in June and July of 2024, lasted 35 to 50 minutes, and were recorded using the Teams platform, later transcribed through a free extension of the Transcriptly & Summary YouTube application.

To preserve the anonymity of the municipalities and participants, we treat the municipalities by number - Municipality 1 (M1) and Municipality 2 (M2) –; the directors and managers by D1/G1 (director and manager of municipality 1) and D2/G2 (director and manager of Municipality 2); and the mediators by Med 1, Med 2, and so on. To refer to a

¹ The construction of data began with the authorization of the Municipal Secretariats of Education of the investigated municipalities, respecting the ethical care of the research with the submission to the Research Ethics Committee, through Opinion No. 6,850,583.

mediator from a specific municipality, we use the signs of the mediator followed by those of the municipality – for example: Med 1 M1 (mediator one from Municipality 1).

The documentary analysis was based on Cellard (2012), as the author notes that the written document offers specific reconstructions of memories and key facts and events, while also serving as a testament to past situations, making it a valuable source for researchers.

In relation to data analysis, we chose the Discursive Textual Analysis (DTA) by Moraes and Galiazzi (2006, our translation), which, according to the authors, “has the purpose of producing new understandings about the phenomena and discourses” through “a movement of interpretative and hermeneutical character” (p. 13, our translation) with the purpose of learning and overcoming what is known about the phenomenon and expanding horizons.

Thus, following the requirements of the DTA, the analysis of the 18 interviews was based on their disassembly from a significant reading in which the texts were organized, after their transcription, and the most critical information was highlighted, seeking interpretations from the theories and the knowledge itself. After this initial reading of the data, we sought to establish relationships, grouping them by similar meanings, organized by units that enabled the construction of emerging categories.

From the in-depth interaction with the field, six initial categories emerged that were more recurrent and important to the respondents. Namely: mediator's performance in the school context; characterization of the audience served; challenges for the exercise of the function; mediator's training in the face of existing demands; view of the school community about the mediator; and mediator's contributions to the school inclusion process.

Subsequently, we considered the categories constructed, whose analyses were compiled into a single final category: the precariousness of the work of school mediators, from the urgency of a regulatory framework of the profession to the effectiveness of an inclusive education.

School mediation as a political-legal debate

The trajectory of inclusion has brought numerous challenges and demands, necessitating, according to Pletsch and Glat (2013), a new school organization and culture that incorporates new teaching methods through an inclusive and differentiated pedagogical approach, thereby breaking with outdated conceptions and addressing existing diversity. Given this context, Ferreira and Glat (2003) reinforce the need to ensure the permanence of students with the offer of conditions for such, emphasizing the importance of different material and human resources. Thus, new professionals emerge in the school scenario to promote support for inclusion, among them the school mediator.

From the set of legislation that address this topic, we highlight *CNE/CEB Resolution No. 2 of September 11, 2001* (Brasil, 2001), which establishes the National Guidelines for Special Education in Basic Education, pointing out the service of specialized *pedagogical support* in collaboration with the ordinary class teacher as one of the possibilities for the inclusion of students with special educational needs, referring to the context of teaching and learning and care. PNEEPEI (Brasil, 2008) refers to the support provided by *monitors or caregivers* in activities of daily life, such as hygiene, locomotion, and food, among others, which require constant assistance in the school environment. According to Martins (2014), research on professional support and precariousness of work with special education students highlights that PNEEPEI (Brasil, 2008) indicates the weakening of Special Education work due to the loss of professional pedagogical support when assuming the form of monitoring and care. We consider care to be the assistance with the basic functions of daily life, such as food, hygiene, and locomotion.

In the same vein, *Resolution No. 04 of October 2, 2009* (Brasil, 2009), which establishes the Operational Guidelines for Specialized Educational Care in Basic Education, Special Education modality, highlights in its Article 10 that schools should institutionalize Specialized Educational Care, providing for its organization with the offer of other professionals to act in support in relation to basic activities, such as hygiene, food, and locomotion.

In addition to legislation, we have the *SEESP/GAB Technical Note No. 9/2010* (Brasil, 2010), which addresses support professionals for students with disabilities and global developmental disorders enrolled in public schools, and *Law No. 13,146 of July 6, 2015* (Brasil, 2015), which institutes the LBI. The latter indications, but without establishing identification

with legally established professions, are the creation of the support professional by the public power. This professional must exercise care in all activities and act in all school activities as necessary. The aforementioned Technical Note (Brasil, 2010) exempts the support professional from differentiated educational activities and accountability for the student's teaching.

Therefore, we realize that all legal documents, from the oldest to the most recent, without making use of the term “school mediator”, allude to the function of the *support* as care, to the detriment of the pedagogical process, evidencing a setback in relation to the inclusion of students who need support for their global development. There is also a concern – brought by Salheb (2017) - with the regression to the medical model, in relation to the current function regarding assistance and personal care. The author points out that considering only the nature of care in the school context can strengthen misconceptions about the concepts of disability and disease, in which the responsibility for school failure lies with the student, who, according to Kaufman (2016), needs the mediator to attend school, corroborating the idea that the student with a problem needs constant monitoring.

Even *Law No. 12,764 of December 27, 2012* (Brasil, 2012), known as the Berenice Piana Law, which establishes the National Policy for the Protection of the Rights of People with Autism Spectrum Disorder (ASD) and guarantees the *specialized monitoring* of these students, as long as their need is proven, does not indicate whether this specialized companion corresponds to the school mediator, as described by Mousinho et al. (2010), or to the support professional, as described in the legislation above, when they use the terms “monitor”, “caregiver”, or “support professional”. In an attempt to better define the right of the student with Autism Spectrum Disorder to the support professional, the *MEC/SECADI/DPEE Technical Note No. 24 of 2013* (Brasil, 2013) provides guidelines for the implementation of *Law No. 12,764 of December 27, 2012* (Brasil, 2012) in education systems, regulated by *Decree No. 8,368 of December 2, 2014* (Brasil, 2014a), and added another attribution related to support in social interaction. However, the nomenclature “specialized companion” remained.

When researching the support professional for school inclusion (PAIE), Bezerra (2020) reinforces that the term cited in the laws for the protection of people with Autism Spectrum Disorder aggravated the confusion and generated many conflicts in the school environment, as it led to doubts and uncertainties. In this sense, the presence and action of

school mediators are considered, according to Vargas and Rodrigues (2018), the implementation of the right of the person with Autism Spectrum Disorder. However, the performance of this professional faces several obstacles, such as the informality of the work, since “it is not a regulated profession,. . . a fact that highlights the labor fragility of this activity” (p. 9, our translation). In this same line of reasoning, Machado and Rahme (2022) argue that mediation is immersed in a field of various indefinitions and understanding.

Currently, a Bill is being processed in Congress, by Deputy Amália Barros, which provides for the provision of specialized school support professionals to assist students with disabilities in classrooms. This Bill establishes that support professionals must have higher-level training, although it does not specify in which area. They can provide medications when necessary, according to medical advice, and assist in feeding, hygiene, locomotion, and performance in all school activities in which their presence is needed.

*CNE/CP Opinion No. 50 of December 5, 2023*² (Brasil, 2024b), has been under processing for almost a year and was recently approved. It provides Specific Guidelines for the Special Education Audience: Care of Students with Autism Spectrum Disorder. The Opinion uses the term “specialized companion” and reinforces that this professional must meet the essential training requirements. Therefore, it suggests specific training in Autism Spectrum Disorder with a minimum workload of 180 h – 20% in practical training. Both documents cited – the Opinion and the Bill – generate doubts and discussions among the school community, scholars, and researchers, reinforcing the urgency of reaching a common denominator without neglecting the rights of students with disabilities and in need of this service.

The theme continues to be the subject of debates, and an Ordinance was instituted for discussing the matter. *Ordinance No. 41 of July 1, 2024* (Brasil, 2024c), established a working group with representatives of various areas of education and educational rights, in the sphere of the Secretariat of Continuing Education, Youth and Adult Literacy, Diversity and Inclusion (SECADI), to discuss the establishment of National Guidelines for the School Support Professional. Therefore, we realized that the theme is delicate, complex, and not exhausted in documents and discussions, regardless of the contexts in which they are inserted.

² The Opinion was approved on November 12, 2024.

To illustrate the above, Figure 1 summarizes the legal findings at the national level to demonstrate how school mediation professionals have been mentioned over the years, as well as the legislation that supports the practice. Later, we will discuss the legal findings at the local level.

Figure 1

Federal legislation and nomenclature regarding the professional acting in school mediation

Year of publication	Document	Syllabus	Nomenclature
2001	CNE/CEB Resolution No. 2 of September	Establishes National Guidelines for Special Education in Basic Education	Specialized pedagogical support service
2001	Law No. 10,172 of January 9 - National Education Plan (PNE)	Determines guidelines, goals, and strategies for the educational policy for the period from 2001 to 2011.	Additional support
2008	National Special Education Policy from the Perspective of Inclusive Education (PNEEPEI)	Document that ensures the inclusion of public Special Education students in the regular education system	Caregiver or monitor
2009	Resolution No. 4 of October 1	Institutes Operational Guidelines for Specialized Educational Service in Basic Education, Special Education modality	Other education professionals
2010	Technical Note No. 19 of September 8	Aimed at support professionals for students with disabilities and global developmental disorders enrolled in public schools	Support professionals
2011	Decree No. 7,611 of November 17	Provides for Special Education, specialized educational service, and other arrangements.	Specialized companion
2012	Law No. 12,764 of December 27 (Berenice Piana law)	Establishes the National Policy for the Protection of the rights of the person with Autism Spectrum Disorder (ASD)	Specialized companion
2013	Technical Note No. 24	Guidelines to Education Systems for the implementation of Law No. 12,764/2012	Specialized companion
2014	Decree No. 8,368 of December 2	Regulates Law 12,764/2012	Specialized companion
2014	Law No. 13,005/2014 - National Education Plan (PNE)	Determines guidelines, goals, and strategies for the educational policy for the period from 2014 to 2024.	Support or auxiliary professionals
2015	Law No. 13,146 of July 6 (LBI)	Establishes the Brazilian Law for the Inclusion of Persons with Disabilities (Statute for Persons with Disability)	School support professional

2023	Bill No. 4050/2023 - still pending in Congress	Provides for the provision of specialized school support professionals in classrooms to assist students with disabilities	Specialized support professional
2023	CNE/CP Opinion No. 50/2023	Provides Specific Guidance for the Special Education Audience: Service for Students with Autism Spectrum Disorder (ASD)	Specialized companion

Source: Prepared based on the data from the portal <https://portal.mec.gov.br>

In the different documents, school mediation professionals are considered based on the guidelines that guide and characterize the practices of educational policies by an inclusive bias, in various historical, political, and educational moments. As shown in Figure 1, the existing nomenclatures vary, ranging from the “monitor/caregiver” and the “support professional” to the “specialized companion”, which sometimes refers to a professional with specialization, sometimes not. Such variations imply a lack of clarity regarding these professionals, generating doubts and uncertainty during the inclusion of students supported by them, especially given the imminence of possible approval of the Bill processed in Congress and that, in addition to listing other attributions that are not of a pedagogical nature, but of responsibility of different areas, such as health, also does not make clear the type of specialization they should have.

Discussions and Results

Based on this inclusive context and the different realities, the municipalities surveyed produced varied strategies to materialize these rights and guarantee the laws established. In this sense, we summarized the text productions at the micro level, referring to the mediation of each municipality, and subsequently analyzed the documents. To identify the actions and services offered for student inclusion, PME's, public inclusion policies, and selection processes and/or tenders related to the object of study were analyzed.

The PME of Municipality 1 has 21 strategies to be carried out to achieve goal 4, as in the PNE (Brasil, 2014b), from 2015 to 2025. Among the strategies, there is a specific one on school support, in which different professionals are contemplated, such as the pedagogical mediator teacher, who acts as a mediator, and the support professional, who acts as a caregiver. The PMEEPEI of Municipality 1, published in November 2023, has a chapter on

support services related to pedagogical support. This chapter presents the professionals involved in the learning, essential care, and communication of students with disabilities. These professionals are appointed as Auxiliary Support for School Inclusion and are attributed to act as pedagogical and daily life support of students with disabilities, act with the pedagogical team, proposing strategies and resources that allow overcoming difficulties and lag, and prepare and adapt instructional materials to favor the effective participation and inclusion of these students in the school environment. The requirement is to have completed or ongoing training in High School with training in teaching or pedagogy and/or a normal higher education course.

There is a discrepancy between the technical knowledge to be offered and the service to be provided since the assignments are the same, but the training is not. This fact prompts us to consider whether the demands of students with disabilities can be met by requiring technical knowledge from those who have not even completed high school, and how these students will manage the workload needed for mediation. There has been a reinterpretation of the policies, and both the nomenclature and the attributions differ from what was placed in the PME.

Since 2022, the municipality has been hiring staff for a specific period to perform the function of Pedagogical Resident through a simplified selection process. Attention is drawn to the fact that the selection process is not specific to any position. Still, it covers various functions ranging from support to basic care and mediation for students with disabilities to workshops and reinforcement activities, among others, such as meeting emergency needs involving students in the network.

We understand that the last items related in the previous paragraph are somewhat complex, which leads us to reflect on whether residents would be able to meet “all” the demands and emergencies that arise in the network and that involve students, which characterizes, as pointed out by Lopes and Mendes (2023), a “cheapening” of labor, in the case of the mediator, because they are interns in training – that is, interns hired to perform various functions with low salaries - and devaluation, for the same reason, of already trained residents. All this indicates the lack of clarity regarding the profile and attributions of the mediator, who ends up assuming “responsibilities that are beyond what is signaled in school inclusion policies” (Marquet et al., 2022, p. 1590, our translation).

The PME of Municipality 2 presents 25 strategies for reaching goal 4, containing two methods related to support professionals. The strategies aim to guarantee a caregiver, who must be a qualified professional, and a mediator, who must be specialized.

The PMEEPEI of Municipality 2 was created in 2015 – even before the publication of the LBI (Brasil, 2015) - and brings in its art. 6 the figure of the support professional or school life assistant as a member of the Specialized Educational Care professional team. This professional can be provided by partner institutions, responsible for supporting daily life activities (food, mobility, and hygiene) and the student due to segregated history (PMEEPEI, M2, 2015). The policy has limitations even at the micro level. There is no indication of required training or support being provided to students with a history of segregation. The notice of the public tender, held in 2020, offers the position of school mediator, with a requirement of minimum training in High School in the teaching program and the same attributions of the M1. The municipality kept the name "mediator", as in the PME, but added the word "school" and removed the adjective "specialized", no longer being a requirement for the function.

There are no doubts about the functions of the professional responsible for care, both in local and federal legislation, but rather about the nomenclature and training. One municipality requires qualification, although it does not specify the area, and calls it a "caregiver"; the other makes no mention of training and calls it a "support professional". In Municipality 1, the mediator has a pedagogical function, as the term "teacher" precedes the word "mediator", plus the adjective "pedagogical", but does not indicate qualification or specialization. In contrast, Municipality 2 requires someone with specialization, although the document does not specify in which area.

Regarding calls for tenders and selection processes, the nomenclature and attributions exhibit variations, highlighting the fragility and lack of definition surrounding the names and functions of this professional. These functions are identical and encompass both pedagogical and care responsibilities, as listed in the attributions of a single professional.

In 2022, the municipal policy for the protection of the rights of people with Autism Spectrum Disorder was instituted, having as a guideline the guarantee of the Specialized Educational Care, without allusion to services. In the same year, norms were decided for Special Education in the inclusive perspective and for the Specialized Educational Care within

the municipal education system. Chapter I highlights that the municipality must provide the student, among other issues, with Specialized Educational Care and other support services that favor functional learning throughout life (M2, 2022). However, the guidelines with the attributions of Special/Inclusive Education professionals have not yet been published.

The municipality has enacted several legislations to support and guarantee the rights of students with disabilities. This issue remains an agenda for discussion, despite the differences mentioned regarding the figure of the school mediator, in its text productions on Special Education from an inclusive perspective. However, it is not a finished matter. According to Mainardes (2006), “political texts represent politics, ... but such texts are not necessarily coherent and clear” (p. 52, our translation).

Therefore, although the PME is still in force, the forecast of a *specialized* mediator, provided in Municipality 2, and the *specialized* pedagogical support service in the 2001 Resolution (Brasil, 2001) fell into oblivion or was purposely ignored in the textual productions, replacing this professional for the school life support or auxiliary professional or mediator, both in the PMEEPEI and in the tender notice and subsequent regulations, as described throughout the text.

The documents presented here show the complexities of the interpretation of macro-texts and their influence on textual microproductions. Such text productions demonstrate how much the municipalities decontextualize and reinterpret the regulations in a convergent or divergent way from the old interpretations through creative processes. All this because, according to Mainardes (2006), textual productions and their interpretations involve processes of power, agreements and disputes, and various interests. In this process, some voices are heard and legitimized, while others are ignored or rejected.

Thus, the performance of mediators generates controversies in the educational scenario, both in terms of influence and production, and it would not be different in practice. Thus, we proceed to the analysis of the initial categories and the final category in metatext form.

Role of the mediator in the school

All mediators, as foreseen in the LBI (Brasil, 2015) regarding support professionals, in addition to performing basic care activities, “act in all necessary school activities” (p. 3, our translation). As this statement gives rise to multiple interpretations, since it broadly understands the expression “all necessary school activities”, we include in this category those related to support in the execution of the pedagogical activity, the adaptation of activity and production of material, the basic care of food, personal hygiene, and locomotion; support in behavioral, communication, and socialization issues, and planning.

All this makes us reflect even more on this supposed clarity of the regulations, and in the speech of the respondents, after all, if there is still controversy, who is it clear to? If it were so clear, there would not be such confusion regarding the roles and performance of the mediator in the school inclusion of students with disabilities. One of the mediators indicates the need for clarity, as she still has doubts about her role: *“I think we urgently needed a guideline, some law that would guide our work, what we need to do, what we don't have to do, even for us to be able to support ourselves”* (Med 10 M1). The mediator in question does everything in the school and, in addition to the role and assignments regarding the documentation that must be completed, such as work reports, student reports, planning, etc., she covers other practices, such as staying in the courtyard, producing material for events, and covering teachers when any of them need to be absent. As she states, “put out fires.”

Characterization of the audience assisted

After describing the specificities of the students mediated by the mediators, the students were organized into three groups: Audience of Special Education, Non-Audience of Special Education, and Unspecified. In the first group, according to PNEEPEI (Brasil, 2008), there are students with disabilities, Autism Spectrum Disorder, and high abilities. In Group Two, we consider those who, although not legally part of the Special Education audience, have specific needs, such as Attention Deficit Hyperactivity Disorder (ADHD) and Oppositional Defiant Disorder (ODD). On the other hand, those in Group Three did not have their specificities defined by the mediator.

There was a predominance of those diagnosed with Autism Spectrum Disorder, with a significant percentage of 75%, followed by students with intellectual disabilities, representing 18%, and the rest with 3%, among which are those with multiple disabilities, high abilities, and visual impairment.

The number of students diagnosed with Autism Spectrum Disorder has increased significantly in schools, as presented by Reis (2020). According to the mediators, it is one of the most challenging conditions in the school environment, as is the condition of those who have Oppositional Defiant Disorder. This is the challenge they most pointed out regarding behavior and even teaching. Mediators recognize the individual differences within each student, emphasizing that even those with the same diagnosis exhibit unique characteristics. We view this point as positive; however, the differences make the work challenging, a fact that may relate to the medical model of disability.

Although Autism Spectrum Disorder is not specifically the object of study of the research, it is worth reflecting on the increase in the number of cases. Researchers refer to a “rising industry” (Fernandes et al., 2024) through this accelerated phenomenon of expansion of diagnoses in Autism Spectrum Disorder. When using the term “industry”, the authors relied on Broderick (2022), who argues that this diffusion of autism revolves around a system that manufactures this condition as a commodity, unfolding in the opening of clinics and offer of products, medication, and professionals destined to the care and treatment of this public, transforming it into “raw material [*sic*] for profit extraction” (Fernandes et al., 2024, p. 12, our translation), focusing on public policies, which may not necessarily translate into the best interest of those with Autism Spectrum Disorder. This scenario also unfolds in the work of the mediator, as many families request and charge professionals with specialization in Applied Behavior Analysis (ABA) in the school environment, who are characterized as therapeutic companions (TCs). This is another controversial issue in the context of school inclusion of students with Autism Spectrum Disorder. The Manual of Action of the Federal Prosecution Service in defense of Special Education from the perspective of Inclusive Education (Brasil, 2024a) points to the Therapeutic Companion as a health professional, thus reinforcing that the school cannot be a field for the performance of this professional, especially if confused with the practice of the school mediator.

Students who are not part of the Special Education audience are also served, such as those with Attention Deficit Hyperactivity Disorder, Oppositional Defiant Disorder, and learning disorders. However, such demand is present only in the reality of Municipality 1. According to the managers of both municipalities, there is an assessment to understand the need for services for students. The coordinator of Municipality 2 states that the network cannot meet the demands of this non-audience of Special Education, as they do not account for the audience to be served, and service is offered in another institution before/after school. On the other hand, the managers of Municipality 1 report that, when assessing the need, they try to offer support, even for those who are not part of the Special Education audience and who do not have a prescription.

There were also cases without specifying the characteristics of the students by the mediator, in the sense of framing them in some profile of the audience served in the legislation, such as saying that “*the student has a slight problem in his head*” (Med 4 M2) and that “*I think the other student is autistic*” (Med 9 M1), although the mediator knew how to recognize the needs of students observed in the school.

In this sense, we think it is important to open a parenthesis and talk a little about the working conditions of the mediator regarding the number of students served. Only one mediator from one of the municipalities mediates only one student. All others mediate from two to six students in M1 and from two to five in M2, all with the most diverse needs. The number of students varies by class and shift. Municipality 1 presented students with mediation shared by more than one mediator due to having 30-hour mediators who completed the workload twice a week in the reverse shift, as in the case of Med 4, Med 6, and Med 9. Municipality 2 has a regulation limiting the number of public Special Education students to a maximum of two per room. However, this limit is often exceeded. The number of students per mediator ends up being a reason for dissatisfaction by professionals who, in addition to being overwhelmed, claim that it is difficult to account for more than one student with such different specificities.

Thus, even the educational needs of the students are contemplated with the mediation service, and the number of mediated students is interpreted in different ways in the municipalities and schools. This last issue was indicated by the managers of both

municipalities, stating that the number of mediators could not meet the demands of the networks and that many students receive shared mediations.

Challenges in exercising the function

There were similarities and divergences in relation to the challenges faced and indicated by the managers in each municipality. However, the barriers related to the family occupied a prominent role, appearing in the speech of three of the four managers. The challenges stem from the parents' or family's misunderstanding of the mediators' role, perceiving them as nannies for their children. Family insecurity and welcoming the mediator also appeared as challenges. According to the statements of both managers, it is necessary to initially welcome and understand the demands of the families for them to understand the entire context of inclusion and the practice of the said network and unit.

We interpret that all this doubt and confusion of roles are justified due to the lack of clarity in national and municipal legislation, as discussed and as appears in the speech of the coordinator of Municipality 2: *“It is a profession that has not yet been recognized and changes only if a law or even a decree comes, some regulation that regulates the profession and came at the national level”* (C2). This vagueness of roles corroborates one of the challenges that appeared in the research of Lopes and Mendes (2023), listed by two municipalities investigated, when managers reported that the vagueness of the legislation and the lack of standardization of the function weaken the direction of the mediators' performance, generating misunderstandings. Bezerra (2020) adds that “such vagueness is politically strategic and convenient for the Federal Government, allowing, in a country of our continental expanse, municipal and state networks to organize themselves according to their possibilities, resources, and intentions” (p. 682, our translation).

Among the challenges indicated by the mediators are the difficulty of handling the students' characteristics (6 mediators), especially regarding behavioral issues resulting from crises and student dysregulation, with manifestation of physical aggressiveness, and the devaluation of the mediator (4 mediators). Some mediators reported a lack of voice and participation, particularly in class council and meetings with those responsible and Specialized Educational Care teachers, or in any other moment in which the mediated is the subject, which makes the mediators feel excluded and lonely, considered the primary barriers. Subsequently, the lack of partnership by the family (3 mediators) was indicated, from which

issues of the family's acceptance of the children were evidenced. This lack of acceptance leads families to avoid seeking support for their children's development and to neglect their role in the educational process.

This context highlights the challenge posed by the absence of students whose school performance is impaired. Likewise, the mediators' work is hindered by the loss of continuity. Three mediators also reported the issue of attitude barriers, in the sense that teachers would have difficulty accepting the student, as they consider it the mediator's responsibility and try to exempt themselves from their teaching responsibilities towards these students. Challenges related to planning time, emotional involvement, and lack of training also appeared in the reports, but in a smaller proportion, indicated by only one mediator in each question.

Training of mediators for exercising the function

Although most respondents have a high school diploma as their initial training without being technical, many have a degree in the field of education. Except for Med 4, which has no undergraduate degree but several courses in the area of Special Education, nine respondents have a degree in pedagogy, three are undergraduate students in this same area, and one has a Normal Higher Education. Regarding the respondents' specialization, only one mediator has training in the areas of Psychopedagogy and Special Education.

The coordinator of Municipality 1 reports that the municipality can offer training as far as possible; the director says that there is a training offer, currently directed to autism. Some mediators reinforce this speech. However, all mediators said that the supply is low in relation to the demand presented by students and the challenges of the function. The mediators of Municipality 1 point out that the training offered is punctual and at the level of lectures, face-to-face or *online*, so that they do not satisfactorily meet the demand. All reinforced that the exchange with their peers (other mediators) and the school team – the teacher of the regular class, the director, and especially the teacher of the resource room – contributes significantly to the exercise of the function.

On the other hand, the respondents of Municipality 2 refer to courses and/or meetings, also punctual, face-to-face, or *online*. We infer that it is because this municipality has held a specific tender and selection process for mediation. Both municipalities, as well as the

municipalities surveyed by Reis (2020) and Lopes and Mendes (2023), show a lack of training or deficient training for the mediator's performance in the inclusion of students who require this support.

In this context, as highlighted by Bezerra (2020), support is compromised since an idea is disseminated that Specialized Educational Care students, when receiving support through the mediator, “eventually with specific training, are properly assisted, without demanding more investments for their learning and development” (p. 685, our translation), especially when it comes to interns in training or with training at medium level, as is the case of most mediators in the current research. The author also reinforces this context by emphasizing the cheapening of labor that persists in an inclusion model based on a justification of saving and optimizing public funds, neglecting public Special Education students and making them “new excluded from our school system” (Bezerra, 2017, p. 494, our translation).

To compensate for this lack, many seek courses and training on Special Education and Inclusion, as well as related topics outside of institutions, *online*. In addition, those who work in the Pedagogical Residency reported receiving significant guidance from their supervisors for day-to-day practice; however, this guidance is insufficient in meeting students' demands. In this sense, based on the statements and the municipalities' reality, we criticize the training offered by the municipalities, which is often reduced to a lightened training, not being characterized as either training or qualification.

View of the school community on the mediator

Many respondents and Reis (2020) found that families see the mediator as a nanny and expect these professionals to do everything for their children, especially concerning basic care, such as food, hygiene, mobility, tooth brushing, and backpack transport, among others. This speech is recurrent, both among managers and mediators.

Most mediators reported that teachers perceive their role as mediators as essential and indispensable, they noted by the feedback they receive from teachers. They also say that they are accepted, welcomed, and feel they belong to the school team, as shown in the following excerpts: “*I hadn't stopped to think about it yet, but they see us as a helper, which helps them a lot*” (Med

9); *“It's like a relief, someone came to help, so we are important and always well received”* (Med 8); *“I believe they see us as an essential, fundamental piece, they are very grateful to have us there”* (Med 1 M1).

These statements are reinforced by most mediators, who say that it is challenging for the teacher to take care of the whole class alone, so they find the presence of the mediator essential. This same view of teachers appeared in the research of Reis (2020), when they justified that it is difficult to give individualized and adequate attention due to the number of students.

In the view of managers, mediation has occupied different places, from *“teacher support”* (C2) to the enlargement of this perspective *“as the one who mediates the special education student in all aspects”* (D2), as *“support for the inclusion of the student in the school”* (D1), or even more so as a guarantee and success of inclusion.

Contributions of the mediator

Most of the respondents identified the student's development as a contribution of the mediator's performance in the school. The respondents considered that the mediators developed more with their presence and support, as the teachers could not meet all the demands of the classroom alone. Advances were reported in several areas, including students' autonomy and independence in daily life activities, socialization, interaction, and the execution of tasks, as well as content recognition and name writing.

The contribution as support to the teacher was also indicated by the director of one of the schools, who had also been teaching for many years and experienced the difficulty of accounting for the pedagogical process in a classroom, especially with a significant number of students. As a manager, considering the group's collective well-being and the school's overall well-being, the other director noted the positive impact on class behavior when a mediator assists the teacher.

The contribution of a closer look at the student was also relevant, as it allows for a deeper understanding of the student and enables the development of a tailored follow-up plan that meets their specific needs. Verifying that the work was done and that it was possible to account for the student through their profile were also flagged as contributions.

We recognized the importance and appreciation afforded to the mediator, particularly from their own perspective, and, to some extent, also by the directors and families, which underscores the necessity of this service, although it still requires adjustments. Thus, the contributions indicated justify the importance of the performance of these professionals as well as the need to value them, but in a balanced dosage, accompanied by the adequacy of this service.

The precariousness of the work of the school mediator: from the urgency of a regulatory framework of the profession to the effectiveness of an inclusive education

The performance of mediators in the contexts investigated has been precarious and complex in terms of their functions, despite recognizing the importance of this professional in the school. It was possible to identify precariousness and devaluation of the mediator in both municipalities, although they present some similarities and differences. In Municipality 1, most mediators are selected through processes that are not specific to their role, meeting the demands of the Secretariat of Education.

This form of admission, through the selection process and the profile of mediators with a predominance of interns, was the same characteristic found by Ziliotto and Burchert (2020) and Lopes and Mendes (2023). The latter indicated the absence of more systematized and better-organized criteria in the selection process, as occurs in Municipality 1. The turnover of professionals, the high number of mediators, and low wages in both municipalities investigated in this research are also part of the set of precariousness found.

In Municipality 2, the trajectory of regulations appears to be more organized, although it still requires adjustments. In this sense, the characterization of the audience served by Municipality 2 is consistent with current legislation: students with disabilities, global developmental disorders, and high abilities or giftedness. On the other hand, Municipality 1 goes further, serving students who are not part of this audience, but who also need support, such as those with behavioral and learning disorders.

Still regarding practice, we verified that the mediators of both municipalities act in all the activities that are necessary in the school, from those focused on basic care to those of a

pedagogical nature, socialization, and communication, going beyond the support professional indicated in PNEEPEI (Brasil, 2008) and LBI (Brasil, 2015) and approaching the one proposed by *CNE/CEB Resolution No. 2 of September 11, 2001* (Brasil, 2001). However, there are disagreements regarding the training and specializations, specifically concerning the minimum training requirements for admission, which include completing high school, attending a technical high school for teaching, and undergoing undergraduate training.

Regarding the offer of training by the municipalities, a lack of and inadequate training were verified; even mediators with initial training in the educational area and with experience feel a lack of a greater foundation to address recurring issues in the school. As emphasized by Ziliotto and Burchert (2020), legal devices are often created, but “unaccompanied by training policies for school professionals” (p. 20, our translation). When they occur, some courses in the area are provided with the justification that the “specialized” requirement is being met (Bezerra, 2020).

The lack of clarity regarding the figure of the mediator in the investigated schools can be verified by the nomenclatures existing in the municipalities, which are the most varied in their textual production. This vagueness in the text productions unfolds in the roles played by the mediators and in the school community's view of them. Many family members perceive the presence of the mediator as that of nannies for their children, without understanding their actual role and the scope of their actions. On the other hand, some mediators assume this role because they also perceive themselves as teachers, wanting to plan and implement their own activities for the students. Some teachers fail to plan for or include special education students, leaving the responsibility to the mediators. We observed a complete misunderstanding among all parties involved regarding the professional's presence and performance during their inclusion in these schools, characterized by multifunctional roles but hindered by inadequate training.

We interpret that training is offered lightly, through lectures, quick courses, and sporadic meetings, not characterizing training or qualification. Additionally, the profile and performance of the mediator do not entirely fit what is recommended in the LBI (Brasil, 2015) or in the 2001 Resolution (Brasil, 2001). It is therefore necessary to take measures to regulate the presence of these professionals in the school, with defined criteria and better working

conditions, and to ensure training to guarantee the right to inclusion of students who need the mediator through assertive and non-medial actions.

Finally, we noticed a gap between the daily reality of the schools surveyed and the laws regarding the mediator as a solution to the emerging demands of inclusion. In this sense, mediation can either be a service towards inclusion or a reinforcement of exclusion if it is practiced in an individualized manner and focused only on the student's disability as the responsibility of the mediator. At the same time, the teacher teaches the rest of the class. The mediator's mediation action should not disregard or exclude the teacher's mediation action, as both play fundamental roles, individually or collaboratively, in this scenario.

In the same way that the right to education refers not only to the enrollment of students in school, but also to their permanence, participation, and learning, the presence of the mediator, without regulation of the function, legal support of their profile, training and performance, in the forms in which they are presented in practice, does not guarantee the school inclusion of students who need this service. Thus, it is necessary to consider the "inclusion" of mediators in the school, beyond their presence; we must also consider their permanence, participation, and learning, so that students are included, *de facto* and *de jure*.

Final Remarks

We analyzed how inclusive education policies materialize in schools, especially regarding the practice of mediators, as support for the inclusion of students with disabilities. The research had a qualitative approach and a descriptive nature, with techniques sustained in individual interviews and documentary analysis. The context of the practice covered two public schools in different municipalities, presenting a school mediator as support for inclusion in their staff. The context of text production referred to the legislation of these municipalities, such as PME and PMEEPEI, in addition to calls for tenders and selection processes.

These approaches allowed us to understand how mediators attribute meaning and intention to their actions in the school environment. It was also possible to collect important information from the perspective of local managers and the school community, allowing us to

understand the context of the mediator's practice in each municipality in the schooling of students with disabilities concerning inclusion.

In general, the need for support for students with disabilities has increased significantly, as identified in the research used and in the statements of the respondents, with different demands focused on health, daily life basic activities, and the pedagogical process, that is, the process of inclusion of these students in the school environment.

According to Ball et al. (2021), professionals stage and enact the policy in schools based on their reinterpretations and recontextualizations, adapting them to each reality. In this context, each municipality and school operates according to its own interpretations and interests. Consequently, our investigation in the municipalities revealed that the mediator plays a broad role to meet all existing demands, demonstrating multifunctional performance by assuming multiple roles beyond mere *support*. These various actions bring contributions and different challenges, ranging from the devaluation of the professional to the difficulties regarding the management of students in the face of their multiple characteristics. The lack of training and partnership with families also appears, generating doubts for all those involved.

Both municipalities, as well as the municipalities surveyed by Reis (2020) and Lopes and Mendes (2023), show a lack of training or deficient training for the mediator's performance in the inclusion of students who require this support. In this sense, just as the training offered by the municipalities is reduced and translated through a lightened training – and thus is not characterized as either training or qualification –, we interpret that the same happens with mediation, which is neither translated as a support professional nor as a specialized teacher, but is reduced to median alternatives for the pseudo-compliance with the regulations and existing demands for the inclusion of students with disabilities. We go further in this research, recognizing that these practices are already naturalized in the school environment and will remain so until we have a legal direction with clear definitions regarding this professional, naturalizing what is possible according to each context.

We infer that there is a connection between all analyses presented, in the sense that, if there were regulation of the profession, with a clear profile, attributions, and training, as indicated by Lopes and Mendes (2023) and Bezerra (2020), the role of this professional would be known by each character in the school community, from parents to teachers, including the mediators themselves. Mediators would be sure of their function and role in the school

environment – they would be the first to value themselves, to have active voices, to fight for labor rights and inclusion rights of the audience they serve.

According to Ball et al. (2021), the texts and actions of policies produced by schools are complex and, when put into practice, produce "disordered, dismantled and flawed co-constructions [sic]" (p. 180). In this sense, all joint efforts in the performance of school mediation policies in the investigated realities require from the mediators the acquisition of specialized knowledge, without which various forms of values and beliefs are combined in a disorganized set, with inconsistencies and contradictions, as was the case in the present study.

Mediation is only one of the service possibilities emerging from this inclusion and must have an intersectoral support network. Thus, as Vargas and Rodrigues (2018) indicate, it is essential to build not only paths, but also inclusive processes with the school, the family, the student, and the support network, so that the mediator is not solely responsible for the student's inclusion process.

Although a right is guaranteed by law, the absence of clear and specific legal parameters governing school mediators allows for the non-implementation of this right, resulting in students still lacking access to this service due to the government's failure to implement it. This also leaves a gap for median actions that cover other interests, such as cost containment and maintenance of a low-cost production system, characterizing a cheapening of labor and simplification of support services.

In this sense, we agree with Marquet et al. (2022) by recognizing "the need for more precise political and normative definitions" (p. 1593), so that they guide governments in the construction of their own policies concerning the profile and performance of the mediator and the minimum training and the offer of more qualified training not only for the mediator but for all those involved in the educational inclusion process, so that life, and not exclusion, is produced.

In addition to the need for specific regulations and guidelines on the subject, there has always been a challenge of school inclusion; to build systems with inclusive educational proposals, it is urgent to transform the practices within schools, and it is up to each of us to make critical reflections on our actions as producers and policy actors in the educational context.

We consider, then, that there are still many gaps to be researched, requiring academic investment in the theme, given the scenario presented, to enable more research and studies on other realities and expand discussions with universities and schools to identify conflicts and possibilities based on the practices of the mediator, so that these policies can be improved and become more appropriate and assertive. We also hope that this research will reinforce existing studies and contribute to a reflection process, primarily for legal bodies, highlighting the need for changes and measures in the regulation of the profession and specific regulations.

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