

# The Operationalization of Music Teaching in Basic Education: A Documentary Research at the Municipal Education Council of Porto Alegre/Brazil

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## Abstract

The teaching of music in Brazilian schools has come a long way, going through insertion and exclusion moments. These processes can be analyzed based on the actions of the education councils that, according to Resolution CNE/CEB No. 2/2016, have an important role, as they are consultative, normative, supervisory and deliberative bodies of the education system. Based on these assumptions, this article presents the research that investigated the performance of the Municipal Council of Education of Porto Alegre, state of Rio Grande do Sul, Brazil, based on the documents drawn up by it. The methodology was structured in a qualitative approach, using documental research as a method, and in the use of document collection and Internet research as techniques for data collection. Data analysis took place through the use of content analysis, having the theoretical frameworks structured in educational policies, legislation, and concepts of music education. This research is relevant as it is considered appropriate to relate the existing legislation regarding the teaching of music in schools, the need for its consolidation in state and municipal bodies, through education councils, and to connect institutional bodies in this process. It is expected that with the results of this investigation it will be possible to strengthen the current legislation, encourage the elaboration of new laws, as well as to reiterate the importance of education councils for the effective insertion of music in schools.

**Keywords:** music education. legislation, public policy

## 1. Introduction

The teaching of music in Brazilian schools has gone through moments of insertion and exclusion. Since the implementation of the National Education Guidelines and Framework Law, No. 9.394, from 1996 (LDB No. 9.394/1996), researchers undertake investigations aiming to resume and implement the teaching of arts in its specificities (Brasil, 1996). Despite the legal provision regarding the presence of music in schools, its occurrence has not occurred effectively in the field of practice. Even with the changes in legislation, teaching is still far from fulfilling the objectives of teaching the arts and there has often been a setback. One example to be mentioned is the return, in practice, of the term Arts Education.

With Law number 11,769, from 2008 (Law number 11,769/2008), which provides for the mandatory teaching of music in basic education, the legal framework for the insertion of music in schools received an increment (Brasil, 2008). According to the law, the insertion of music should commence on the date of its publication, on August 19th, 2008, and education systems would have up to three academic years to adapt to the established requirements, which would have been in 2011. Years passed and it was observed that many of the country's education departments failed to comply with the law.

From this national panorama, in 2013, the National Council of Education (CNE) held several public hearings, in partnership with the Brazilian Association of Music Education (ABEM), in order to discuss this problem with society and create possibilities for resolution. These actions resulted in CNE/CEB Opinion No. 12/2013 (Brasil, 2013), approved on December 4th, 2013, which resulted in changes in some cities. In the state of Rio Grande do Sul, some cities launched public tenders in order to fill music teacher positions in schools.

However, this opinion was only approved later, which occurred through Resolution CNE/CEB No. 2, from May 10th, 2016, (Resolution CNE/CEB No. 2/2016), setting the guidelines for the operationalization of music teaching in basic

education (Brasil, 2016). Despite all these efforts, the insertion of music in schools did not take place effectively.

In the education system, which can be presented at the national, state or municipal level, the creation of education councils is foreseen, which are supported by the Federal Constitution of 1988, (CF/1988), in LDB No. 9.394/1996 (Brasil, 1996) and in the National Education Plan (PNE) (Brasil, 1988; 1996; 2014).

In the Federal Constitution (Brasil, 1988), item X, Article No. 212, it is stated that the law will provide “[...] transparency, monitoring, inspection and internal, external and social control of the funds referred to in item I of the caput of this article, ensuring the creation, autonomy, maintenance and consolidation of monitoring and social control councils, their integration being admitted to education councils” (Brasil, 1988).

In the National Education Guidelines and Framework Law (LDB) No. 9.394/1996 (Brasil, 1996) there are 11 references to education councils, the national and state councils being mentioned. In the National Education Plan, (Brasil, 2014), item 19.5 appears as a strategy of Goal 19, which refers to “[...] encourage the establishment and strengthening of school councils and municipal education councils, as instruments of participation and supervision in school and educational management, including training programs for counselors, assuring conditions for autonomous functioning” (Brasil, 2014).

The State Education Council of Rio Grande do Sul (CEEEd-RS), for example, is a consultative, normative, supervisory and deliberative body of the State Education System. It has administrative autonomy with its own budget, which ensures efficient operation to act and decide in accordance with the attributions defined by this law and those conferred on it by federal and state legislation.

In Porto Alegre, state of Rio Grande do Sul, the Municipal Council of Education (CME-POA/RS) was established by Complementary Law No. 248, from January 23rd, 1991 (Porto Alegre, 1991). For the preparation of its statements (resolutions, opinions, and indications), the CME-POA/RS establishes dialogue with the local society, which occurs through the representatives of the entities that compose it, in addition to participation in the various municipal discussion forums of education, increasing awareness of reality and the consequent reflection, in a perspective of building new scenarios for education in Porto Alegre.

Based on this context, questions arose considering the performance of the Porto Alegre Municipal Council of Education (CME-POA/RS), in the face of legislation regarding music teaching in schools. What are the regulations issued by the CME-POA/RS, and which deal with the teaching of music in schools? How does the CME-POA/RS carry out the inspection of compliance with these regulations? How is the national legislation on music teaching in basic education presented in the regulations, opinions, and other normative acts of the CME-POA/RS? Thus, this investigation aimed to look into the performance of the CME-POA/RS based on its documents.

## **2. Method**

The methodology included a qualitative approach, documental research as a method, and the use of document collection and Internet research for data collection. Data analysis was based on content analysis, with the theoretical references of educational policies, legislation, and concepts of music education.

According to Denzin and Lincoln (2006), qualitative research can present itself with different meanings, according to the complex existing historical field, and the diversity of each context, involving a naturalistic and interpretive approach to the world. In this sense, the research objects were studied in the scenarios in which they occurred to understand or interpret the phenomena with regards to the meanings given to them by the research participants (Denzin & Lincoln, 2006).

The word document, documentum, derived from docere, means to teach. Later, the term assumed a connotation of evidence, being used in the legislative vocabulary (Le Goff, 1996). Oliveira (2007, p. 69) explains that documentary research “[...] is characterized by the search for information in documents that have not received any scientific treatment, such as reports, newspaper reports, magazines, letters, films, recordings, photographs, amongst other publicity materials”. It is carried out with the use of documents, whether current or old, considered authentic (Pádua, 1997). In this investigation, the regulations, opinions and other legislation enacted by the Municipal Council of Education (CME-POA/RS) were the documents researched.

Therefore, online documents issued by the CME-POA/RS were collected from the beginning of its activities until the year 2019. Including opinions, resolutions, and indications, allowing this investigation to be carried out. Thus, it is understood that the choice of documentary research was adequate, justifying its choice. The data for 2020 and 2021 were not collected, as they were not yet available at the time of data collection. Perhaps, it was one of the consequences of the COVID-19 pandemic, which created many difficulties for work in general, and the CME-POA/RS was no exception.

In addition to document collection, Internet research also allowed the collection of data available online. In this regard, the

specialized literature in the area of methodology has stood out in this method of data collection. Research carried out nowadays has resorted, for various reasons, to the use of the Internet, not only as a way of collecting data, but also for analysis procedures, as well as other uses.

The “research process, traditionally practiced, is sometimes limited due to cost, time, geographic dispersion or work intensity. These barriers can be resolved with the use of Internet technology”. The choice of Internet research is corroborated by the fact that “not only are printing, posting, interviewing or data entry activities reduced, but it is also important to consider that the time span between the moment when the information is provided and the dissemination of results decreases considerably” (Freitas, Janissek-Muniz & Mascarola, 2004, p. 2).

In regard to procedures for collecting data via the Internet, this research used what Koch (1996) proposes as a taxonomy for the area of research regarding search systems in three different processes. They are surfing, browsing, and searching. These processes take place as follows. The first is equivalent to a non-systematic search for links on the Web, the second is a search within those links that discuss the subjects to be researched, and the third is the search for facts and isolated words. The three processes proposed by Koch (1996) were used, that is, the process of Internet surfing was carried out looking for links that led to the data of the research topic. In this case, the website of the city hall of Porto Alegre. Going through the pages of the city hall website, the place specifically destined for the Municipal Council of Education (CME-POA/RS) is found. And, finally, the documents produced by the CME-POA/RS were searched, using the keywords: Music, Musical Education, Arts, LDB No. 9.394/1996, Law No. 11.769 /2008, and CNE/CEB Resolution No. 2/2016.

With the data in hand, the analysis began, but with the care of carrying out a previous preparation. Data analysis was undertaken through the use of content analysis as proposed by Moraes (1999) “[...] is a research methodology used to describe and interpret the content of all kinds of documents and text. This analysis, leading to systematic descriptions, either qualitative or quantitative, helps to reinterpret the messages and to reach an understanding of their meanings at a level that goes beyond the common reading” (Moraes, 1999, p. 9).

For this research, the method proposed by Moraes (1999) was used, which well explains the procedures of a qualitative analysis with the use of content analysis. According to the author, there are five steps to be followed, namely, preparation of information, unitarization or transformation of content into units, categorization or classification of units into categories, description, and interpretation.

After data collection, preparation began to identify samples of information to be analyzed. Based on the analysis of the opinions, resolutions, and indications issued from 2005 to 2019, a search with the words: Music, Music Education, among others, took place deciding which documents were, effectively, in accordance with the research objectives.

The documents were divided by numerical codes related to the date, which allowed the prompt return to the data when necessary. This procedure was important because, as explained by Moraes (1999), even if the collected material is already in possession, it needs to be prepared and transformed so that it can be submitted to content analysis.

Duly prepared, the data underwent unitarization, through the reading of all the material and the definition of the units of analysis: 1) Federal Constitution (CF/1998) (Articles 205, 206, 208, 210, and 214); 2) LDB No. 9,394/1996 (Article 26); 3) Law No. 11,769/2008 (Amendment to Article 26); 4) CNE/CEB Resolution No. 2/2016; 5) Music Education. According to Moraes (1999), the unit of analysis is the unitary element of content that will be classified later. Afterwards, all the materials were reread, identifying the units of analysis and coding them. After being encoded, each unit of analysis was rewritten and saved in virtual files, properly identified. In view of all these procedures, Moraes (1999) recommends care so that the data have a complete meaning in themselves, without the aid of additional information. The justification for this is due to the fact that these units, in the later stages of the analysis, are treated outside the context of the original message, integrating into new sets of information and, therefore, being able to be understood and interpreted with its initial meaning (Moraes, 1999).

The categorization step consisted of grouping the data considering the common part existing between them. As Olabuenaga and Ispizúa (1989) explain, categorization is a process of data reduction. The categories represent the synthesis of a communication highlighting, in this process, its most important aspects. It is the classification of the elements of a message, according to the established criteria and facilitating the analysis of the information. Moraes (1999) argues that data analysis occurs in a cyclical and circular manner, not sequential and linear. Data does not speak for itself, requiring meaning to be extracted from it, which is not achieved in a single effort. A periodic return to the data is recommended in order to refine the categories. Based on these assumptions, and on the themes found, the following categories were created: organization of activities and curriculum, professionals specialized in music and legislation on music education in the enacted regulations.

According to Moraes (1999), the fourth step in the content analysis process is description. A synthesis text was produced for each category, which did not include discussions, but contained comprehensive descriptions of the different

documents found as well as the relationship between them. The specific questions of this research were the focus as follows. What are the regulations issued by the Municipal Council of Education (CME-POA/RS), and which are regarding the teaching of music in schools? How does the (CME-POA/RS) inspect the compliance with these regulations? How is the national legislation on music teaching in basic education presented within these regulations, opinions, and other normative acts of the CME-POA/RS? The categorization made it possible to express the meanings captured and intuited in the analyzed messages, resulting in the interpretation (Moraes, 1999).

The interpretation stage had two aspects. One, constituted by the concepts of music education, resulting from an exploration of the meanings expressed in the categories of analysis, contrasted with this foundation (Moraes, 1999). The other aspect was built on the basis of laws and guidelines for the operationalization of music teaching in schools. Afterwards, the research moved on to theorization, interpretation, and understanding, constituting a circular movement in which an attempt was made to achieve greater depth in the analysis (Moraes, 1999). At the end of the five stages, preparation, unitization, categorization, description, interpretation, the questions were answered and the objective of this research was reached, which investigated the performance of the Municipal Council of Education of Porto Alegre based on its documents.

### 3. Theoretical Framework

The theoretical framework of this research was built based on the perspectives of music education (KRAEMER, 2000), the Policy Cycle Approach (Bowe, Ball & Gold, 1992; 1994) and the legislation that in some way is connected with music in basic education (Brasil, 1988; 1996; 2008; 2016).

Kraemer (2000) discussed the epistemological field of music education, considering its delimitation as a science or area of knowledge. In his studies, he treated the areas as an overlap between subjects, discussing dimensions and roles of this knowledge as well as highlighting its particularities in relation to other subjects. The author clarified that music pedagogy is concerned with the relationship between person(s) and song(s), sharing its object of study with the Human Sciences. In addition, he exemplified these subjects focusing on philosophical, historical, psychological, sociological, musicological, and pedagogical aspects besides other areas that may have a specific pedagogical-musical meaning.

For Kraemer (2000), the philosophical aspects include the aesthetics of music in the perspective of mental processes that occur during a musical activity and static issues in the arts. From this perspective, aspects of institutional pedagogical anthropology are also included in the way the school has experienced the various social manifestations of music, in its many different contexts. The historical aspects are treated from the perspective that as history is a set of human contributions it is important for people to reconstruct their own events, based on the available material, analyzing and critically interpreting them. Thus, history would encompass historical research and writing. In this analysis he also emphasizes historical musicology and historical pedagogy.

Among the psychological aspects, developmental psychology stands out - the genesis of certain musical behaviors and levels of experience related to maturation, growth, and sociocultural environment - due to the way the faculty relates to music at different moments in history and implementation of laws. The sociological aspects start from the sociology of music, examining effects, conditions, and social relationships related to music. The human being is observed in the institutionalized and organized areas of education, including "socialization processes, institutions and ways of organization, profession, age groups, legal and economic means and conditions" (Kraemer, 2000, p. 57).

Music pedagogy and musicology "join in the common effort to understand music". Musicological aspects are presented considering musicological research – ethnomusicology, acoustics, music theory, among other areas – dealing with a "possible global analysis and interpretation of musical events", being the musical content itself (Kraemer, 2000, p. 58). Music teaching would be interested in the meanings that musical manifestations could acquire in the educational process.

Pedagogical aspects start from pedagogy, which is concerned "with theories of education and training, premises, conditions, processes, and consequences of educational and teaching actions, with social and institutional issues, learning and didactic problems" (Kraemer, 2000, p. 59). Different branches of pedagogy as a science of education are pointed out: general pedagogy, special pedagogy, historical pedagogy, preschool pedagogy, school pedagogy, family pedagogy, social pedagogy, business/profession/economy pedagogy, and comparative pedagogy. There are other subjects that can have a special pedagogical-musical meaning, such as political sciences, sport pedagogy, art pedagogy, medicinal and health issues, legal, pedagogical-religious, ecological, and economic, to name a few of the existing possibilities (Kraemer, 2000).

Kraemer (2000) discusses the intertwining of music pedagogy with other subjects, showing that a perspective of intertwining the area considers it as a result of the reciprocal link between the subjects, creating a sort of web. This concept of intertwining proposes an enlarged dimension of the area, with broader and more flexible limits. At the "heart of musical reflections are the problems of appropriation and transmission of music" (Kraemer, 2000, p. 61). Pedagogy and

pedagogy of music are not isolated subjects and they result in different groupings in the field. They are action-oriented integration subjects, according to the research object. The particularity of pedagogical-musical knowledge is “in the intersection of pedagogical ideas marked by the human sciences, guided by musical culture and aesthetic-musical ideas” (Kraemer, 2000, p. 66). In addition to the knowledge about facts and pedagogical-musical contexts, it is also necessary to make available the principles of explanation of the musical-educational practice, for the decisions, orientations, clarifications, influence, and optimization of these practices.

Finally, Kraemer (2000) proposes a structural model of music pedagogy, which includes the analysis and practical applications of the field, the aspects that compose it - musicological, pedagogical, among others - in addition to the roles of music pedagogy - understand and interpret, describe and clarify, raise awareness and transform the musical-educational practice.

Another theoretical framework used in the data analysis of this research was the Policy Cycle Approach (Ball, 1994; Bowe et al., 1992), a characterization of the political process. For the authors, by introducing the notion of a continuous policy cycle, the intention was to draw attention to the political recontextualization that transits through schools. However, the panorama of school research requires considering not only a national curriculum, but also other elements that constitute educational policy. There is, therefore, a cycle composed of contexts that influence and are influenced, these being the contexts of influence, political text, practice, effects, and political strategy.

The context of influence is the one in which policy is initiated, in which political discourses are constructed and stakeholders struggle to influence decisions. The context of the political text consists of representative texts of the policy, which can be legal theses, official guiding documents, formal or informal comments, speeches, public presentations by politicians and important officials, official videos, among other representations (Bowe et al., 1992). Policies are, therefore, textual interventions, but they carry limitations and possibilities. These texts have real consequences, which are experienced in the context of practice, the real arena to which policy is addressed. It is not simply received and implemented, but is subject to interpretation and can be recreated. Policymakers do not naively confront political texts (Bowe et al., 1992).

Later, Ball (1994) expanded the theory, adding the contexts of effects and policy strategy. The context of effects is concerned with issues of justice, equality, and individual freedom. Policies are presented as general and specific effects. The general effects are when specific aspects of change and sets of responses – which present themselves in the context of practice – are grouped and analyzed. The general effects of policies are sometimes neglected in more particular studies in relation to changes or policy texts as determinants of impact in practice. If analyzed in isolation, the specific effects may appear to be limited. Ball (1994) then suggested that the analysis of a policy involved the examination of these two dimensions, as well as the interfaces of the policy under study with other sectoral policies and with the set of policies. The context of political strategy involves the identification of a set of social and political activities necessary to deal with the inequalities caused by the policy under study. This component is essential for critical social research, and the work is produced for strategic use in specific social situations and struggles (Ball, 1994).

Ball (1994) postulated the need to decouple theories in educational policy from state work. Politics is an “economy of power”, a set of technologies and practices whose achievements and struggles take place above local arrangements. Politics is at the same time text and action, words and contracts; this is what is represented and what is intended. Policies are always incomplete, basic, and simple. The practice, however, is sophisticated, contingent, complex and unstable. Politics as practice is created in a “trialectic” of domination, resistance, and chaos/freedom. So politics is not simply an asymmetry of power. Control or domination may not always be entirely safe or smooth, in part because of agency. The Policy Cycle Approach did not intend to minimize or underestimate the effects or impacts of policies, but to problematize the entire process underlying the proposed approach (Ball, 1994; Bowe et al., 1992).

Educational legislation, regarding the focus of music in basic education, was also used as a theoretical reference in this investigation, and included the set of laws enacted by the legislative bodies and bodies on education and music teaching in schools. LDB No. 9,394/1996 (Brasil, 1996), Law No. 11,769/2008 (BRASIL, 2008) and CNE/CEB Resolution No. 2/2016 (Brasil, 2016) were used for further analysis of the data. Articles from the Federal Constitution (CF/1988) were also part of the theoretical framework of this investigation (Brasil, 1988). The totality of the laws was not focused, only what was specifically related to the goal of this research.

Article 26 of LDB No. 9.394/1996 (Brasil, 1996), which refers to the curricula of early childhood education, elementary school and high school. Particularly, §2 and §6 were important for the analysis of the documents collected in this research. According to the law, curricula “must have a common national basis to be complemented in each education system and in each school, by a diversified part, required by the regional and local characteristics of society, culture, economy, and students”. In addition, in § 2 and § 6, it is necessary that “§ 2 The teaching of art, especially in its regional expressions, will constitute a mandatory curricular component of basic education. [...] §6 The visual arts, dance, music, and theater are

the languages that will constitute the curricular component mentioned in § 2 of this article” (Brasil, 1996).

Therefore, music should integrate the curricula of basic education.

Resolution CNE/CEB No. 2/2016 (Brasil, 2016) defined the national guidelines for the operationalization of music teaching in basic education. Constructed from two articles, five paragraphs and 31 items, the resolution presents what is incumbent on schools, education departments, higher education institutions, the Ministry of Education and education councils for the implementation of Law No. 11,769/2008 (Brasil, 2008), which provides for the mandatory teaching of music in schools. The use of the law is justified, which, at first, may not seem relevant, however this resolution is currently valid and therefore its compliance at the federal level is mandatory. It begins from the premise that if Resolution CNE/CEB No. 2/2016 is valid and if it regulates Law No. 11,769/2008, then, the mandatory teaching of music in basic education must also be fulfilled. Regarding the subject, it is emphasized that resolution is a legal norm to discipline a certain matter or law. In this case, Resolution CNE/CEB No. 2/2016 regulates Law No. 11,769/2008. Therefore, for the purpose of analyzing the data of this research, both legal texts will be considered.

For the investigation on the performance of the Municipal Education Council of Porto Alegre (CME-POA/RS), and based on the documents drawn up by the body, it is understood the relevance of highlighting the competences of the education councils, which are in § 5 of Resolution CNE/CEB No. 2/2016 (Brasil, 2016) “[...] I - define complementary norms to these Guidelines, in compliance with the necessary local regulation of the mandatory teaching of music in basic education; II - monitor the State, District and Municipal Education Plans regarding the evaluation of the implementation of public policies regarding the teaching of music in basic education” (Brasil, 2016).

Therefore, considering that the councils define complementary norms to the guidelines, and monitor compliance with public policies, an investigation into how this is happening should be based on Resolution CNE/CEB No. 2/2016 (Brasil, 2016).

Five articles of the Federal Constitution (CF/1988) also integrated this theoretical framework, namely, 205, 206, 208, 210 and 214, as they are part of Section I - About Education, Chapter III - On Education, On Culture and Sports (Brasil, 1988). Article 205 discusses the rights and duties related to education. As stated in the legal text “Art. 205. Education, a right of all and a duty of the State and families, will be promoted and encouraged with the collaboration of society, aiming at the full development of the person, their preparation for the exercise of citizenship and their qualification for work” (Brasil, 1988).

Regarding this article, it is worth making a consideration. If the school is a place where teaching that aims at the full development of the person prevails, with a view to the exercise of citizenship, and if we understand that citizenship can only be full if the right of access to all possibilities of learning exists, music being one of them, so the insertion of music teaching in school is a right of students and, consequently, a duty of the State. Monitoring compliance with these rights must be – as expressed in Resolution CNE/CEB No. 2/2016 – one of the responsibilities of education councils (Brasil, 2016). Corroborating, items II of Article 206, and V, of Article 208. Among the principles of Article 206, item II states “freedom to learn, teach, research and disseminate thought, art and knowledge”. Article 208 deals with the duty of the State. In this sense, in item V it is stated that “access to the highest levels of teaching, research and artistic creation should be guaranteed, according to the capacity of each one”. In addition, Article 210, on setting minimum curricular content. The text of the law states that there will be “a minimum curricular content for elementary education in order to ensure common basic training and respect for cultural and artistic, national and regional values”. Next, Article 214 refers to the national education plan which, in different ways, should ensure the maintenance of education. Item III on “improvement in the quality of teaching” and item V on “humanistic, scientific, and technological promotion in the country” (Brasil, 1988).

It is understood that all the highlighted items, which point to a quality Brazilian education, allow us to assume that in order to achieve this objective the effective insertion of music in basic education is essential. Data analysis was undertaken from this point of view.

#### **4. Results**

This research had as data collection the documents drawn up by the CME-POA/RS. The data collected started in 2005, due to the fact that the publication of the CME-POA/RS opinions, on the Porto Alegre city hall website, dates from this year. Therefore, 473 documents were collected, including opinions, resolutions and indications, from 2005 to 2019. As already mentioned, data for 2020 and 2021 were not yet available when data were collected. In the end, the selected documents, which totaled 118, were the ones that referenced music in context. Table 1 shows the numbers of opinions issued by the CME-POA/RS from 2005 to 2019, and those referring to music teaching in schools, in the respective years.

Table 1. Opinions issued and music teaching

Year	Issued Opinions	Issued Opinions regarding music
2005	3	0
2006	9	3
2007	11	0
2008	14	1
2009	16	0
2010	32	0
2011	24	7
2012	56	6
2013	31	1
2014	34	1
2015	37	3
2016	40	10
2017	58	9
2018	49	41
2019	45	36
<b>TOTAL</b>	<b>459</b>	<b>118</b>

The analysis of the previous table reveals that over the years the incidence of mentions of music in the opinions increased. Table 2 presents the percentages of incidence of music teaching. The years 2018 and 2019 are highlighted, with the highest mentions.

Table 2. Incidence of music teaching in the opinions issued by the CME-POA/RS

Year	Incidence of music teaching
2018	83,67%
2019	80%
2006	33,33%
2016	25%
2011	21,16%
2017	15,51%
2012	10,71%
2015	8,10%
2008	7,14%
2013	3,22%
2014	2,94%
2010	0
2009	0
2007	0
2005	0

Therefore, 2018 and 2019 stood out for the number of opinions issued that referred to music, with 83.67% and 80%, respectively. It should be noted that the number of opinions has not been the same over the years. There were periods when production was higher, however in others, smaller. In any case, proportionally, there was an expansion in 2018 and 2019.

From the detailed analysis of the reports present in the opinions, which was possible when verifying the composition of the CME-POA/RS, from 2018, it was found that one of the counselors had a degree in music, in addition to other specific training in the area. This reveals the importance of the participation of professionals with specific training in the councils,

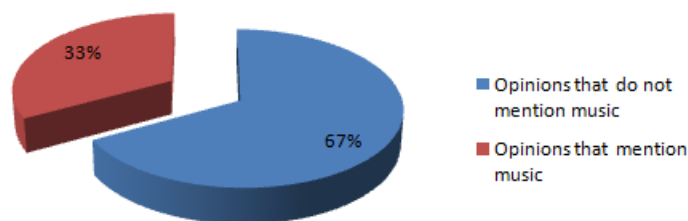
in addition to knowledge of the legislation, ensuring the pertinence of the analysis and the good elaboration of opinions and other legal texts.

From the presentation of the general constitution of the opinions from 2005 to 2019, and the enacted legislation, the analysis of the set of data collected, which were grouped into three thematic categories, organization of activities and curriculum, as well as professionals specialized in music and music education legislation in the enacted regulations.

#### 4.1 Organization of Activities and Curriculum

This category included data from how music was presented in the curriculum of schools whose documents were analyzed by the CME-POA/RS. In years prior to the existence of music legislation in schools, citations to music appeared in some documents, mainly in relation to the functioning of school workshops and extracurricular activities involving the area. The way in which music was presented in the political pedagogical project and in the school's regiment was analyzed by the Council of Education pointing out the need for clarification regarding the absence of music found in these documents.

In 2006, nine opinions were published on the website. The word music appeared in three documents, and in one of them music appeared as a fundamental element of the school project. The other two revealed the type of music professional – better explained in the second category. Graph 1 presents a comparison of the opinions issued in 2006 and those that mention the word music.



Graph 1. Comparison of the mentions of the word music in the opinions issued in 2006

The Opinion CME-POA/RS No. 9/2006 (Porto Alegre, 2006c, p. 2) referred to the accreditation of a school, analyzing the presence of music as one of the “axis of work” of the institution, along with other study fields such as “nature and society, movement, music, playful moments, math, oral and written language, and visual arts”. This aspect is in line with the assumptions of intertwining music with other study fields (Kraemer, 2000). But there is also a criticism presented by the CME-POA/RS, regarding how the musical practice was carried out in the school and the lack of material produced by the institution. This issue of the insertion of music is related to the context of influence (Ball, 1994; Bowe et al., 1992), in which political discourses aimed at the elaboration of activities are presented. In this case, discourses that involve music and its forms of insertion in schools. Thus, the spaces were occupied and the interests for the elaboration of guidelines were demonstrated. It is considered that the political-pedagogical proposals from 2006 to 2008 served as influences for the second stage of the cycle in the context of the political text (Bowe et al., 1992), resulting in the elaboration of the law of mandatory music teaching in schools. Perhaps, these procedures of the Municipal Council of Education of Porto Alegre (CME-POA/RS), along with other actions at the national level, may have contributed to the perspective of expanding the context of influence, towards the context of the political text, which was later carried out in 2008, with the Law No. 11,769/2008 (Brasil, 2008).

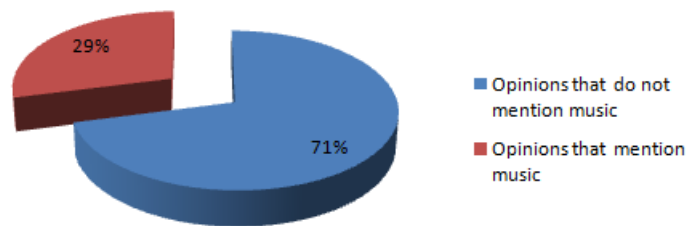
In 2008, the number of opinions issued increased. However only one of these referred to music, Opinion CME-POA/RS No. 4/2008 (Porto Alegre, 2008), which authorized the functioning of a school, regulating its pedagogical political project and the school regiment. As per the opinion: “The work in different fields of knowledge is analyzed from the point of view of interdisciplinarity in the different areas that intersect, such as: socio-affective, oral language, written language, math, social and natural sciences, visual arts, music, theater, and body expression. It values playing as the main instrument for learning and states that “[...] children have been playing since the most remote times in history” (Porto Alegre, 2008, p. 2).

According to the document, the school's objective is to work in an interdisciplinary way with different areas of knowledge. This perspective is in line with Kraemer's (2000) foundations, as it points to the interaction of social and psychological aspects, and dealing with "basic philosophical and anthropological questions about creation", such as "one's need and ability to learn, matters of meaning and values" (Kraemer, 2000, p. 52).

From 2009 to 2011 no regulations were issued referring to music. It was observed that the curriculum components



analyzed by the CME-POA/RS, in 2011, addressed art, socialization and quality of life, one of the parameters for the organization of pedagogical political projects and school regulations at the time. This year, 24 opinions were issued. Seven of which mentioned music in some way. Graph 2 presents a comparison between opinions issued and those that mention music.



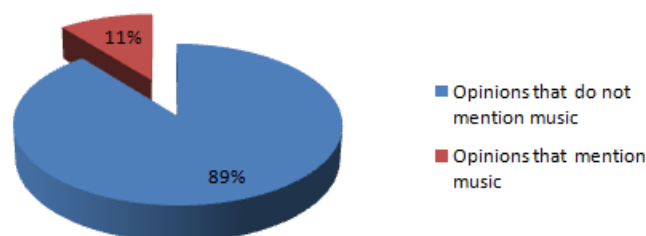
Graph 2. Comparison of the mentions of music in the opinions issued in 2011

Among those that mention music, Opinion CME-POA/RS No. 10/2011 (Porto Alegre, 2011c) stands out, which renewed operating authorization and approved the pedagogical political project, as well as the regiment of a particular school, and presented some characteristics of present activities such as “English, Physical Education, Music, Nutritional and Food Education, and Social Assistance” (Porto Alegre, 2011c: 4). However, it did not specify how the classes work and which professionals are responsible for this teaching. The same occurred in Opinion CME-POA/RS No. 14/2011 (Porto Alegre, 2011e: 3), in which one of the schools presented a diversified curriculum, referred to in the planning that is organized in a “rhizomatic way, that is, in an open branching process, without a subject or content that is the center of the process”. As for the organization of the educational action, it was reported that the school was, at the time, defining “projects in more specific areas, such as environmental education, music, and information technology”.

Based on Kraemer (2000), it is analyzed that the appropriation and teaching of music occurred without specifications or at least it was not made explicit in the document. Considering that Resolution CNE/CEB No. 2/2016 (Brasil 2016) did not yet exist, this may be a reason for the lack of detail.

Opinion CME-POA/RS No. 12/2011 (Porto Alegre, 2011d) also deserves to be mentioned, as it informed that the school not only offered music lessons, but also had a follow-up school calendar for each specialized area connecting parents and teachers. This perspective of integration between music teaching and the organization of the school calendar with teachers and students' families was intended to address possible organizational problems, since music was offered through workshops and extra-curricular activities, and not as a subject in the curriculum.

In 2012, the Municipal Council of Education of Porto Alegre (CME-POA/RS) issued 56 opinions, and six mentioned music. Graph 3 presents a comparison of the opinions issued and those that mention music.



Graph 3. Comparison of the mentions of music in the opinions issued in 2012

One of this year's opinions, the CME-POA/RS Opinion No. 2/2012 (Porto Alegre, 2012: 3), denoted that the “[...] Management of the Education Institution explains the structure of the school organization and the multidisciplinary team, physical education, English language and music classes, as well as the frequency of realization and planning of these activities”.

In addition to the way the school subject was treated, some of the opinions also indicated the lack of bibliographic material regarding the main subjects of the curriculum, and also music. This can be considered as a specific problem of this particular institution. In any case, it is worth highlighting the importance for schools, and not only this one mentioned in the opinion, to prepare themselves regarding the physical space and materials in general, so that it is possible to

adequately develop the pedagogical-musical work. In this sense, the importance of schools adapting to work with all subjects, and not just for music, is recommended.

#### 4.2 Professionals specialized in Music

This category refers to how professionals who work with music in schools appear in the opinions and other documents issued by the CME-POA/RS. For the analysis one can refer to the context of the political text, from the Policy Cycle Approach (Bowe et al., 1992), as well as the current legislation, at the time, of each document. The documents mention professionals who work with music, referred to as music teachers, music specialists, and responsible for music teaching.

Opinion CME-POA/RS No. 3/2006 (Porto Alegre, 2006a, p. 4) mentioned that teachers make up a multidisciplinary team, including “psychologist, nutritionist, physical education, ballet, music, and capoeira teachers”. Opinion CME-POA/RS No. 19/2014 (Porto Alegre, 2014a) contextualized the music teacher, but later this was taken up again, as there was a reference to the lack of teachers in the opinion. Therefore only two opinions referred to music graduates using the word teacher.

The word music specialist appeared in four documents, Opinion CME-POA/RS No. 6/2006 (Porto Alegre, 2006b), Opinion CME-POA/RS No. 1/2011 (Porto Alegre, 2011a), Opinion CME-POA/RS no. 4/2011 (Porto Alegre, 2011b), and Opinion CME-POA/RS No. 16/2011 (Porto Alegre, 2011f). Opinion CME-POA/RS No. 6/2006 (Porto Alegre, 2006b: 3), mentioned the part in which the council evaluates the staff and “professionals specialized in Physical Education, Information technology, English, Music, and Visual Arts”. In Opinion CME-POA/RS No. 1/2011 (Porto Alegre, 2011a), which referred to a qualified team of professionals “among which, in addition to the regular teachers of the classes, there are some specialists”. Next, Opinion CME-POA/RS No. 4/2011 (Porto Alegre, 2011b) registered that the team was multidisciplinary and had “a management, a pedagogue, psychologist, doctor, nutritionist, three regular teachers, assistant teachers, and specialized classes”. Opinion CME-POA/RS No. 16/2011 (Porto Alegre, 2011f, p. 2) reported that the school had a multidisciplinary team formed by “a psychologist, pedagogical supervisor, nutritionist and speech therapist” and also had “specialized teachers in the fields of: psychomotricity (physical education), English, and music”. In this sense, it can be understood that music specialist was the most used designation. It is not possible to say whether these specialists had a degree in music, as this information was not included in the documents.

It is worth explaining that we are not devaluing the work performed by professionals who do not have a degree in music. The importance of everyone united in favor of the presence of music in all schools is ratified. And, in this sense, it is emphasized that everyone's efforts are very important. Kraemer (2000) corroborates, clarifying that every being that “transmits knowledge and skills specific to music” crosses the musical-educational practice with the pedagogical-musical reflection. Therefore we have a broad group formed by “journalists specialized in music, conductors, church musicians, private music teachers” (Kraemer, 2000, p. 65). Nevertheless, it is emphasized that not all pedagogical-musical work can be developed by other professionals who do not have formal musical training. It is not enough to have musical knowledge, but also teaching knowledge, in the same way, is highly important, if the intention is – and this is always expected to be the purpose – to provide students with a competent and adequate pedagogical-musical work.

It is worth mentioning the merit of the Municipal Council of Education of Porto Alegre (CME-POA/RS), at the time of analyzing the documents of the schools and in the resulting elaboration of the opinion, to pay attention to the matter regarding the training of professionals and to point it out in its opinions on the official documents of the schools. Thus, it is notable, and a legal requirement, that there is information regarding initial training (a degree in music teaching), as well as other training, such as specialization (very common post-graduate course in Brazil), master's, doctorate, among others. It is agreed with Kraemer (2000, p. 59), who emphasizes that music professionals are not “abstract numbers, but they are presented in the contexts of historical determination”.

With the implementation of the political text, it is understood the context of the practice was set (Bowe et al., 1992), in which the council, from 2011, started to treat the music professional as a specialist in music. There was also an increase in these mentions, with Law No. 11,769/2008 (Brasil, 2008), which provided for the mandatory nature of music in basic education, as a driving force. Soon after 2011, there was a drop in the occurrence of mentions of professionals in the opinions, being referenced only twice until 2016. The first, in Opinion CME-POA/RS No. 19/2014 (Porto Alegre, 2014a), in which the council referred to the lack of professionals, pointing out and demanding the presence of a music teacher at the school: “The same document records that the groups of Kindergarten A and Kindergarten B are attended by a teacher, as determined by the CME/POA Resolution No. 003/2001. In these same groups, there are two workers with a qualification project for assistant educators, scheduled to end in the first half of 2014. There is no record of the music teacher” (Porto Alegre, 2014a, p. 3).

Another allusion is in the Opinion CME-POA/RS No. 3/2015 (Porto Alegre, 2015), in which the professional is responsible for the music, along with the ballet and the biblical workshops.

The analysis presented, based on Ball (1994), refers to the context of policy effects. In 2015, Resolution CNE/CEB No. 2/2016 had not yet been signed. Its text already existed, however, not yet approved. This may have resulted in a lack of engagement, on the part of the council and others involved, to point out and introduce musicological and musical-pedagogical aspects in the opinions, inspections regarding the presence of both music and a licentiate in basic education. It is necessary to remember that the CME-POA/RS, and all councils, is a consultative, deliberative, normative, and supervisory body of the Porto Alegre education system, and that it works with the Porto Alegre Municipal Department of Education for the renovation, organization, accreditation, and authorization of basic education institutions. Thus, emphasizing the relevance of this aspect of teacher training being more and better supervised.

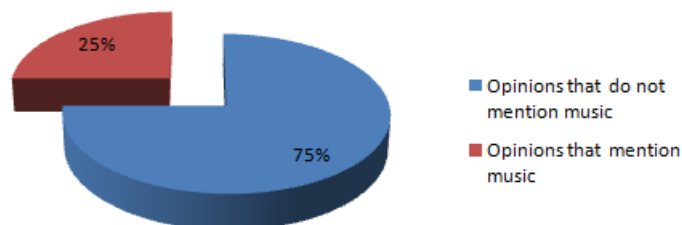
As justification and legal basis for this recommendation, Resolution CNE/CEB No. 2/2016 is used (Brasil, 2016), in several of its items, but in particular to what is congruent with the education councils.

According to items I and II of § 5, it is incumbent upon the Education Councils to “define complementary rules to these Guidelines, in compliance with the necessary local regulation of the mandatory teaching of Music in basic education” and “to monitor the State, District and Municipal Plans” of Education regarding the evaluation of the implementation of public policies concerning the teaching of Music in basic education” (Brasil, 2016, pp. 2-3). Finally, mentioning Resolution CNE/CEB No. 2/2016, there are other possibilities for active participation of education councils other than the one with regard to paragraph 5. In this sense, it is possible to work in collaboration with schools and education departments, for example, contributing to compliance with the law and above all enabling adequate and educational ways of working with music for students, whether children, adolescents or adults. Everyone has the right to excellent education. The effective insertion of music in schools is one of the possibilities to guarantee public and good quality education.

#### 4.3 Music Education Legislation in the Enacted Regulations

This last category refers to the data collected in the opinions, resolutions, and indications that mentioned music legislation at school in the body of the text in some way. In this category are not included the Federal Constitution (Brasil, 1988), in its articles 205, 206, 208, 210 and 214, and the LDB 9394/1996 (Brasil, 1996), in Article 26, as they are not specifically included in the documents analyzed. This factor made the search difficult due to its length. Also, the analysis of all the articles of this legislation in the opinions of the CME-POA/RS would be outside the focus of the research. Therefore, a specific analysis was chosen, in case there were musical aspects related to the objective of the investigation.

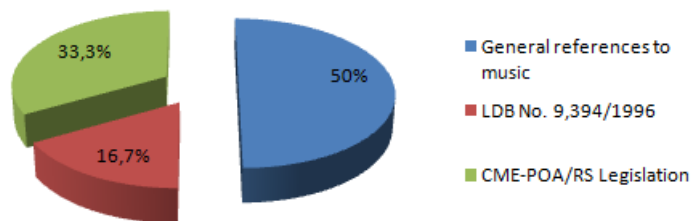
In 2016, 40 opinions were issued, 10 of which referred to music. Graph 4 presents a comparison of the opinions issued and those that mention music.



Graph 4. Comparison of mentions of music in the opinions issued in 2016

The opinions that alluded to music also presented Resolution CME-POA/RS No. 15/2014 (Porto Alegre, 2014b), a regulation of the CME-POA/RS as a legal basis. This resolution has 32 articles, setting standards for Early Childhood Education in the Municipal Education System of Porto Alegre. According to Article 17, the curricular proposal must guarantee experiences that “encourage children’s immersion in different languages and their progressive mastery of various genres and forms of expression: gestural, verbal, plastic, dramatic, and musical”, and that also “promote the relationship and interaction of children with diverse manifestations of music, visual and graphic arts, cinema, photography, dance, theater, poetry, and literature” (Porto Alegre, 2014b, p. 5). At the end, the resolution brings approval, names of committee members, the rapporteur, counselors, and justification. The highlighted section refers to planning and organization of early childhood education spaces, which “[...] allow children to demonstrate their feelings and potential, being able to recognize themselves as human beings who cry, smell, create, feel pain, anger, joy, and sadness. Spaces that promote contact with different genres and musical instruments, exploration of works of art, experiment of planting and harvesting, walking, smelling the rain and flowers, interpreting real and fictional situations, listening and telling stories, preparing and tasting food, building and deconstructing walls, cities, houses, objects, toys, etc” (Porto Alegre, 2014b, p. 22).

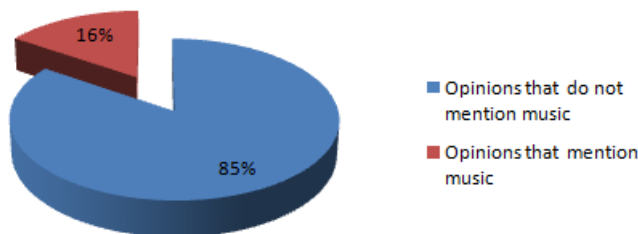
In 2016, Resolution CME-POA/RS No. 15/2014 (Porto Alegre, 2014b) started to integrate more opinions, as shown in graph 5, highlighting the legislation present in the 10 mentions of music, formed by 50% of general references to music, 33.3% from CME-POA/RS legislation and 16.7% from LDB No. 9,394/1996.



Graph 5. Legislation referred to in the opinions issued by the CME-POA/RS in 2016

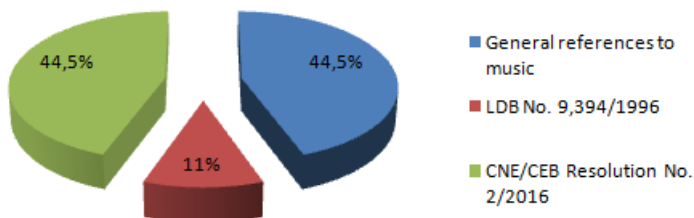
The approval of this resolution can be analyzed from the perspective of the context of the effects (Ball, 1994), in which changes caused by the law and how it was regulated are analyzed. Thus, the creation of a municipal resolution regarding music, implementing the current legislation, to the point that it appears in several opinions, can be analyzed as an effect on microspace. This led to greater care in the elaboration of the opinions from the Municipal Council of Education of Porto Alegre (CME-POA/RS) and, from this, in the scope of schools, it is inferred, the insertion of music legislation in the documents was taken care of.

In 2017, 58 opinions were issued, nine of which mention music, as shown in the chart below.



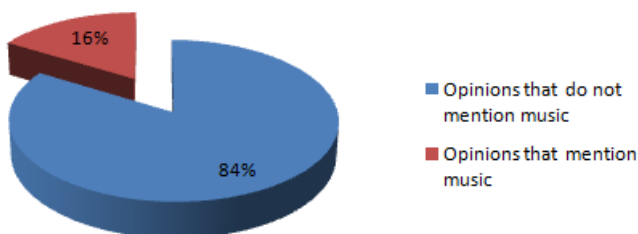
Graph 6. Comparison of mentions of music in the opinions issued in 2017

As of 2017, it was observed that Law No. 11,769/2008 (Brasil, 2008) became part of the opinions and regulations issued by the CME-POA/RS, through Resolution CNE/CEB No. 2/ 2016 (Brasil, 2016). An example of this can be seen in Opinion CME-POA/RS No. 46/2017 (Porto Alegre, 2017), which renewed the operating authorization of three institutions and approved pedagogical political projects and school regulations. The opinion states the “importance of considering Resolution CNE/CEB No. 2/2016, which defines National Guidelines for the operationalization of the teaching of Music in basic education” (Porto Alegre, 2017, p. 5). As for LDB No. 9,394/1996 (Brasil, 1996), there were only general mentions, but not referring to Article 26. Graph 7 shows the references present in the nine opinions of 2017, being 44.5% general to music, 44.5% to CNE/CEB Resolution No. 2/2016 and 11.1% to LDB No. 9,394/1996, as shown in chart 7.

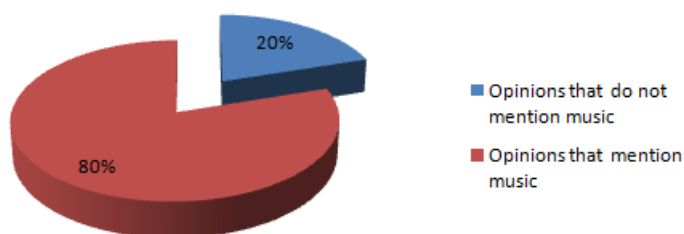


Graph 7. Legislation referred to in the opinions issued by the CME-POA/RS in 2017

In the years 2018 and 2019, there was an increase in the presence of legislation in music in the documents drawn up by the CME-POA/RS. In 2018, of the 49 opinions drawn up, 41 mentioned music. In 2019, of the 45 opinions, 36 alluded to music. Graphs 8 and 9 present these comparisons.



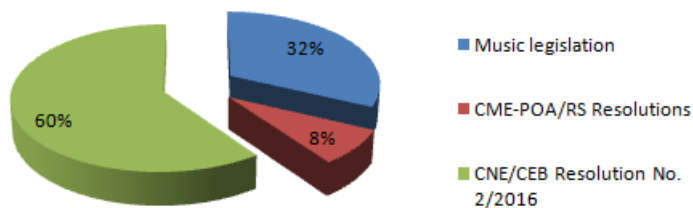
Graph 8. Comparison of the mentions of music in the opinions issued in 2018



Graph 9. Comparison of mentions of music in the opinions issued in 2019

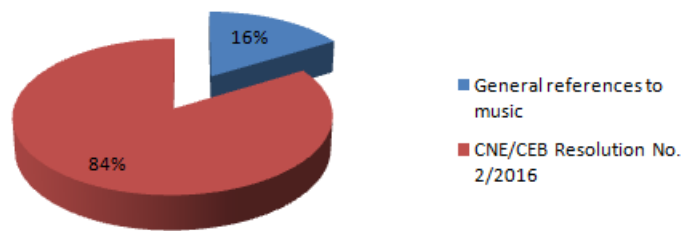
In 2018 and 2019, Resolution CNE/CEB No. 2/2016 (Brasil, 2016) integrated most of the opinions issued by the CME-POA/RS. It was observed, from this, the gradual growth of these appearances in the documents. These changes can be analyzed from the perspective of the context of effects (Ball, 1994), of the laws and their regulations that went through different stages of elaboration and had results over the years.

In 2018, music legislation was included in 41 of the 49 opinions issued by the CME-POA/RS. Where 32% were general references to music, 60% contained CNE/CEB Resolution No. 2/2016 (Brasil, 2016), and 8% included CME-POA/RS legislation. Graph 10 presents the legislation referenced in the 2018 opinions.



Graph 10. Legislation referred to in the opinions issued by the CME-POA/RS in 2018

Finally, in 2019, music legislation was included in 36 of the 45 opinions issued by the Municipal Council of Education of Porto Alegre (CME-POA/RS). Where 16.3% contained general references to music and 83.7% referred to Resolution CNE/CEB No. 2/2016 (Brasil, 2016), as shown in graph 11.



Graph 11. Legislation referred to in the opinions issued by the CME-POA/RS in 2019

When analyzing the growing insertion of musical and legal references to music in the documents drawn up by the CME-POA/RS, it is worth highlighting the importance of these acts.

As previously discussed, Resolution CNE/CEB No. 2/2016 (Brasil, 2016) defined national guidelines for the operationalization of music teaching in basic education. These guidelines contain the competences of schools, education secretariats, higher education institutions, the Ministry of Education and education councils. As for the competence of the CME-POA/RS, it was observed that the council performed its competences satisfactorily, which grew considerably over the years. Very important and commendable. It is also worth noting, as already alluded to, that the Municipal Council of Education of Porto Alegre (CME-POA/RS) had the participation of a counselor with a background in music, and active in music education. This participation coincided with the period in which there was an increase in mentions of music and legislation on the teaching of music in basic education in the opinions and regulations issued by the council, that is, in 2018 and 2019. This allows us to reflect on the importance of councils having counselors who are knowledgeable about the legislation, not only about music teaching, but from all areas, which enhances, optimizes, and gives excellence to their actions.

When analyzing these data in the light of the Policy Cycle Approach, it is understood that the performance of counselors who understand, and even are active in the fulfillment of public policies in their area, reveals the importance of observing the context of influence, which it can result in the context of the political text, driving the elaboration of laws to be enacted, regarding music, by the councils. Hence, the continuity of action is also required, since the context of the practice, with the diversity of arenas of disputes, can reduce the progression of the policies. Thus, contexts such as influence, political text, practice, effects and political strategy are in constant motion, influencing and being influenced. When researching the documents issued by the CME-POA/RS, it was possible to analyze all the operations in line with these assumptions (Ball, 1994; Bowe et al., 1992).

## 5. Conclusion

From the analysis of the documents it became clear the extreme relevance of this type of research, since the municipal education councils are not present in most cities in Rio Grande do Sul, nor in Brazil. Even the councils registered in the National Union of Municipal Councils of Education (UNCME) do not have, in the information available, documents that prove their performance in monitoring schools. It is also important to point out that unlike municipal education departments the creation of municipal education councils, even if provided for by law, is not mandatory. As a consequence, the representativeness of the faculty, staff, community and school institutions becomes compromised.

Regarding the first question that originated this research, about the regulations issued by the Municipal Council of Education of Porto Alegre (CME-POA/RS), and which refers to the teaching of music in schools, it was found that these are published virtually, being available online, on the Porto Alegre City Hall website. Among these documents, the opinions reveal, for the most part, to be referring to school regulations and providing analyzes carried out by CME-POA/RS in pedagogical political projects and school regulations. In the analysis, data on the teaching of music in the city were also presented.

The second question, about how the CME-POA/RS carries out the inspection of compliance with these regulations, it was found that the documents sent by the educational institutions to the CME-POA/RS are verified, carrying through an analysis of the active legislation, being given the feedback in the form of opinions. Compliance with the regulations issued by the CME-POA/RS is based on the documents received and analyzed, which authorize and renew the functioning of schools. The documents indicate compliance with current legislation and pedagogical and structural improvements in schools, considering inclusion, accessibility, quality basic education, lunch, among others, such as the mandatory teaching of music. Thus, the council has carried out the inspection, demanding and justifying based on legislation with Resolution CNE/CEB No. 2/2016 being the most used in recent years.

On how national legislation regarding music teaching in basic education is presented in the regulations, opinions and other normative acts of the CME-POA/RS, Law No. 11,769/2008, Resolution CME-POA/RS No. 15/2014, and Resolution CNE/CEB No. 2/2016 were identified. Also, musical aspects were mentioned with the use of articles from the Federal Constitution, from 1988, and LDB No. 9.394/1996.

At the end of this research, the merit of the elaboration of new laws for music was detected, as well as the time that institutions and bodies take to adapt to the current legislation, given the conditions of each region. It is worth noting that this research, due to the fact that it was carried out based on the search for online documents, was subject to methodological limitations, often considering the difficulty of accessing data. However, the work of the Municipal Council of Education of Porto Alegre (CME-POA/RS) should be praised, as the vast majority of documents are available virtually. Only the period from 2020 to 2021 was affected, as previously mentioned, due to the pandemic caused by COVID-19, in which society still reaps the fruits of these difficulties.

This research is considered relevant as it is appropriate to relate the existing educational legislation regarding the teaching of music in schools, the need for its solidification in state and municipal bodies, through education councils, and intertwining institutional bodies in this process. It is hoped that, with the results of this investigation, it will be possible to strengthen the current legislation, encourage the elaboration of new laws, as well as to reiterate the importance of education councils for the effective insertion of music in schools.

Finally, given the relevance of the data obtained in this research, which focused on the Municipal Council of Education of Porto Alegre (CME-POA/RS), the continuity of work is prospected, starting with the collection and analysis of data on the performance of the other municipal education councils in the state of Rio Grande do Sul, on the basis of the documents issued by them.

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