



Chamber of Deputies

CONSTITUTION

OF THE FEDERATIVE REPUBLIC OF BRAZIL

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I – political and administrative decentralization, the coordination and the general rules being incumbent upon the federal sphere, and the coordination and implementation of the respective programmes, upon the state and municipal spheres, as well as upon benevolent and social assistance entities;

II – participation of the population, by means of organizations representing them in the formulation of policies and in the control of actions taken at all levels.

Sole paragraph. The States and the Federal District may assign up to five tenths per cent of their net tax revenues to programs to support social inclusion and promotion, the utilization of such funds for the payment of the following items being forbidden:

I – personnel expenses and social charges;

II – debt servicing;

III – any other current expense not directly related to the investments or actions supported by said programs.

CHAPTER III

Education, Culture and Sports

SECTION I

Education

Article 205. Education, which is the right of all and duty of the State and of the family, shall be promoted and fostered with the cooperation of society, with a view to the full development of the person, his preparation for the exercise of citizenship and his qualification for work.

Article 206. Education shall be provided on the basis of the following principles: (CA No. 53, 2006)

I – equal conditions of access and permanence in school;

II – freedom to learn, teach, research and express thought, art and knowledge;

III – pluralism of pedagogic ideas and conceptions and coexistence of public and private teaching institutions;

IV – free public education in official schools;

V – appreciation of the value of school education professionals, guaranteeing, in accordance with the law, career schemes for public school teachers, with admittance exclusively by means of public entrance examinations consisting of tests and presentation of academic and professional credentials;

VI – democratic administration of public education, in the manner prescribed by law;

VII – guarantee of standards of quality;

VIII – a nationwide professional minimum salary for public school teachers, under the terms of a federal law.

Sole paragraph. The law shall provide for the classes of workers to be considered basic education professionals, as well as for the deadline for the preparation or adaptation of their career schemes, within the sphere of the Federal Government, the States, the Federal District, and the Municipalities.

Article 207. The universities shall have didactic, scientific, administrative, financial and property management autonomy and shall comply with the principle of non-dissociation of teaching, research and extension. (CA No. 11, 1996)

Paragraph 1. The universities are permitted to hire foreign professors, technicians and scientists as provided by law.

Paragraph 2. The provisions of this article apply to scientific and technological research institutions.

Article 208. The duty of the State towards education shall be fulfilled by ensuring the following: (CA No. 14, 1996; CA No. 53, 2006; CA No. 59, 2009)

I – mandatory basic education, free of charge, for every individual from the age of 4 (four) through the age of 17 (seventeen), including the assurance of its free offer to all those who did not have access to it at the proper age;

II – progressive universalization of the free high-school education;

III – specialized schooling for the handicapped, preferably in the regular school system;

IV – infant education to children of up to 5 (five) years of age in day-care centers and pre-schools;

V – access to higher levels of education, research and artistic creation according to individual capacity;

VI – provision of regular night courses adequate to the conditions of the student;

VII – assistance to students in all grades of basic education, by means of supplementary programmes providing school materials, transportation, food, and health care.

Paragraph 1. The access to compulsory and free education is a subjective public right.

Paragraph 2. The competent authority shall be liable for the failure of the Government in providing compulsory education, or providing it irregularly.

Paragraph 3. The Government has the power to take a census of elementary school students, call them for enrollment and ensure that parents or guardians see to their children's attendance to school.

Article 209. Teaching is open to private enterprise, provided that the following conditions are met:

I – compliance with the general rules of national education;

II – authorization and evaluation of quality by the Government.