COLLABORATIONS IN THE EDUCATIONAL FIELD: AN ANALYSIS OF INTERGOVERNMENTAL cooperation IN DAYCARE POLICY

COLABORAÇÃO NO ÂMBITO EDUCACIONAL: UMA ANÁLISE DA COOPERAÇÃO INTERGOVERNAMENTAL NA POLÍTICA DE CRECHES

COLABORACIÓN EN EL CAMPO EDUCATIVO: UN ANÁLISIS DE LA COOPERACIÓN INTERGUBERNAMENTAL EN POLÍTICA DE GUARDERÍAS

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ABSTRACT: This article aims to shed light on the dynamics of collaboration between federative entities regarding daycare center policy for children, with a focus on states and municipalities. The municipality's responsibility is to provide daycare center places and must be carried out with the technical and financial cooperation of the Union and the states. The lack of clarity of the 1988 Federal Constitution and regulations results in differing understandings of the state's actions, which means that only twelve of them actually cooperate with the municipalities in this policy, and even in states that act systematically, such as Ceará and São Paulo, the policies are different.

KEYWORDS: Inter-federative relations. Intergovernmental cooperation. Education policies. Daycare center policy.

RESUMO: O artigo visa esclarecer a dinâmica de colaboração entre os entes federativos na implementação da política de creches, com ênfase nas relações entre estados e municípios. A oferta de vagas de creche é responsabilidade do município, devendo ser executada com a cooperação técnica e financeira de União e estados. A falta de clareza da Constituição Federal de 1988 e normatizações resulta em compreensões divergentes sobre a atuação dos estados, fazendo com que apenas 12 cooperem com os municípios dessa política e que, mesmo nos estados que atuam sistematicamente, como Ceará e São Paulo, as políticas sejam bastante distintas entre si.


RESUMEN: El artículo pretende arrojar luz sobre la dinámica de colaboración entre las entidades federativas en la política de guarderías, con énfasis en los estados y municipios. La dotación de plazas de guardería es responsabilidad del municipio, y debe realizarse con la cooperación técnica y financiera de la Unión y de los estados. La falta de claridad de la Constitución Federal de 1988 y de los reglamentos resultan en interpretaciones divergentes de la actuación del estado, lo que hace que solo 12 cooperen realmente con los municipios en esta política y que, incluso en estados que actúan sistemáticamente, como Ceará y São Paulo, las políticas son diferentes.

Introduction

Implementing and operating a daycare policy still causes one of the major bottlenecks in municipal administration in education. The targets established by the National Education Plan (PNE) 2014-2024 (BRASIL, 2014) prescribe attending up to 50% of all children up to three years old by 2024. Data from the Continuous National Household Sample Survey (PNAD), however, reveal that in 2019, this figure was 35.6%, a number that shows the dimension of the difficulty municipalities face (IBGE, 2019). In addition to the technical and financial capabilities of local governments, which are usually restricted, the post-pandemic context has resulted in more obstacles hindering the ability of the authorities to expand the number of places on offer.

Although the Federal Constitution of 1988 defines daycare services for children as a right for everyone and a duty of the state and the family with the collaboration of society, providing them is an attribution of the municipalities. Article 30, Item VI, the Magna Carta also establishes that “it is incumbent upon the municipalities: [...] to offer infant and elementary education programs with the technical and financial cooperation of the Union and the State” (BRASIL, 1988, our translation). It expressly states that state and federal governments must help local governments fulfill this responsibility in a collaborative manner.

This guideline, however, is not the same in all legal instruments: the Guidelines and Bases of the National Education Law (LDB) make no specific reference to daycare policy, despite reinforcing the role of state government in supporting municipalities with regard to elementary education. As we argue here, the absence of clear directives leads to state teams interpreting the limits of their duties differently, leading municipalities to adopt heterogeneous assistance practices in pursuing these policies.

To test this hypothesis and verify how, in fact, these different perceptions materialize in public policy terms, a survey was carried out of state actions that support daycare policies with a request via the Access to Information Law (LAI), which was sent to all units in the federation in February 2017. The request included two questions: whether there was any support for local governments in this area, and if so, what kind of support was it. Feedback was received from twenty-one states that indicated there are different types of support and, consequently, different interpretations of the legal precepts. These findings reinforce the thesis that the lack of any clear regulation regarding the collaboration regime is reflected in heterogeneous initiatives and can ultimately affect the decision of state actors to engage in the process and impact the quality of any cooperation.
In addition to contributing to the understanding of cooperation in federal relations, these results also have the potential to contribute to other debates. Public policy analysis literature emphasizes the actions and activities of public leaders⁴ (BONIS; PACHECO, 2010) as being a determining factor in understanding the results of public policies (FARAH, 2021; LIPSKY, 1969; PRESSMAN; WILDAVSKY, 1973). From the perspective of this analysis, the state secretaries of education occupy the role of public leaders and are different from the bureaucrats and politicians since they are able to dialogue with both the political sphere and the management sphere.

In this sense, they are driven by a unique set of competencies that center on the search for results while operating in a discretionary space in which implementation can be affected by their decisions. This discussion adds to the analyses of implementation processes, which are gaining ground and which list some elements as explanatory variables for understanding the products of policy execution. According to Lotta (2019), implementation is a highly interactive process influenced by many factors related to more general systems (state format, social beliefs and values, national culture, etc.). In addition to the rules themselves, therefore, the ideas and interpretations of the actors also end up “shaping” implementation actions. In the case of daycare policy, this would help explain, for example, the different understandings that exist and the types of support observed in the empirical part of this study.

This article aims to advance the discussion on federative cooperation but also adds insights that help when it comes to understanding public policies more widely. In doing so, it relies on qualitative research and makes use of document analysis, which was based on a request sent via the Access to Information Law (LAI) and interviews with actors at the macro level in state education departments in São Paulo and Ceará.

The document contains four sections in addition to this introduction. The first is devoted to a conceptual overview of intergovernmental cooperation and focuses on the dynamics between states and municipalities, an area that is traditionally little explored in the literature on federative relations. The second section focuses on surveying state support for municipalities regarding their vacancy policies for daycare centers. The third section analyzes two cases – Ceará and São Paulo. The fourth and last section is reserved for final considerations, with

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⁴ Public officials are described as individuals who hold positions in the top governmental hierarchy with responsibilities for public policies, overseeing organizations while striving to align them with government policies (BONIS; PACHECO, 2010).
reflections on collaboration arrangements in education and the process of formulating public policies based on providing places for children in daycare facilities.

Inter-governmental cooperation and the relationship between states and municipalities

Building a cooperation model in a federation with the dimensions of Brazil is no easy task, and the education policy is an eloquent example of this challenge. Riker (1975) presents a well-known definition of federalism as a system in which different governments operate in the same territory and with the same population, and each of these governments makes the final decision with regard to certain activities. As Brazil is territorially/geographically, demographically, regionally, socio-economically, and institutionally heterogeneous, federalism would appear to be an interesting institutional design because it guarantees a combination of autonomy and independence (ABRUCIO; SEGATTO; PEREIRA, 2016).

The force that sets in motion the mechanism of cooperative federalism is inter-governmental cooperation in inter-governmental relations. Wright (1997) is one of the theorists who define inter-governmental relations as: a variety of inter-level and intra-level interactions that involve the activities and attitudes of officials; continuous contact and standardized exchange between different types of public officials; and the participation of these officials in the decision-making process and the political process that involve the work of actors beyond the confines of government.

For this academic, therefore, inter-governmental relations go beyond the limits of government and encompass non-state actors. These relations involve processes of negotiation, cooperation, and coordination\(^5\) between the spheres of government (WATTS, 2008, 2015), and are anchored in the principle of subsidiarity, which presupposes that local instances have the prerogative to act on municipal issues, leaving the state and the Union to help with that which municipal administrations are unable to accomplish themselves.

Coordinating and cooperating have, in practice, proved to be complex activities. For this article, it is essential to investigate cooperation specifically; Strelec and Costa (2016) state that intergovernmental cooperation is associated with joint action for a common purpose and is voluntarily disseminated. It can occur in different territories (Union, states, and municipalities),

\(^5\) It should be noted that opinions in the literature on the difference between coordination and cooperation are not uniform, despite the coordination importance of the Union based on its normative, supplementary, and redistributive functions being recognized.
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with varying levels of scope (including the entire government or just one specific policy) and may also provide financial and technical assistance (voluntary transfers through specific programs, training, the distribution of materials, and other actions). Depending on its scope, its implementation may require the creation of monitoring and evaluation systems, as well as a body or a team that coordinates the process (AGRANOFF, 2001; GRIN, 2016).

In terms of the rules, the principle of intergovernmental cooperation is considered in Articles 1, 18, 23, and 60, para. 4, Item I of the Constitution assumes that the autonomy of the spheres of government requires negotiation between them. The idea is that dialogue occurs even when the competence is exclusive to one of the actors. Almeida (2005) and Franzese (2010) argue that competence-sharing is a characteristic of social policies to ensure that the service is offered to citizens by one entity or another in a cooperative-type federalism.

Cury (2010) argues that cooperative federalism, as provided for in the 1988 Constitution, seeks to balance powers between the Union and the member states, thus establishing collaboration links in the distribution of multiple competencies by way of activities that are planned and linked to each other, the aim being common ends. Collaboration requires mutual understanding between the parties and those deliberation and decision-making arenas that make participation possible.

Common competencies for education were described in the Magna Carta, but the complementary laws that would deal specifically with collaboration rules have not yet been enacted despite being planned. Article 23, sole paragraph, establishes that these legal precepts “will establish rules for cooperation between the Union and the states, the Federal District, and the municipalities, to balance development and well-being at the national level” (BRASIL, 1988, our translation), but these rules have not yet been prepared.

In addition to providing for normalization by way of a complementary law, the Federal Constitution also created the collaboration regime. Cited both in Articles 211 and 214 of the Constitution and in the LDB (Art. 8), in Constitutional Amendment 59/2009 and the PNE, the collaboration regime was not adequately described and how it functions in relation to articulating education policy remains vague and abstract. Cury (2010) reports that, both in terms of content and mechanism, it is difficult, slow, and necessarily negotiated. Only more recently, in 2015, the Ministry of Education defined it as:

[...] the expression and form of organization of teaching systems through collaborative relationships that ensure compliance with the responsibilities that are defined in the cooperation norms and in the new funding rules, and
that are all guided by the national quality references expressed in the LDB (MEC, 2015, our translation).

Even this description, however, is sufficiently broad to allow for multiple interpretations of how such a regime might actually be implemented. A step further in the strategy of institutionalizing collaboration would be through the National Education System (SNE), which is also provided for in the Constitution. There is currently wide articulation for its implementation, which is supported by the idea that an institutionalized systemic structure would facilitate joint action and establish the limits of action of each entity; this is similar to models that are in place in the health and social assistance areas.

Despite recent advances, the complex interweaving and the delay in making the SNE possible are symptoms that its supposed benefits are not consensual between the parties or academics who study the topic. Cury (2008) cites the fear federative entities have of losing their autonomy and the federal government’s reluctance to assume a more effective presence in primary education, especially regarding funding, as being elements that hinder the creation of the system.

Araújo and Nascimento (2020) analyze the business movement through initiatives such as Educação Já [Education Now], from the Todos Pela Educação movement, which emphasizes the dangers of privatizing education and the SNE adopting a corporate rationality when in their regulations. Other authors, such as Saviani (2010), see no incompatibility between a national system and the Brazilian federation. They stress that the SNE translates the full organization form of the education field and that the best way to respect the diversity of different places and regions is to link them as a whole, not to isolate them.

Differences aside, the absence of a national system and an effective collaboration regime contribute to a disjointed and fragmented education project, meaning that the Union has to expand its coordination actions to fill this decision-making vacuum, which goes beyond distributing financial resources (ARAÚJO, 2010; CURY, 2012). According to Abramo and Lício (2020, p. 89, our translation), coordination is a form of “organizing activities, with the aim of individuals and organizations reaching a consensus in order to achieve the objectives of a group.”

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6 So far, eight projects have been presented to the National Congress for instituting the SNE. There are two in particular: PLP No. 25/2019, presented by deputy Professor Dorinha, which was approved by the Education Commission of the Chamber of Deputies in December 2021, and PLP No. 235/2019, presented by Senator Flávio Arns, which has already been approved by the Senate and should be voted on by the Chamber.
The daycare policy is also part of this framework because it involves vertical cooperation between the Union, states, and municipalities. The analysis of inter-federative relations from the perspective of state-municipality dynamics is an incipient field since much of the literature focuses on the vertical relationships between the federal government and subnational governments. The coordination role of the Union was strengthened after 1995 based on the redistribution of resources, regulations, and national guidelines (ABRUCIO; SEGATTO; PEREIRA, 2016); in comparison, the role of the state in this dynamic is still underexplored.

Education’s legacy is decentralized. What was on offer from the states and municipalities culminated in variations in policy across the country, which were linked to financial and institutional differences. The expansion of access to elementary education, therefore, generated different processes of municipalization (OLIVEIRA; SOUZA, 2010; PINTO, 2014), resulting in a doubling of the teaching networks, which has marked the history of education in Brazil (CURY, 2008; SEGATTO; ABRUCIO, 2016). According to Oliveira and Souza (2010), this difference in the form of expansion is the primary explanation for the inequality in the country’s education services. Pinto (2014) argues that the size and distribution of municipal networks across the country are not a reflection of the strength of the municipalities in the richest states in the federation but rather that the poorest states are failing in their duty to provide the required education.

Unlike other federations, the FC [Federal Constitution] did not subordinate them to the states and provinces by recognizing the municipalities as federated entities. It is assumed, therefore, that subnational governments have a degree of autonomy in executing public policies. Such independence, however, is incomplete as they must comply with national rules and regulations and participate in federal negotiations and agreements. It can be seen that, at least nominally, both states and municipalities enjoy a symmetry of competencies because none has more autonomy than the other in executing its functions. In practice, however, socioeconomic inequality between regions results in asymmetries that conflict with the constitutional arrangement.

With regard to the role of the states in public policies, Segatto (2015) points to the works of Tendler (1998), Gonçalves (2009), and Gomes (2009), which show that Brazilian states can play a coordinating role with the purpose of reducing inter-municipal socioeconomic and institutional heterogeneities in their territories and that despite there being strong federal coordination in most public policies, there is still room for state coordination. This space has, in fact, been used by some Brazilian states in other fields.
This is important for various reasons: the Union does not have the institutional, political or financial capacity to bear all the costs of coordination; some policy designs require a stronger role for state power (SEGATTO, 2015); and as Abrucio (2010) points out, since around 2007 the states expanded their ways of acting as they expanded their management capability, improved their finances and were encouraged to react to a model that valued the direct connection between the Union and municipalities, something that had been strengthened in the Lula era.

From examining the content of cooperation in education, it is clear that relations between states and municipalities are heterogeneous, may be more or less vertical or institutionalized, and involve different types of cooperation at different teaching stages. Segatto (2015) mapped and organized collaboration experiences into five categories\(^7\) that are supported on two planes: institutionalization and the redistribution of resources (including financial, material, and human).

This *continuum* includes cases of strong coordination on the part of state power, including continuous negotiation between states and municipalities, weak and little institutionalized collaboration, the institutionalization of bargaining arenas with no financial resources, and cases in which there is little or no cooperation. According to the author, these models are not determined by physical-territorial, demographic, socioeconomic, institutional, and regional diversities, but they influence them.

This evidence reinforces the perception that although the states have been the object of little attention in the literature, they have adopted cooperation mechanisms with local governments in a significant move to reduce institutional differences and differences in results between municipalities. Some states have encouraged actions within the municipalities: a) by creating programs and projects that contribute toward municipal actions; or b) through technical or financial assistance to municipalities by producing materials, providing advisory services or training; supplying construction models for daycare centers; preparing price registration for local governments, and other initiatives.

As the central argument of this article sustains, however, the lack of regulation and clear criteria for guiding and defining cooperation results in actions that are not very systematic and in policies that are quite different and with very uneven results, especially in infant education.

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\(^7\) Cooperation cases are classified into the following categories: state coordination, joint programs, joint actions, conflict resolution, and independent policies (SEGATTO, 2015).
a situation that will be illustrated in the next section with data on the actions of the states in their support of the daycare policy.

State support actions for a municipal daycare policy

The survey of state support actions for the municipal policy for offering daycare places was carried out in February 2017. We requested survey data regarding the existence and type of local support offered to the localities by state Departments of Education via the LAI. We also sought to identify whether, when there was support, it was financial, technical, or pedagogical. The request was returned by twenty-one states (78% of the federative units), of which twelve (44%) stated that there was some cooperation with the municipalities in this policy but that there were a lot of differences and understandings on the part of their teams in terms of their cooperation.

Analysis of some of the answers provided by the departments gives a dimension to the understanding of these actors of the role of the State in this matter. Citing the law, several claimed that daycare policy was the exclusive competence of the local authorities and, therefore, there was no requirement to support them. Others declared that despite this being the duty of the municipality, they still provided some assistance, which is a tacit argument that the action was voluntary and not compulsory:

In accordance with Federal Law 9.394/96, the municipality is responsible for daycare centers, but the X State Department of Education currently provides assistance to daycare center Y […]. (Secretaria Estadual de Educação de estado do Norte, our translation).

[…] the Department of Education does not have a policy involving daycare centers in the State, because infant education is a constitutional responsibility of the municipalities (Secretaria Estadual de Educação de estado do Norte, our translation).

Through the feedback received, it is observed that the understanding or interpretation of the letter of the law played a variable and crucial role in determining the implementation or absence thereof of assistance to municipalities. These findings align with more recent analyses from implementation studies, indicating that understanding the policy and the role of various actors significantly influences their outcomes (LOTTA, 2019).
Couto and Oliveira (2019) also offer new elements when addressing how priority guidelines\(^8\) have an impact on public policies, based on the assumption that ideas matter in this process since they form the basis of these priority guidelines and how they are to be implemented. Priority guidelines guide public policies in different areas and are defined by groups of actors. Based on the logic of this argument, it is to be assumed that in defining such guidelines, the concept of “idea” is understood not only as an abstraction or preference of the parties, but as an understanding and interpretation of what should be done. In the present case, this would mean saying that the different understandings the states have of their responsibilities influence the support given to municipalities with regard to the places they offer.

Based on the requests sent to state departments, Table 1 organizes the survey’s findings related to the actions carried out and lists the types of support provided to the responding states.

**Chart 1 – Type of support for the daycare policy in 2017**

<table>
<thead>
<tr>
<th>Types of support for municipalities</th>
<th>States</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial support to build and equip daycare centers</td>
<td>CE, GO, SP</td>
</tr>
<tr>
<td>Other financial support</td>
<td>RR</td>
</tr>
<tr>
<td>Technical and teaching support</td>
<td>CE, DF, GO, MS, PR, TO</td>
</tr>
<tr>
<td>Teacher training</td>
<td>AL, CE, DF, GO, MS, PR, RR, TO</td>
</tr>
<tr>
<td>Management training</td>
<td>CE</td>
</tr>
<tr>
<td>Monitoring</td>
<td></td>
</tr>
<tr>
<td>Producing guidelines for curriculums</td>
<td>AL, CE, DF, PR</td>
</tr>
<tr>
<td>Books</td>
<td>CE, PR</td>
</tr>
<tr>
<td>Sporadic actions in some daycare centers</td>
<td>PA, RO</td>
</tr>
<tr>
<td>Teacher availability</td>
<td>AL, RO</td>
</tr>
</tbody>
</table>

Source: STATES (2017). Response to the request for information from the LAI. Prepared by the authors.

Twelve (44% of the federative units) of the twenty states that responded to the request via the LAI claimed to help municipalities, but there is a variation in the intensity of the cooperation, which is in line with the findings of Segatto (2015). Three states supported the construction of early infant education units (Ceará, Goiás, and São Paulo); six said they offered some technical-pedagogical support (Ceará, Distrito Federal, Goiás, Mato Grosso do Sul, Paraná, and Tocantins); four produced curriculum guidelines for infant education (Alagoas, Ceará, Distrito Federal, and Paraná); and eight carried out some training aimed at infant education.

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\(^8\) Public policies are guided by priority directives, which, in turn, guide sub-policies, programs, and incremental changes arising from them (COUTO; OLIVEIRA, 2019)
As Table 1 shows, technical assistance was more frequent than financial assistance: technical and pedagogical support and teacher training were the actions most undertaken by the Departments of Education. Even these include sporadic actions for certain daycare centers and still do not represent universal support for all the municipalities under their jurisdiction. The state that offered a broader spectrum of actions was Ceará, which already has a history of cooperation with municipalities in the educational area and is a reference in this regard. This is followed by actions by the São Paulo government for building infant education units. This result corroborates the hypothesis that federal regulations establishing inter-governmental cooperation in infant education produce different effects between states that “adhere differently” (GOMES, 2009).

Support from the states is recent and seems to reflect the movement guided by the Union of cooperation with the municipalities through technical and financial assistance for infant education, especially after 2000. Cruz (2017) points out several initiatives and programs created by the federal government. This may also indicate a new path of intergovernmental cooperation, which is influenced by state programs, such as the Learning Program at the Right Age (Mais Paic) in Ceará, which cooperates technically and financially with municipalities from infant education to elementary school. This initiative by Ceará has been adopted by other states based on experiences such as the Parceria pela Alfabetização em Regime de Colaboração [Partnership for Literacy in Collaboration] (PARC), a program created in 2019 by Associação Bem Comum, whose objective is to improve learning by strengthening collaboration between states and municipalities (ASSOCIAÇÃO BEM COMUM, 2022).

The following section will briefly address the experiences of the states of Ceará and São Paulo based on document analysis and field visits by one of the authors of this article, which were carried out in 2016 and 2017. The two states are in the two Brazilian regions that have the largest population of children from up to three years old in Brazil – the Northeast and Southeast. In both, municipalities were financially supported to build and equip daycare centers, like the federal program ProInfância. Actions aimed at early childhood that had essential elements of inter-federative relations were identified in both cases.

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9 Among these initiatives were the reformulation of programs to include daycare in funding, or create specific programs for infant education, such as ProInfantil (for training professionals without qualifications to work with infant education), ProInfância (for building infant education units), and others (CRUZ, 2017).
Support actions for municipalities in practice: Ceará and São Paulo

Ceará is the north-eastern state that has the highest coverage of daycare centers - 27.51% (PNUD, 2013), and significant links between state and municipal governments through technical and pedagogical advice, training, the distribution of teaching materials, and financial incentives for municipalities to adhere to the program (CRUZ; FARAH; RIBEIRO, 2020). Collaboration in this state dates back to 1970 when the state government encouraged the municipalization of primary education through technical and financial assistance programs with the help of the federal government (SEGATTO, 2015).

The initiatives that were carried out effectively indicated inter-federal coordination on the part of the state government, which worked to reduce inequalities and expand access to infant education, in addition to helping municipalities make the provision of daycare places possible by way of programs and technical assistance (AGRANOFF, 2013; SEGATTO, 2015). State government activities for daycare centers interface with education policy and align with proposals for care in early childhood, which relied on mobilizing various national and international actors.

The state has focused on integrated actions for children since the beginning of the 1980s with the involvement of community health agents, which has been reflected in significant progress being made. These initiatives pointed to the emergence of guaranteeing the lives of children as a priority, which was then expanded to other sectors, including education, to guarantee children’s development. In recent decades, the state has systematically invested in actions for children, with its Projeto de Apoio ao Crescimento Econômico com Redução das Desigualdades e Sustentabilidade Ambiental [Ceará, State Support Project for Economic Growth with Reduction of Inequalities and Environmental Sustainability], a Program for Results (PforR), which was contracted in 2013 with the World Bank and is coordinated by the Ceará Economic Research Institute (Ipece), its Mais Infância Ceará program, created in 2015 and coordinated by the state’s first lady (CRUZ, 2017), and later the Programa de Apoio ao Desenvolvimento Infantil [Child Development Support Program] (Padin).

The right to education is the other front of action of the state, which supports municipalities through the Mais Paic Program, with technical monitoring of continuing education actions from infant education to elementary school (1st to 9th grade). These strategies led to good results in state and national learning assessments (CRUZ; FARAH; RIBEIRO, 2020). Until 2019, the Department of Education (Seduc) had its Coordination Office for Cooperation with Municipalities for the Desenvolvimento da Aprendizagem na Idade Certa.
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[Development of Learning at the Right Age] (Copem) program, which sought to strengthen basic education with municipalities. The area had a support and development cell for infant education, whose objectives included cooperating to implement the public policy for infant education developed by the municipalities. Greater attention to infant education generated an organizational reformulation in Seduc in 2020 with the creation of the Education and Social Promotion Coordination Office (Coeps), the Support and Development Cell for Infant Education (Cadin), and the School Integration, Family, Community, and Protection Network Cell (Ciefp).

With regard to infant education, in addition to technical assistance, the state authority helps local governments by providing equipment. There are two programs for building infant education centers (CEI), one coordinated by Seduc and the other by the Department of Labor and Social Development (STDS), with both being based on the municipalities registering by way of a public bid notice. Although there was no institutionalized plan for early childhood until 2015, an action plan was devised that brought together health actions, infant education, support for families and children, help for those in vulnerable situations, encouragement for children to play, and other aspects.

In Ceará, due to the historical partnership with municipalities, there is an agreement between governmental and non-governmental actors regarding the state's responsibility to support all municipalities in education policy (educational management and pedagogical policy): "The child is a Ceará resident, no matter where they were born or study [...] the state has to support the learning of all children" (State Manager in Ceará, 2017, our translation). This cooperation is primarily developed by Seduc, which has also taken on the policy for daycares and early childhood but coexists with support from STDS for the construction of Early Childhood Education Centers (CEIs) and from other partners such as universities, regional or state forums for early childhood education, the Union of Municipal Education Leaders (Undime), the United Nations International Children's Emergency Fund (Unicef), among others.

The Seduc team understands that offering infant education is not its responsibility, but that it must cooperate technically and financially with municipal actions, respecting the collaboration regime: “The child is from Ceará and their childhood development will compromise their learning for life [...] that’s why the state has a series of actions for strengthening infant education in the municipalities [...] support for the municipality must also be offered by the Union and by society” (State manager from Ceará, 2017, our translation).
Several of the high-ranking and medium-level bureaucrats and leaders who were interviewed, especially those from Seduc, recognize the right to a daycare center but question whether materializing this right is an obligation only of municipalities and whether it should be prioritized over other segments and stages in education.

In their view, the municipality is obliged to offer vacancies in elementary and preschool education, and they understand that the universalization of education must be pursued in descending order of priorities: first, elementary education, then preschool, and daycare as the last segment. Access to daycare should also be pursued in descending order, starting with guaranteeing care for the older age group: first for three-year-olds, then two-year-olds, and so on.

There is an excellent demand for daycare centers in São Paulo, which has the most extensive cover in terms of places available in the southeast region – 31.89% in 2010 (PNUD, 2013), and had introduced actions for supporting municipalities in the analyzed period that were similar to those of the north-eastern state.

The actions of the Department of Education in São Paulo with its municipalities in terms of infant education were carried out through its Creche Escola program, which financed the construction of daycare centers and the purchase of equipment, although there was no other support for this stage in education, nor any technical support structure until 2017. The Health and Social Assistance Departments had other actions for helping with child development, such as prenatal and childcare programs.

Like Ceará, São Paulo did not have an early childhood plan either but had the São Paulo program for the very earliest period in childhood, which covered specific intersectoral training in some municipalities involving health, education, social assistance, the production of guidance materials and the preparation of the São Paulo Index of Early Childhood (IPPI). Coordinated by the state health area, the program was conceived and supported by the Maria Cecília Souto Vidigal Foundation (FMCSV), which worked to integrate actions and establish a dialogue with daycare centers (FUNDAÇÃO MARIA CECÍLIA SOUTO VIDIGAL, [201 -]. Despite the fact that the number of municipalities served – forty-one – was not representative (6% of the total), the guidance material was made available electronically to any interested party, but the Education Department did not participate in the initiative (SÃO PAULO, 2015).

In São Paulo, the majority of the interviewees from the state team understand that daycare is a right for the child from infancy and recognize its importance for child development. It is perceived as a responsibility of the municipality and not as a shared responsibility of the
state and the Union. Therefore, differences arise regarding the state's support for early childhood education. Some state education authorities and advisers (SÃO PAULO, 2011, 2012) uphold the perspective that the state should only intervene complementarily in areas not within its competence, such as early childhood education. They condition this intervention on the prior fulfillment of its main responsibilities, such as high school, which has not yet been fully achieved: "Regional Education Directorate X does not work with daycares, only with schools from the 1st year of elementary school" (Regional education leader A, our translation), or "The Education Directorate Y only oversees state schools for elementary and high school [...] and private schools that also provide elementary and high school education" (Regional education leader B, our translation). Other leaders emphasize the state's responsibility and the importance of supporting municipal administrations in this stage of education, highlighting the Creche Escola Program.

The State of São Paulo, therefore, has not institutionalized a support area for municipalities and the intergovernmental cooperation guideline is infrequent. There is also no technical or pedagogical cooperation with municipal infant education teams. There is no partnership with universities or regional or state forums for infant education in supporting municipalities in this segment of early education.

Although recognizing daycare as a child’s right from an early age and understanding that the responsibility for providing it lies with municipalities, most of the interviewees in the State of São Paulo question universalization. “No country has universalized education for those up to three years old” (São Paulo state leader, 2017, our translation). The view of the absolute and priority right of the child to the detriment of the worker's right still prevails:

While a worker has the right to daycare, it is not the worker’s [own] right but a child’s right. He/she cannot pay because their father or mother is unemployed or not. The worker’s rights do not overlap with the child’s rights (State leader, 2017, our translation).

For some of the interviewees, the child’s right is “above” the worker’s right and must be guaranteed by the municipality. The research in this particular state showed that two conflicting views are held by the leaders and members of the technical team who were interviewed: the view that daycare is essential for a child’s development and the view that for this age group, it is more critical children to be with their parents: “the child’s place is with the
father and mother, especially at the beginning of their life” (member of the state board of education).10

Ceará and São Paulo are different cases that have some similarities. They challenge the status quo that prevails in the rest of the federation, and this was corroborated by the survey in the previous section: a diagnosis indicating that there is little state cooperation in terms of daycare policy.

Both states agreed that technical and financial cooperation is central to elementary education, but the form of support required for the daycare policy, specifically, was still a source of tension and differing opinions. This perception reinforces the argument that the lack of clear regulation in the normative instruments results in state actors adopting different interpretations and policies, even in those cases that are, in fact, more active.

Examining these two examples of state action in daycare policy – Ceará and São Paulo – reveals that the lack of clarity about the limits and responsibilities of each federal entity in terms of the collaboration regime is reflected in differing interpretations, different actions and, as a consequence, distinct policies for supporting municipalities in their constitutional responsibilities in the period under consideration.

Final considerations

Education policy is an area where inter-federative relationships manifest themselves in all their complexity. In facing up to their constitutional obligations, federal entities are required to cooperate and coordinate their actions, as provided for in the collaboration regime that, despite appearing in the FC, LDB, and PNE, has not yet been regulated. In this context, relations between states and municipalities are an incipient field of research, and some studies reveal that, despite being less active, states can be essential actors in correcting intra-regional inequality.

Providing daycare centers is a municipal duty that should rely on the technical and financial cooperation of the Union and the states, as determined by the Constitution, but the LDB’s omission with regard to the states’ obligation to cooperate on this policy has led to some states, to the understanding that technical and financial cooperation is an exclusive attribution.

10 In the interviews conducted in the two states, the gender perspective was not incorporated into daycare policy. Marcondes and Farah (2021) point out the importance of the debate on gender mainstreaming in public policies and highlight the need to integrate feminist perspectives in public policies.
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of the Union. The different interpretations of the state’s role and its duties also lead to other actions being undertaken by state governments.

The survey was carried out following a request sent to the LAI in 2017 and found evidence of cooperation in twelve states (of the twenty-one that responded) but variations in the intensity of the actions undertaken. Only three states supported building units; six claimed to offer technical, pedagogical support; four produced curriculum guidelines for infant education; and eight carried out training. The research observed specific actions in certain daycare centers. State teams offered some justifications, many of them stating that the daycare policy was the sole responsibility of the municipalities.

Cooperation experiences in Ceará and São Paulo showed that even in cases where there was greater state support for the local daycare policy, there were differences in limits and forms of action, reflected in what was being done.

From a comparative perspective, Ceará is a state that coordinated its education policy and did not merely cooperate by way of its programs (AGRANOFF, 2013; SEGATTO, 2015), while intergovernmental cooperation in São Paulo was program-based (AGRANOFF, 2001, 2004). The north-eastern state established an intergovernmental support guideline, which was assumed by the regional instances that carried out in-service training, visited municipalities, and accompanied the way in which educational management developed in the municipalities: there is a collaboration regime in education in the state (GUSMÃO; RIBEIRO, 2011). São Paulo did not agree on the importance of joint action between the actors or institutionalizing a support area for municipalities, so this intergovernmental cooperation guideline is not so explicit.

Ceará has demonstrated a level of coordination and understanding regarding the state’s responsibility to support municipalities in the education policy as a whole. This has also been attributed to a historical process of intergovernmental relations between the state and localities involving agreements with governmental and non-governmental actors.

There is an expanded understanding, exemplified in the case of Ceará, that education, including early childhood education, constitutes a child’s right. In this understanding, the realization of this right falls not exclusively on municipalities but also on the Union, the state, and society. Such knowledge has transcended the municipalities and guided their actions in providing slots with a partial increase in daycare enrollments for older children (three years and then two). Daycare is linked to the notion of a child’s right, complemented by Ceará’s historical
collaboration. However, the normative determination regarding the state’s role in this policy was vague and, in a certain sense, silent about the prerogatives of the entities involved.

In São Paulo, on the other hand, although there was help for building and equipping units, there were conflicts in relation to the support that the state should provide for infant education: some of the state education directors and counselors understood that the state could only act in a supplementary manner about something that is not its responsibility, while others saw state co-responsibility in intergovernmental cooperation. As a result, it has not institutionalized an area for supporting municipalities about this policy, nor has it cooperated technically or pedagogically with municipal teams, although it has supported the construction of units. Differences in interpreting the ways of acting and the limits of action condition the formulation and execution of policies.

These findings suggest a need to regulate the collaboration regime by creating references for the federal entities to organize their education systems cooperatively while respecting the autonomy of the three spheres of government and the singularities of each territory.

The collaboration regime can outline the scope and responsibilities of each entity and make the contributions of the Union and the states to daycare policy explicit so that inequalities are reduced, and equity in municipal networks increases. Until there is regulation, the interpretation of public leaders and local teams will prevail, which can result in great variations in guaranteeing the right to daycare according to the different states.
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