

STUDENT ASSISTANCE IN HIGHER EDUCATION: FROM STATE PROGRAM TO STATE POLICY



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ABSTRACT

In this article, the objective was to carry out a comparative analysis between the National Student Assistance Program instituted through Decree No. 7,234/2010 and the National Student Assistance Policy sanctioned by Law No. 14,914/2024, indicating advances in the text of the Law, as well as setbacks and possible perspectives. As an advance, the transformation of the ten areas of the PNAES in which assistance to students should focus in Programs supported by the Law was identified, as well as the inclusion of new Programs such as the Parental Program and encouragement to the dissemination of actions related to training, extension and research in the area of student assistance, as well as the institution of a platform for monitoring and evaluation of the Policy. As setbacks, we highlight the non-observance of specificities related to students from original and traditional communities in the country. Our perspective is that higher education, based on PNAES, is consolidated as inclusive, multicultural, humanized and non-violent.

Keywords: Higher education, Permanence, Public policy, PNAES.

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INTRODUCTION

Hope is necessary!

Paulo Freire (1992)

We begin this discussion with an epigraph from Paulo Freire, because, like him, we believe that "[...] to hope is to join with others to do it differently" (Freire, 1992, p. 111). The Brazilian public higher education community yearns for modifications in the structure of its essence to make it inclusive in every possible way. One of the ways for higher education to be constituted in this way is to have a student assistance (SE) policy that prioritizes students and all the demands related to them that materialize in their training path.

Student assistance in Brazilian public higher education has a trajectory of almost a century, which is consistent with the creation of the first federal university in the country on September 7, 1920, the University of Rio de Janeiro (UFR), currently the Federal University of Rio de Janeiro (UFRJ).

In Decree No. 14,343, of September 1920, which established the UFR, there is no provision for an EA program or policy aimed at low-income students, which made it difficult for this public to remain in the institution. Contradictorily, at the end of that same decade, students from the wealthy classes who studied in France were assisted with the AE through the "Casa do Estudante Brasileiro", created in Paris in 1928 (Imperatori, 2017). In this context, the State was responsible for "transferring the necessary funds both for the construction and for the maintenance of the house and the students" (Kowalski, 2012, p. 85). A contradiction in relation to the lack of assistance experienced by the few needy students who managed to enter the then elitist University of Rio de Janeiro.

However, in the early 1930s, the Casa do Estudante do Brasil was established in Rio de Janeiro, created on a non-profit basis for economically vulnerable higher education students. The Student House had a restaurant that served, in addition to the students "[...] also clandestines who pretended to be students to eat at the restaurant that offered good and cheap food" (Araujo, 2007, p. 24). In addition, this place has become a collective space for student gatherings and gatherings.

In relation to public higher education, the Student House of Brazil is considered the first EA action for economically vulnerable students. In legislation from the 1930s to the end of the 1960s, EA actions were sparse and were at the mercy of the importance attributed to it by the rulers (Castro, 2023). However, in 1970, the DAE Student Assistance Board was

created by the State, when the country was under the aegis of the Civil-Military Regime (1964-1985).

Imperatori (2017) points out that through the DAE, programs such as Work Grants were created, through which students had the opportunity to work in "public or private bodies", configuring the student's counterpart and Scholarships, a budget for the student's maintenance, without the need for a counterpart. There was also priority for "food, housing, and medical-dental assistance programs" (Imperatori, 2017, p. 287) within the scope of the AE.

The DAE was extinguished in 1980, in a political context of "effervescence of democratic ideas and proposals originated by the beginning of the process of redemocratization and political opening that culminated in the end of the Civil-Military Regime in 1985" (Castro, 2023, p. 154). From then on, the discussion about assistance in higher education intensified, mainly through the struggle of the National Union of Students (UNE), the National Secretariat of Student Houses (SENCE), the Black Movement (MN), among other social movements that demanded public, quality, inclusive higher education and assistance to students to complete their courses.

In 2005, the National Forum of Pro-Rectors of Community and Student Affairs (FONAPRACE), an agency linked to the National Association of Directors of Federal Institutions of Higher Education (ANDIFES), prepared a Draft of a National Student Assistance Plan, based on data from its first survey, carried out in 1994 on the socioeconomic and cultural profile of students at federal universities.

This Draft was a reference for the development of EA projects and programs in the Federal Institutions of Higher Education (IFES), according to FONAPRACE (2012), and guided the elaboration of the National Student Assistance Program (PNAES), instituted through Normative Ordinance No. 39, of December 12, 2007c, sanctioned by the President of the Republic, Luiz Inácio Lula da Silva as a Government Program.

On July 19, 2010, the PNAES was transformed into a State Program through Decree No. 7,234, still in the administration of President Luiz Inácio Lula da Silva, with the addition of one more area in which student assistance actions should focus on the IFES, in addition to the nine areas provided for in Ordinance No. 39/2007:

I - student housing; II - food; III - transportation; IV - health care; V - digital inclusion; VI - culture; VII – sports; VIII - day care center; IX - pedagogical support; and X - **access, participation and learning of students with disabilities, global**

developmental disorders and high abilities and giftedness (Brasil, 2010, p. 1, emphasis added).

Despite increasing its scope, Crosara, Silva, and Oliveira (2020, p. 38-39) analyzed that the fact that the PNAES had "been edited through a Presidential Decree [generated concern that] its edition had not gone through the democratic debate before the Legislative Branch" and could "be modified and even revoked, at any time, by the Head of the Federal Executive Branch". Thus, it harbored a certain fragility "since it could not be attributed, due to the normative type that deals with the PNAES, the character of State policy" (Crosara; Silva; Oliveira, 2020, p. 39).

However, on July 3, 2024, the President of the Republic Luiz Inácio Lula da Silva, in his third term, sanctioned the Multiministerial Law No. 14,914 that "institutes the National Student Assistance Policy (PNAES)" (Brasil, 2024a, p. 1). This presidential action mainly translates the desire and victory of the students of IFES, UNE, SENCE, the Brazilian Union of Secondary Students (UBES), the Black Movement and other student and popular movements that historically fight for quality and inclusive public higher education.

The PNAES "expands and guarantees better conditions of permanence for higher education students, providing security for those in vulnerable situations to complete the course [...], after 13 years in progress in the National Congress" (ANDIFES, 2024a, p. 1). In this historical context of expansion and important changes in policies aimed at student assistance in IFES.

In this article, the objective is to carry out a comparative analysis between Decree No. 7,234/2010 and Law No. 14,914/2024, indicating advances in the text of the Law, as well as perspectives generated by the transformation of PNAES into a public policy. In this sense, the question that guided the analysis, which cannot be answered at this time, but rather hypotheses and reflections, was defined as follows: Will PNAES as a State policy guarantee the permanence of undergraduate students from IFES throughout their training process?

The article is organized as follows: in the first section we present a brief report of the methodology and, in the second section, we proceed to the Comparative Analysis between the Program and the Policy. We conclude by inviting some reflections.

METHODOLOGICAL PROCEDURE

This study was carried out based on the comparative analysis of documents. According to Schneider and Schmitt (1998), comparison is a cognitive enterprise proper to the exercise of intellectual activity and the process of knowledge elaboration. Also according to the authors, through comparative analytical reasoning it is possible to "[...] discover regularities, perceive displacements and transformations, build models and typologies, identifying continuities and discontinuities, similarities and differences, and making explicit the more general determinations that govern social phenomena" (Schneider, Schmitt, 1998).

Based on this understanding, we comparatively analyzed Decree No. 7,234/2010 and Law No. 14,914/2024. To this end, we proceeded to a careful reading of these two documents in full, seeking to identify possible correspondences, advances, as well as possibilities and/or discontinuities generated by the transformation of the National Student Assistance Program into the National Student Assistance Policy.

From such identifications, it was possible to discuss the meaning of the Law and its possible impacts on the assistance to potential socioeconomically vulnerable students assisted by the PNAES, which includes students from Federal Universities, Federal Institutes of Higher Education, and Federal Centers for Technological Education (Cefets), the Federal Technological University of Paraná (UTFPR), the Technical Schools linked to federal universities and students of the technical and higher education courses of Colégio Pedro II.

COMPARATIVE ANALYSIS: DECREE NO. 7,234/2010 AND LAW NO. 14,914/2024

By their nature, the two documents are organized in different ways. While Decree No. 7,234/2010 is composed of nine articles and their respective subparagraphs, Law No. 14,914/2024 is organized into thirteen chapters, with their respective articles, paragraphs, and subparagraphs.

The Law, already in its Chapter I, encompasses all the areas addressed in the Decree, in addition to presenting some advances. Decree No. 7,234/2010 and Law 14,914/2024 have the purpose, respectively, to "[...] to expand the conditions for young

⁴ The two Cefets are located in the state of Minas Gerais, the Federal Center for Technological Education of Minas Gerais, and in the state of Rio de Janeiro, the Federal Center for Technological Education Celso Suckow da Fonseca, both consisting of the headquarters units and decentralized teaching units (Brasil, 2024e).

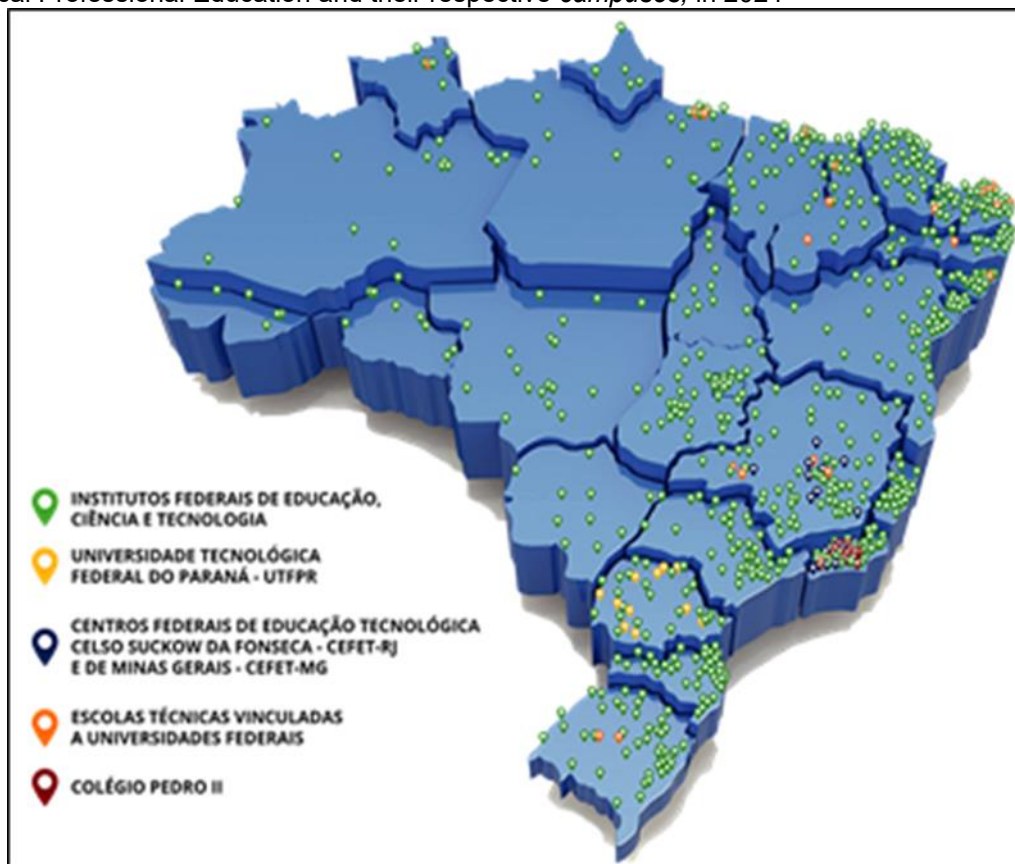
people to remain in federal public higher education" (Brasil, 2010, p.1) and "[...] to expand and **guarantee** the conditions for students to remain in higher education and in federal public professional, scientific and technological education and to complete the respective courses" (Brasil, 2024b, p. 1, emphasis added).

At first, we observed an advance in the text of the Law in relation to Decree 7.234/2010, which specified that public higher education students from federal universities (UFs) and Federal Institutes of Education, Science and Technology (IFs) were the public to be assisted. In the Law, the scope is expanded to include students from all educational institutions that make up the Federal Network of Professional, Scientific and Technological Education, created through Law No. 11,892, of December 29, 2008.

The Federal Network, in this year 2024, is composed of 685 units, 38 of which are Federal Institutes of Higher Education, two Federal Centers for Technological Education⁵ (Cefets), the Federal Technological University of Paraná (UTFPR), 22 technical schools linked to federal universities and Colégio Pedro II (Brasil, 2024e), including the main *campuses* and decentralized *campuses* (Figure 1).

⁵ The two Cefets are located in the state of Minas Gerais, the Federal Center for Technological Education of Minas Gerais, and in the state of Rio de Janeiro, the Federal Center for Technological Education Celso Suckow da Fonseca, both consisting of the headquarters units and decentralized teaching units (Brasil, 2024 d).

Figure 1 – Presence in the country of the institutions that make up the Federal Network of Scientific and Technological Professional Education and their respective *campuses*, in 2024



Source: Federal Network of Scientific and Technological Professional Education (Brasil, 2024e).

The Federal Network and the 69 federal universities with their 314 *campuses* present in the Brazilian educational scenario in the year 2024, are responsible for the expansion of public higher education and technological medium, providing students from large urban centers and inland regions of the country, as well as low-income students, with access to quality public education.

This scenario will probably be positively modified from the creation of 100 new *FI campuses* between the years 2024 to 2026. According to the announcement of the federal government, "the initiative will create 140 thousand new vacancies, most of them in technical courses integrated with high school. The investment of R\$ 3.9 billion of the New PAC also includes the consolidation of existing units" (Brasil, 2024a, p. 1). In this sense, as we have already highlighted, PNAES will have a much larger field of coverage than the PNAES Program and encompasses a responsibility of great extension to serve this entire public.

In the PNAES, in the first article, by inserting the term "guarantee" the State is committing not only to expand the conditions of permanence, according to Decree No.

7,234/2010, but to ensure that the students assisted by the Law complete their courses. Also in the first article, it is foreseen, if it is possible for the State, to expand future coverage, and the PNAES may "[...] be extended to students of face-to-face master's and doctoral programs at IFES, if resources are available. [...] to assist students from free public higher education institutions in the states, the Federal District and municipalities [...]" (Brazil, 2024b, p. 1).

It is possible to understand the intention of the federal government to promote the inclusion and conditions of permanence of students in federal public higher education, including the Federal Technological Network in all federative entities of the country, federal, state and municipal, and also to be extended, if possible, to graduate studies. However, there is the prerogative of the availability of resources, which will possibly be the great challenge of the implementation of the PNAES in the short term.

At first, the term "guarantee" seems bold to us also in the short term, and it may be, considering that the expansion of the public that would be assisted would probably not be proportional to the increase in financial resources for AE, because from 2007 to 2023 the PNAES was not enough to meet all the demand for student assistance that was presented in the IFES, "Due to the budget allocation allocated [...] by the federal government, for this purpose, is insufficient" (Castro, 2023, p. 133), however, in the long term, with political will, the expansion of the scope of student assistance in quality public education can become a necessary reality in the country.

In 2018, it was found in the fifth and most recent survey carried out by FONAPRACE (2019, p. 8) that most IFES students, because they were low-income, did not have the financial conditions to maintain themselves in higher education without the State subsidy, since "the percentage of students with a per capita income of up to 1 and a half MW reached the absolute majority of the universe surveyed". We believe that this statistic is either maintained or increased.

The questions that arise are: will it be possible for the government to guarantee EA to all this range of institutions and levels of education? Will there be enough financial resources for students to ensure the completion of their courses? Probably not, due to the veto, by the Ministry of Planning and Budget, of paragraph III, of article 3 of the original text of the Law, which provided that "federal institutions of higher education will receive resources from PNAES proportional, at least, to the number of students who are potentially assisted by Law No. 12,711, of August 29, 2012 [Quota Law], admitted to each institution"

(Brasil, 2024c, p.1). This veto is justified by the possibility that the amount allocated to PNAES is not proportional to the demand. In this sense, "despite an important achievement, since [the Quota Law] promoted the presence of segments of the popular milieu in the [IFEs], democratization is far from materializing due to the social inequalities that still have repercussions after entry" (Dias; Oliveira, 2022, p. 10) and will probably still be present even with the institution of PNAES.

Even so, there is a certain "optimism" on the part of the State, considering that in chapter 1 in its article 2, in paragraph VI, further expansion of the target audience is foreseen: "to stimulate the participation and high performance of students in competitions, in Olympics, in competitions or in exams of a sporting and academic nature [...]" (Brasil, 2024b, p. 1). The incentive for students to participate in sports activities was instituted in the first government of President Luiz Inácio Lula da Silva, through the Athlete Grant Program, which had its value modified by Decree No. 12,108, of July 11, 2024 (Brasil, 2024d).

However, in the PNAES, despite having been instructed in its second article, first paragraph, item VII, that "The student assistance actions of the PNAES should be developed in the following areas [...] VII – sports; [...]. (Brasil, 2010, p.1), there was no mention of funding in this area, nor any mention of a link to the Athlete Grant. In this sense, it would be up to each institution to value the sports area or not. Likewise, in Law 14.914/2024 there is no specification of how the sports area can be effective, however, from its regulation, its link with the Athlete Grant may or may not be made explicit.

Another innovation, provided for in Chapter one in its second article, item VII is the stimulus to initiatives of "[...] training, extension and specific research for the area of student assistance" (Brasil, 2024b, p. 1), opening possibilities for the accumulation of Brazilian scientific production on this theme to intensify. It is worth noting that within the State there is no specific platform for this purpose, if there were, it would contribute to the dissemination and expansion of issues related to EA throughout the country.

In a recent survey carried out by Castro and Carvalho (2024), with the *A corpus composed of 14 studies from universities and federal institutes in four Brazilian regions, it was found that all researchers made important propositions regarding the management of student assistance related to PANES. That is why we emphasize that if there was a specific platform in the State to house these researches would contribute to the continuous monitoring and evaluation of the PNAES with suggestions for its adequacy.*

The monitoring of a public policy is essential to "verify the degrees of efficiency and effectiveness with which [the policy] is meeting its objectives; [...] evaluate effectiveness, that is, its results, impacts and effects" (Draibe, 2001, p. 19) and also "to detect the factors that, throughout implementation, facilitate or prevent a given program from achieving its results in the best possible way" (Draibe, 2001, p. 20). This would enable decisions to be made about adjustments that are necessary to positively impact your results.

As already informed, in Law No. 14,914/2024 the 10 areas provided for in Decree No. 7,234/2010 were transformed into Programs, so the PNAES is more comprehensive, in addition to the addition of Programs not contemplated in the Decree, confirming the greater breadth of the Law:

I - Student Assistance Program (PAE); II - Permanence Scholarship Program (PBP); III - Healthy Eating Program in Higher Education (Pases); IV - Student Housing Program (PEM); V - Student Transportation Support Program (Pate); **VI – Incluir Program for Accessibility in Education (Incluir)**; VII - Parental Permanence Program in Education (Propepe); **VIII - Library Reception Program (PAB)**; **IX - Student Mental Health Care Program (PAS)**; **X – Milton Santos Program for Access to Higher Education (Promisaes)**; **XI - Permanence in Higher Education Benefit**; XII – provision of services by the federal institutions of higher education themselves and by the institutions of the federal network of professional, scientific and technological education; XIII – other actions made public by means of a normative act of the Minister of State for Education, subject to the compatibility of these actions with the existing budget allocations, and provided that there is no prejudice to the programs and actions contained in items I to XII of the caput of this article (Brasil, 2024b, emphasis added).

The Library Reception Programs and the Student Mental Health Care Program were not included in Decree 7.234/2010 and the Incluir Programs for Accessibility in Education, Milton Santos Program for Access to Higher Education and Permanence in Higher Education Benefit, were already carried out within the scope of the MEC. The inclusion of these Programs in the PNAES represents significant advances, due to the fact that the PNAES has been criticized for its financial bias, to the detriment of several vulnerabilities that are not necessarily financial, but that materialize within the IFES.

Chapter II concerns the Student Assistance Program. The PAE encompasses the 10 areas established in Decree 7.234/2010 that will be developed through the transfer of direct financial benefit to the student or actions that can enable quality training and permanence. In this chapter there is another advance of the PNAES in its second paragraph that determines that

the PAE must ensure the participation of students, through their representative entities, in the formulation, execution, follow-up, monitoring, and evaluation of their

actions, including in the preliminary phase of selection of the recipients, to ensure the expectation of the right to attention to the benefits of the program (Brasil, 2024b, p. 3).

This determination is in line with what Draibe (2001) advises on the need to evaluate the impact of a policy by the public for which it is intended. Fernandes (2000, p. 35) also understands that the evaluation of a policy is necessary in order to assess whether it, the policy, "is achieving the expected purpose, in addition to reducing existing social inequalities, providing the benefited group with better living conditions", if not, it is necessary that the course of the policy be reviewed.

In this chapter, there was a veto in item VII of the sixth article of the Law, which determines that students assisted by PNAES should "[...]- have high academic and sports performance" (Brasil, 2024c, p. 3). If it were not vetoed, it would mean a major setback in student assistance, meeting legislation that provided for high academic performance as a requirement for the student to be assisted by any EA program. This was the case, for example, of the Statute of Brazilian Universities, instituted by Decree No. 19,851/1931 during the Provisional Government of President Getúlio Dornelas Vargas, which determined that there would be a scholarship "[...] aimed at supporting students who are known to be poor, who **recommend themselves, due to their application and intelligence**, to the aid instituted [...]" (Brasil, 1931, s.p. emphasis added). Without the veto, Law No. 14,914/2024 would be penalizing mainly students with low academic performance who need the assistance of PNAES, such as pedagogical support, to remain in higher education and complete their courses.

However, the reason for the presidential veto was the fact that good academic and sports performance was proposed without being linked to the income criterion, which would further expand the scope of the PNAES, allowing financial aid to be granted to students who were not in the socioeconomic vulnerability profile provided for in the Law.

Chapter III deals with the Permanence Scholarship Program (PBP) created in 2013, during the Government of President Dilma Vana Rousseff (2011-2016), through MEC Ordinance No. 389 of May 9, 2013 and amended by MEC Ordinance No. 1,999 of November 10, 2023. The inclusion of the PBP as a chapter of the PNAES represents a significant advance, as it goes from a program created by an administrative act to a national public policy, ensuring legal certainty for its continuity and possible expansion.

It is relevant to note that in the Law, in its article 9, item 1, the original wording of the aforementioned Ordinances is maintained in relation to the purpose of the PBP to "enable the permanence, in the face-to-face undergraduate course, of students in situations of socioeconomic vulnerability, especially indigenous and quilombola [...]" and in its third paragraph "[...] minimize social and ethnic-racial inequalities and contribute to the permanence and graduation of students" (Brasil, 2024b, p. 4). This represents the recognition of the social inequalities fostered by the instrumentalization of the markers race and ethnicity that directly reflect on the permanence of non-white racial groups in the IFES, such as quilombolas and indigenous people, since the racial and gender issue has a great influence on the dropout of students (Santos; Kahmann; Perry, 2024, p. 12).

However, the PBP of PNAES also presents some setbacks, both for quilombola and indigenous students and for other students. These setbacks relate to the veto imposed by the Ministry of Planning and Budget on what is determined in paragraph 2 of article 9 of the original text of the Law, which, as in the Ordinances, established that the scholarships should be:

I - in an amount not lower than that practiced in the federal policy of granting scientific initiation scholarships for undergraduate students; II - in an amount not lower than that practiced in the federal policy of granting scholarships for junior scientific initiation, for students of technical professional education at the secondary level; III - in an amount not less than twice the amount established in accordance with items I or II of this paragraph, [...], for indigenous and quilombola students (Brasil, 2024b, p. 4).

In the case of the AE financial aid for quilombola and indigenous students, with the veto the Permanence Scholarship Program goes backwards in relation to the PBP created by the MEC Ordinances that established that the permanence scholarship for these two groups of students should be differentiated, "as a result of the specificities of these students in relation to the social organization of their communities, geographical condition, customs, languages, beliefs and traditions, supported by the Federal Constitution" (Brasil, 2013a, p. 2; Brazil, 2023, p. 1). Due to this demand, the Ordinances also established that the value of the scholarships for these students "**could not be less than** twice the value of the Permanence Scholarship for other students" (Brasil, 2013a, p. 2; Brazil, 2023, p. 1, emphasis added).

Thus, considering what was already set out in the PBP of the Ordinances, the veto is justified because it is contrary to the "public interest by establishing in law a matter subject to infra-legal regulation, which could generate a potential impact on the operationalization of

the policy with the effectiveness necessary for the fulfillment of its objectives" (Brasil, 2024c, p. 2) represents a significant setback, since the specificities and economic, geographic and sociocultural demands of indigenous and quilombola students were not taken into account.

As for the AE financial aid for other students, the setback occurs because the same veto implies in the (in)definition of the values of the PBP scholarships, creating legal possibilities for the IFES to stipulate different values, including below the value of the scientific initiation scholarship, in the case of higher education, and the junior scientific initiation scholarship, in the case of technical education. This veto can result in great challenges in the academic environment, contributing to the increase in dropout rates in IFES.

Chapter IV concerns the Healthy Eating in Higher Education Program (PASES), which aims to "promote and ensure the food and nutritional security of students when developing teaching, research, and extension activities within the scope of the academic space" (Brasil, 2024, p. 4). Committed to ensuring healthy food for the public that does not have access to it, the objectives of PASES are:

I - to consider the environmental, cultural, economic, regional and social dimensions in the definition of the various food offerings offered within the federal educational institutions; II – to respect, protect, promote, provide, inform, monitor, supervise and evaluate the realization of the human right to adequate food, as well as to guarantee the mechanisms for its enforceability in federal educational institutions; III - ensure the realization of everyone's right to regular and permanent access to quality food, in sufficient quantity, without compromising access to other essential needs, based on health-promoting food practices that respect cultural diversity and are environmentally, culturally, economically and socially sustainable (Brasil, 2024b, p. 4-5).

Student feeding being housed in a Program within the scope of PNAES assumes an important significance of great progress, because according to FONAPRACE (2019) more than 80.0% of IFES students are in a situation of socioeconomic vulnerability, and it is possible that a large part of this public does not have at least three meals a day. This is the minimum indicated by the Food and Agriculture Organization of the United Nations (FAO) to ensure food security that "occurs when all people have permanent physical, social and economic access to safe, nutritious food in sufficient quantity to satisfy their nutritional needs and food preferences" (FAO, 1996, n.p.).

Food security is provided for in the Brazilian Constitution as a fundamental right, demonstrating the importance of PASES to meet the constitutional determination, guaranteeing all students adequate food conditions. Food security is a basic condition for

survival and its absence, in addition to "hurting human dignity, can affect mental health. And from the biological aspect, the lack of nutrients slows down the brain, making it difficult to fix the content" (Araújo, 2020, p. 1), contributing to the dropout process.

To meet this end, it was provided in article 14 of Chapter IV of the PNAES that

federal institutions of higher education and institutions of the federal network of professional, scientific and technological education must act in order to offer adequate spaces for the supply and consumption of food, through the creation and availability of university restaurants that also act as spaces for cultural training and citizenship (Brasil, 2024b, p. 5).

However, the second paragraph of this article was vetoed. Its wording determined that the "food offered within the scope of PASES will be ensured to the entire university and visiting community, through subsidized payment, guaranteeing free of charge for students assisted by the PAE, provided for in article 5 of this Law" (Brasil, 2024b, p. 5). The justification for the veto is that

The program of gratuity and subsidized food concession within federal educational entities already have applicability, taking into account the peculiarities of educational institutions, university autonomy and budget availability. However, the precept in question brings a general and unrestricted rule (Brasil, 2024c, p. 2).

The veto brings legal uncertainty in relation to free tuition for potential students assisted by the PAE. If there is no such obligation, the IFES may establish values without the conditions of many students to pay for the expense of food, being free in many institutions only to students considered to be in extreme poverty or who receive free of charge in return for some service provided in their IFES of origin.

Many IFES do not have their own University Restaurants (RUs) on all their *campuses*, and there are cases of institutions that until 2016 did not have any RU, according to data from the second survey carried out by FONAPRACE on the profile of IFES (Table 1).

Table 1 - Existence of own University Restaurant on *campuses* according to strata - regions and Brazil

Region												Brazil	
North			Northeast		Central-West		Southeast		South				
Restaurant	No	%	No	%	No	%	No	%	No	%	No	%	
It does not have	3	42,9	4	23,5	0	0,0	1	5,6	1	10,0	9	15,8	
1 restaurant	3	42,9	6	35,3	1	20,0	6	33,3	2	20,0	18	31,6	

2 or 3 restaurants	1	14,3	3	17,6	1	20,0	8	44,4	2	20,0	15	26,3
4 or more	0	0,0	4	23,5	3	60,0	3	16,7	5	50,0	15	26,3
	7	100	17	100	5	100	18	100	10	100	57	100

Source: National Survey of the Profile of IFES for Student Assistance, 2016.

It is important to highlight that this is the most recent survey carried out by FONAPRACE, on federal universities, covered 57 institutions and federal institutes were not considered. In the current national scenario in relation to the forecast of expansion of higher education with the possibility of creating new federal universities and/or *campuses* and new federal institutes, in addition to the expansion of the public that can be served by the policy, it is likely that the implementation of the PAE along the lines of the PNAES will be one of the greatest challenges of the Policy in the short term. However, the 2025 Budget Bill (LOA) consolidates the government's commitment to promoting "compliance with the health, education and investment floors [...] (Brasil, 2024e, p. 1), it remains to be seen whether the education floor will fully include the PAE.

Despite the budgetary limitations, another important initiative via PNAES concerns the social function of the IFES from its extension actions. In the third paragraph of article 14, it is determined that in case of possibility, the IFES must "[...] create popular university restaurants, to serve the population in situations of socioeconomic vulnerability in the locations where they are based" (Brasil, 2024a, p. 5).

In addition to food and RUs, the demand for university housing has been the agenda of the IFES students' struggle since the 1930s and intensified with the creation of the National Secretariat of Student Houses (SENCE) in 1987. Chapter V of Law 14,914/2024 deals with the Student Housing Program (PEM), which is intended to enable housing conditions for the public served by PNAES.

According to SENCE, in most Brazilian universities there are no university residences or Student House (CEU). For this reason, it mainly demands the replacement of aid and scholarships to pay for housing, as a palliative measure, by policies for the construction of CEUs maintained by the IFES (SENCE, Brazil, 2013) and that are built inside the *campuses* because "these spaces (RU and Casa dos Estudantes) in addition to meeting basic needs of food and housing, they also constitute a space for the integration of students in universities" (Castro, 2023, p. 197).

In the IV FONAPRACE survey on the profile of students, published in 2016, it was identified that only "11.7% of students [participate] in Housing Programs that provide access

to student housing, scholarships or financial aid" (FONAPRACE, 2016, p. 175). In the last survey carried out in 2018, no data on the CEUs were released, but it is likely that the picture revealed in 2016 has not reversed, indicating fragility at the national level related to the guarantee of student housing in the IFES.

Chapter VI is intended for the Incluir Program for Accessibility in Education (Incluir), aimed at the implementation and consolidation of accessibility centers that enable the full access of people with disabilities to higher and professional, scientific and technological education in IFES (Brasil, 2024b) and has the following objectives:

I - to ensure the inclusion and permanence of students with disabilities in higher education and in professional, scientific and technological education; II - to provide specific pedagogical support to people with disabilities, including through university extension practices, in order to give rise to pedagogical training aimed at inclusion; III - to ensure the inclusion of the teaching of Libras in all teacher training courses; IV - eliminate attitudinal, pedagogical, architectural and communication barriers that prevent or hinder the access of people with disabilities to education; V - to provide conditions of access and use of all environments or compartments of federal institutions of higher education and institutions of the federal network of professional, scientific and technological education to persons with disabilities or with reduced mobility [...] (Brasil, 2024b, p. 5-6).

It is worth noting that in 2005, in compliance with Decree No. 5,296 of December 2, 2004, which regulates Law 10,048 of November 8, 2000 and Law 10,098 of December 19, 2000, the MEC created the Incluir Program: Accessibility in Higher Education, regulated by Ordinance No. 14 of April 24, 2007, which, similar to the Incluir inserted in the PNAES, sought to foster the "implementation and/or consolidation of accessibility centers that promote actions to guarantee full access to people with disabilities" (Brasil, 2007b).

In addition, it is relevant to consider that the interventions aimed at the inclusion and student assistance of PWDs in the IFES were diluted in the PNAES. In this scenario, the incorporation of a program specifically aimed at the inclusion of PWDs in a national public policy means a relevant advance, since it represents the guarantee of security for the consolidation, continuity and expansion of inclusive education. Likewise, Incluir enables IFES to develop inclusion and accessibility policies in an orderly manner, providing information on the implementation, execution and evaluation of their actions to the National Information and Control System of PNAES programs and actions. This allows for greater monitoring and space for demand by society in general and, in particular, by the PWD population.

Chapter VII specifies the Student Transportation Support Program (Pate), which aims to provide free transportation for students and the target audience of PNAES who live in locations that do not have public transportation to access IFES (Brasil, 2024a). In this sense, Pate sets three objectives:

I - to ensure the mobility of students for access to classes and other teaching, research and extension activities; II - to contribute to the development and learning of the students referred to in item I of the *caput* of this article; III - offer an adequate vehicle, **prioritizing those that contribute to the energy transition process** (Brasil, 2024b, p. 6, emphasis added).

In Decree 7.234/2010, student assistance related to student transportation is provided for in the third area of action of the PNAES and, like all actions of the Program, it should be implemented by articulating teaching, research and extension activities (Brasil, 2010). However, the creation of Pate allows IFES to develop a better coordinated set of actions in this area, as it is linked to a specific program. On the other hand, the text of the Law deals in a very particular way with assistance aimed at students who live in locations that do not have public transportation to access the IFES, not dealing with other transportation demands presented by other socioeconomically vulnerable students, such as cost assistance for collective urban transport, which will require new guidelines and a future improvement of the Pate.

It is important to highlight the priority that the government establishes for school transport vehicles "that contribute to the energy transition process" (Brasil, 2024, p. 6) meeting one of the goals of the federal government, which is to reduce the consumption of fossil fuels and increase the use of renewable energy sources, since there is the intention of President Luiz Inácio Lula da Silva that the country will become global leader in the use of clean and renewable energy sources (Nunes, 2024).

Chapter VIII, which concerns the Parental Permanence in Education Program (Propepe), means a great advance in relation to the daycare assistance provided for in the PNAES/2010. Daycare assistance is considered by many student parents to be extremely bureaucratic and of insufficient value to cover the expense of a child in public or private daycare, considering travel and other expenses that affect this context. For a family that has more than one child who is in the age group that can be served, the daycare assistance practiced in many universities is unfeasible, leading in some cases to the evasion of the mother, woman, student (Sampaio, 2011).

Propepe does not provide in its essence financial aid to fathers and mothers of children under six years of age who fit the target audience as potential beneficiaries of PNAES, but the creation "of physical infrastructure and reception directed to the maternal and paternal and infant needs of families [...]" (Brazil, 2024b, p. 6). To this end, the objectives of Propepe are:

I- To welcome the families of students with children under 6 (six) years of age in order to allow the access, permanence and progression of students while they develop their academic activities; II- Offer adequate physical reception spaces for mothers and fathers with children up to 6 (six) years of age so that they have the best conditions for involvement with the courses and learning; III - create children's spaces and consider the offer of playful-pedagogical activities for children of students, up to 6 (six) years of age, including practical pedagogical activities within the scope of university extension (Brasil, 2024b, p. 6).

Still referring to the fifth and last survey carried out by FONAPRACE, in 2019, on the profile of students at federal universities, it was identified that "the proportion of students who have daycare centers or other support arrangements at universities is 5.2% (FONAPRACE, 2019, p. 62) and "0.3% is the percentage of students who participate in student assistance programs who leave their children in university daycare centers" (FONAPRACE, 2019, p. 64). This percentage is very low considering that in all its research carried out since 2005, it was identified that in the university environment there is a significant presence of students, fathers and mothers of children up to six years of age, mostly mothers (FONAPRACE, 2019).

According to Almeida (2019, p. 187), until the beginning of the first decade of the 2000s, "more than half of the IFES did not have daycare centers [and] the construction of these spaces is essential to promote full access to education for students who have children, especially student mothers" and to mitigate the dropout of this public. Therefore, Almeida (2019, p. 188) points out, "daycare is one of the resources that facilitates the permanence of students who have children, especially mothers, who most of the time, are the main responsible for the children's demands" and therefore at greater risk of low performance or dropout because they do not have an appropriate place to leave their children at the time of classes or other curricular activities.

Thus, it is essential that the Parental Program comes to fruition, despite the possible budgetary limitations that PNAES will face, as it will contribute greatly to the reduction of retention and/or dropout of university parents who need daycare and/or adequate spaces to

leave their children, especially within the institutions where they study, both at night, and daytime.

Chapter IX deals with the Library Reception Program (PAB) aimed at offering rooms and spaces suitable for student study and research and has the following objectives:

I - to provide study rooms or libraries, under the guidance of a **librarian**, which operate 24 hours with the offer of comfortable, appropriate and safe spaces for study, bibliographic consultation, research and access to the internet [...]. II - to contribute to the updating and expansion of the collections of the libraries directed to the [IFES]. III - to promote the improvement of information services provided to users, in order to ensure access to quality information (Brasil, 2024b, p. 6).

This is an innovation in relation to the PNAES/2010 because it does not make this forecast. On *the* campuses where universities are headquartered or *on* campuses located in large urban centers and on universities and *campuses* created under the Support Program for Restructuring and Expansion Plans of Federal Universities (Reuni) instituted by President Luiz Inácio Lula da Silva through Decree No. 6,096, of April 24, 2007, There is the presence of libraries along these lines, although on some *campuses* in "timid dimensions".

Reuni was an important expansion program of IFES. Its execution took place between 2007 and 2012 and aimed at the creation and restructuring of federal universities and/or campuses (Brasil, 2007a, p. 1). However, in most of the *campuses*, especially those located in the interior regions of the states and were not created within the scope of Reuni, the libraries do not have adequate spaces to meet the purposes proposed in the PAB and are often scrapped. It is likely that in the long term the budget allocated to the PNAES will have a specific item to adapt the IFES according to each of their programs.

Chapter X concerns the implementation of the Mental Health Care Program for students (PAS). Although student health care was foreseen as the fourth area in which the PNAES should focus according to Decree 7.234/2010, there was no standardization for such action, being present almost exclusively on the headquarters *campuses* of the IFES.

According to the Open University of the Unified Health System (UNASUS), in 2015 approximately 10.0% of the world's population, about 700 million, had some mental health-related disorder. These data have worsened since 2020 when humanity "[...] has been severely affected by the COVID-19 pandemic and its effects on our lives, economies, and societies," reports Barbosa (2023, p.1), director of the Pan American Health Organization (PAHO). Also according to Barbosa (2023, p. 1) the lack of access to mental health care is

due to several factors that precede the pandemic, such as "low investment, only 3% of countries' health budgets are allocated to mental health; dependence on long-stay hospitalization when most mental health problems can be resolved in the community" in addition to "chronic shortages of trained mental health workers; and reduced access to services for those living in vulnerable situations."

The federal government, considering this situation of worsening mental illness and other forms of illness among students of the IFES, implements the PAS, within the scope of the PNAES, which is intended "to promote the culture of care in the student environment, in order to improve the relations between students, professors and technical administrative staff" of the IFES (Brasil, 2024b, p. 7). This measure is taken considering that these institutions often assume an ambivalent role in the lives of students, that is, linked to the training process there is an illness that may or may not be generated within the institutions, but which need to be taken care of by them. To achieve this end, it is proposed:

I - to consolidate an open and community-based model of mental health care, valuing contact with the family and the community, in accordance with the rules adopted in the current legislation on mental health; II - to welcome and accompany people in psychological suffering or with mental disorders, providing institutional belonging; III - to foster more information and communication about psychological suffering and mental health; IV - to build an inclusive, welcoming, anti-asylum, humanistic and non-violent culture (Brasil, 2024b, p. 7).

The PAS will be of great value to the academic community, since the high level of mental illness in higher education has been identified in several recent studies, in relation to what was found by Santos; Kahmann and Perry (2024) that there is a large number of depression and anxiety on the part of students and that these data corroborate other research carried out also in the year 2024. Regarding suicidal ideation, the authors found that the incidence has increased, also considering data from other studies.

Chapter XI concerns the Milton Santos Program for Access to Higher Education (Promisaes) which aims to support foreign students regularly enrolled in face-to-face undergraduate courses at IFES and IFETs who are "received within the scope of technical-scientific and cultural cooperation programs with countries with which Brazil maintains educational or cultural agreements (Brasil, 2024b, p. 7). Promisaes has existed since 2003, having been regulated by Decree No. 4,875 of November 11, 2003 and its guidelines regulated by Ordinance No. 745 of June 5, 2012.

In PNAES, the objectives of Promisaes are:

I - adopt measures that enable the exchange of students to attend face-to-face undergraduate courses taught at federal institutions of higher education participating in the Undergraduate Student Agreement Program (PEC-G);
II - offer financial aid to foreign students regularly enrolled in face-to-face undergraduate courses [...] (Brazil, 2024b, p. 7).

In practice, the text of the Law does not present anything new in relation to Promisaes created in 2003. However, as with Promisaes regulated by Decree No. 4,875/2003, PANES' Promisaes will require the regulation of guidelines for its implementation. In any case, it is necessary to consider the importance of transforming Promisaes into a program belonging to a national public policy.

Throughout this article, we carry out a comparative analysis between Decree No. 7,234/2010 and Law No. 14,914/2024, indicating advances in the text of the Law, as well as perspectives and setbacks generated by the transformation of the National Student Assistance Program into the National Student Assistance Policy. The fact that the PNAES has not yet been regulated means that we have no knowledge of what mechanisms the government will maintain and/or create for its execution. Therefore, by way of not concluding, we end this article with an invitation to reflection.

NOT TO CONCLUDE, BUT TO REFLECT

Through the analyses established herein, we understand that Law No. 14,914/2024 represents a significant advance in relation to PNAES/2010 by expanding the scope and students assisted by AE in federal educational institutions, including the Federal Network of Scientific and Technological Professional Education and, potentially, graduate students, in addition to higher education students at the state and municipal levels, based on agreements established between these federative entities and the State.

PNAES represents another advance by providing student assistance to meet the various vulnerabilities of students, in addition to financial care, such as mental health care, which has the potential to reduce the stigma around mental disorders and promote an institutional care environment and such as the Parental Permanence Program that aims to contribute to the permanence of student mothers and fathers, through the provision mainly of infrastructure related to spaces for care, reception and early childhood education within the IFES.

Added to these perspectives is the intentionality of structuring libraries, construction of student housing and university restaurants in institutions not yet contemplated with these

resources. These measures, if implemented, may contribute greatly to mitigate the economic, social and academic vulnerability of the student in his or her formative path. Another important perspective is the encouragement of training, extension and specific research initiatives on student assistance and the creation of a monitoring platform for the continuous evaluation of the policy, as well as the active participation of students in its formulation and evaluation.

However, despite the legitimacy of the Law to strengthen student assistance and the fight against dropout, we identified setbacks, which may compromise, in part, perspectives of its effectiveness, among them, the lack of definition and standardization of the values of scholarships for indigenous and quilombola students, which previously existed, and the veto of free food that generates uncertainty as to the accessibility for low-income students to the minimum daily food necessary to ensure food safety. Also, the veto that disregards that the resources of the PNAES must be proportional, at least, to the number of students entering through the Quota Law. In this sense, these vetoes may compromise the full execution of the objectives of the PNAES in its inclusive, multicultural, welcoming, anti-asylum, humanistic and non-violent perspective.

Between advances, perspectives and setbacks, we reflect: will there be sufficient budget allocation in the short and long term, in a scenario that, despite the government being eager to strengthen social justice in the country, there is a National Congress that is mostly a defender of the financial market that "gets angry" at every news of the victory of social benefits? The PNAES, which covers the diverse needs of students, may face important challenges for its implementation due to the financial constraints historically suffered by student assistance in IFES.

Will she, the Law, be strengthened? We don't have an answer yet, but we have to hope!

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