

THE GAP BETWEEN LAW AND PRACTICE: CHALLENGES TO THE EFFECTIVE IMPLEMENTATION OF PUBLIC POLICIES IN INDIGENOUS AND QUILOMBOLA SCHOOL EDUCATION IN BRAZIL

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Carlos Lopatiuk¹, Carla Emanuele Lopatiuk², Maico Danúbio Duarte Abreu³, Micilandia Pereira de Sousa⁴, Marcos Aurélio Rodrigues Fontes⁵, Lilian de Souza Batista Silva⁶, Giovane Aparecido Binello⁷ and Felipe Augusto Sena Silva⁸

Abstract

Against the backdrop of the historical inequalities that permeate the Brazilian education system, guaranteeing the right to education for Indigenous peoples and Quilombola communities is an important dimension of social justice and the recognition of cultural diversity. This study analyzes the gap between

¹ PhD in Applied Social Sciences

Universidade Estadual de Ponta Grossa - UEPG, Ponta Grossa PR

E-mail: carloslopatiuk@yahoo.com.br

Lattes: <https://lattes.cnpq.br/9701518133630285>

ORCID: <https://orcid.org/0000-0001-5918-0657>

² Undergraduate Medical Student

Centro Universitário Campo Real - CAMPO REAL, Guarapuava PR

E-mail: carla.emanuele2201@gmail.com

Lattes: <https://lattes.cnpq.br/1290510601340514>

ORCID: <https://orcid.org/0009-0006-3293-6534>

³ Bachelor's Degrees in Physics and Mathematics

Escola Técnica Everardo Passos - ETEP, Pelotas RS

E-mail: maicodanubio@yahoo.com.br

ORCID: <https://orcid.org/0000-0002-8654-8493>

⁴ Postgraduate Qualification in Applied Humanities and Social Sciences and the World of Work

Instituto Federal do Piauí - IFPI, Picos PI

E-mail: micilandiasousa@gmail.com

Lattes: <https://lattes.cnpq.br/6803848129399138>

ORCID: <https://orcid.org/0009-0007-6257-4076>

⁵ Bachelor's Degree in Education

Universidade Estadual do Maranhão - UEMA, São Luís MA

E-mail: socramforte@hotmail.com

⁶ Master's Student in Language and Literature

Universidade Federal do Rio Grande do Norte - UFRN, Currais Novos RN

E-mail: lilian.souza@ufrn.br

Lattes: <https://lattes.cnpq.br/9091894245765283>

ORCID: <https://orcid.org/0009-0001-3718-8807>

⁷ Bachelor's Degree in Education

Universidade Cesumar - UNICESUMAR, Maringá PR

E-mail: giovaneapb@gmail.com

Lattes: <https://lattes.cnpq.br/5738464901293649>

⁸ Bachelor of Laws

Universidade Federal de Sergipe - UFS, São Cristóvão SE

E-mail: adv.felipesena@gmail.com

Lattes: <https://lattes.cnpq.br/186842243794720>

formally guaranteed rights and their implementation through public policies on Indigenous and Quilombola school education in Brazil. It sought to understand the main challenges that hinder the implementation of these policies, considering both regulatory frameworks and evidence from recent scientific literature. This integrative literature review searched the Scientific Electronic Library Online (SciELO), the CAPES Journals Portal, Latindex, and the OJS Repository for publications in Portuguese and English issued between 2021 and 2026. Studies addressing the right to education, educational public policies, Indigenous school education, and Quilombola school education were included. The results revealed advances in the legal recognition of ethnic and cultural diversity, accompanied by persistent obstacles to policy implementation. The main issues identified were structural constraints, insufficient funding, inadequate teacher education, curricular challenges, territorial inequalities, administrative discontinuity, and limited community participation. It is concluded that bridging this gap requires coordination among legislation, public administration, pedagogical practices, funding, and social participation, thereby ensuring continuous and culturally relevant policies capable of transforming normative rights into equitable educational experiences across Brazil's Indigenous and Quilombola territories.

Keywords: Differentiated education, Indigenous school education, Public policies, Quilombola school education, Right to education.

INTRODUCTION

Consolidating the right to education for Indigenous peoples and Quilombola communities is a fundamental dimension of the democratization of the Brazilian education system. At the normative level, various legal provisions establish principles aimed at recognizing ethnic and cultural diversity, valuing collective identities, and guaranteeing educational processes compatible with the specific characteristics of these groups. In this process, Law No. 10,639/2003 represented an important milestone by making the teaching of Afro-Brazilian History and Culture mandatory in school curricula (Brazil, 2003).

Subsequently, Law No. 11,645/2008 expanded this legal framework by making Indigenous topics a mandatory component of basic education curricula. This provision strengthened recognition of Brazil's historical and cultural plurality, establishing an institutional responsibility for education systems to include knowledge related to Afro-Brazilian and Indigenous populations (Brazil, 2008). In parallel, Decree No. 6,861/2009 regulated specific aspects of Indigenous School Education, including its organization into ethno-educational territories and the need to consider the sociocultural particularities of Indigenous peoples (Brazil, 2009).

With regard to Quilombola education, Resolution No. 8/2012 of the National Education Council's Basic Education Chamber (Conselho Nacional de Educação/Câmara de Educação Básica - CNE/CEB) established specific National Curriculum Guidelines for Quilombola School Education in Basic Education. This framework recognized the need for a differentiated pedagogical organization connected to these communities' identities, territories, traditions, and distinctive ways of producing and transmitting knowledge (Brazil, 2012). In addition, CNE/CEB Opinion No. 8/2020 advanced the discussion of the conditions required to guarantee the quality of Quilombola schools, demonstrating that normative provisions must be accompanied by concrete conditions if they are to be implemented effectively (Brazil, 2020).

Despite this legal framework, challenges persist in the effective implementation of public policies on Indigenous and Quilombola school education. The existence of laws, guidelines, and regulations does not, in itself, ensure that they will materialize in the daily life of educational institutions. Issues involving teacher education, infrastructure, funding, teaching materials, community participation, and recognition of cultural specificities may constrain the realization of the educational rights set out in law (Aguilar, 2024; Fernandes, 2025).

From the perspective of education policy, structural inequalities also affect the State's capacity to transform legal guarantees into permanent institutional practices. Formulating equity-oriented public

policies requires coordination among planning, funding, administration, monitoring, and evaluation, particularly when historically marginalized populations are concerned (De Sousa, 2025).

These circumstances are compounded by sociological and institutional obstacles related to the reproduction of inequalities within the Brazilian education system. The gap between the principles established by public policies and their implementation may be understood as an expression of administrative, cultural, and structural limitations that undermine the universalization of socially grounded education (Richter et al., 2025). Experiences involving the implementation of language policies in other educational contexts also demonstrate that the existence of regulatory frameworks does not, in itself, eliminate difficulties related to operationalization, monitoring, and the effective incorporation of guidelines by institutions (Ngcobo et al., 2025).

Given this reality, analyzing the relationship between legislation and practice is relevant to understanding the factors that hinder the effective implementation of public policies on Indigenous and Quilombola school education. In the Indigenous context, access to differentiated basic education involves not only the availability of school places, but also the recognition of identities, cultures, languages, territories, and distinctive forms of community organization (Menegassi Correa; Wildner Zambiasi, 2025).

In this context, this study aims to analyze the gap between the formally guaranteed right to education and its practical realization through public policies on Indigenous and Quilombola school education in Brazil, considering the principal regulatory frameworks and the challenges identified in policy implementation. It thus seeks to contribute to a critical understanding of the barriers that hinder the realization of educational rights constitutionally grounded in diversity, equity, and recognition of sociocultural specificities, highlighting the need to bring the content of legal norms into closer alignment with the conditions actually provided in these territories.

METHODOLOGY

This is an integrative literature review employing a qualitative, exploratory, and descriptive approach. It was conducted to gather, systematize, and interpret scientific literature concerning the gap between the formally guaranteed right to education and the practical implementation of public policies on Indigenous and Quilombola school education in Brazil. The integrative review made it possible to bring together different theoretical and methodological perspectives represented in the literature, thereby fostering a broader understanding of legal frameworks, education policies, and the obstacles associated with their implementation.

The study was guided by the following research question: What are the main challenges identified in the scientific literature regarding the effective implementation of public policies on Indigenous and Quilombola school education in Brazil? This question guided the subsequent stages of the review and made it possible to delimit the issues related to public policy implementation, the guarantee of educational rights, sociocultural specificities, and the institutional conditions required to fulfill the guidelines established by the Brazilian legal system.

The bibliographic search was conducted in the Scientific Electronic Library Online (SciELO), the Journals Portal of the Brazilian Federal Agency for Support and Evaluation of Graduate Education (Portal de Periódicos da Coordenação de Aperfeiçoamento de Pessoal de Nível Superior - CAPES Journals Portal), Latindex, and the OJS Repository. These sources were selected because of their relevance to locating Brazilian and international scientific literature in the fields of education, public policy, social rights, ethnic and racial relations, and differentiated education. The search covered publications made available between 2021 and 2026, given the need to analyze recent scientific literature on contemporary processes involving the implementation and effective realization of education policies for Indigenous peoples and Quilombola communities.

The searches used descriptors related to the subject of investigation, combined through the Boolean operators AND and OR according to the specific features of each database. The main terms

included “Indigenous school education,” “Indigenous education,” “Quilombola school education,” “Quilombola education,” “educational public policies,” “right to education,” “public policy implementation,” “Indigenous peoples,” “Quilombola communities,” “differentiated education,” and “educational equity.” Combinations of descriptors were adjusted to the indexing mechanisms of each database to broaden the retrieval of studies directly related to the topic.

The inclusion criteria were as follows: (I) scientific articles published between January 2021 and December 2026; (II) studies available in Portuguese or English; (III) publications with full text available; (IV) research directly addressing Indigenous school education, Quilombola school education, or public policies related to guaranteeing these groups’ right to education; (V) studies discussing aspects related to implementation, effective realization, challenges, access, quality, curriculum, teacher education, infrastructure, educational administration, or sociocultural recognition; and (VI) works published in identifiable scientific journals or academic repositories.

The exclusion criteria were as follows: (I) publications issued before 2021; (II) studies published in languages other than Portuguese and English; (III) works with no direct relationship to the subject of the study; (IV) articles duplicated across the databases searched; (V) simple abstracts, editorials, letters to the editor, reviews, news reports, general-interest texts, and works without a scientific character; (VI) studies whose content did not make it possible to identify contributions related to the effective implementation of the educational public policies under investigation; and (VII) publications whose full text was unavailable for analysis. After these criteria were applied, potentially eligible studies underwent title and abstract screening, followed by full-text review of those relevant to the objectives of the study.

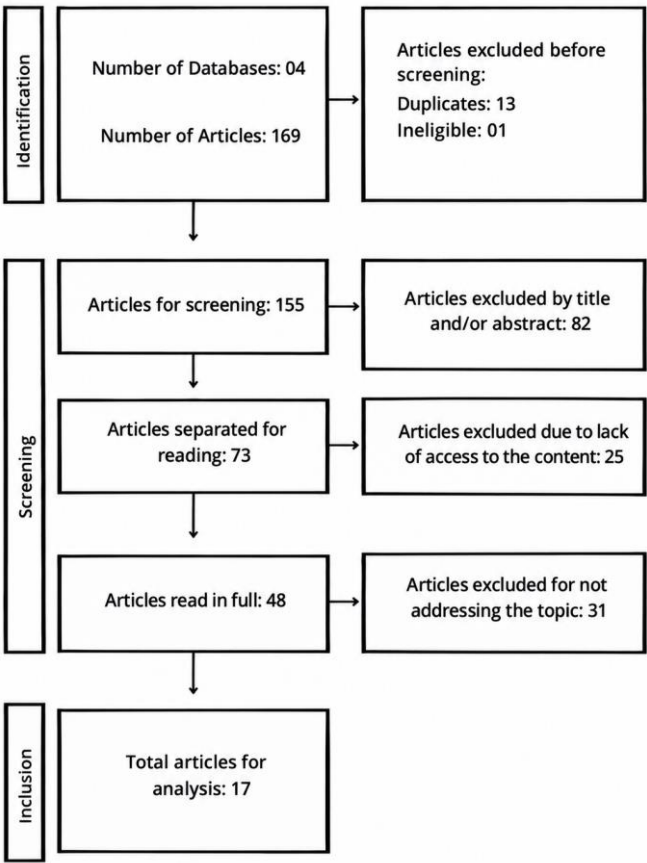
The study selection and organization process was conducted systematically and comprised four main stages: identification, screening, eligibility, and inclusion. First, publications retrieved from the selected databases through the application of the descriptors and Boolean operators were identified. Duplicate records and those unrelated to the topic were subsequently excluded. During screening, titles and abstracts were examined according to the previously established criteria. Potentially relevant texts

then underwent full-text review, which made it possible to assess their alignment with the subject under investigation and establish the final review corpus.

The stages involved in searching, selecting, excluding, and including the studies will be presented in Figure 1, providing an objective overview of the methodological process used to establish the final set of publications analyzed.

Figure 1

Flowchart of the study identification, screening, eligibility, and inclusion process.



Source: Prepared by the authors (2026).

Following final selection, the included studies were organized using a dedicated data-extraction instrument covering information such as author and year of publication, title, objective, methodological approach, population or context investigated, central topic, and principal findings. Organizing this information made it possible to identify convergences, divergences, gaps, and trends within the scientific

literature, contributing to a comparative analysis of the challenges involved in implementing public policies on Indigenous and Quilombola school education.

The data were analyzed qualitatively and interpretively through a systematic reading of the selected studies and the grouping of findings into thematic axes associated with the research objectives. Priority was given to categories concerning legal frameworks and educational rights, public policy implementation, teacher education and practice, infrastructure and funding, curriculum and sociocultural valorization, community participation, equity, and educational quality. This procedure made it possible to move beyond an isolated description of the results and establish relationships among the different factors that contribute to maintaining the gap between normative guarantees and their realization in everyday school life.

Regarding ethical considerations, because this integrative review was conducted exclusively on the basis of scientific literature and publicly accessible documents, it involved no direct participation by human beings, collection of identifiable information, or intervention involving individuals or communities. Accordingly, submission to and approval by a Research Ethics Committee were not required under the guidelines of Resolution No. 510 of April 7, 2016, issued by the National Health Council (Conselho Nacional de Saúde - CNS). Article 1, sole paragraph, item VI, establishes that research conducted exclusively with scientific texts for the purpose of reviewing scientific literature is neither registered nor evaluated by the Research Ethics Committee/National Research Ethics Commission system (Comitê de Ética em Pesquisa/Comissão Nacional de Ética em Pesquisa - CEP/CONEP).

Finally, the study observed the principles of methodological rigor, transparency in source selection, fidelity to the information presented in the studies, and respect for the intellectual authorship of the works consulted. The methodological approach sought to ensure consistency among the research question, the search and selection criteria, the analysis of the studies, and the stated objectives, providing a systematic basis for discussing the gap between legal recognition of the right to Indigenous and Quilombola school education and its effective realization through Brazilian public policies.

RESULTS AND DISCUSSION

The analysis of the selected studies made it possible to identify different dimensions of the gap between legal provisions and their realization through public policies on Indigenous and Quilombola school education in Brazil. The findings revealed important normative advances, particularly regarding recognition of these groups' cultural, historical, and territorial specificities, but also identified persistent challenges in implementing education guidelines. The main obstacles included structural constraints, insufficient teacher education, difficulties in curricular adaptation, weaknesses in public administration and funding, and barriers to the effective participation of communities in educational processes.

To systematize the evidence and facilitate understanding of each study's contributions, Table 1 presents the authors, years of publication, objectives, research axes, and principal findings of the studies included in the review.

Table 1

Characteristics of the selected studies on public policies and Indigenous and Quilombola school education

Author/year	Study objective	Study axis	Principal findings
Pereira; Venâncio (2021)	To analyze the legitimacy and complexity of African and Indigenous games and activities in Brazilian Physical Education teaching.	Curriculum; cultural valorization; intercultural pedagogical practices.	Demonstrated that games and activities of African and Indigenous origin possess pedagogical legitimacy and can contribute to valuing cultural diversity and incorporating historically marginalized knowledge into school curricula.
Rieder (2021)	To examine the foundations and initial results of implementing specific and differentiated Indigenous higher education in Brazil.	Differentiated education; education policies; Indigenous access and retention.	Revealed advances in the development of differentiated education policies but identified institutional challenges affecting their consolidation and the provision of adequate implementation conditions.
Burgess; Lowe (2022)	To analyze the disconnect between education policies and teaching practices in implementing education for Indigenous populations.	Policy implementation; teaching practice; intercultural education.	Revealed discrepancies between policy guidelines and school practices, indicating that the effective implementation of intercultural policies depends on teacher education, institutional support, and concrete working conditions.

Ioris <i>et al.</i> (2022)	To analyze Indigenous school education as a space of contestation and negotiation in Brazilian experiences.	Indigenous school education; territory; autonomy; political disputes.	Identified Indigenous schools as spaces of tension between state projects and community demands, highlighting disputes over autonomy, identity, territory, and recognition of distinctive forms of education.
Lobo; Bernardino-Costa (2022)	To investigate the effectiveness of educational programs in settlements and Indigenous and Quilombola communities.	Public policies; state effectiveness; territorial inequality.	Demonstrated that the State's limited presence in certain territories undermines the implementation and effectiveness of educational programs, revealing the gap between policy formulation and local realities.
Aguilar (2024)	To understand the implementation of Law No. 10,639/2003 in light of aspects of Brazilian society and the education system.	Ethnic and racial relations; education legislation; normative implementation.	Indicated that a legal mandate does not, in itself, ensure incorporation into school practices, as social and institutional barriers to effective implementation remain.
Bollettin; Danaga; Peggion (2025)	To analyze encounters between Indigenous and non-Indigenous schools and their educational implications.	Interculturality; interethnic relations; Indigenous education.	Revealed processes involving negotiation, the circulation of knowledge, and tensions between different educational perspectives, reinforcing the need to recognize epistemological plurality.
De Freitas; De Santana Dos Santos (2025)	To discuss the school as a space for democratic reconstruction grounded in Afro-Brazilian and Indigenous cultures.	Democracy; culture; curriculum; citizenship.	Highlighted the school's role in valuing Afro-Brazilian and Indigenous cultures and confronting exclusionary practices, emphasizing the importance of curricular implementation of diversity policies.
De Souza Oliveira; Pinto (2025)	To analyze the relationship between Quilombola school education and cultural identity, with an emphasis on resistance, belonging, and local knowledge.	Quilombola education; cultural identity; traditional knowledge; resistance.	Demonstrated that pedagogical practices connected to local knowledge strengthen identity, belonging, and cultural resistance, contributing to an education linked to the realities of Quilombola communities.
Luna Santos <i>et al.</i> (2025)	To analyze challenges and advances in implementing Laws No. 10,639/2003 and No. 11,645/2008.	Education legislation; ethnic and racial relations; curricular implementation.	Identified advances in the normative recognition of Afro-Brazilian and Indigenous topics but pointed to persistent difficulties in curricular implementation and the education of teaching professionals.
Menegassi Correa; Wildner Zambiasi (2025)	To discuss Indigenous rights, access to basic education, and public policies for differentiated education.	Right to education; public policies; differentiated education.	Demonstrated that access to Indigenous education must encompass cultural, linguistic, and territorial specificities, requiring public policies capable of guaranteeing not only access, but also quality and sociocultural appropriateness.

Pellanda (2025)	To analyze ethical implications related to the use of technology and artificial intelligence in Brazilian education.	Educational technology; artificial intelligence; ethics; inequalities.	Revealed that technological innovation entails ethical and social challenges, indicating a need for education policies that consider inequalities and differentiated effects on individuals.
Richter <i>et al.</i> (2025)	To reflect on sociological issues, challenges, and alternatives relating to contemporary Brazilian public education.	Public education; social inequalities; education policies.	Identified social and institutional inequalities as factors that interfere with the realization of education policies, reinforcing the need for strategies guided by equity and inclusion.
Santos <i>et al.</i> (2025a)	To analyze the legal framework governing accessibility and inclusion in Brazilian public education, considering challenges in Tocantins.	Educational inclusion; legislation; public policies; accessibility.	Revealed legal advances in protecting the right to inclusion but identified difficulties in transforming legal guarantees into effective institutional practices.
Santos <i>et al.</i> (2025b)	To discuss public policies and contemporary challenges in Brazilian education.	Public policies; educational administration; quality; equity.	Emphasized that the effectiveness of education policies depends on coordination among formulation, implementation, monitoring, and evaluation, especially in the face of structural inequalities.
Nazareno <i>et al.</i> (2026)	To systematize evidence on perceptions of Indigenous intercultural education in Brazil.	Intercultural education; Indigenous perceptions; education policies.	Demonstrated the centrality of interculturality to Indigenous education and the persistence of challenges related to recognizing Indigenous peoples' knowledge, identities, and perspectives.
Gonçalves <i>et al.</i> (2026)	To investigate the effects of political ideologies on cultural erosion in relation to Indigenous education policies in Brazil.	Political ideology; Indigenous policies; cultural erosion; public administration.	Indicated that political changes and orientations may influence the continuity and direction of Indigenous education policies, with potential repercussions for rights, identity, and cultural preservation.

Source: Prepared by the authors (2026).

GAPS BETWEEN THE LEGAL FRAMEWORK AND THE IMPLEMENTATION OF EDUCATION POLICIES

The body of studies analyzed shows that the principal challenge facing policies on Indigenous and Quilombola school education lies not solely in a lack of legal recognition, but in the institutional capacity to transform formally established rights into permanent educational practices. Aguilar (2024) and Luna Santos et al. (2025) converge in demonstrating that the existence of legal provisions aimed at valuing

Afro-Brazilian and Indigenous histories and cultures does not eliminate the obstacles embedded in the routine operation of education systems.

From this perspective, public policy implementation is a process that depends on institutional, pedagogical, and territorial mediation. De Sousa (2025) argues that equity-oriented policies require mechanisms capable of coordinating planning, administration, and monitoring, while Santos et al. (2025b) emphasize that normative formulation without operational capacity diminishes the transformative potential of government action.

From this standpoint, structural shortcomings play a determining role in producing educational inequalities. Lobo and Bernardino-Costa (2022) demonstrate that limitations in the State's presence in certain territories undermine the effectiveness of educational programs, revealing that the formal universalization of a right can coexist with concrete experiences of precarious access to public services.

At the same time, the territorial dimension is central to understanding implementation difficulties. Ioris et al. (2022) identify Indigenous schools as spaces permeated by political and institutional disputes in which different conceptions of education are negotiated. This understanding is close to that of Bollettin, Danaga, and Peggion (2025), for whom encounters between Indigenous and non-Indigenous schools involve complex processes of interaction, negotiation, and the production of educational meanings.

Consequently, realizing the right to differentiated education requires moving beyond homogeneous conceptions of education policy. Menegassi Correa and Wildner Zambiasi (2025) argue that guaranteeing access to Indigenous basic education must take cultural, linguistic, and territorial dimensions into account. In analyzing specific and differentiated Indigenous education, Rieder (2021) likewise demonstrates that formal recognition of difference must be accompanied by institutional conditions compatible with its particularities.

Similarly, educational quality cannot be separated from recognition of the collective subjects involved in the process. De Souza Oliveira and Pinto (2025) demonstrate that Quilombola school

education connected to local knowledge strengthens belonging and cultural identity. This perspective shifts the debate away from the mere provision of schooling and toward an understanding of the school as a space for producing, transmitting, and valuing socially situated knowledge.

Consistent with this interpretation, the curriculum represents an important dimension in realizing recognition policies. Pereira and Venâncio (2021) demonstrate that content and practices of African and Indigenous origin possess sufficient pedagogical legitimacy and complexity to be incorporated into educational processes. Aguilar (2024), however, shows that normative provision does not ensure the automatic incorporation of this knowledge into school practices.

Teacher education therefore emerges as a strategic element in reducing the gap between legislation and practice. Luna Santos et al. (2025) identify difficulties in implementing legislation on ethnic and racial relations, while Burgess and Lowe (2022), in a comparable international context, identify disconnects between policy guidelines and teaching practice. This convergence suggests that effective implementation depends on continuous professional support and institutional conditions that allow normative principles to be translated into pedagogical practices.

In addition, the participation of the groups directly involved is necessary to enhance the legitimacy of differentiated education policies. Fernandes (2025) interprets Indigenous and Quilombola school education as the outcome of historical movements struggling for the right to schooling, demonstrating that these policies cannot be understood solely as state administrative initiatives. Their construction is linked to collective mobilization and demands for recognition.

DIFFERENTIATED EDUCATION, CULTURAL RECOGNITION, AND STATE EFFECTIVENESS

Given the political dimension of these experiences, Indigenous and Quilombola schools must be understood as spaces in which recognition, autonomy, and belonging are contested. Ioris et al. (2022) demonstrate that school policies may generate tensions when external institutional projects conflict with territorial and cultural demands. De Freitas and De Santana Dos Santos (2025) add to this understanding

by positioning the school as a space for democratic reconstruction grounded in Afro-Brazilian and Indigenous cultures.

In another dimension, cultural preservation is directly related to the continuity of public policies and the direction adopted by governments. Gonçalves et al. (2026) identify the influence of political ideologies on Indigenous education policies and processes of cultural erosion. This finding broadens the understanding of the problem by demonstrating that effectiveness depends not only on administrative resources, but also on the stability of political commitments to differentiated educational rights.

Nevertheless, implementation challenges must be analyzed beyond the specific context of Brazil without losing sight of its particular historical features. In examining the implementation of language policies in South Africa, Ngcobo et al. (2025) identify difficulties related to operationalization, monitoring, and the institutional consolidation of guidelines. This analytical comparison helps demonstrate that recognition of linguistic and cultural diversity requires permanent implementation and evaluation structures.

In pedagogical terms, valuing Afro-Brazilian and Indigenous cultures goes beyond a merely commemorative or supplementary approach to the curriculum. De Freitas and De Santana Dos Santos (2025) advocate understanding the school as an arena for democratic reconstruction, while Pereira and Venâncio (2021) demonstrate the potential of specific cultural practices to enhance the legitimacy and complexity of teaching processes. Incorporating this knowledge may therefore contribute to reshaping the power relations embedded in curriculum production.

Similarly, inclusion policies demonstrate that legal recognition is only the initial stage in guaranteeing rights. Santos et al. (2025a) identify advances in the legal framework governing accessibility and inclusion but emphasize the difficulties involved in converting normative guarantees into effective institutional conditions. This finding directly corresponds to the challenges affecting policies for Indigenous and Quilombola populations.

Educational inequality should therefore be interpreted as a phenomenon produced by the interaction of social, territorial, political, and institutional factors. Richter et al. (2025) emphasize that sociological issues affect the capacity to implement public policies, while De Sousa (2025) associates the promotion of equity with the need for policies structured to address persistent asymmetries. The convergence among these authors reinforces the inadequacy of isolated interventions.

Finally, the most recent evidence indicates that consolidating genuinely differentiated education requires policy continuity, social participation, adequate teacher education, epistemological recognition, and state monitoring capacity. Nazareno et al. (2026) highlight the importance of intercultural education in recognizing Indigenous perspectives, while Gonçalves et al. (2026) demonstrate that changes in political orientations may affect the trajectory of Indigenous education policies. Bridging the gap between law and practice therefore presupposes transforming legal guarantees into enduring institutional commitments capable of ensuring not only the presence of schools in these territories, but also an education consistent with the identities, knowledge systems, autonomy, and collective projects of the people they serve.

CONCLUSION

In light of the results, it is concluded that the principal challenges affecting the effective implementation of public policies on Indigenous and Quilombola school education stem from the persistent gap between the rights recognized by the legal system and their realization in school settings. Although Brazil has an extensive normative framework designed to protect ethnic and cultural diversity and guarantee differentiated education, its formal existence has not been sufficient to ensure homogeneous and effective implementation across different territories.

In response to the research question, the principal obstacles identified include structural constraints, insufficient resources, weaknesses in teacher education, difficulties in curricular adaptation, policy discontinuity, territorial inequalities, and communities' still-limited participation in decision-

making processes. These factors operate in an interconnected manner and contribute to widening the gap between what is legally guaranteed and what is actually delivered to Indigenous and Quilombola schools.

With regard to the proposed objective, the analysis demonstrated that the effectiveness of educational public policies depends on institutional conditions that extend beyond the mere enactment of laws and guidelines. Implementation requires administrative capacity, adequate funding, systematic monitoring, continuing education, and evaluation mechanisms capable of taking into account the sociocultural, linguistic, and territorial specificities of Indigenous peoples and Quilombola communities.

Another major finding was the centrality of the cultural dimension to the construction of socially grounded education. The studies analyzed demonstrated that pedagogical practices founded on local knowledge, the valorization of identities, and recognition of different forms of knowledge production contribute to strengthening belonging, autonomy, and community participation.

From this perspective, the coordination mechanisms linking the Federal Government, states, municipalities, educational institutions, and the communities directly involved must be strengthened. Overcoming the inequalities identified requires continuous policies, funding commensurate with territorial needs, the valorization of education professionals, and effective participation by Indigenous and Quilombola people in the formulation, implementation, and evaluation of public initiatives.

As a contribution, this study demonstrates that overcoming the gap between law and practice requires a change in the very conception of education policy effectiveness. It is not enough to guarantee the right to schooling in law; conditions must be ensured so that schools respect identities, territories, languages, memories, knowledge systems, and distinctive forms of social organization.

Future research should conduct comparative empirical studies in Indigenous and Quilombola schools across different regions of Brazil, using interviews with students, teachers, administrators, community leaders, and representatives of education systems. This approach may deepen understanding of how public policies are implemented in practice within these territories, making it possible to identify

regional differences, successful strategies, and obstacles that have not yet received sufficient attention in the literature.

REFERENCES

- Aguilar, N. Understanding the implementation of Law 10.639/03 through aspects of Brazilian society and the education system. *South African Review of Sociology*, v. 54, p. 331-346, 2024. DOI: 10.1080/21528586.2024.2404189.
- Bollettin, P.; Danaga, A.; Peggion, E. A. Encounters between Indigenous and non-Indigenous schools. *Conhecimento & Diversidade*, 2025. DOI: 10.18316/rcd.v16i44.12239.
- Brasil. *Decreto nº 6.861, de 27 de maio de 2009* [Decree No. 6,861 of May 27, 2009]. Dispõe sobre a Educação Escolar Indígena, define sua organização em territórios etnoeducacionais e dá outras providências [Provides for Indigenous School Education, defines its organization into ethno-educational territories, and establishes other provisions]. Brasília, DF: Presidência da República, 2009.
- Brasil. *Lei nº 10.639, de 9 de janeiro de 2003* [Law No. 10,639 of January 9, 2003]. Altera a Lei nº 9.394, de 20 de dezembro de 1996, para incluir no currículo oficial da Rede de Ensino a obrigatoriedade da temática “História e Cultura Afro-Brasileira”, e dá outras providências [Amends Law No. 9,394 of December 20, 1996, to make the subject of “Afro-Brazilian History and Culture” mandatory in the official curriculum of the education system, and establishes other provisions]. Brasília, DF: Presidência da República, 2003.
- Brasil. *Lei nº 11.645, de 10 de março de 2008* [Law No. 11,645 of March 10, 2008]. Altera a Lei nº 9.394, de 20 de dezembro de 1996, modificada pela Lei nº 10.639, de 9 de janeiro de 2003, para incluir no currículo oficial da rede de ensino a obrigatoriedade da temática “História e Cultura Afro-Brasileira e Indígena” [Amends Law No. 9,394 of December 20, 1996, as amended by Law No. 10,639 of January 9, 2003, to make the subject of “Afro-Brazilian and Indigenous History and

Culture” mandatory in the official curriculum of the education system]. Brasília, DF: Presidência da República, 2008.

Brasil. Ministério da Educação. Conselho Nacional de Educação. *Parecer CNE/CEB nº 8, de 10 de dezembro de 2020* [CNE/CEB Opinion No. 8 of December 10, 2020]. Diretrizes Nacionais Operacionais para a garantia da qualidade das escolas quilombolas [National Operational Guidelines for guaranteeing the quality of Quilombola schools]. Brasília, DF: MEC, 2020.

Brasil. Ministério da Educação. Conselho Nacional de Educação. *Resolução CNE/CEB nº 8, de 20 de novembro de 2012* [CNE/CEB Resolution No. 8 of November 20, 2012]. Define Diretrizes Curriculares Nacionais para a Educação Escolar Quilombola na Educação Básica [Establishes National Curriculum Guidelines for Quilombola School Education in Basic Education]. Brasília, DF: MEC, 2012.

Burgess, C.; Lowe, K. Rhetoric vs reality: the disconnect between policy and practice for teachers implementing Aboriginal education in their schools. *Education Policy Analysis Archives*, 2022. DOI: 10.14507/epaa.30.6175.

De Freitas, M. S.; De Santana Dos Santos, G. Beyond the law: the school as an arena for the (re)construction of democracy from Afro-Brazilian and Indigenous cultures. *Contribuciones a las Ciencias Sociales*, 2025. DOI: 10.55905/revconv.18n.9-228.

De Sousa, F. P. Public policies in basic education: pathways to equity and quality of teaching. *Educação & Inovação*, 2025. DOI: 10.64326/educacao.v1i5.62.

De Souza Oliveira, L.; Pinto, F. C. Educação escolar quilombola e identidade cultural: práticas de resistência, pertencimento e valorização dos saberes locais [Quilombola school education and cultural identity: practices of resistance, belonging, and valorization of local knowledge]. *RCMOS – Revista Científica Multidisciplinar O Saber*, 2025. DOI: 10.51473/rcmos.v1i2.2025.1543.

Fernandes, R. de F. Educação Escolar Indígena e Educação Escolar Quilombola: movimentos de luta pelo direito à escola [Indigenous School Education and Quilombola School Education: movements in

- the struggle for the right to schooling]. *Boletim do Museu Paraense Emílio Goeldi. Ciências Humanas*, v. 20, n. 3, e20250005, 2025. DOI: 10.1590/2178-2547-BGOELDI-2025-0005.
- Gonçalves, A. C. *et al.* The impact of political ideologies on cultural erosion: Indigenous education policy in Brazil (2009–2022). *PLOS One*, v. 21, 2026. DOI: 10.1371/journal.pone.0354262.
- Ioris, A. *et al.* Indigenous school education as contested spaces: the Brazilian experience in São Paulo and Mato Grosso do Sul. *The Australian Journal of Indigenous Education*, 2022. DOI: 10.55146/ajie.v51i2.5.
- Lobo, C. A.; Bernardino-Costa, J. When the state does not reach: the effectiveness of educational programs in settlements, Indigenous, and Quilombo communities. *Educação em Revista*, 2022. DOI: 10.1590/0102-469826309en.
- Luna Santos, H. M. *et al.* Challenges and progress in the implementation of Laws nº 10.639/2003 and nº 11.645/2008. *Revista Gênero e Interdisciplinaridade*, 2025. DOI: 10.51249/gei.v6i01.2405.
- Menegassi Correa, E.; Wildner Zambiasi, V. Direito indígena e o acesso à educação básica: direitos e políticas públicas para uma educação diferenciada para a população indígena [Indigenous rights and access to basic education: rights and public policies for differentiated education for the Indigenous population]. *Revista Brasileira de Educação e Inovação da Univel (REBEIS)*, v. 1, n. 8, 2025. DOI: 10.56238/rebeisv1n8-002.
- Nazareno, E. *et al.* Systematic review on the perceptions of Indigenous intercultural education in Brazil since 2010. *Intercultural Education*, v. 37, p. 364-379, 2026. DOI: 10.1080/14675986.2026.2639805.
- Ngcobo, S. J. *et al.* Evaluating language policy implementation in South African higher education: three decades of progress and challenges: a scoping review protocol. *PLOS One*, v. 20, e0322322, 2025. DOI: 10.1371/journal.pone.0322322.
- Pellanda, A. Ethical implications of technology: gender and AI use in Brazilian education. In: *Gender and Technology Conference (GTC)*, 2025. p. 1-7. DOI: 10.1109/gtc64325.2025.11478220.

- Pereira, A. S. M.; Venâncio, L. African and Indigenous games and activities: a pilot study on their legitimacy and complexity in Brazilian physical education teaching. *Sport, Education and Society*, v. 26, p. 718-732, 2021. DOI: 10.1080/13573322.2021.1902298.
- Richter, A. *et al.* Questões sociológicas e educação pública no Brasil atual: entre desafios e alternativas [Sociological issues and public education in contemporary Brazil: between challenges and alternatives]. *RCMOS – Revista Científica Multidisciplinar O Saber*, 2025. DOI: 10.51473/rcmos.v1i1.2025.836.
- Rieder, A. Specific and differentiated Indigenous higher education in Brazil: the foundations for implementation and initial results. *International Journal of Human Sciences Research*, 2021. DOI: 10.22533/at.ed.5582110113.
- Santos, G. M. T. D. *et al.* Public policies in Brazilian education. *Revista de Estudos Interdisciplinares*, 2025. DOI: 10.56579/rei.v7i6.2659.
- Santos, J. G. D. *et al.* Marco legal da acessibilidade e inclusão na educação pública brasileira: perspectivas e desafios no contexto do estado do Tocantins [Legal framework for accessibility and inclusion in Brazilian public education: perspectives and challenges in the context of the state of Tocantins]. *ARACÊ*, 2025. DOI: 10.56238/arev7n8-075.