

## Changes in the São Paulo state teaching career plans and the teacher's devaluation

### *Mudanças nos planos de carreira do magistério paulista e a desvalorização docente*

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#### ABSTRACT

Brazilian legislation and literature associate the appreciation and attractiveness of teaching to the creation of career plans for public teachers in basic education. It is possible, however, to observe a significant change in the way teaching careers are conceived in official documents and those of international organizations. The guiding documents for the teaching career in São Paulo reflect these changes in an exemplary way. Therefore, this paper aims to discuss these changes, especially those related to the forms of movement in the teaching career, through the analysis of the guiding documents for teaching career, as the Statute of the São Paulo State Teaching Profession, approved by Complementary Law n. 444 from 1985, the Career, Wage and Salaries Plan for the members of the Teaching Profession, created by Complementary Law n. 836 from 1997, and the recent Complementary Law n. 1.374 from 2022, which created new Career and Remuneration Plans for Elementary and Secondary School Teachers, School Principals, and Educational Supervisors of the State Department of Education. The analysis carried out showed that, in the largest public school system in the country, the teaching career has been changed to get closer and closer to a managerialist perspective, of which the change approved in 2022 is an example, since it emphasizes performance and merit and disregards the time of teaching experience.

*Keywords:* Reaching Appreciation. Teaching Career. Career Plans. Teaching Working Conditions. Teachers' Careers in São Paulo.

#### RESUMO

A legislação brasileira e a literatura vinculam a valorização e a atratividade da docência à criação de planos de carreira para o magistério público da educação básica. É possível, no entanto,

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observar uma mudança significativa na forma de se conceber a carreira docente nos documentos oficiais e de organismos internacionais. Os documentos orientadores da carreira do magistério paulista refletem essas mudanças de forma exemplar. Tendo isso em vista, este artigo busca discutir essas alterações, em particular, as que dizem respeito às formas de movimentação na carreira docente, por meio da análise dos documentos orientadores da carreira, sobretudo do Estatuto do Magistério Paulista, aprovado pela Lei Complementar n. 444 de 1985, do Plano de Carreira, Vencimentos e Salários para os integrantes do Quadro do Magistério, instituído pela Lei Complementar n. 836 de 1997 e da recente Lei Complementar n. 1.374 de 2022, que instituiu novos Planos de Carreira e Remuneração para os Professores de Ensino Fundamental e Médio, para os Diretores Escolares e para os Supervisores Educacionais da Secretaria da Educação. A análise aqui empreendida evidenciou que, na maior rede de ensino pública do país, a carreira do magistério tem sido alterada de forma a se aproximar cada vez mais de uma perspectiva gerencialista, da qual a mudança aprovada em 2022 é exemplar, posto que enfatiza o desempenho e o mérito e desconsidera o tempo de experiência docente.

*Palavras-chave:* Valorização Docente. Carreira Docente. Planos de Carreira. Condições de Trabalho Docente. Carreira dos Professores em São Paulo.

## **Introduction**

The Federal Constitution of 1988 establishes that career plans for teachers, alongside hiring exclusively through public examination, are essential elements for the appreciation of public education professionals in Brazil (BRASIL, 1988). The National Education Guidelines and Framework Law (Lei de Diretrizes e Bases da Educação Nacional – LDB) n. 9.394 from 1996, article 67, also connects the creation of career plans to teacher appreciation (BRASIL, 1996).

Subsequently, Law n. 11.494 from 2007, which regulated the Fund for the Maintenance and Development of Basic Education and the Valorization of Education Professionals (Fundo de Manutenção e Desenvolvimento da Educação Básica e de Valorização dos Profissionais da Educação - Fundeb), established that the states, the Federal District, and the municipalities should implement career and remuneration plans for basic education professionals in their systems to ensure, for example, decent remuneration and improvement in the quality of teaching and learning (BRASIL, 2007). Law n. 14.113 from 2020 (BRASIL, 2020), which regulated the new Fundeb, reaffirmed these elements.

In 2008, Law n. 11.738 created the National Professional Base Salary for public teaching professionals in basic education and established a minimum value for initial salaries and a composition of the teaching workload that should be observed by the teaching systems in the elaboration of their career plans, that should be adjusted by December 31, 2009 (BRASIL, 2008).

The National Education Plan (Plano Nacional de Educação - PNE) approved by Law

n. 13.005 from 2014, in its goal number 17, stated: “promoting teaching professionals in public basic education systems in order to match their average income to that of other professionals with equivalent education, by the end of the sixth year of the PNE” (BRASIL, 2014). To achieve this goal, one of the proposed strategies was to implement career plans for teaching professionals in public systems, in accordance with the provisions of the law that created the National Professional Base Salary.

It is evident, therefore, that even though teacher’s appreciation is also related to other factors, public teaching career plans are considered by Brazilian legislation as an important strategy to achieve this appreciation, which was also observed by Rodríguez, Gutierrez and Severino (2018), when analyzing career plans in 12 Brazilian capitals. However, what needs to be considered in a career plan to increase attractiveness and ensure teacher appreciation?

The answer to that question seems to have changed in recent years. The reforms implemented since the 1990s in Brazil have promoted many changes in education and have even altered the ways of conceiving the teaching career. Increasingly aligning with typical assumptions of managerial logic that, within the scope of New Public Management, promoted the incorporation of a management perspective marked by the characteristics of the business world (NEWMAN; CLARKE, 2012), the appreciation of time of service and of teacher’s education began to lose ground among the career movement criteria considered by the plans of the different systems to make way for progression based on merit and performance evaluation.

In 2000, within the scope of the Support Program for Municipal Secretaries of Education (Programa de Apoio aos Secretários Municipais de Educação - Prasem), promoted by the School Strengthening Fund (Fundo de Fortalecimento da Escola - Fundescola) of the Ministry of Education (Mec), the document “Public Teaching Career and Remuneration Plan” was published aiming to “[...] assist Brazilian municipalities in the creation and implementation of new career and remuneration plans for municipal public teachers” (DUTRA JÚNIOR *et al.*, 2000, p. 8). This document already mentioned the existence of a “new career concept” (DUTRA JÚNIOR *et al.*, 2000, p. 21) identified after the LDB from 1996, and Law n. 9.424 from 1996, which created the Fund for the Maintenance and Development of Elementary Education and the Appreciation of Teaching (Fundo de Manutenção e Desenvolvimento do Ensino Fundamental e de Valorização do Magistério - Fundef). To identify the characteristics of what they call “old teaching plans”, that is, those elaborated before 1996, the authors of this document analyzed statutes or career plans of 22 states and found an “excessive valuation of time of service” in most of the plans analyzed (DUTRA JÚNIOR *et al.*, 2000, p. 24) and, on the other hand, observed the absence or insufficiency of ways to value teaching performance.

Changes promoted in the teachers’ career of the public school system in the state of São Paulo show the conception changing over the last decades. In this sense, this

paper will discuss these changes, especially those related to the ways of moving in the career, through the analysis of the guiding documents of São Paulo's teaching profession, mainly the Statute of the São Paulo Teaching Profession, approved by Complementary Law n. 444 from 1985 (SÃO PAULO, 1985), the Career, Wage and Salaries Plan for members of the Teaching Staff, instituted by Complementary Law n. 836 from 1997 (SÃO PAULO, 1997), and the recent Complementary Law n. 1.374 from 2022, which instituted new Career and Remuneration Plans for Elementary and Secondary School Teachers, for School Principals, and for Educational Supervisors of the State Department of Education (SÃO PAULO, 2022).

The analysis of such changes seems to be relevant, especially since it is the largest public education system in the country, which according to Nascimento, Medina and Camargo (2014, p. 3), “[...] due to its size and national representation, it is used as a parameter for several other municipal and state systems”. In addition, the most recent changes approved in 2022 promoted drastic alterations in the teaching career in São Paulo that still lack analytical treatment.

This paper is organized in two sections, in addition to this introduction: the first section will discuss the changes in the ways of conceiving the career and the teachers' appreciation in national legislation, in the literature, and in documents from international organizations; the second section will discuss the teaching career in São Paulo and its changes, focusing on the documents from 1985, 1997, and 2022.

## Career plans, teacher appreciation and attractiveness of teaching

The article 67 of the LDB establishes that the appreciation of education professionals would be achieved through the guarantee of the following elements in the career plans:

- I - entry exclusively through public examination of tests and titles;
- II - continued professional improvement, including periodic paid leave for this purpose;
- III - professional base salary;
- IV - functional progression based on title or qualification, and on performance evaluation;
- V - period reserved for studies, planning, and evaluation, included in the workload;
- VI - adequate working conditions. (BRASIL, 1996)

Even based on the provisions of the LDB, it is possible to question how these elements would be guaranteed by career plans: what is the base salary? In what ways would this functional progression take place? What working conditions are

considered adequate? That is, even though we have made progress towards forcing, by law, education systems to create their career plans, there still seem to be many gaps in understanding what would characterize a career plan that could, in fact, promote teacher's appreciation.

In this sense, even with a literature “[...] incomplete, sparse, and scarce regarding the analysis of a career concept, its principles, guidelines, structure, and funding” (ABREU, 2008, p. 53), several studies and documents have pointed out elements that should constitute a teaching career that values these professionals.

For Monlevade (2000), the appreciation of teachers would take place through the institution of careers that guarantee three elements: decent pay that ensures teachers the possibility of having a single job and, also, a positive social view of teaching; good initial and continuing education proportional to the needs of their work; and, finally, a career structure that encourages teachers to stay in the education system with a workload that includes the classes and the time needed for out-of-class activities.

Teacher appreciation is also addressed by Gatti and Barretto (2009). These authors point out the elements they consider necessary for such valorization and career-related issues stand out among these elements. Among other factors, the authors indicate the importance of frequently renewing teachers' motivation through career and remuneration, the creation of improvements in the teaching career and social appreciation of the profession, and the establishment of attractive careers that are capable of retain good teachers in the teaching profession.

To establish guidelines for the preparation of career and remuneration plans for teachers in Brazil, the National Council of Education (Conselho Nacional de Educação - CNE) approved Resolution CNE/CEB n. 3 from 1997, which was the basis for organizing the teaching career in Brazil for several years. This resolution, however, did not advance in the guidelines for the constitution of workloads, allowing workloads of less than 40 hours a week and establishing the percentage of out-of-class activities between 20% and 25%, not mentioning the National Professional Base Salary (Piso Salarial Profissional Nacional - PSPN) (BRASIL, 1997).

To replace this resolution, in May 2009, the CNE established, through Resolution CNE/CEB n. 2 from 2009, a new National Guidelines for the Career Plans and Remuneration of Teaching Professionals in Public Basic Education. In its 4th article, this resolution establishes the principles that should guide the elaboration of teaching career plans in Brazil and, among them, are: access to a career through public examination, decent remuneration with salaries or initial salaries never lower than the values corresponding to the PSPN, salary equalization with other careers of similar education level, salary progression in the career by incentives that take into account titles, experience, performance, updating and professional improvement, valuation of time of service, preferably full-time working hours, incentive to exclusive dedication in a single school, etc. (BRASIL, 2009).

A more recent study by Jacomini and Penna (2016) analyzed the career plans of 12 Brazilian states and found the need for progress with regard to hiring through public examinations, the creation of full work schedules, and the possibility of leaves for continuing education, also pointing out the need for these careers to contribute effectively to the political and social appreciation of the teaching profession, “[...] including to attract people with good education and allow a workload compatible with the specificity of the teaching work” (JACOMINI; PENNA, 2016, p. 196).

On the other hand, some documents from international organizations, as well as some national ones, have indicated other aspects to be observed in the constitution of the teaching career. In general, these documents criticize the movement in the career by valuing time of service and point to the need to consider teacher performance, which would allegedly make teaching a more competitive activity (UMANSKY, 2005; ELACQUA *et al.*, 2018).

Umansky (2005), in a World Bank document, considers that careers with a rigid salary structure, focused on valuing studies or time of service, do not contribute to attracting good teachers, even if they have higher salaries. According to this author, salary differences would be the best way to make teaching as competitive as other professions in the business sector.

The document “The teaching profession in Latin America: why has teaching lost prestige and how to recover it?” (ELACQUA *et al.*, 2018), published by the Inter-American Development Bank (IDB) also criticizes careers with fixed salaries and progression based on time of service, presenting merit assessment as promising to increase the attractiveness of teaching: “[...] since practices that reward professional merits can encourage more talented individuals to enter and remain in this profession” (ELACQUA *et al.*, 2018, p. 104).

Thomazini and Jacomini (2019), when analyzing the guidelines of international organizations on the career of teachers, also observed:

Regarding the teaching career, the object of this investigation, the set of documents presents a formulation aimed at convincing interlocutors that the supposed inefficiency of the public education sector is related to poorly formulated teaching careers, to the fact that they value ineffective aspects, such as time of service, academic education, stability in public service. The documents understand that such aspects hinder the change of educational policies with a focus on meritocratic models, which would generate effectiveness in educational systems, as long as performance evaluation could promote bonuses and sanctions to teachers. (THOMAZINI; JACOMINI, 2019, p. 121)

This teaching career organization logic is reflected in national documents. Bearing in mind the Brazilian legislation that, as seen, forced the teaching systems to create their teaching career plans and, above all, the 2014 PNE that established a deadline for this,

the Ministry of Education instituted, through Ordinance n. 387, from May 10, 2016, the Technical Assistance Network for Career and Remuneration Plans. The result of a joint action agreement between the Ministry of Education, the National Council of Secretaries of Education (Conselho Nacional de Secretários de Educação - Consed) and the National Union of Municipal Education Directors (União Nacional dos Dirigentes Municipais de Educação - Undime), this network was based on the “[...] need to promote professional appreciation, through the construction of attractive and sustainable Career and Remuneration Plans, from a budgetary point of view” (BRASIL, 2016a).

In the same month of May 2016, the Ministry of Education published the document “Career and Remuneration Plans: contributions to the elaboration and revision of career and remuneration plans for public basic school education professionals” (BRASIL, 2016b). This document, in addition to explaining the origins of resources allocated to education in Brazil, with special emphasis on the use of Fundeb resources, presents possibilities for organizing career plans and, although it signals the possibility of considering time of service as a criterion for moving in the career, it also presents progression by merit, considering the time of service in calculating the gap required for this progression, a strategy that, according to the document, would serve to value the time of the teacher in the system while recognizing merit (BRASIL, 2016b).

Similarly, the Consed along with the National Council of Administration Secretaries (Conselho Nacional dos Secretários de Administração - Consad) published, in 2021, the document “Strategic themes for teaching careers” which, based on the studies and analyzes of the working group constituted by Consed and Consad on the subject of teaching career plans, aims to: “[...] gather contributions for the elaboration of suggestions of strategic themes destined to support the initiatives to restructure career plans, present and future, in the Brazilian educational systems ” (CONSAD/ CONSED, 2021, p. 3). This document constantly refers to documents from international organizations, suggesting the introduction of forms of career progression based on merit, variable remuneration and the non-valuation of time of service, except as a form of interstice so that the teacher can claim progressions in the career.

Although it is evident that there is a change in the logic of organizing teachers' careers, one of the main motivations for thinking about these careers seems to remain the same: the question of the attractiveness of teaching in Brazil. That is because the low attractiveness of teaching is directly related to the structure of the teaching career, as shown by the report by researchers from Consad and Consed working group, Britto and Waltenberg (2020, p. 17):

Those who do not want to be teachers point out the following reasons for this: (i) **low salaries**, (ii) poor conditions of infrastructure and support material, (iii) **lack of social appreciation of the profession**, (iv) **lack of clarity in career plans, hiring arrangements and salary policy**; (v) physical and verbal violence in schools; (vi) heavy workload. (Emphasis added).

The lack of teachers in Brazilian education systems has already been pointed out by a series of studies and official documents for some time. The report “Scarcity of teachers in secondary education: structural and emergency proposals”, produced by a special commission of the CNE to study the deficit of secondary education teachers, published in 2007, aimed to propose measures to overcome the deficit of teachers and indicated the need for approximately 235 thousand teachers for secondary education across the country. The measures indicated by the document were focused on teacher’s education (RUIZ; RAMOS; HINGEL, 2007).

Pinto (2014), however, compares the number of students who got their licentiate degree with the number of teaching vacancies in Brazil and concludes that, with the exception of the Physics area, there is no shortage of qualified teachers to handle the existing demand in the country, which allows him to conclude that the shortage of teachers in Brazil “[...] is essentially a problem of the lack of attractiveness of the teaching career” (PINTO, 2014, p. 3).

Then, if we assume that education is important, that it is a right that must be guaranteed and that teachers are the subjects most centrally responsible for carrying out the educational process, guaranteeing the existence of qualified professionals in schools is an essential task, and it is directly related to the appreciation of teachers which, as pointed out here, can be promoted through the development of career plans.

### *Changes in the guiding documents of the teaching career in the state of São Paulo: 1985, 1997 and 2022*

Although it would be possible to approach several elements related to the teaching career from the 1985 Statute of the São Paulo State Teaching Profession, the Career, Wage and Salaries Plan for the members of the Teaching Profession from 1997, and the Career and Remuneration Plans for Elementary and Secondary School Teachers, School Principals, and Educational Supervisors of the State Department of Education from 2022, this section will focus on issues related to career movement, understood here as directly related to the appreciation and attractiveness of the teaching profession.

In principle, it is necessary to remember that, for a long time, the career of teachers did not have its own regulation, and in most education systems it was part of the general regulation of the statutes of the civil servants. Law 5.692 from 1971, however, when establishing the guidelines and bases for primary and secondary education in Brazil, determined, in Article 36, that each school system should have statutes that structured the teaching career (BRASIL, 1971).

Thus, in the state of São Paulo, the first teaching statute was approved in 1974, after a long process of debates mobilized by the teaching entities. This statute was replaced by a second one, in 1978, also influenced by the teaching movement that sought to have its demands met (CAÇÃO, 2001). Despite this second statute contemplating several of



these claims, the debate on the teaching situation in the state was resumed in the 1980s, leading to the approval of the third statute of the São Paulo State Teaching Profession, approved in 1985 by Complementary Law n. 444 (SÃO PAULO, 1985). According to Cação (2001, p. 137): “Although it had not contemplated all the claims of APEOESP and the category’s demands, it is undeniable the advance represented by the third Statute with regard to the teaching career and work relations within the public school”.

The 1985 Statute established a career with 52 references that corresponded to different remuneration values. The movement could take place by promotion, which, in this case, could happen by time of service, allowing the professional to move from one grade to another within the same reference, or by merit, which based on the verification of attendance allowed the earning of points that led to the elevation of a reference in the career. The movement also happened through functional progression, which consisted of reaching a higher level of remuneration through the completion of training courses. The statute also provided for a “teaching bonus”, which consisted in the attribution of 2.5 points per year of teaching activity (in any position or function). In other words, the 1985 Statute configured a career structure that rewarded the time spent teaching in the system and the continuity of the studies.

The document prepared by Fundescola and Mec, already mentioned here, considers this type of valuation of service time as excessive (DUTRA JÚNIOR *et al.*, 2000), since in addition to being counted towards progression, the time spent in the education system still allowed for a specific bonus. For these authors, “the overvaluation of time of service should not be maintained in new career plans, especially because it collides with the principles that inform the policy of the professionalization of teaching and teaching improvement” (DUTRA JÚNIOR *et al.*, 2000, p. 115). Other documents mentioned here, such as Elacqua *et al.* (2018), consider that valuing time of service causes bad teachers to be rewarded and contributes to demotivating good teachers who would feel dissatisfied by earning less than their poorly performing colleagues.

According to Dutra Júnior *et al.* (2000), although many states analyzed by them regulated the career through teaching statutes, the need imposed by the 1996 LDB implied the creation of career plans. According to this document, statute is a “[...] set of rules that regulate the functional relationship of public servants with the public administration, and provides, for example, on investiture, exercise, rights, advantages, duties and responsibilities”, while a plan career consists of “[...] the set of rules that define and regulate the conditions and the movement process of the members in a given career, and establishes the functional progression and the corresponding evolution of the remuneration” (DUTRA JÚNIOR *et al.*, 2000, p. 36).

Thus, shortly after the approval of the LDB, the state of São Paulo approved Complementary Law n. 836 from 1997 (SÃO PAULO, 1997), establishing the Career, Wage and Salaries Plan for the members of the Teaching Profession. As far as career movement is concerned, this plan initially foresaw that the functional evolution would

take place through the academic path (with the conclusion of higher and postgraduate courses) and through the non-academic path (considering improvement courses and production of works in the field of education). This evolution would make it possible for the teachers to move to a higher level of remuneration, respecting time interstices that varied between 4 and 6 years between each of the 5 levels.

It is noteworthy that the time of service is no longer one of the means of career progression, although the bonus for time of service is maintained every five years (quinquennia) and at the end of 20 years (sixth part). However, the permanence of these elements was mainly because the Article 129 of the Constitution of the State of São Paulo provided for additional time for service to be incorporated into the salary of the state civil servant (SÃO PAULO, 1989).

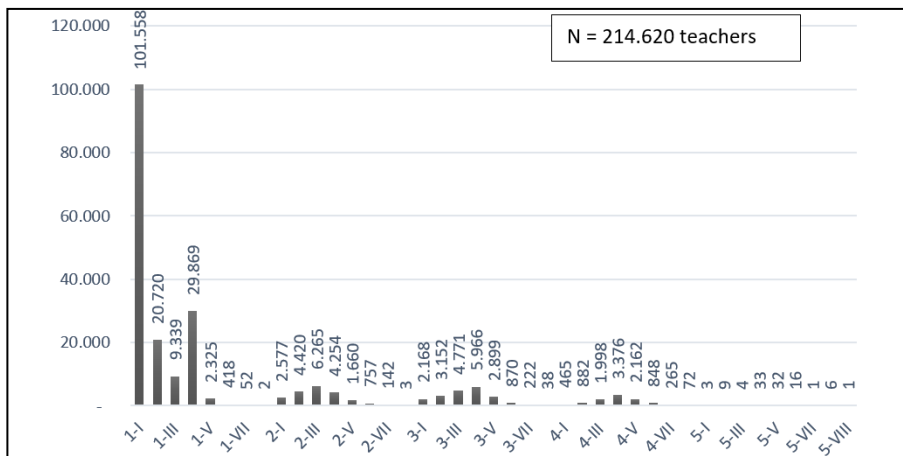
Subsequently, Law n. 1.097 from 2009 promoted changes in the structure of the teaching career, adding a merit-based promotion system (SÃO PAULO, 2009). This law alters the plan approved in 1997 by adding 5 bands to the career structure, which is then composed of 5 levels (in which the movement would occur by academic and non-academic progression) and 5 bands (in which movement would take place through promotion, considered as approval in an assessment applied by the Department of Education).

In 2011, Complementary Law n. 1.143 (SÃO PAULO, 2011) promoted new changes in the career plan of teachers in São Paulo, expanding the career levels and bands from 5 to 8. Thus, the career now has 8 levels and 8 bands, and the movement between these levels and bands depends on the fulfillment of interstices of time that vary from 4 to 6 years and other requirements. This change increased the breadth of the career, making it more difficult for teachers to reach the last stages, especially if we consider all the requirements to apply for moving from one level/band to another (SILVA; SANTOS; JACOMINI, 2022).

On the issue of breadth, the aforementioned Fundescola and Mec document considers that the organization of the career should enable a significant number of teachers to reach the final stages and, at the same time, should not allow teachers to reach the top of the career too quickly, as they would be left with no incentive to progress (DUTRA JÚNIOR *et al.*, 2000).

Data obtained from the State Department of Education of São Paulo (Secretaria da Educação do Estado de São Paulo - Seduc), via the Citizen Information Service (Serviço de Informação ao Cidadão - SIC), for the month of May 2022, show the total number of teachers and their position in the career bands and levels:

GRAPH 1: Teacher distribution by career band/level in May 2022.



SOURCE: Elaborated by the author, based on data provided by Seduc via SIC (Protocol SIC-SP n. 550281911304).

It is noteworthy that practically half of the active teachers in the system is in the early stages of their careers, which denotes the difficulty of moving between the many levels and bands and suggests that the plan in question has not fulfilled its function of valuing teachers. This becomes even more evident if we consider the low amounts of expected salaries for level I / band I, which is in the case of PEB II: R\$ 2,585.01, therefore, it is paid a supplementary allowance to reach the minimum amount established by the National Base Salary (R\$ 3,845.63).

This, incidentally, is another very relevant factor to think about the career, the appreciation, and the attractiveness of the teaching career in São Paulo, because the state of São Paulo has remained below the value established by the National Base Salary since 2014. As the value of the National Base Salary is annually adjusted according to the variation of the annual student value of Fundeb and the salaries of teachers in São Paulo have not been adjusted in the same proportion, there is a gap in the value of the salaries of teachers in the system in relation to the National Base Salary (BARBOSA; FERNANDES, 2016; BARBOSA *et al.*, 2020). Instead of granting increases in initial salaries, spreading across all career levels and bands, the government of the state of São Paulo granted additional allowances in 2017, 2019, 2020 and 2022 only to teachers who were in career stages that corresponded to salaries below the value established by the National Base Salary, thus promoting a flattening of the career. The value of the National Base Salary corresponds to the expected salary for teachers who are in Level

III / Band 4, for example, which accentuates the feeling of devaluation for teachers who have been in the system for a longer time.

This devaluation does not contribute to the attraction and retention of teachers. Pagani's research (2019) highlighted the large number of dismissals observed every year: on average, 3,000 permanent teachers give up teaching in the São Paulo public system per year. The teachers who were subjects of Pagani's research (2019) did not abandon the teaching profession but left their positions in the public teaching system of the state of São Paulo to work in other school systems, since most of them stated that they felt undervalued in the São Paulo state system.

In addition to the large number of dismissals, the state of São Paulo has not held public examinations for hiring teachers for a long time. The last public exam for PEB I was held in 2014, and for PEB II in 2013. These elements lead to the growing shortage of teachers observed in the system, which was reported in the media during the first half of 2022. According to the Technical Note "New Secondary Education and Induction of School Inequalities in the São Paulo State System", produced by the Public School and University Network (Rede Escola Pública e Universidade - REPU), in the first half of 2002 alone there were 22.1% of the formative itineraries classes of the New High School without assignment (REPU, 2022).

In March of that same year, the state of São Paulo approved Complementary Law n. 1.374 from 2022, which instituted the new Career and Remuneration Plans for Elementary and Secondary School Teachers, School Principals, and Educational Supervisors of the State Department of Education (SÃO PAULO, 2022). These new plans replace the Career, Wage and Salaries Plan for the members of the Teaching Profession, previously instituted by Complementary Law n. 836 of 1997.

As much as the 1997 career plan, along with the laws that altered it, already contained a more meritocratic logic, characteristic of the management of the education department that originated them (JACOMINI *et al.*, 2022), for education professionals in the São Paulo system approved in 2022 accentuate even more the managerial elements of the teaching career, presenting many changes in relation to the 1997 plan. Besides the separation of the teaching staff into two distinct careers - one for teachers and another for principals and supervisors, which can lead to a greater fragmentation of the category and resume the separation between teachers and the so-called education specialists -, the payment by subsidy instead of salaries, the improvement of the progression by performance, the end of bonuses based on time of service, a new configuration of the workload, and greater control of teacher's attendance are instituted.

To discuss the elements that follow, we will focus on the career plan proposed for teachers who, in this law, form a single teaching class called "Elementary and Secondary Education Teacher", and this position can be exercised in different "tracks": Regency (for the teacher who works in the classroom), Educational Specialist and Educational Management (for the teacher who performs the functions of Curriculum Team

Coordinator, Curriculum Specialist Teacher, Pedagogical Management Coordinator or School Organization Coordinator) (SÃO PAULO, 2022).

Many of the new elements brought by the 2022 law still lack specific regulation, but it is already possible to observe a great change in the way of understanding the teaching career, starting with the end of the bonus for time of service, made possible by the adoption of subsidy payments in salary replacement. In fact, except for the time required as an interstice for moving through the references, the new career plans for teachers in São Paulo do not consider any way of rewarding the time that the teacher remains in the system, as recommended by the documents of international organizations mentioned here and documents such as those of Consad / Consed (2021). Thus, the very idea of “having a career”, normally related to permanence in a profession, is undermined.

Another important change is that teachers’ workload will now be spent entirely at school. Previously, it was possible to carry out part of the out-of-class activities, or “pedagogical activities without interaction with students” (SÃO PAULO, 2022), in a place of the teacher’s choice.

The movement in the new career of São Paulo’s teachers, called evolution, will happen exclusively through performance and development along the career references. Evolution through performance will be carried out based on “[...] the exercise of skills and abilities related to technical and scientific knowledge, pedagogical practices, applied teaching skills, professional engagement and practice focused on the improvement of learning, observing the specificity of each track” (SÃO PAULO, 2022). In article 18 it is stated that performance assessments must be promoted every 2 years by the education department and that the processes of evolution through career performance “[...] may consist of assessments of knowledge and teaching practice, without loss to the other instruments defined in the regulation” and that “they will require the achievement, at least, of a satisfactory level by the participants” (SÃO PAULO, 2022). Evolution by development, on the other hand, consists of “recognition of the teacher’s competencies, through education and courses aimed at updating, professional improvement and postgraduate studies, through scientific production or development of skills related to professional practice”, and must be regulated by the education department, which will even define which courses may be considered, requested after fulfilling the established time periods, which is 3 years from the first to the second reference and 2 years for the others, and the teacher can only evolve through development after having obtained an evolution through performance.

Even though the new career has reduced the references through which teachers can move (from 64 in the previous career to 15 in the current career), the amplitude remains large, because even if a professor manages to evolve from one reference to another fulfilling the minimum time required by the legal interstice, it will still take about 30 years to reach the last reference. This difficulty becomes even greater if we consider that this evolution will be controlled by the education department and

not by the teacher, since it will be the department that will establish the means and the criteria for performance evaluation, as well as the courses accepted for evolution through development. The possibilities for career development are even more impaired if we consider that, according to the new plan, the interstices will restart every three unjustified absences of the teacher. In this regard, it should be noted that, in 2021, São Paulo public servants had their right to paid absences withdrawn by the government of the state of São Paulo, which approved, through Complementary Law n. 1.361 a broad administrative reform (SÃO PAULO, 2021).

Without the right to paid absences, fulfilling the entire workload at the school day, and being pressured to increase their performance, it is not improbable that data on illness and teacher absenteeism will increase, which, in this new career, will prevent evolution.

The government of the state of São Paulo advertised the new career using, mainly, the argument that it would greatly increase remuneration. This is because the value of the initial subsidy for the new career, that is, for the first reference in the teaching track, is R\$ 5,000, much higher than the initial salary established by the old career.

TABLE 1. Subsidy table with amounts in Reais per reference – Elementary and Secondary School Teacher – Licentiate Degree<sup>1</sup> – 40 hours.

L1	L2	L3	L4	L5	L6	L7	L8
5,000	5,500	6,100	6,600	7,200	7,700	8,300	8,800
L9	L10	L11	L12	L13	L14	L15	
9,400	9,900	10,500	11,000	11,600	12,300	13,000	

SOURCE: Annex II of Complementary Law n. 1.374 (SÃO PAULO, 2022).

After the great repercussion in the media of the lack of teachers in the São Paulo system during the first half of 2022, the government of the state of São Paulo announced the opening of vacancies for temporary hiring of teachers using the subsidies of the new career as an attraction, as can be seen in the headline: “SP has 2.9 thousand vacancies for teachers, with salaries between R\$ 5,000 and R\$ 7,000” (GAZETA DE SÃO PAULO, 2022).

The Union of Teachers of Official Education of the State of São Paulo (Sindicato dos Professores do Ensino Oficial do Estado de São Paulo - APEOESP), however, has made many criticisms of the new career and has produced material alerting teachers

<sup>1</sup> In the new career, teachers with master’s and doctorate degrees are included in a different reference table than those with licentiate degree.

about their problems. Among the elements mentioned, Apeoesp points out that, with the discounts, the net value of the subsidy received by teachers will be something around R\$ 3,800 reais (APEOESP, 2022), that is, slightly higher than the National Base Salary.

The new career will be implemented on a compulsory basis for new teachers, but it will be optional for teachers who are already in the system and who have up to 24 months from its implementation to decide whether to join. To this end, the Education Department itself made available, in its online system, the Digital School Secretary (Secretaria Escolar Digital - SED), a calculator that simulates the classification of active teachers in the new career. As an example, the chart below shows the result of the simulation of joining the new career of a permanent teacher who has already achieved some career advancements and who has 19 years of service in the state system:

CHART 1. Simulation of joining the new career of a Basic Education Teacher II (Band 3 / Level VI) with 19 years of experience in the State System– 40-hour work shift:

Situation in the career regulated by Complementary Law n. 836/1997		Situation with adherence to the career regulated by Complementary Law n. 1.374/2022	
Basic Education Teacher II Band 3/ Level VI		Elementary and High School Teacher Reference L2	
Denomination	Amount (R\$)	Denomination	Amount (R\$)
Base Salary	4,431.23	Subsidy	5,500.00
Additional for time of service	664.68	Advantage	94.92
Difference in additional payment for time of service obtained through legal action	498.51		
Gross Remuneration	5,594.42	Gross Remuneration	5,594.42
Hourly rate	22.16	Hourly rate	27.50

SOURCE: Elaborated by the author based on the result of a simulation carried out by a state school teacher on the calculator provided by Seduc at SED: <https://sed.educacao.sp.gov.br/>

It is noteworthy that the total amount of the remuneration does not change, while the value of the working hour changes, causing the impression that the option for the new career could be more advantageous. This happens because, deliberately, the education department chose to show the calculation of the hourly rate considering only the base salary for the old career, without the additional ones.

When joining the new career all teachers will, in principle, be included in the initial reference (L1), regardless of the time of service or the progressions already achieved

in the previous career. However, as the framework cannot cause wage losses, teachers whose remuneration exceeds the base salary amount may be framed in other references of the new career. This is the case of the teacher in the previous simulation, who even with career progressions and 19 years of service is classified in the second reference (L2), because the sum of the elements that make up his remuneration totals a little more than the value of the subsidy foreseen for this reference, which is R\$ 5,500.00, the difference is accounted for as “advantage”.

The inclusion in the new career disregards, therefore, the teacher’s time of service when it is incorporated at the beginning. Temporary teachers, hired on an emergency basis to make up for the lack of teachers in the network, although they do not fit into the teaching career, are already receiving the equivalent of the initial subsidy, as announced by the government. To fill vacant positions in the system, the state has also relaxed the requirements for hiring teachers, allowing the entry of degree students and professionals from other areas. Thus, in July 2022, it is possible to observe recently hired temporary teachers, without the education required by law, who will receive subsidies equal or even higher than the salaries of permanent teachers, legally qualified and with greater experience in teaching. Although the change in the career plans of teachers in São Paulo approved in 2022 is in line with the new logic of teaching careers already expressed here, the situation generated by the implementation of such changes seems to promote the devaluation of qualified and experienced teachers more than appreciation.

It is possible that the end of the bonus for time of service and the accentuation of the feeling of devaluation contribute to an increase in the number of teachers who give up teaching in the São Paulo system, which, in turn, may increase the turnover of teachers in schools. In the managerial logic, perhaps this turnover could be understood as something positive, since it could favor the entry of young professionals with a more competitive profile (UMANSKY, 2005). Pedagogical work, however, due to its collective nature, requires the creation of bonds that are only built over time, therefore, the adoption of such a logic for the organization of the teaching career undermines the search for quality education.

## **Final considerations**

It is evident that there is a change in the way of conceiving the teaching career, which adapted to managerial principles, tends to value the performance of teachers more than the time of service or even education. The typical logic of the business sector is observed in the documents of international organizations and national bodies such as Mec, Consed and Consad and, gradually, it is modifying the guiding documents of teaching careers in the Brazilian education systems.

The case of career plans for teachers in the state of São Paulo is exemplary in this regard. The Statute of the São Paulo State Teaching Profession, approved by



Complementary Law n. 444 from 1985, conceived, therefore, in a scenario of re-democratization of the country, provided for the possibility of moving up the career path by time of service, by title and did not consider merit, since the performance evaluation consisted only in verifying the teacher's attendance. The Career Plan approved in 1997, in compliance with the provisions of the 1996 LDB and more in line with the managerial perspective of the educational reforms from the 1990s, eliminated the possibility of progression by time of service, although it maintained the bonus for seniority in the system and, subsequently, with the approval of Complementary Law n. 1.097 from 2009, established progression through merit, along the lines of the business management of Maria Helena Guimarães de Castro at the head of the education department of the state of São Paulo. The 2022 plans, in turn, conceived in a scenario of flexibilization of rights and the intensification of the neoliberal discourse, eliminate once and for all the valuation of time of service and improve the forms of performance evaluation. The question that arises is: will these changes have a positive effect in attracting and retaining teachers in the system? The answer to this question will need to be sought by other studies that assess the effects of such changes in the São Paulo state public school system over the next few years.

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