



# EARLY CHILDHOOD EDUCATION:

*STATE CAPACITY,  
CHILD VULNERABILITY,  
AND ALLOCATION  
CRITERIA IN CHILDCARE  
SYSTEMS IN BRAZIL*

## POLICY QUESTION:

How can Brazilian municipalities effectively reorganise and enhance their existing childcare systems to better address the multifaceted aspects of vulnerability, ensuring equitable access and quality of care for all children, particularly those in need?

## POLICY BRIEF GOAL:

This policy brief aims to provide guidance for municipalities to improve their childcare systems to reach those most in need in their local context. It is focused on organising the municipality's current capability applying a multifaceted understanding of vulnerability. It recognises that effecting this organisation is not enough by itself to tackle the social problem of childcare access, and that it is essential to expand availability and monitor the quality of the service. However, this policy brief argues that organising the current supply is a crucial first step, especially when thinking about the present children's generation.

## KEY POLICY RECOMMENDATIONS<sup>1</sup>:

### EXTERNAL RELATIONS

1. Collaborative Approach:
  - Collaborate with other sectors in the executive branch (e.g., social protection and health) for a comprehensive analysis of local needs.
  - Engage in fostering partnerships across the executive, legislative and judiciary branches.
2. Exchanging Experiences and Understanding Family Needs:
  - Learn from other municipalities, especially state capitals, but consider your own municipality's limitations and realities.
  - Understand why some families do not seek childcare and tailor systems to facilitate access.

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<sup>1</sup> This policy brief was developed by Laísa Lima, a graduate of the Master of Public Policy program at the Blavatnik School of Government, University of Oxford under the supervision of Filipe Recch, as part of her summer project placement with the Lemann Foundation Programme for the Public Sector. Its content and policy recommendations reflect discussions with interviewees, whom we thank for their involvement, as well as contributions from members of the Lemann Foundation Programme team, João Pedro Caleiro, Lia Pessoa and Anna Petherick.

## Internal Organization

### Stage 1: Develop a Centralised Enrolment System

- Engage in collaborative resource pooling with neighboring municipalities.
- Ensure accessible registration systems, both online and with support in educational units.
- Define unit allocation methods based on municipal realities.

### Stage 2: Include a Waitlist in the Enrolment System

- Prioritise the establishment of transparent and legally compliant procedures for accessing waitlists.
- Include classificatory observations in the waitlist.
- Set realistic deadlines for caregivers to respond to childcare vacancies.

### Stage 3: Develop Prioritisation Criteria

- Choose criteria that reflect local multidimensional vulnerability, can be verified through official documentation, and are easily understandable to the population.
- Categorize criteria into relevant areas and establish only essential criteria.
- Clearly list the required documentation and specify the timing for its provision.
- Define a classification method for criteria based on a vulnerability concept, ensuring public accessibility and legal compliance.
- Implement comparative tie-breaker measures.

### Stage 4: Ensure System's Transparency and Effectiveness

- Provide training for public servants on system usage and citizen guidance.
- Regularly review prioritisation criteria and maintain collaboration with relevant institutions.
- Promote public awareness campaigns in vulnerable communities about the importance of childcare attendance.

## EXECUTIVE SUMMARY

Attending childcare can play a crucial role in a child's early development, shaping both cognitive and noncognitive skills. Its importance is even greater for children from vulnerable families, who lack sufficient resources for home-based development and for whom mothers' participation in the labour market is necessary. This is a more outstanding issue in developing countries, and it's essential to analyse the counterfactual of children not attending childcare to properly assess the policy relevance of the matter. In Brazil, of the 11.8 million children aged 0 to 3 years, only 37% attended childcare centres in 2019. Inequities were evident in the enrolment rates; 54.3% of children among the 25% wealthiest families were enrolled, compared to only 27.8% from the poorest 25% families.

The 5,570 Brazilian municipalities are responsible for providing childcare. However, resource generation poses a significant hurdle, particularly in smaller municipalities that often rely heavily on federal funds, in addition to limitations in the state capacity of education departments. Recognising the importance of providing this service, the 2014 Brazilian National Education Plan established, as part of its first main objective, a specific target to enrol at least 50% of children aged 0 to 3 years in childcare centres by 2024. This goal is clearly going to be missed in the case of young children from middle class and poor families. A new national plan must be created in 2024, the same year of the next municipal elections, highlighting the importance of debating childcare access in this juncture in time. Currently, Congress is also addressing the issue through multiple bills, raising awareness about the importance of prioritising the most vulnerable children.

By linking the literatures about early childhood education, state capacity and multidimensional poverty, this policy brief aims to assist municipalities in improving their childcare systems by strategically addressing their current capabilities, understanding child vulnerability comprehensively, and acknowledging that this reorganisation is a fundamental initial step in addressing childcare access challenges. Using a qualitative approach, six different municipal education departments were interviewed, none of them a state capital, all having less than 500,000 inhabitants and, as a group, representing all the country's five regions. In addition, a document analysis of prioritisation criteria for childcare enrolment was conducted in two interviewed municipalities and five state capitals, chosen for their data accessibility and regional representation.

The findings highlight the variation of enrolment systems in the analysed municipalities, going from examples with no centralised enrolment system in place to those with an enrolment system implemented with prioritisation criteria for the most vulnerable children. In the less structured contexts, there were transparency issues, potentially opening space for external influence and privileged access for better-

informed families. In places where there were prioritisation criteria, the lack of systematisation poses challenges, leading to potential inconsistency, and cultural barriers combined with limited accessibility to the system could diminish its effectiveness in reaching first those most in need.

The study also identified diverse systems' methodologies, with variation on how to order criteria, apply scores, use tie-breaker criteria, and allocate children in education units, highlighting the complexities of implementation. Additionally, differences in access to waitlists, proof of conditions, and the number of criteria showcased significant disparities in the prioritisation process.

The study outlines policy recommendations covering the external relationships and internal organisation of these systems. Regarding external relations, for the most vulnerable children to access childcare, every education department must build a collaborative approach with other municipal executive sectors, especially health and social protection, as well as with the legislative and the judiciary. Additionally, exchanging experiences with other municipalities and mapping the reasons why families do not search for childcare locally are essential tasks, the learning of which should permeate the whole childcare policy structure.

The recommendations for the education department's internal organisation were divided into clusters related to the four different enrolment system stages. For those in the first stage group, which have as their next step the development of a centralised system, the study emphasises: (i) the possibility of partnerships with geographically proximate municipalities to build a system in collaboration; (ii) the importance of defining the system's accessibility, and: (iii) the process of educational unit allocation for each enrolment.

For those in the second stage, which have as their the goal the inclusion of a waitlist in the previously existing centralised enrolment system, the recommendations highlight the importance of accessible and transparent waitlist management, following legal guidance. It also suggests adding classificatory observations to each applicant on the list and setting a realistic deadline for the caregivers to demonstrate interest in the vacancy announced.

As for those in the third stage group, the brief proposes three key factors for prioritisation criteria: they must be understandable, based on clear documentation and represent local vulnerability. It also suggests criteria categorisation, defining only essential criteria, organising the criteria side-by-side with the proof documentation for each one and when to prove them, defining the classification method based on a vulnerability concept and establishing comparative tiebreakers. Lastly, considering those in the fourth stage group, the brief suggests training public servants and points to the importance of both frequently revising the criteria and promoting campaigns about the importance of early childhood education. Hence, the recommendations must be interpreted considering the municipality's local context.



## 1. THE IMPORTANCE OF CHILDCARE PROVISION

It is during the first years of a person's life that they develop fundamental cognitive and noncognitive skills.<sup>2</sup> Hence, the environment where one is born affects one's development, especially due to the nature of skills formation, in which early learning begets later learning.<sup>3</sup> An environment that provides the necessary human and material resources to a child can positively impact their future life, in terms of better learning outcomes and reduced tendency to criminal behaviour.<sup>4</sup> Childcare can provide subsidies that encourage children's development, having a greater impact, especially when attending vulnerable families that do not have enough resources to stimulate this development at home.

However, there is a debate about the best year for a child to leave their family's house and enter the schooling system. Some researchers show a positive impact on child development when entering a childcare system after they are six months old but before completing one year of age. They are more persistent and independent as a result, with more verbal ease than children who enter the system later.<sup>5</sup> However, this is closely linked to the quality of the childcare service, which is difficult to define but can be briefly understood as a service that provides not only simple care but also educational stimulation, preparing children for school.<sup>6</sup> Furthermore, it is crucial to understand the real counterfactual of this policy,<sup>7</sup> i.e. what care the child would receive if there was no childcare provision by the state. It is indispensable to make this analysis when observing developing countries, since childcare provision could act as a protective factor in impoverished contexts<sup>8</sup>.

In addition to the generally positive impact on child development, childcare provision can also positively impact the whole family, especially by expanding the mother's inclusion in the labour market. This relationship depends on different aspects. The nature of the mother's job can influence her availability to stay with their child, and the current level of female participation in the local labour force can influence childcare supply and costs.<sup>9</sup> It is also essential to consider cultural and historical aspects, such as the idea

<sup>2</sup> Heckman, J. J., & Masterov, D. V. (2007). The Productivity Argument for Investing in Young Children. *Review of Agricultural Economics*, 29(3), 446–493. <http://www.jstor.org/stable/4624854>. p.487

<sup>3</sup> Ibid., p.476

<sup>4</sup> Ibid., p.481

<sup>5</sup> Andersson, B.-E. (1989). Effects of Public Day-Care: A Longitudinal Study. *Child Development*, 60(4), 857–866. <https://doi.org/10.2307/1131027>. p. 863 and 864

<sup>6</sup> Ibid., p. 858

<sup>7</sup> Jef L. Leroy , Paola Gadsden & Maite Gujjarro (2012) The impact of childcare programmes on child health, nutrition and development in developing countries: a systematic review, *Journal of Development Effectiveness*, 4:3, 472-496, DOI: 10.1080/19439342.2011.639457. P. 493

<sup>8</sup> Margaret O'Brien Caughy, DiPietro, J. A., & Strobino, D. M. (1994). Day-Care Participation as a Protective Factor in the Cognitive Development of Low-Income Children. *Child Development*, 65(2), 457–471. <https://doi.org/10.2307/1131396>

<sup>9</sup> Halim, D., Perova, E., & Reynolds, S. (2023). Childcare and mothers' labor market outcomes in lower-and middle-income countries. *The World Bank Research Observer*, 38(1), 73-114.

of gender division in labour, wherein the primary responsibility of taking care of the child predominantly falls on the mother.<sup>10</sup>

Despite some progress in these areas in the last decades, the labour participation disparity between women and men remains relevant: in 2018, 606 million women of working age worldwide were unavailable for employment or not looking for work due to care responsibilities, while only 41 million men were in the same situation.<sup>11</sup> Designing childcare policies considering the maternal labour market, observing the hours of the service and the different service types can increase women's employment<sup>12</sup>. Furthermore, this inclusion can improve business productivity, reduce employee attrition costs, increase the diversity in the market<sup>13</sup>, and benefit the whole society.

## 2. THE BRAZILIAN CONTEXT

### 2.1. THE LEGAL FRAMEWORK

Brazil took a significant step with the 1988 Federal Constitution, which established that the state must provide childcare for children between 0 and 3 years old, even though it is not a mandatory educational level. This period of education, together with preschool (four- and five-years old children), encompasses the initial stage of the educational process called early childhood. According to Article 211 of the Constitution, providing for this education level is the main responsibility of the municipalities within a collaboration regime that must exist between the federal, state, and municipal governments.

The importance of early childhood education has been increasingly recognised in the public debate, especially after the approval of the Statute of the Children and the Adolescents<sup>14</sup> in 1990, the Primary Education Guidelines Law<sup>15</sup> in 1996 and the Legal Framework for Early Childhood<sup>16</sup> approved in 2016. These laws regulate the government's responsibility to provide public childcare and the child's right to access it.

This growing relevance is reflected in the current Brazilian National Education Plan, created in 2014. One of its first targets is to enrol at least 50% of children aged 0 to 3 years in childcare centres by 2024.

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<sup>10</sup> Ibid.

<sup>11</sup> International Labour Office (2018a) Care work and care jobs for the future of decent work. Geneva: ILO

<sup>12</sup> Halim, D., Perova, E., & Reynolds, S. (2023). Childcare and mothers' labor market outcomes in lower-and middle-income countries. *The World Bank Research Observer*, 38(1), 73-114. P. 18

<sup>13</sup> Devercelli, A. E., & Beaton-Day, F. (2020). Better Jobs and Brighter Futures. P. 17

<sup>14</sup> Brazil. (1990). Lei nº 8069 de 13 de Julho de 1990. Estatuto da Criança e do Adolescente. Available at: [https://www.planalto.gov.br/ccivil\\_03/leis/l8069.htm](https://www.planalto.gov.br/ccivil_03/leis/l8069.htm)

<sup>15</sup> Brazil. (1996). Lei nº 9394 de 20 de Dezembro de 1996. Lei de Diretrizes da Educação Básica. Available at: [https://www.planalto.gov.br/ccivil\\_03/leis/l9394.htm](https://www.planalto.gov.br/ccivil_03/leis/l9394.htm)

<sup>16</sup> Brazil. (2016). Lei nº 13.257 de 08 de março de 2016. Marco Legal da Educação Infantil. Available at: [https://www.planalto.gov.br/ccivil\\_03/ato2015-2018/2016/lei/l13257.htm](https://www.planalto.gov.br/ccivil_03/ato2015-2018/2016/lei/l13257.htm)

Despite a considerable increase in recent years, we are far from reaching that goal. It is urgent to advance childcare policy improvements now, taking advantage of the fact that a new national plan is due to be created in 2024 and that municipal elections will be held in the same year.

## 2.2. BRAZILIAN CHILDREN AND THEIR FAMILIES

In 2019, there were 11.8 million Brazilian children between 0 and 3 years<sup>17</sup> old, and only 37% of them attended a childcare centre<sup>18</sup>. Only 15.8% of children of this age lived in rural areas, indicating that the demand for childcare is concentrated mainly in urban areas<sup>19</sup>. Access to this service in Brazil is unequal in various aspects. Among the 25% wealthiest section of the population, 54.3% have children enrolled in childcare centres; among the 25% poorest section, only 27.8% are enrolled<sup>20</sup>. Childcare attendance also varied per region, with the North region having the lowest rate of 18.7% and the South region with the highest rate of 44% of children enrolled in a childcare centre<sup>21</sup>. It is challenging to compare these rates internationally since they can be skewed in some countries due to, for instance, the extension of parental leave in places like Estonia and Norway<sup>22</sup>. Hence, observing why children are not attending childcare and what replaces it is essential.

According to 2017 data from the Brazilian Institute of Geography and Statistics (IBGE)<sup>23</sup>, among parents of children aged 0 to 1 year, 11.4% pointed out the absence of childcare centres in their vicinity or said their locations were too distant. Similarly, 16.5% of parents of children aged 2 to 3 years faced the same challenge. Another concerning factor was the lack of vacancies in the existing childcare centres, cited by 9.7% of parents with children aged 0 to 1 years and 18.2% of those with children aged 2 to 3 years. Lastly, 64.1% of parents of children aged 0 to 1 year and 53% of the parents of children aged 2 to 3 years old said that their children didn't go to childcare because they didn't want them to, revealing a lack of importance attributed by the population to early childhood education.

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<sup>17</sup> <https://www.fmcsv.org.br/pt-BR/biblioteca/publicacao-indice-necessidade-creche-2022/>. P. 14

<sup>18</sup> Todos Pela Educação e Moderna. Anuário Brasileiro da Educação Básica 2021. Available at: [https://todospelaeducacao.org.br/wordpress/wp-content/uploads/2021/07/Anuario\\_21final.pdf](https://todospelaeducacao.org.br/wordpress/wp-content/uploads/2021/07/Anuario_21final.pdf). P. 33

<sup>19</sup> Fundação Maria Cecília Souto Vidigal (2021). INC - Índice de Creche 2018 - 2020 e estimativas de frequência: insumos para a focalização de políticas públicas. Available at: <https://www.fmcsv.org.br/pt-BR/biblioteca/publicacao-indice-necessidade-creche-2022/>. p. 14

<sup>20</sup> Todos Pela Educação e Moderna. Anuário Brasileiro da Educação Básica 2021. Available at: [https://todospelaeducacao.org.br/wordpress/wp-content/uploads/2021/07/Anuario\\_21final.pdf](https://todospelaeducacao.org.br/wordpress/wp-content/uploads/2021/07/Anuario_21final.pdf). P. 24

<sup>21</sup> Ibid., p. 33

<sup>22</sup> Ofsted. International perspectives on early years. Available at: <https://www.gov.uk/government/publications/international-perspectives-on-early-years>

<sup>23</sup> IBGE (2018). Pesquisa Nacional de Amostra por Domicílios Contínua: Educação 2017. Available at: [https://biblioteca.ibge.gov.br/visualizacao/livros/liv101576\\_informativo.pdf](https://biblioteca.ibge.gov.br/visualizacao/livros/liv101576_informativo.pdf). P. 6



In a developing country where more than 70 million people live under the poverty line, with less than US\$ 6.85 per capita a day,<sup>24</sup> this lack of provision may have a terrible negative impact. In vulnerable families, it is usual for older siblings to perform duties such as taking care of the younger one when there is no adult available to do it<sup>25</sup>, which can also impact the young child's development given the lack of proper stimulation. In 2019, 7% of the child labour reported in Brazil was related to care and domestic work, the equivalent of almost 86,000 people aged 5 to 17 years.<sup>26</sup> Of this total, 85% were girls and 62% were black girls,<sup>27</sup> showing that gender and race disparities must be considered as well.

When there is no older sibling or other community support, a parent must stay home to take care of the child, and due to structural circumstances related to gender discrimination, the mother is usually the one to do it. In 2015, among 179 countries analysed, Brazil ranked 77° in the Mother's Index, which is calculated based on five indicators: maternal health, children's well-being, educational status, economic status, and political status.<sup>28</sup>

Brazilian women have, in general, less participation in the labour force than their male counterparts. In 2022, their participation rate was 53.6%, while among men it was 73.3%, a higher than the average gap of upper-middle-income countries.<sup>29</sup> The relative probability of being inactive rather than employed in the formal sector is 162.7% higher for women with a baby, all else made equal.<sup>30</sup> This situation is aggravated by the fact that, between 2012 and 2022, the number of Brazilian households with lone mothers grew by 17.8%, and that 90% of this effect was due to the increase of black lone mothers, a number which grew from 5.4 million to 6.9 million in that period.<sup>31</sup>

### 2.3. GETTING TO KNOW THE DEMAND

Considering that childcare is not a mandatory education level in Brazil, there are three ways to observe and categorise its demand: Potential Demand, Unmet Manifested Demand, and Unmet Real Demand.

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<sup>24</sup> Instituto Jones dos Santos Neves (2023). Dez milhões saíram da pobreza no Brasil em 2022. Available at: <https://ijsn.es.gov.br/noticias/dez-milhoes-sairam-da-pobreza-no-brasil-em-2022>

<sup>25</sup> Burton, L. (2007). Childhood adultification in economically disadvantaged families: A conceptual model. *Family Relations*, 56, 329-345.

<sup>26</sup> Ministério do Desenvolvimento e Assistência Social, Família e Combate à Fome (MDS). Nota Informativa nº3/2023. Secretaria Nacional de Cuidados e Família (SNCF). Trabalho Infantil e Políticas de Cuidado. P.7

<sup>27</sup> Ibid.

<sup>28</sup> Save the Children (2015). The Urban Disadvantage: state of the world's mother 2015. Available at:

<https://resourcecentre.savethechildren.net/document/state-worlds-mothers-2015-urban-disadvantage/>

<sup>29</sup>The World Bank. Gender Data Portal: Brazil. Available at: <https://genderdata.worldbank.org/countries/brazil>

<sup>30</sup> Lima, I. F. M., Vaz, D. V., & Gonçalves, S. L. (2022). Penalidade pela maternidade no mercado de trabalho brasileiro. *Anais*, 1-27. Available at: <http://www.abep.org.br/publicacoes/index.php/anais/article/view/3739>

<sup>31</sup> DIEESE (2023). As dificuldades das mulheres chefes de família no mercado de trabalho. São Paulo, Brasil. Available at: <https://www.dieese.org.br/boletimespecial/2023/mulheres2023.pdf>

The families that want to enrol their child in a childcare centre and were unable to do so due to various barriers, from lack of vacancies to education units distance, make up the Potential Demand.<sup>32</sup> When families apply for a place in municipal childcare centres but end up on the waiting list, given the service's limited capacity, they are also part of the Unmet Manifested Demand.<sup>33</sup> Lastly, the Unmet Real Demand covers the Unmet Manifested Demand plus families who do not even try to enrol their children because they do not know they have the right to do so or because they do not believe they would get a place.<sup>34</sup> These different concepts help us better understand the complexity of each municipality, differentiating, for instance, between situations when a municipality ends its childcare waitlist (Manifested Demand) and when it is catering for all children whose families want to enrol (Real Demand).

Maria Cecilia Souto Vidigal, a Brazilian foundation which since 2007 has developed projects focused on early childhood education, created the Childcare Necessity Index (INC) to better analyse the childcare met and unmet real demand<sup>35</sup>. This Index aims to identify the most vulnerable children in need of childcare in urban areas in Brazil. It considers all Brazilian children between 0 to 3 years old, including the ones enrolled in childcare centres, and analyses who is in the most need based on a set of vulnerability criteria. To classify a child as vulnerable, they must be included in, at least, one of the following groups: a) come from below-poverty-line families; b) are from lone-parent families; or c) have economically active primary caregivers or who would be economically active if childcare was available and who show evidence of need. Based on these criteria, 42.4% of the children living in Brazil's urban areas are deemed vulnerable, and thus have a pressing need for access to childcare services.

In a broader perspective, UNICEF analysed Brazilian children and teenage poverty, considering people aged between 0 and 17 years, in a multidimensional perspective. Indexes related to nutrition, income, education, child labour, housing, water, sanitation, and information were considered in the study, going beyond the concept of monetary poverty and recognising that vulnerability is composed of an interrelationship between different forms of deprivation and exclusion. The results showed that 32 million children and teenagers, 63.1% of the population at this age, were suffering from deprivation of one or more factors.<sup>36</sup>

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<sup>32</sup> Fundação Maria Cecília Souto Vidigal (2020). Desafios do acesso à creche no Brasil Subsídios para o debate. p. 28

<sup>33</sup> Ibid., p. 46

<sup>34</sup> Ibid., p. 46

<sup>35</sup> Fundação Maria Cecília Souto Vidigal (2021). INC - Índice de Creche 2018 - 2020 e estimativas de frequência: insumos para a focalização de políticas públicas. Available at: <https://www.fmcsv.org.br/pt-BR/biblioteca/publicacao-indice-necessidade-creche-2022/>

<sup>36</sup> UNICEF, Brasil (2023). As Múltiplas Dimensões da Pobreza. P.1 and 5 Available at: <https://www.unicef.org/brazil/media/22676/file/multiplas-dimensoes-da-pobreza-na-infancia-e-na-adolescencia-no-brasil.pdf>

### 3. CHALLENGES TO CHILDCARE PROVISION

The Brazilian federal system has 5,570 municipalities, all with constitutional, political and economic independence from the federal level.<sup>37</sup> In 2018, almost half of the Brazilian GDP was created by 71 municipalities, only 1.3% of the total, and the capitals of the states alone represented 31.8% of GDP.<sup>38</sup> This GDP concentration, though in decline since the analysis started in 2002, still reveals the different municipal realities in Brazil. Generating resources is especially difficult, given that almost half of municipalities have 10,000 or fewer inhabitants.<sup>39</sup> In 2019, 70% of the municipalities relied on more than 80% of external funds to finance their services, and especially from transfers made by the federal government.<sup>40</sup> These municipalities are responsible for a total of 22 million student enrolments in all education levels, representing 61.7% of all students in Brazilian public schools and half of the total number of students between childcare and high school.<sup>41</sup>

Education is funded by several resources: the Fund for the Maintenance and Development of Basic Education and Valorisation of Education Professionals<sup>42</sup> (FUNDEB) net balance; Education-Salary<sup>43</sup> Resources; Ministry of Education transfers; and own revenue generated by taxes collected<sup>44</sup>. FUNDEB has an essential role in reducing inequalities between municipalities since it operates through 27 accounting funds, one for each state, constituted with resources from the state and its municipalities and redistributed according to the number of students enrolled in the education municipal network.<sup>45</sup> Since 2007, childcare provision has been included in the distribution of FUNDEB resources<sup>46</sup>, and in 2015, for 9 out of 10 Brazilian municipalities, FUNDEB resources accounted for over half of their investment in education.<sup>47</sup> For an

<sup>37</sup> Brazil. (1988). Constituição da República Federativa do Brasil de 1988. Available at: [https://www.planalto.gov.br/ccivil\\_03/constituicao/constituicao.htm](https://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm). Article 18.

<sup>38</sup> Agência IBGE Notícias (2020). Quase metade do PIB do país estava concentrado em 71 municípios em 2018. Available at: <https://agenciadenoticias.ibge.gov.br/agencia-noticias/2012-agencia-de-noticias/noticias/29729-quase-metade-do-pib-do-pais-estava-concentrado-em-71-municipios-em-2018>

<sup>39</sup> Agência IBGE Notícias (2023). De 2010 a 2022, população brasileira cresce 6,5% e chega a 203,1 milhões. Available at: <https://agenciadenoticias.ibge.gov.br/agencia-noticias/2012-agencia-de-noticias/noticias/37237-de-2010-a-2022-populacao-brasileira-cresce-6-5-e-chega-a-203-1-milhoes>

<sup>40</sup> Folha de São Paulo (2019). 70% dos municípios dependem em mais de 80% de verbas externas. Available at: <http://temas.folha.uol.com.br/remf/ranking-de-eficiencia-dos-municipios-folha/70-dos-municipios-dependem-em-mais-de-80-de-verbas-externas.shtml>

<sup>41</sup> Todos Pela Educação (2020) Educação Já: Municípios. Available at: <https://todospelaeducacao.org.br/iniciativa-educacao-ja/educacao-ja-agenda-para-municipios/> p. 10

<sup>42</sup> Fundo de Manutenção e Desenvolvimento da Educação Básica e de Valorização dos Profissionais da Educação

<sup>43</sup> Salário-Educação: imposto recolhido pelas empresas vinculadas à Seguridade Social no Brasil, sendo redistribuído entre a União, os Estados e os Municípios.

<sup>44</sup> Todos Pela Educação (2020) Educação Já: Municípios. Available at: <https://todospelaeducacao.org.br/iniciativa-educacao-ja/educacao-ja-agenda-para-municipios/> P. 11

<sup>45</sup> Ibid, p. 12

<sup>46</sup> Nexo. (2022.) O julgamento que pode levar ao retrocesso do direito à creche. Available at: <https://www.nexojournal.com.br/ensaio/2022/09/20/O-julgamento-que-pode-levar-ao-retrocesso-do-direito-%C3%A0-creche>

<sup>47</sup> Todos Pela Educação e Moderna (2020) Anuário Brasileiro da Educação Básica 2020. Available at: <https://todospelaeducacao.org.br/wordpress/wp-content/uploads/2020/10/Anuario-Brasileiro-Educacao-Basica-2020-web-outubro.pdf> p. 125

international comparison, it's worth noting that in 2016, the average annual expenditure for each child enrolled in early childhood and primary education in the Brazilian municipalities was less than half of the average in OECD countries<sup>48</sup>.

Nevertheless, financing challenges do not encompass all the difficulties that municipalities commonly face. By conceptualising state capacity as a combination of abilities to implement policies, achieve established goals, exercise relational power, and have a qualified bureaucracy<sup>49</sup>, we can better analyse the limitations faced by Brazilian municipalities. In 2018, only 43.2% of education municipal secretaries had control over the education budget, which is in most cases (43.7%) under the mayor's responsibility,<sup>50</sup> illustrating the importance of politics in local education. Additionally, in many municipalities, most of the education department civil servants are recruited from the schools and do not have previous experience with management activities.<sup>51</sup>

Adding to this scenario, in 2022, the Brazilian Supreme Court ruled on a case<sup>52</sup> with general repercussion<sup>53</sup> reinforcing that access to early childhood education, including childcare from 0 to 3 years old, could be required through individual judicial actions for the government, which is obliged to offer it. This decision puts more pressure on the municipalities, since, even before this decision, most of the education cases that went to the judiciary were already about vacancies in childcare centres.<sup>54</sup>

Many families seek judicial help, going to the Public Prosecutor<sup>55</sup> or the State Public Defender<sup>56</sup>, institutions that, among their many functions, can prosecute the local government, binding them to the responsibility to respect the population's constitutional rights. The families that access the Judiciary and have a positive outcome of their process can enrol their child before all the others on a waitlist.

<sup>48</sup> Todos Pela Educação e Moderna (2021). Anuário Brasileiro da Educação Básica 2021. Available at: [https://todospelaeducacao.org.br/wordpress/wp-content/uploads/2021/07/Anuario\\_21final.pdf](https://todospelaeducacao.org.br/wordpress/wp-content/uploads/2021/07/Anuario_21final.pdf). P. 122

<sup>49</sup> Centeno, M., Kohli, A., & Yashar, D. (2017). Unpacking States in the Developing World: Capacity, Performance, and Politics. In D. Mistree (Author) & M. Centeno, A. Kohli, & D. Yashar (Eds.), *States in the Developing World* (pp. 1-32). Cambridge: Cambridge University Press. P. 6

<sup>50</sup> Todos Pela Educação e Moderna (2020) Anuário Brasileiro da Educação Básica 2020. Available at: <https://todospelaeducacao.org.br/wordpress/wp-content/uploads/2020/10/Anuario-Brasileiro-Educacao-Basica-2020-web-outubro.pdf>. P. 28

<sup>51</sup> SEGATTO, C. I.; EUCLYDES, F. M. .; ABRUCIO, F. Capacidades estatais e seus efeitos nas Políticas Municipais de Educação. *Cadernos Gestão Pública e Cidadania*, São Paulo, v. 26, n. 84, 2021. DOI: 10.12660/cgpc.v26n84.81938. Available at: <https://bibliotecadigital.fgv.br/ojs/index.php/cgpc/article/view/81938>. P. 16 and 17

<sup>52</sup> Supremo Tribunal Federal Notícias. (2022). Supremo decide que oferta de creche e pré-escola é obrigação do poder público. Available at: <https://portal.stf.jus.br/noticias/verNoticiaDetalhe.asp?idConteudo=494613&ori=1>

<sup>53</sup> STF. Tema 548: Dever estatal de assegurar o atendimento em creche e pré-escola às crianças de zero a 5 (cinco) anos de idade. Available at: <https://portal.stf.jus.br/jurisprudenciaRepercussao/verAndamentoProcesso.asp?incidente=5085176&numeroProcesso=1008166&classeProcesso=RE&numeroTema=548>

<sup>54</sup> Gotti, A. PROJETO 914BRZ1009.2 CNE/UNESCO. A Qualidade Social da Educação Brasileira nos Referenciais de Compromisso do Plano e do Sistema Nacional de Educação.

<sup>55</sup> Ministério Público

<sup>56</sup> Defensoria Pública

There are several bills in Congress dealing with the necessity of prioritising childcare access. The Senate<sup>57</sup> recently approved a bill binding all municipalities to promote an active survey and publish the real demand for vacancies in early childhood education for children up to three years old, linking this demand to the prioritisation criteria for the receipt of federal funds. In the case of higher demand than supply, the bill states that the municipality should define access prioritisation criteria related to the local context, including the family's socio-economic situation and the condition of single parenthood. This bill is heading to the House of Representatives to be voted.

Another bill recently presented in the Chamber of Deputies<sup>58</sup> aims to standardise the prioritisation criteria for municipalities, including children who are separated from their families; those who have neither a father nor a mother on the civil register; those whose mothers are enrolled in the public education system; those whose mothers can prove that they are employed; and children living in socially vulnerable communities. Nevertheless, there are many challenges for the municipalities to effectively implement improvements to their childcare policy.

## 4. METHODOLOGY

The investigation of childcare provision in Brazil poses a formidable challenge due to its intricate nature. Hence, to narrow the study, conversations were held with representatives of the Brazilian *Foundation Maria Cecília Souto Vidigal, Qualificação Direta em Primeira Infância* (Direct Qualification in Early Childhood) Project (FGV CEIPE), Lemann Foundation and a Professor from Federal University of ABC (São Paulo, Brazil). After defining the focus on the enrolment process featuring prioritisation criteria, the study incorporated a qualitative approach, contacting 12 education secretaries from urban municipalities. From this group, a subset of six secretaries were interviewed, ensuring representation from each of Brazil's five regions.

Aiming to understand contexts which are closer to the average profile of the over 5,000 Brazilian municipalities, none of the six municipalities interviewed were state capitals, and they had between 49,000 and 412,000 inhabitants. These interviews were semi-structured, being instrumental in capturing nuanced insights and experiential knowledge. Nine people were interviewed: two municipal education secretaries, one municipal education executive secretary, four public servants working in the pedagogical sector and

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<sup>57</sup> Rádio Senado (2023). Senado aprova levantamento de vagas na educação para crianças de até três anos. <https://www12.senado.leg.br/radio/1/noticia/2023/09/05/senado-aprova-levantamento-de-vagas-na-educacao-para-criancas-de-ate-tres-anos>

<sup>58</sup> Agência Câmara de Notícias (2023). Projeto estabelece critérios para priorização de vagas em creches públicas. Available at: <https://www.camara.leg.br/noticias/975793-projeto-estabelece-criterios-para-priorizacao-de-vagas-em-creches-publicas/>



two in the enrolment sector. The municipalities were chosen through an exchange of perceptions with researchers and workers from Brazilian non-governmental organisations workers who had a relationship with the education sector of municipal governments.

Complementing this primary data, the methodology encompassed a document analysis of prioritisation criteria in the two interviewed municipalities that had it in place and five other state capitals. The decision to analyse these state capitals' criteria was due to data having greater public accessibility, but the representation of the five Brazilian regions was maintained. This analysis focused on discerning patterns, discrepancies, and effective strategies. The names of the municipalities interviewed and analysed are withheld due to the sensitivity of the theme and because the study aims to explore the general reality of Brazilian municipalities in terms of childcare provision, rather than to carry out specific case studies.

## 5. FINDINGS

The interviews exposed the importance of, when promoting the prioritisation criteria agenda locally, first observing their enrolment system. Given its lack of clarity, a decentralised enrolment system can impose high costs on families, especially the ones from disadvantaged backgrounds, who usually have less objective knowledge<sup>59</sup>. Hence, a prioritisation criteria structure for the childcare waitlist can only be effective if implemented within a transparent and accessible enrolment system. Considering this, the findings are divided into enrolment systems and prioritisation criteria.

### 5.1 ENROLMENT SYSTEMS

In almost every municipality interviewed, there was higher manifested demand than supply, except for one municipality, which after starting to cater for children on a part-time basis, claimed to have more places available in the mornings than the demand. However, the way to process this demand varied across them, impacting the advancement of the prioritisation criteria in local policy. Based on the interviews, the municipal enrolment systems were categorised into four stages.

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<sup>59</sup> Inter-American Development Bank. (2021). Centralized Student Assignment Systems: Implementation Guide]. Available at: <https://publications.iadb.org/es/sistemas-centralizados-de-asignacion-escolar-guia-de-implementacion>

**Table 1. Enrolment System Categorisation**

Stage	Enrolment System	Possible Adverse Effects	Next step	Primary Barriers
<b>1</b>	Decentralised	Long in-person queues; Same child on different units' waitlists; Lack of transparency; Possibility of external influence; Indirectly prioritises families with privileged information.	Develop a centralised system.	Lack of resources; Political concerns;
<b>2</b>	Centralised; without a waitlist for childcare	Lack of transparency; Possibility of external influence; Indirectly prioritises families with privileged information.	Include a waitlist in the system.	Political concerns.
<b>3</b>	Centralised; with a waitlist; no prioritisation criteria	Indirectly prioritises families with privileged information.	Develop prioritisation criteria.	Political concerns; Methodology definition.
<b>4</b>	Centralised; with a waitlist; with prioritisation criteria	Making childcare access difficult due to system complexity.	Guarantee the system's transparency and effectiveness.	Political concerns; Judicial pressure; Vulnerable families not prioritising early childhood education.

In the context of Stage 1, encompassing one interviewed municipality, the control over children enrolment is by the education units instead of the municipal education department. This decentralisation can make access more difficult for families who cannot personally wait in the units for a long time to get a spot. This municipality pointed that, when the childcare service was full-time, the demand was much higher than the supply, so the parents sometimes needed to sleep for two or three days in front of a childcare unit. In addition, the same child could be on the waitlist for different units, counting more than once in the total number of children waiting for a place and diminishing the effectiveness of the public service, given that the administrative sector can contact parents whose child could already be attending another unit. The same municipality pointed out that the unit directors were responsible for talking among themselves to organise their separate waitlists and relocate children. This points to a more subjective organisation, which may require more time and effort.

Moreover, the lack of transparency over how allocations are made creates a space for external influence. Hence, its next step to improve the system would be to develop a centralised system which could face barriers like the lack of resources, given the need for technological development of the system and the importance of training civil servants on how to use it. Also, political support could be an obstacle since placements in childcare centres can be a powerful bargaining chip for some local politicians. Therefore, this system can indirectly benefit families with privileged information about the details of the process, excluding the most vulnerable ones.

Regarding Stage 2, which included two interviewed municipalities, the absence of a waitlist organisation in the existing centralised enrolment system hinders the caregiver from knowing their position in the queue. In this stage, each unit has its own waitlist, making it more difficult to analyse the real demand in the municipality, besides the demand satisfied. Hence, the possible subjective treatment of the waiting list and the dependence on the willingness of the education unit directors to manage it could lead to similar problems as stage 1 municipalities. It should be noted that, within this stage, one municipality had its own system and another municipality, which was considerably smaller, had a system together with other three municipalities, all aggregated in the state enrolment system.

Another difference between municipalities with a centralised system (municipalities from stage 2 to stage 4) is how the unit's allocation will be made for each child. In the interviews, one municipality (stage 3) raised that the caregiver chooses a sector of the municipality that contains a number of units and the child could be allocated in any unit in this area, while in another municipality (stage 4) the caregiver could choose two education units in the whole municipality to apply, in order of preference, and in another (stage 4), they could choose three units.

In Stage 3, on the other hand, the municipality already has a waitlist inside the centralised system, but on a first-come, first-served basis. One challenge raised in the interviews, related to the efficiency of the centralised waitlist, is the deadline for the families to respond when summoned for a vacancy. One municipality (stage 4) chose a three-day deadline and decided to recently change it for five, while other (stage 4) maintained a three-day deadline but showed general flexibility in case the family manifested interest but did not have all the documents on the solicited day.

The absence of prioritisation criteria for municipalities in stage 3 could be intended to universalise the service, promoting the idea of equal treatment between everyone in the community. The one municipality in this stage pointed out that the creation of prioritisation criteria was not raised when organising the system, assuming an idealisation of equal access to everyone. Another interviewed municipality (stage 2), when questioned about prioritisation, said they had it when childcare provision was a responsibility of the social protection sector, but in education was different, because above it all, childcare is important for the child's development. However, it should be pointed that the social conditions imposed on children give them different opportunities in life, and it is vital to observe that treating children equally is not always the best option for equity, especially in the context of a lack of resources. Catering for the most vulnerable children of the current generation is vital and the primary obstacle for that is a definition of methodology.

Two interviewed municipalities were classified as Stage 4, facing challenges of prioritisation criteria effectiveness. A common problem is the continuation of high individual litigation for a childcare place, in

which the child breaks the queue by judicial determination, not respecting the prioritisation system. Both stage 4 municipalities, and one stage 3 municipality highlighted the importance of judiciary-related institutions, such as the Public Prosecutor or the State Public Defender, to be more mindful of municipal difficulties, especially because the families who often reach their services are not the most vulnerable. One of these municipalities said it relied on the often-unstable children's childcare attendance in order to fit every child in the classroom and respond to the judicial demand.

This high judicialisation was raised by half of the interviewed municipalities as one of the reasons for municipalities to change their full-day childcare provision into a partial system, in which the child only attends the centre during the morning or the afternoon. Through that change, the local government aims to cope with the legal demand without drastically expanding their investments. Besides potentially impacting the quality of the service, this change can also not attend to the family's necessities, given the caregiver's work schedule, as in the example of three municipalities that reported having higher demand for the afternoon shift.

In regard to the pressure of a fast childcare expansion, all the interviewed municipalities expressed concern about maintaining the quality of the service, with three of them using the expression "*a childcare centre is not a child deposit*", meaning that it must, mainly, provide educational development. Furthermore, considering the complexity of establishing bespoke prioritisation criteria, the municipality must continuously review them, monitor their results, and adapt them to new contexts when necessary. Special attention must be given to the system's accessibility, given that its complexity with specific criteria and scores could make access more difficult to those most in need.

Additionally, for the system to be effective, a cultural change is needed, raising awareness of the importance of early childhood education, as pointed out by one municipality in stage 4 and another in stage 1 when talking about the perception of childcare not being only about caring for the child, but also the first step for the educational system, essential for the child development. Political support is key, and one municipality (stage 4) pointed that out by mentioning crucial leadership by the mayor.

## 5.2 PRIORITISATION CRITERIA: CONSIDERING THE URGENCY OF THE MOST VULNERABLE.

Organising a centralised system is essential to promote transparency and efficiency in the provision of childcare services, but the prioritisation criteria is the mechanism that will enable the local government to apply its resources in the population subset that most need the service. The objective here is not to hinder general access to the service or limit state action, but rather, in a context of inequality and scarce resources, to understand that some families have more urgency than others. However, developing these criteria is a challenging process, and it is crucial to deeply analyse the local context and the bureaucracy limitations.

In the seven municipalities in which the documents guiding the enrolment process were analysed, 38 different criteria were found, showing a general willingness to understand vulnerability in a multidimensional way. The criteria were divided between those related to the caregiver and to the child. Using the UNICEF child poverty and the Maria Cecilia Souto Vidigal INC vulnerability frameworks, the criteria found in at least one of the seven municipalities were categorised as the following:

**Table 2. Prioritisation Criteria Categorisation**

Frames	UNICEF Multidimensional Child Poverty			MCSV INC Vulnerability Criteria			Outside any frame		
	Housing	Health	Income	Occupation	Family structure	Security	Age	Others	
CAREGIVER	-	<ul style="list-style-type: none"> <li>Nutritional Risk;</li> <li>Chronic Disease;</li> <li>Drug Addictive;</li> <li>Disabled;</li> </ul>	<ul style="list-style-type: none"> <li>Proof of income below a specific amount;</li> <li>Attending a Local or Federal Social Protection Programme;</li> <li>*Lower per capita income.</li> </ul>	<ul style="list-style-type: none"> <li>Working;</li> <li>Unemployed;</li> <li>Education worker;</li> <li>Domestic Worker;</li> <li>Shift-based worker;</li> <li>Enrolled in an Education Unit.</li> </ul>	<ul style="list-style-type: none"> <li>Single-parent family;</li> <li>No family in town.</li> </ul>	<ul style="list-style-type: none"> <li>Protective Order;</li> <li>Victim of Domestic Violence.</li> </ul>	<ul style="list-style-type: none"> <li>Mother under 18 y. old;</li> <li>Over 60 y. old;</li> <li>Under 18 y. old;</li> </ul>	<ul style="list-style-type: none"> <li>Address in the school neighbourhood or nearby;</li> <li>Prisoner or ex-convicted in the last years;</li> <li>Address in the municipality;</li> <li>*Residence closer to the school.</li> </ul>	
CHILD	<ul style="list-style-type: none"> <li>Homeless</li> </ul>	<ul style="list-style-type: none"> <li>Nutritional Risk;</li> <li>Chronic Disease;</li> <li>Disabled;</li> </ul>	-	-	<ul style="list-style-type: none"> <li>Orphan;</li> <li>Guardian Protection.</li> </ul>	<ul style="list-style-type: none"> <li>Protective Order;</li> <li>Victim of Domestic Violence.</li> </ul>	-	<ul style="list-style-type: none"> <li>Migrant;</li> <li>In institutional care;</li> <li>**Quilombola</li> <li>More than a year on the waitlist;</li> <li>Sibling in the same school;</li> <li>Enrolled in another municipal education unit.</li> </ul>	
TIE-BREAKER	-	-	<ul style="list-style-type: none"> <li>Caregiver with the lowest income</li> </ul>	-	<ul style="list-style-type: none"> <li>Family with more children</li> <li>More people under 18 y. old living in their house</li> </ul>	-	<ul style="list-style-type: none"> <li>Eldest Child</li> <li>Mother under 18 y. old;</li> <li>Younger mother.</li> </ul>	<ul style="list-style-type: none"> <li>More time on the waitlist;</li> <li>Sibling in the same school;</li> <li>Public lottery.</li> </ul>	

\* Elements typical of comparison between classifications.

\*\* "Quilombola communities are ethnic groups - predominantly made up of rural or urban black people - who define themselves on the basis of specific relationships with the land, kinship, territory, ancestry, traditions and their own cultural practices."<sup>60</sup>

<sup>60</sup> Brazil. (2020). Ministério do Desenvolvimento Agrário. Quilombolas. Free translation from: <https://www.gov.br/incra/pt-br/assuntos/governanca-fundaria/quilombolas>



Three elements of the UNICEF framework were observed: Housing, Nutrition (here under Health category), and Income. The other five elements, Child Education and Labour, Water, Sanitation, and Information, were not identified in any municipality. Considering the child's age to childcare, child education, labour and information would not be feasible criteria, being considered by UNICEF from the age of five.

However, elements such as water and sanitation could be relevant in some contexts. The INC also considered Income as a category to classify vulnerability, but it added the caregiver labour (here under Occupation category), and solo-parent families (here under Family Structure category). Each of its three categories were observed in the documents of at least one studied municipality. Across these frameworks, the only category observed in all municipalities was Income, though there was variation on how to analyse it.

Additionally, there were other aspects not covered by these frameworks. These criteria serve as illustrative examples, but the scope of potential criteria is limitless. The two interviewed municipalities previously analysed in this section highlighted the importance of observing experiences from other municipalities to define their own criteria, with one pointing out how they used the criteria developed by their state capital as a starting point, and now they are redefining it according to their local reality.

In most cases, the criteria were usually published in a public document without any specific structure, making it hard to understand the targeted population when many factors are pointed out as a priority. Additionally, it could lead to unintentionally creating different criteria for the same circumstances. For instance, creating a criterion about having an income below a certain threshold and another criterion about participation in a social protection programme that is related to having the same income established in the prior one.

Another possible effect is to create contradictory criteria, as observed in a municipality where the unemployed and the employed caregiver were given scores. There was also a lack of specification on how the families should prove their conditions, an openness that could promote general uncertainty. This is a crucial point since, on the one hand, relying solemnly on an informal statement from a caregiver regarding a particular circumstance could lead to inconsistencies and undermine the system's efficacy. On the other hand, requiring hard-to-obtain documents without offering any support could inadvertently exclude the most marginalised families from the childcare service, reducing the policy's impact.

The way of ordering each criterion is also a delicate step. In one municipality there was just an order of priority situations, without establishing scores. Still, in most municipalities, punctuation systems were observed, where each criterion would add a score to calculate the child's vulnerability level. In some cases, the score of each criterion was not publicised, diminishing the system's transparency, and leaving

families with an incomplete understanding of their standing on the waitlist. Regarding tie-breaker measures, there were cases in which no tie-break criteria were introduced and in other situations there was possible confusion across tie-breaker criteria and prioritisation criteria, putting an element typical of comparison between classifications as a mere prioritisation criterion, such as lower *per capita* income and residence closer to the school. Additionally, there was one case of public lottery as a tie-breaker, which may be more practical in some situations, but breaks the logic of prioritising those most in need.

There was also cases in which different enrolment processes were in place for children in specific circumstances. For instance, the existence of compulsory matriculation without any prioritisation calculation for children exploited as beggars and in institutional care, or the existence of different scores for children with and without disabilities. There were also different moments when it comes to proving conditionalities. In some cases, the caregiver must prove it during system registration, which can happen in one or in two steps, the first being an online declaration and the second in person, but still before the enrolment. In other cases, proof is only required upon enrolment. Lastly, there were contexts in which the responsible must prove the conditionalities twice, during the registration and again during the enrolment.

Various formats were employed for waitlist accessibility. In two cases the waitlist was publicised with all the children's names. In contrast, in another municipality the caregiver viewed their own position online alongside only the initial letters of other children listed. There were also cases in which the caregiver could only access their own position online, and others in which only educational units had access to it, so people needed to ask them.

Regarding the number of prioritisation criteria, a striking disparity is evident: the municipality with fewer criteria has established four factors, whereas the municipality with more criteria had 25. One interviewed municipality had 19 criteria and commented on the need to revise it as some were difficult to prove.

The variety of the studied systems exposes how the prioritisation system and criteria definition must align with the local context, making it impossible to define a universal structure that would perfectly apply to every municipality. However, following some ground rules can be helpful in effectively reaching local alignment.

## 6. POLICY RECOMMENDATIONS

Considering the literature review and analysis of Brazilian municipalities contexts, this paper presents policy recommendations related to the organisation of the childcare service supply, understood as the first step to improve service provision as a whole. These recommendations cover two areas: external relations and internal organisation.

### 6.1 EXTERNAL RELATIONS

Childcare provision must be understood as an intersectoral policy led by the education sector in collaboration with different expertise areas. Taking care of how the education department relates to other institutions is crucial to implementing a quality policy that reaches the most vulnerable children first. In this area, there are three recommendations:

- Collaborative approach with:
  - Other Executive sectors: To conduct a comprehensive analysis of the local community's pressing needs, it is imperative for the education department to contact other government sectors, particularly those encompassing social protection and health. Collaborative efforts are crucial since the education department alone lacks the required tools to identify the most vulnerable families.
  - The legislative: The involvement of the municipal legislature is also essential due to its proximity to local communities and its power to mobilise cultural change about the importance of prioritising these vacancies.
  - The judiciary: Special attention must be given to institutions related to the judiciary, changing their focus from individual cases to a partnership for policy improvement.

The mayor should be deeply involved in reaching out to the legislative and judiciary branches, leading the way in these partnerships. This is of crucial importance to municipalities with their enrolment system in stage 1, but this is an ongoing process that, if interrupted, can create barriers to the impactful outcomes the internal system could promote.

- Exchange experiences with other municipalities: Observing the state capital can be a rich opportunity to draw insights and best practices, given the likelihood of similar contexts and political proximity.
- Understand the reasons why some families do not search for childcare, and build a system that facilitates their access: if families' high mobility is a big issue, developing an easy transfer system can be a good initial policy focus; if lack of awareness of the importance of this educational level for the child development is the biggest issue, building a public campaign about the topic might be more interesting; if the part-time childcare service is not meeting the families' needs, it is vital to think about the possibility of having full-time service.

## 6.2 INTERNAL ORGANISATION

The recommendations related to the education department's internal organisation are clustered into groups considering the enrolment system stages and its next steps to improve the system.

### a. Stage 1 – Develop a centralised system.

- Communicate with close municipalities in case of a lack of resources to create the system: building partnerships with them can be a good way to implement the policy.
- Determine the registration system access: It is important that carers are able to complete the system online themselves, as this can reduce the workload of some educational professionals. However, it is also important to allow carers to find support in educational units to complete the form, making it more accessible.
- Analyse the municipal reality to define how units will be allocated to each registration: this can be organised in different levels of freedom of choice for the caregiver. A good strategy for small municipalities can be for the carer to choose one or more preferred childcare units within the whole municipality. In larger municipalities, a better approach could be enabling the caregiver to select a specific area that embraces some units, with the possibility to be allocated in any of them. However, considering the transport difficulties, especially in municipalities with fewer resources, the department can choose to define which units the child will be considered for according to their home address.

### b. Stage 2 – Include a waitlist in the enrolment system.

- Focus on accessibility: the objective of a waitlist is to provide a transparent and unbiased procedure for childcare access. Hence, its public accessibility is vital for reaching its goal, to be defined according to legal guidance, with attention to the General Data Protection Law<sup>61</sup> and the Statute of the Child and Adolescent.<sup>62</sup> Centralising its access through education units could also overload servers with activities that could be avoided. It is also essential to think of how the units will access this list, given that childcare unit managers are key to understanding the dynamic of the list.
- Classificatory observations: it is important for this list to contain information such as the family drop-out, enrolment in another unit, child prioritised for legal reasons and other possible considerations that could compromise the public trust if not exposed.
- Set a realistic deadline for the caregivers to accept or decline the childcare vacancy: define what is considered as a family manifestation of interest in the placement to secure it for them. More vulnerable families can take more time to contact the educational department with all the

<sup>61</sup> Brazil. (2018). Lei nº 13709 de 14 de Agosto de 2018. Lei de Proteção de Dados. Available at: [https://www.planalto.gov.br/ccivil\\_03/\\_ato2015-2018/2018/lei/l13709.htm](https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/lei/l13709.htm)

<sup>62</sup> Brazil. (1990). Lei nº 8069 de 13 de Julho de 1990. Estatuto da Criança e do Adolescente. Available at: [https://www.planalto.gov.br/ccivil\\_03/leis/l8069.htm](https://www.planalto.gov.br/ccivil_03/leis/l8069.htm)

documents requested. Hence, five days were considered a reasonable time, according to the interviews. More than that could be a barrier to the due progress of the waitlist.

### **c. Stage 3 - Develop prioritisation criteria.**

- Choose criteria with three key attributes: (i) Reflect the most vulnerable children in a local multidimensional perspective; (ii) Verifiable through documentation from relevant state bodies; (iii) Easily understandable to the local population.
- Categorise the criteria into areas: structure the list into categories such as caregiver professional life, family economic situation and child security can help to understand who the policy is actually reaching and if a person is receiving a score more than once for the same circumstance or if two opposing circumstances are being considered for scores.
- Establish only essential criteria: using a large number of criteria could be challenging to manage and would decrease the system's efficiency, but fewer criteria could limit the vulnerability multidimensional perspective, thus making balance essential. A good option could be to start with income criteria, the only category observed in all analysed municipalities, and then develop the system to a multidimensional perspective grounded in local reality.
- List the documentation to prove each criterion and the moment to prove it: use collaborative engagement to refine the validation process, identifying the most feasible methods. Be careful not to ask for the same documentation at different moments, generating overload for the families and the public servants.
- Define the criteria classification method based on a vulnerability concept: putting the criteria in order of importance has a more restricted vulnerability perception, while the scoring method sums up different elements. Either way, the steps to this classification should be public and accessible, paying attention to the General Data Protection Law and the Statute of the Child and Adolescent, as stated previously, not sharing publicly personal data from other individuals and following guidelines from the education department's legal sector. In the case of using scores, another critical aspect is to define if there will be a factor that will change all the scores of each criterion. However, this should be a careful decision based on local urgency since it can make the system more complex, possibly affecting public understanding.
- Create a comparative tie-breaker measure: tiebreakers do not add scores but determine priority among equally positioned children within the same education unit.

### **d. Stage 4 - Guarantee system's transparency and effectiveness**

- Provide training to public servants to understand the system and guide citizens.
- Revisit the prioritisation criteria when necessary, fostering continuous collaboration with other institutions.
- Promote public campaigns, especially in the most vulnerable communities, on the importance of childcare attendance.



## 7. CONCLUSION

The 5,570 municipalities in Brazil experience varied realities, it is, therefore, crucial to analyse their local context to define what are the primary concerns to address. To prioritise the most vulnerable children in a context of scarce resources, a municipality must establish effective prioritisation criteria, but this is not possible without a transparent and centralised enrolment system containing a waitlist.

In addition, the system will not have the expected impact if it is not built together with other institutions, especially the ones related to the judiciary. The childcare provision issue will not be solved simply by the recommendations listed here, and service expansion and attention to quality are essential. However, prioritising the vacancies already available by the municipality is an urgent policy for the current generation of children and this policy brief aims to initiate a debate on what this process means, raising precautions municipalities should take based on the observed experiences.

## REFERENCES

- Agência Câmara de Notícias. (2022). Projeto estabelece critérios para priorização de vagas em creches públicas. Available at: <https://www.camara.leg.br/noticias/975793-projeto-estabelece-criterios-para-priorizacao-de-vagas-em-creches-publicas/>
- Agência IBGE Notícias. (2020). Quase metade do PIB do país estava concentrado em 71 municípios em 2018. Available at: <https://agenciadenoticias.ibge.gov.br/agencia-noticias/2012-agencia-de-noticias/noticias/29729-quase-metade-do-pib-do-pais-estava-concentrado-em-71-municipios-em-2018>
- Agência IBGE Notícias. (2022) De 2010 a 2022, população brasileira cresce 6,5% e chega a 203,1 milhões. Available at: <https://agenciadenoticias.ibge.gov.br/agencia-noticias/2012-agencia-de-noticias/noticias/37237-de-2010-a-2022-populacao-brasileira-cresce-6-5-e-chega-a-203-1-milhoes>
- Agência Senado. (2022). Vai à CAE projeto que obriga estudo de demanda por vagas na educação infantil. Available at: [https://www12.senado.leg.br/noticias/materias/2022/12/20/vai-a-cae-projeto-que-obriga-estudo-de-demanda-por-vagas-na-educacao-infantil?utm\\_medium](https://www12.senado.leg.br/noticias/materias/2022/12/20/vai-a-cae-projeto-que-obriga-estudo-de-demanda-por-vagas-na-educacao-infantil?utm_medium)
- Andersson, B.-E. (1989). Effects of Public Day-Care: A Longitudinal Study. *Child Development*, 60(4), 857–866. <https://doi.org/10.2307/1131027>.
- Brazil. Câmara dos Deputados. Projeto de Lei 2.228/2020. Dispõe sobre a obrigatoriedade de criação de mecanismos de levantamento e de divulgação da demanda por vagas no atendimento à educação infantil de crianças de 0 (zero) a 3 (três) anos de idade. Available at: [https://www25.senado.leg.br/web/atividade/materias/-/materia/151309?\\_gl=1\\*1hvylf\\*\\_ga\\*NDq1ODA2MjgzLjE2ODgwNTMwMDC.\\*\\_ga\\_CW3ZH25XMK\\*MTY5Mjk1ODYwMS45LjEuMTY5Mjk1ODk2Ny4wLjAuMA](https://www25.senado.leg.br/web/atividade/materias/-/materia/151309?_gl=1*1hvylf*_ga*NDq1ODA2MjgzLjE2ODgwNTMwMDC.*_ga_CW3ZH25XMK*MTY5Mjk1ODYwMS45LjEuMTY5Mjk1ODk2Ny4wLjAuMA)
- Brazil. (1988). Constituição da República Federativa do Brasil de 1988. Available at: [https://www.planalto.gov.br/ccivil\\_03/constituicao/constituicao.htm](https://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm)
- Brazil. (1990). Lei nº 8069 de 13 de Julho de 1990. Estatuto da Criança e do Adolescente. Available at: [https://www.planalto.gov.br/ccivil\\_03/leis/l8069.htm](https://www.planalto.gov.br/ccivil_03/leis/l8069.htm)
- Brazil. (1996). Lei nº 9394 de 20 de Dezembro de 1996. Lei de Diretrizes da Educação Básica. Available at: [https://www.planalto.gov.br/ccivil\\_03/leis/l9394.htm](https://www.planalto.gov.br/ccivil_03/leis/l9394.htm)
- Brazil. (2016). Lei nº 13.257 de 08 de março de 2016. Marco Legal da Educação Infantil. Available at: [https://www.planalto.gov.br/ccivil\\_03/ato2015-2018/2016/lei/l13257.htm](https://www.planalto.gov.br/ccivil_03/ato2015-2018/2016/lei/l13257.htm)
- Brazil. (2023). Ministério do Desenvolvimento e Assistência Social, Família e Combate à Fome (MDS). Nota Informativa nº3/2023. Secretaria Nacional de Cuidados e Família (SNCF). Trabalho Infantil e Políticas de Cuidado.
- Brazil. Supremo Tribunal Federal (STF). Tema 548: Dever estatal de assegurar o atendimento em creche e pré-escola às crianças de zero a 5 (cinco) anos de idade. Available at: <https://portal.stf.jus.br/jurisprudenciaRepercussao/verAndamentoProcesso.asp?incidente=5085176&numeroProcesso=1008166&classeProcesso=RE&numeroTema=548>
- Burton, L. (2007). Childhood adultification in economically disadvantaged families: A conceptual model. *Family Relations*, 56, 329–345.
- Centeno, M., Kohli, A., & Yashar, D. (2017). Unpacking States in the Developing World: Capacity, Performance, and Politics. In D. Mistree (Author) & M. Centeno, A. Kohli, & D. Yashar (Eds.), *States in the Developing World* (pp. 1-32). Cambridge: Cambridge University Press.
- Devercelli, A. E., & Beaton-Day, F. (2020). *Better Jobs and Brighter Futures*.
- DIEESE (2023). As dificuldades das mulheres chefes de família no mercado de trabalho. São Paulo, Brasil. Available at: <https://www.dieese.org.br/boletimespecial/2023/mulheres2023.pdf>
- Folha de São Paulo (2019). 70% dos municípios dependem em mais de 80% de verbas externas. Available at: <http://temas.folha.uol.com.br/remf/ranking-de-eficiencia-dos-municipios-folha/70-dos-municipios-dependem-em-mais-de-80-de-verbas-externas.shtml>

Fundação Maria Cecília Souto Vidigal (2021). INC - Índice de Creche 2018 - 2020 e estimativas de frequência: insumos para a focalização de políticas públicas. Available at: <https://www.fmcsv.org.br/pt-BR/biblioteca/publicacao-indice-necessidade-creche-2022/>

Gotti, A. PROJETO 914BRZ1009.2 CNE/UNESCO. A Qualidade Social da Educação Brasileira nos Referenciais de Compromisso do Plano e do Sistema Nacional de Educação.

Halim, D., Perova, E., & Reynolds, S. (2023). Childcare and mothers' labor market outcomes in lower-and middle-income countries. *The World Bank Research Observer*, 38(1), 73-114.

Heckman, J. J., & Masterov, D. V. (2007). The Productivity Argument for Investing in Young Children. *Review of Agricultural Economics*, 29(3), 446-493. <http://www.istor.org/stable/4624854> .

IBGE (2018), Pesquisa Nacional de Amostra por Domicílios Contínua: Educação 2017. Available at: [https://biblioteca.ibge.gov.br/visualizacao/livros/liv101576\\_informativo.pdf](https://biblioteca.ibge.gov.br/visualizacao/livros/liv101576_informativo.pdf) .

Instituto Jones dos Santos Neves (2023). Dez milhões saíram da pobreza no Brasil em 2022. Available at: <https://ijsn.es.gov.br/noticias/dez-milhoes-sairam-da-pobreza-no-brasil-em-2022>

Inter-American Development Bank. (2021). Centralized Student Assignment Systems: Implementation Guide. Available at: <https://publications.iadb.org/es/sistemas-centralizados-de-asignacion-escolar-guia-de-implementacion>

International Labour Office (2018a) Care work and care jobs for the future of decent work. Geneva: ILO

Jef L. Leroy , Paola Gadsden & Maite Guijarro (2012) The impact of daycare programmes on child health, nutrition and development in developing countries: a systematic review, *Journal of Development Effectiveness*, 4:3, 472-496, DOI: 10.1080/19439342.2011.639457.

Lima, I. F. M., Vaz, D. V., & Gonçalves, S. L. (2022). Penalidade pela maternidade no mercado de trabalho brasileiro. *Anais*, 1-27. Available at: <http://www.abep.org.br/publicacoes/index.php/anais/article/view/3739>

Margaret O'Brien Caughy, DiPietro, J. A., & Strobino, D. M. (1994). Day-Care Participation as a Protective Factor in the Cognitive Development of Low-Income Children. *Child Development*, 65(2), 457-471. <https://doi.org/10.2307/1131396>

Ofsted. International perspectives on early years. Available at: <https://www.gov.uk/government/publications/international-perspectives-on-early-years>

Segatto, C. I.; Euclides, F. M. .; Abrucio, F. Capacidades estatais e seus efeitos nas Políticas Municipais de Educação. *Cadernos Gestão Pública e Cidadania*, São Paulo, v. 26, n. 84, 2021. DOI: 10.12660/cgpc.v26n84.81938. Available at: <https://bibliotecadigital.fgv.br/ojs/index.php/cgpc/article/view/81938>.

Supremo Tribunal Federal Notícias. (2022). Supremo decide que oferta de creche e pré-escola é obrigação do poder público. Available at: <https://portal.stf.jus.br/noticias/verNoticiaDetalhe.asp?idConteudo=494613&ori=1>

The World Bank. Gender Data Portal: Brazil. Available at: <https://genderdata.worldbank.org/countries/brazil>

Todos Pela Educação e Moderna (2020) Anuário Brasileiro da Educação Básica 2020. Available at: <https://todospelaeducacao.org.br/wordpress/wp-content/uploads/2020/10/Anuario-Brasileiro-Educacao-Basica-2020-web-outubro.pdf>

Todos Pela Educação e Moderna (2021). Anuário Brasileiro da Educação Básica 2021. Available at: [https://todospelaeducacao.org.br/wordpress/wp-content/uploads/2021/07/Anuario\\_21final.pdf](https://todospelaeducacao.org.br/wordpress/wp-content/uploads/2021/07/Anuario_21final.pdf)

Todos Pela Educação (2020) Educação Já: Municípios. Available at: <https://todospelaeducacao.org.br/iniciativa-educacao-ja/educacao-ja-agenda-para-municipios/>

UNICEF, Brasil (2023). As Múltiplas Dimensões da Pobreza. Available at: <https://www.unicef.org/brazil/media/22676/file/multiplas-dimensoes-da-pobreza-na-infancia-e-na-adolescencia-no-brasil.pdf>