

DA GARANTIA LEGAL AO NÃO PERTENCIMENTO: OS LIMITES DAS POLÍTICAS DE PERMANÊNCIA ESCOLAR PARA TRAVESTIS E MULHERES TRANS EM MATO GROSSO DO SUL

FROM LEGAL PROTECTION TO NON-BELONGING: THE LIMITS OF SCHOOL RETENTION POLICIES FOR TRANSVESTITES AND TRANS WOMEN IN MATO GROSSO DO SUL

DE LA GARANTÍA LEGAL A LA NO PERTENENCIA: LOS LÍMITES DE LAS POLÍTICAS DE PERMANENCIA ESCOLAR PARA TRAVESTIS Y MUJERES TRANS EN MATO GROSSO DO SUL

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Resumo

Este artigo apresenta resultados de uma pesquisa de pós-doutorado realizada em uma universidade pública de Goiás, cujo objetivo foi analisar a presença e a ausência de políticas de permanência escolar para travestis e mulheres trans nos documentos oficiais da rede estadual de Mato Grosso do Sul (MS). Fundamentado em perspectivas pós-críticas, o estudo utilizou abordagem bibliográfica e documental, examinando o Plano Estadual de Educação 2014–2025 (PEE/MS), seus relatórios de monitoramento, registros da Assembleia Legislativa (ALEMS) e documentos de uma Coordenadoria Regional de Educação (CRE) que supervisiona 20 escolas em cinco municípios. Identificou-se que todas as unidades atendem estudantes Lésbicas e Gays e, em média, ao menos uma ou duas travestis, mulheres trans ou pessoas não binárias, revelando demanda concreta por políticas específicas. A análise mostrou que, embora gênero, sexualidade, orientação sexual e diversidade apareçam no PEE/MS e o nome social esteja previsto em normas estaduais, tais menções são genéricas e não se convertem em ações efetivas de enfrentamento à transfobia. No âmbito da CRE, observaram-se ausência de programas institucionais e respostas improvisadas diante de situações de violência ou conflito. Conclui-se que a política educacional de MS opera por reconhecimento sobretudo formal, sem assegurar condições de pertencimento, segurança e continuidade escolar para travestis, mulheres trans e pessoas não binárias.

Palavras-chave: Gênero, Políticas educacionais, Permanência escolar, Estudantes trans.

Abstract

This article presents the results of a postdoctoral research project conducted at a public university in Goiás, Brazil, aimed at analyzing the presence and absence of school retention policies for transvestites and trans women in the official documents of the state education system of Mato Grosso do Sul (MS). Grounded in post-critical perspectives, the study employed bibliographic and documentary analysis, examining the 2014–2025 State Education Plan (PEE/MS), its monitoring reports, records from the Legislative Assembly (ALEMS), and documents from a Regional Education Coordination Office (CRE) responsible for supervising 20 schools across five municipalities. The findings indicate that all schools serve lesbian and gay students and, on average, at least one or two transvestites, transgender women, or non-binary students, revealing a concrete demand for specific policies. The analysis showed that although the terms gender, sexuality, sexual orientation, and diversity appear in the PEE/MS and the use of a social name is formally regulated, these mentions remain generic and do not translate into effective actions to

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confront transphobia. Within the CRE, there are no institutional programs or projects, and responses to situations of violence or conflict are improvised. The study concludes that educational policy in MS operates through largely formal recognition, without ensuring belonging, safety, or school continuity for transvestites, trans women, and non-binary students.

Keywords: Gender; Educational policy; School retention, Students trans.

Resumen

Este artículo presenta los resultados de una investigación de posdoctorado realizada en una universidad pública de Goiás, cuyo objetivo fue analizar la presencia y ausencia de políticas de permanencia escolar para travestis y mujeres trans en los documentos oficiales de la red educativa del estado de Mato Grosso do Sul (MS). Basado en perspectivas poscríticas, el estudio empleó análisis bibliográfico y documental, examinando el Plan Estatal de Educación 2014–2025 (PEE/MS), sus informes de monitoreo, registros de la Asamblea Legislativa (ALEMS) y documentos de una Coordinación Regional de Educación (CRE) responsable de supervisar 20 escuelas en cinco municipios. Los hallazgos indican que todas las unidades atienden estudiantes LGB y, en promedio, al menos una o dos travestis, mujeres trans o personas no binarias, lo que evidencia una demanda concreta por políticas específicas. El análisis mostró que, aunque los términos género, sexualidad, orientación sexual y diversidad aparecen en el PEE/MS y el uso del nombre social está normado, estas menciones son genéricas y no se traducen en acciones efectivas para enfrentar la transfobia. En el ámbito de la CRE, no existen programas o proyectos institucionales y predominan respuestas improvisadas ante situaciones de violencia o conflicto. El estudio concluye que la política educativa de MS opera mediante un reconocimiento principalmente formal, sin garantizar pertenencia, seguridad o continuidad escolar para travestis, mujeres trans y personas no binarias.

Palabras clave: Género; Políticas educativas; Permanencia escolar; Estudiantes trans.

INTRODUCTION

Discussions about the school retention of transvestite and transgender people have revealed the historical limitations of educational institutions in recognizing and guaranteeing the right to education for all bodies. Silva and Maio (2017) observed this reality when analyzing the case of a transvestite student in a public school in the state of Mato Grosso do Sul (MS). The video studied by the authors, a 2013 news report, exposes the barriers imposed on the use of social name and bathroom according to gender identity, revealing discourses that oscillate between timid support and complete neglect by the school community (administration, teaching staff, and students) and public agencies (State Public Prosecutor's Office). The lack of recognition and retention policies made the student feel displaced, questioning the very possibility of completing their schooling.

A similar event was identified by Silva (2019) in his doctoral research when analyzing the discursive memories of Nicole, a trans woman who, faced with the lack of institutional and family support during her gender transition, dropped out of school at the age of 13. Cases like Nicole's and that of the student from the capital show that school dropout among trans people does not occur only due to individual factors, but as a response to the symbolic and institutional violence that structures Brazilian public schools.

From a Foucauldian perspective, Andrade (2012) understands subjection to institutional transphobia as a form of resistance that exposes the disciplining power of institutions. This reading raises a central concern: to what extent is it humanly possible to endure the lack of support in the face of everyday and structural violences? Silva (2019) notes that, although adult transgender women

and transvestites return to school with greater security and subjective strengthening, adolescence, as a period marked by the search for belonging and acceptance, continues to be a stage in which family and school exclusions become especially unbearable.

The common denominator of these narratives is the same: the social reproduction of a cisheteronormative school environment (the expectation that all people correspond their gender identities and sexualities according to their genitalia), and, consequently, exclusionary. This finding imposes the need to revisit these spaces to understand whether, after advances in the field of human and educational rights, there have been effective transformations. However, as Benevides (2025) warns, the current context points to the opposite: the intensification of a global anti-trans agenda and the proliferation of false news about gender identities and sexual diversity have worsened the persecution and neglect of transgender students and their families: “[a]fter the possible support networks are exhausted, ties with family and friends are cut off, and institutions such as schools and the healthcare system neglect their existence, suicide attempts emerge” (Benevides, 2025, p. 94).

In light of this scenario, this study starts from the hypothesis that transvestite and transgender bodies continue to be made invisible in the public educational policies of the State of MS. Thus, it was proposed to analyze the presence and absence of school retention policies for transvestites and trans women in the official documents of the State Education System.

Based on a post-critical approach, the research adopts a bibliographic and documentary methodology, examining the State Education Plan (2014–2025), its monitoring reports, records available on the website of the Legislative Assembly of Mato Grosso do Sul (ALEMS), and documents from a Regional Education Coordination (CRE), responsible for overseeing schools in five municipalities. It was found that, among the 20 jurisdictional units, in addition to the presence of lesbian and gay students, there are also, up to two, transvestites, trans women, or non-binary people. From this information, concrete policies are urgently needed to ensure the educational permanence and dignity of these people.

The research was conducted in the modality of a postdoctoral internship, linked to the research line Culture, Identities, and Language in Educational Processes, of the Graduate Program in Education (PPGE) at the Federal University of Jataí (UFJ). Its initial results indicate that, although there are legal provisions that foresee respect for diversity, the absence of specific retention policies still perpetuates the logic of exclusion that marks the school trajectory of students with transgender identities.

METHOD

Paraíso and Meyer (2014) highlight that post-critical research often suffers from labels that disqualify its scientific validity. Critical-reflexive approaches that question the educational system, seeking to deterritorialize univocal and totalizing explanations about the effects of meanings that traverse curricula and subjectivities, have been targets of attacks in the field of education. Perspectives inspired by Deleuze, Guattari, Foucault, among other authors, are daily

questioned and discredited under the argument that the presence of the subject (researcher or participant) would compromise the “objectivity” of the research.

In this same movement, Gastaldo (2014) argues that the production of knowledge situated within the framework of post-critical theories is embedded in the micropolitics of everyday life. For the author, the use of flexible research tools does not eliminate methodological rigor; on the contrary, it requires that the researcher, even while immersed in the relationships that make up their object, maintain analytical consistency when producing, collecting, and interpreting data.

It is within this theoretical horizon that the present study is situated, seeking to question and problematize the educational environment created by the state education system for the permanence of trans and non-binary people. It starts from the understanding that the use of generic expressions in pedagogical proposals, curricular plans, and official documents, including in the PEE, does not, by itself, guarantee that retention policies are being effectively constructed. On the contrary, totalizing narratives anchored in discourses of inclusion and equity can operate as strategies of silencing. Saying that these people “are included” does not ensure that processes of exclusion and expulsion cease to affect them.

The erasure of their presence in institutional documents thus materializes strategies of macropolitics of power that regulate who can or cannot study and build life projects through public education. In this sense, the absences are, themselves, significant and reveal ways of managing bodies, identities, and belongings.

Maknamara and Paraíso (2013, p. 42) observe that post-critical thought results from the influences of “[...] postmodernism, post-structuralism, and philosophies of difference, as well as cultural studies, post-colonialist, post-Marxist, multiculturalist, ecological, ethnic, and feminist and gender studies on theorization, research, and practices in the educational field.” These influences challenge naturalized conceptions of culture and push institutions to recognize the ways in which they distribute legitimacy among the individuals who attend them. In this sense, it is necessary to question: what culture is this that permeates and sustains the lack of recognition of trans and non-binary bodies in the school environment?

This is a culture marked by sexist, misogynistic, and macho practices that structure social relationships and, above all, pave paths of privilege throughout schooling. The notion of passability, in this context, becomes a relevant analytical tool: what conditions are offered (or denied) for trans and non-binary students to navigate, remain, and have their dignity recognized in educational institutions? The examination of official documents thus proves to be a strategy to challenge limits and contest the apparent neutrality of educational policies.

Methodologically, documentary research was used as a resource to gather and analyze a set of documents. According to Bardin (1979), this type of investigation involves three stages: (1) pre-analysis, (2) organization of the material, and (3) analysis of the collected data. The pre-analysis requires the outlining of objectives, the development of a work plan, the selection of sources, and the formulation of hypotheses. Procedures adopted in this study to guide the treatment of the documents from the perspective of post-critical theories.

In the stage of organizing the material, the following were examined: the State Education Plan 2014–2025 (PEE/MS), its monitoring reports, the website of the Legislative Assembly (ALEMS), and information from a Regional Education Coordination (CRE) responsible for supervising schools in five municipalities.

The documentary research was planned with the aim of identifying, in the documents analyzed, the presence or absence of terms that referred to transgender and transvestite people, while non-binary individuals appeared in the investigated field. These terms functioned as search devices to locate indications of institutional authorization or permission to address the demands of these groups. In view of the recurring absence of such expressions, secondary searches were incorporated with the categories "gender", "sexualities", "sexual orientation", and "diversities", aiming to bring closer topics that could open opportunities for discussing the presence of these individuals within the schools in the investigated region.

RESULTS

The PEE of MS is in effect between the years 2014-2025, constructed by representatives, full members, and alternates from different governmental and non-governmental organizations linked to education. These different groups that participated in the construction process of the PEE/MS had to base their work on the National Education Plan (PNE). The descriptors used were as follows: 1) gender; 2) sexual orientation; 3) sexuality; 4) diversity.

Table 1 – Terms in the PEE/MS

Researched points	Searched points Searched terms			
	Gender	Orientation Sexuality	Sexuality	Diversity
Relation to the topic	8	1	2	16
Not Relation to the topic	4 (Textual genres)	-	-	-

Source: prepared by the author, 2025.

Table 1 notes that the word sexuality appears very few times, and diversity has appeared more than the terms gender and sexualities. The term diversity generally appears associated with ethnic-racial, cultural, and generational words. It is striking because the term is not associated with gender and sexualities. This is due, according to Klein (2015), to the events that preceded the development of education plans by the three levels of government.

Even though the events of the National Education Conference (CONAE) in 2010 considered the relevance of including topics related to gender and sexualities within Axis VI, entitled: Social justice, education, and work: inclusion, diversity and equality; parliamentary and religious leaders, in 2014, vehemently expressed themselves, “[...] so that this ‘gender ideology’ would not be

incorporated into the PNE and the subsequent State and Municipal Education Plans, making this certainly one of the central and most controversial issues in its processing both at the national level, and at the state and municipal levels” (Klein, 2015, p. 151).

Similarly, Viana and Bortolini (2020, p. 3) demonstrated the disputes surrounding gender issues in the PEE of 24 Brazilian states to understand: “[...] the partial inclusion, omission, or veto of these dimensions in the plans gives us indications of how much and in what way these topics were negotiated in the development of educational policies within the states and the Federal District.” In our state, according to the authors, there is an evident articulation of gender as human rights with other themes that can ensure a discussion focused on reducing inequalities experienced by women and LGBTI+ people. Even in the face of conservative setbacks in the analyzed PEEs, Viana and Bortolini (2020) understand that the presence of these terms in many documents was only possible due to the existence of groups and research in our country that bring the debate on LGBTI+ people's rights associated with the right to education.

The very concept and use of gender is also under dispute. In other words, despite the clamor and impact caused by the suppression of the direct mention of gender in the National Education Plan, more than half of the education plans, albeit in quite different ways, included issues related to the women's agenda, from a gender perspective, in their final wording. Several states commit to confronting social discrimination in general, and some to embracing various dimensions of gender and sexual diversity at different levels and modalities of education [...] (Viana, Bortolini, 2020, p. 19).

It is worth considering that the term “gender ideology” is not a creation of the field of gender studies, but is strongly related to a fanciful and delusional creation designed to generate misinformation and moral destabilization in people who are unaware of the subject. A movement, in this case, that also affected the state of MS. This requires understanding how these issues affect transgender and transvestite students.

The search, in this case, was relevant to problematize how issues related to trans and transvestite people could be incorporated into the thinking of gender diversity and sexualities within the scope of the PEE/MS. Below are considerations about the goals of the PEE/MS and the strategies chosen to put them into practice. Thus, Goal 7 is presented, as it is directly related to the conditions of permanence and school progression.

Goal 7 is: promote the quality of basic education at all stages and modalities, with improvement of school progression and learning, in order to reach the national averages for the Basic Education Development Index (IDEB). The goals achieved in previous years are reproduced as a guide for the units to reach or surpass. In this sense, it is noteworthy to recognize that educational processes, to be of quality, need to generate a higher flow of retention and completion. In the case of students from different social groups, the problem was previously linked to difficulties of access.

The right to education is recognized, even with so many limitations that the country has in providing all people with quality education; still, there are people who are not having access to an education that is socially referenced in the belonging of students in basic education. The poor conditions of Brazilian educational policies to manage a quality continuity flow prevent transvestite students and transgender women from having an educational flow with concrete and firm projects for completing their schooling. Thus, Guizzo and Felipe (2016) point out that the fact that the field of gender and sexuality research has expanded in recent years does not mean that the adoption of effective policies builds itself, or that it has the strength to remain necessary at different times: "This, however, is not a guarantee of changes regarding prejudiced and discriminatory behaviors that still occur in schools (and in other cultural and social spaces)."

The authors go further and indicate that the topic needs to be a constant focus of questioning and problematization, proposing two areas of discussion of educational policy: that of the field of legislation and teacher training:

For there to be effective work in Basic Education schools, it is necessary not only that the themes in question are included in legal documents (opinions, guidelines, and/or legislation), but also that there is investment in teacher training (both initial and continuing) that is articulated to gender and sexualities, so that discussions and debates around them can occur (Guizzo; Felipe, 2016, p. 488).

Thus, we cannot say that the PEE document (2014-2024) is completely disconnected from the demands of the transgender and transsexual population, since it points to the implementation and development of policies for the prevention of violence in schools. These violences occur with gender identity and sexualities of the LGBTQIA+ population as motivating factors. Regarding the strategy, in Goal 7, there are three that use the terms gender, sexuality, and sexual orientation. Below, one of these strategies is presented.

7.33 implement and develop, by the second year of the PEE-MS's validity, policies for the prevention and combat of violence in schools, with training for education professionals to carry out preventive actions with students in detecting causes such as: domestic and sexual violence, ethnic-racial issues, gender and sexual orientation, for the adoption of appropriate measures, promoting and ensuring a culture of peace and a school environment endowed with safety for the community.

Even if still in a timid way, the document recognizes that, to ensure a quality education, it is essential to address issues related to the social markers of differences present among students. In this regard, the institutional focus has been on promoting a culture of peace within the educational units. Such guideline, however, raises a tension: a school that reproduces, silences, or normalizes LGBT-phobic violence will hardly be able to ensure a truly safe environment for the entire school community, as guided by strategy 7.33.

What is questioned here is the way in which LGBTphobia and its multiple expressions, intersected by the specificities of each subject that makes up the acronym, demand a treatment that cannot be reduced to generic categories of school violence. It allows us to problematize the very idea of “violence” as a unified category, highlighting that normative discourses on safety and coexistence tend to erase power asymmetries that shape bodies and identities in different ways.

Recognizing this implies acknowledging that situations of transphobia cannot be analyzed or addressed within the same interpretive framework as other school conflicts, as they produce specific political and subjective marks. Therefore, the development of effective policies and practices requires moving away from totalizing explanations, questioning the regimes of truth that sustain inequalities, and naturalize certain existences as deviations or threats. Only through this gesture of critical destabilization is it possible to build a school culture committed to the recognition of differences and to the creation of safe, affirmative, and non-violent living conditions.

Continuing with the presence of terms related to gender and sexuality, strategy 7.34 is observed:

7.34 - promote and ensure the continuous training of education professionals, including managers and employees of the education departments, on: human rights, health promotion and prevention of STDs/AIDS, alcoholism and drugs, in their interface with gender and sexuality issues, ethnic-racial issues, generational issues, the situation of people with disabilities, during the validity of the PEE-MS.

The use of the concept of “interface” allows establishing connections between what happens in the social scenario and the school content. For this, the training of education professionals represents an essential locus to qualify the permanence of LGBTI+ students, women, indigenous people, black people, and quilombolas... which can be problematized within an intersectional framework by the teacher in the classroom.

And, with the aim of making such topics a subject of constant mobilization for educational units, the PEE also makes it possible, with very few mentions of the terms gender, sexuality, and sexual orientation, to carry out pedagogical work to raise awareness of LGBT-phobic violence, in accordance with human rights, as a topic that most incorporates discussions on the retention and completion of schooling for transvestite, transgender, and non-binary people. And it continues, in the last strategy with this focus:

7.35 - develop and distribute, in partnership with the competent bodies, educational material for educators, students, and parents and/or guardians about: human rights, health promotion and prevention of STDs/AIDS,

alcoholism and drugs, in their interface with gender and sexuality issues, ethnic-racial and generational issues.

The difference between strategy 7.34 and 7.35 refers to the training processes of educators and other education professionals, as well as contributing to the creation of teaching materials. It concerns the way discussions of gender, sexualities, race, and generational aspects have been brought into the strategy, with a tone of STD/AIDS prevention. In many cases, it echoes the return of a time when sexual education symbolized more of an essentialist and biologicist concern than a biopsychosocial dynamic of development of educational proposals for understanding sexuality and gender, measured in the social context of the students (Vieira; Matsukura, 2017).

Another goal with the term gender was 16. This goal relates to the training of basic education teaching professionals, being: "to train, at the postgraduate level, 60% of basic education teachers by the last year of validity of this PEE, and to guarantee all basic education professionals continuing education in their area of expertise, considering the needs, demands, and contexts of the education systems".

It was interesting to propose that gender issues and other aspects of diversity be included as topics to be the focus of the continuous teacher training process, and for this, the strategies were:

16.2. - coordinate with public and private Higher Education Institutions (HEI) the offering, on-site and/or off-site, of continuing education courses, in-person and/or distance learning, with differentiated schedules, for special education, school management, education of young people and adults, early childhood education, indigenous school education, rural education, quilombola school education, and education and gender, starting from the first year of validity of the PEE-MS (PEE/MS, 2014-2025).

It is pertinent to recognize that, recurrently, discussions about gender tend to be limited to the relationships between men and women, reducing the complexity of the markers that traverse bodies and their ways of existing. This discussion about the fixed nature attributed to the gender identities of cis men and women also emerges in the way educational policies have incorporated women's gender agendas, as analyzed by Viana and Bortolini (2020). This reduction highlights a normative framing that, when absorbed by education plans, reinforces the idea that gender is limited to a stable and coherent dichotomy, erasing the complexity of experiences that go beyond the binary, and thus reproducing regimes of normative intelligibility.

The impossibility of addressing sexuality in a broad manner in the document, confining it, like the PEE/MS, to a strictly biological conception of the body, contributes to institutional silence in the face of situations of LGBTphobia occurring in the educational units of MS. This discursive operation is not neutral: by depoliticizing sexuality and relegating it to the field of biology, conflicts,

inequalities, and regimes of truth that produce certain lives as more vulnerable to violence are erased.

Furlin (2021) observes that gender public policies began to be incorporated by state institutions in the early 21st century, especially with the rise of left-wing governments, such as those of the Workers' Party. However, the very institutionalization of these policies is questioned, revealing how, while they expand spaces of recognition, they also delineate the boundaries of what can be said, thought, and legitimized. Thus, when sexuality is authorized only from a biological perspective, it reaffirms a regime of normativity that makes LGBTI+ subjects invisible and reduces the critical power of gender policies, hindering the construction of effective responses to the violences that cross their school experiences.

According to Furlin (2021), public policies aimed at gender issues are based on the understanding that the State is not neutral, but acts directly in shaping social and political relations between genders. For this reason, such policies must take on the commitment to address inequalities and injustices that have historically marked relations between men and women. They are set within a broader scenario of actions aimed at improving the quality of life for the population, ensuring the full exercise of citizenship.

From this statement, it is possible to recognize that the field in which educational policies are defined is crossed by broad power struggles. Thus, it becomes relevant to question why terms that identify socially vulnerable groups – such as transvestites and transgender people – remain absent from these documents. The inclusion of these markers is not merely semantic: it expresses the capacity of public policies to recognize who can be enunciated, who can be intelligible, and, therefore, who is capable of being protected, under Butler's analytical terms (2015), in the work *Frames of War: When Is Life Grievable*.

Butler (2015) states that being known is different from being recognized. When we are merely known, our existence is tolerated and admitted without this causing any disruption to norms or institutions. Recognition, on the other hand, implies an ethical and political turn: our lives come to be understood as worthy of protection, and from this, policies are reorganized to ensure conditions for the existence, maintenance, and continuation of these lives.

Transposing this reflection to the field of educational policy, the recognition of transfeminine, trans, and non-binary bodies means including them as subjects of public policies for retention, which requires effective pedagogical and institutional actions to ensure their safety, combat transphobia, and expand their school retention. Without this recognition, these subjects are not the target of policies; they are only known; that is, mentioned or tolerated, but not considered in the formulation of the strategies that sustain their retention, dignity, and protection.

Under a Butlerian lens, this difference between knowing and recognizing highlights how discursive regimes produce lives that are more or less legible, more or less protected. To recognize implies transforming the structures; to know, merely maintaining them as they are.

However, when such subjects do not appear, a form of erasure occurs that limits the very scope of educational policies. From a post-structuralist perspective, this absence should not be read as an accidental gap, but as an effect of discursive regimes that regulate what can be said, seen, and legitimized. Thus, even if the presence of transvestites and trans people in educational units is a concrete fact, their non-naming prevents the development of pedagogical practices sensitive to their demands, reinforcing invisibility and restricting possibilities for transformative action.

The monitoring documents of the PEE/MS, in turn, present relevant information to understand both what has actually been carried out and what still needs to be addressed. The committee responsible for the biannual monitoring of the goals systematizes this data, and the following table establishes a correspondence between the goals achieved and the year in which their fulfillment was identified. These records, although fundamental, also reveal the institutional limits of a policy that advances in certain aspects, but still needs to challenge its own silences to promote an education committed to the plurality of existences.

The monitoring report for the period 2023-2025 is in the drafting stage. However, it is possible to observe that the achievement of PEE/MS targets 7.33, 7.34, and 7.35 has largely remained "in progress", with only target 7.33 completed between 2017-2020 according to the report.

On the Legislative Assembly of MS website

The search term used, at first, was: social name. The State has Resolution No. 2,800, of November 19, 2013, which provides for the registration of the social name of transvestites and trans women in school documents. However, the document presents a contradiction by referring to the transvestite and transgender student using the masculine article, as observed in: "Art. 3 The transvestite or transgender student must express, in writing, their interest in registering the social name at the time of enrollment or during the school year" (Mato Grosso do Sul, 2013, p. 34]

The same inconsistency persists in Resolution No. 3,443 of April 17, 2018, which fully reproduces the 2013 provision without correcting the inadequacy regarding the use of the masculine article to designate the gender identity of transvestites and transsexuals. It should be noted, however, that in other passages the resolution uses the expression "the transvestite or transsexual person", highlighting internal inconsistencies within the normative document itself.

When using, at a later stage, the terms transvestites and transsexuals in the search engine, several events and political actions aimed at this population were identified, ranging from regulations on social names to conferences intended to discuss their conditions of access and rights in different areas of social policies. Even so, such initiatives, when confronted with the text of the resolutions, reveal a characteristic tension of the discursive disputes that structure public policies.

From a perspective of questioning and problematization, the use of the masculine article to refer to transvestites and transsexuals is not only a linguistic mistake, but an effect of normative regimes that insist on reinscribing these identities within matrices of cisnormative intelligibility. It is worth opening up a space to discuss the term cisnormativity. According to Bonassi (2017, p. 19-20), the concept of cisnormativity:

[...] was conceived from the use of the term cisgender, and the date of its appearance is uncertain. Cisgender is a word coined in the 1990s and spread through cyber activism, activism carried out on the internet, mainly by trans and non-binary people. It designates people who identify exclusively with the sex/gender assigned to them at birth. The combination of cisgender with the word norm highlights the legitimacy attributed by the knowledge and powers that regulate and normalize sexuality, such as religion, biomedicine, and law.

To name is to produce reality. In this sense, when the State uses an article that contradicts the gender identity of the people it seeks to protect, it reaffirms, even if unintentionally, hierarchies of recognition that keep certain bodies in conditions of lesser legitimacy. Thus, even in the face of institutional advances, it is observed that full recognition continues to be conditioned by discursive practices that need to be continuously problematized and displaced.

Bento (2014) analyzes this discussion on the advancement of public policies for transvestites and transgender people from two perspectives: that of precarious citizenship and that of legal improvisation. In the first case, the author indicates that there is a paradox of inclusion and exclusion. She points out, in this sense, that in the legal field, institutions guarantee a right that is, in many cases, denied globally, such as the use of a social name. Conversely, the perspective of legal improvisation, as a second angle, is understood by Bento (2014, p. 12) as the legislation not substantially changing “[...] anything in the lives of the population most excluded from national citizenship.”

Searches at the CRE

The proposal to contact the CRE proved to be essential for understanding the institutional functioning of education management policies and the possible initiatives aimed at the inclusion of transvestites and trans women in the schools of the municipalities under its jurisdiction. An effort was made to identify whether there were, within the scope of the school units and the CRE, specific actions to confront transphobia and to promote pedagogical practices that ensure the retention and belonging of these students.

According to information obtained, there are, on average, at least two transvestites or trans women enrolled in each school unit. This information was important for understanding how actions are carried out that generate greater possibilities of educational success for these individuals. It was possible to access

two issues relevant to this debate: the use of a social name and the use of restrooms according to gender identity. It was observed that, although the use of a social name is guaranteed, the guidance given is that these students use the restrooms designated for staff and teachers or for people with disabilities (PWD).

Many studies and research indicate that the biggest dilemma faced by transgender and transvestite students has been the issue of using the women's bathroom. Among them, Cruz (2011) presented that, in 2011, most of the managers of public schools in a region of the State of São Paulo used the strategy of the staff and teachers' bathroom to resolve any dissonance arising from questions on the topic by the school community. It is striking to observe that a topic that should have already been resolved still remains on the agenda of social movements that advocate for the rights of transgender and transvestite people.

In 2023, more recently, the National Association of Transvestites and Transsexuals (ANTRA, 2023) published a technical note. The document brings together different legal frameworks, myths, stigmas, moral panics created by religious groups, among other relevant points, to motivate people to become informed about the topic, developing recommendations for addressing the situation in institutions.

The problem that most hindered the discussion, according to ANTRA (2023, p. 9), is that the main objective does not concern resolving the issue, but rather continuing practices of "[...] segregating, policing, and ensuring the hegemony of a certain group over another seen as immediately inferior. In the specific case of trans people, sexism, cissexism, and transphobia function as this mechanism of control over access to social spaces." As a consequence:

Prohibiting the use of restrooms according to gender identity and expression in public spaces can generate adverse consequences for the physical and mental health of transgender people, since the denial of access to restrooms causes transgender and transvestite individuals to avoid using public bathrooms, leading to intentional retention of urine and feces for prolonged periods, such as during the workday, which increases the risk of developing urinary tract diseases. Furthermore, there are transgender and transvestite people who drink less water to reduce trips to public restrooms. This behavior causes serious health consequences for transgender individuals, leading them to develop urinary and kidney problems (ANTRA, 2023, p. 11).

The measure, even if presented as temporary, of directing the use of employees' or PWDs' bathrooms to trans students, under the argument of conflict mediation, ends up reinforcing symbolic segregation and denying the right to social recognition. Such a practice places these students in a liminal zone of non-belonging, or even of dehumanization, as analyzed by Fanon (2008). Instead of supporting, the temporary solution redefines boundaries of circulation, reiterating the logic that certain bodies must be displaced, hidden, or kept on the margins to preserve cisnormative normality.

For this reason, the recommendations of ANTRA (2023) converge towards the definitive abolition of any form of hierarchy intended to organize the circulation of bodies from a biologicist perspective, or, as theoretically produced by transvestite and trans scholars, the sex-gender system (York, Oliveira, and Benevides, 2020). The proposal involves recognizing that not all people express themselves according to social conventions that assume the obligatoriness of alignment between gender identities and genitals. It is about shifting the focus from norms that classify, restrict, and discipline bodies, to institutional practices that expand possibilities of existence and ensure conditions for a dignified life.

In this sense, some recommendations can be highlighted, according to ANTRA's Technical Note (2023), with a view to guiding the formulation of strategies within the framework of the State Education System of MS. These recommendations challenge traditional models of school management and point to the need for policies that break with logics of silencing and exclusion, allowing institutions to recognize, rather than merely tolerate, the diversity of gender expressions present in their spaces.

i) whenever possible, the installation of single-use bathrooms independent of gender should be enabled in addition to the already existing male and female ones in public spaces; ii) awareness campaigns should be carried out about the right to gender self-determination of trans people and their guarantees; iii) as well as the possibility of posting signs indicating that these are safe and inclusive spaces for all people [...] (ANTRA, 2023, p. 29).

It was found that there are no programs, projects, or specific services offered by the regional management or by the school unit administrations aimed at promoting gender diversity and addressing transphobia. This institutional absence reveals a policy of not acting, which can be understood as a kind of active omission, perpetuating silence, and contributing to the educational and formative vulnerability of trans students in the school environment.

It was also identified, according to information from CRE, that the actions occur when the units identify students who request that teachers and other staff do not call them by their civil name, but by a name chosen by the student. In such cases, the unit itself provides guidance on how to make this request, with the consent of the student's guardians. Something noted by the CRE is the increase in students who request the use of a social name because they identify as non-binary people. In these cases, there is no normative guidance from the system to act, following the same protocols as the Resolution mentioned for transvestite and transgender people. It points to a novelty that needs to be considered in the scope of the discussion.

Regarding the question about actions taken to eliminate LGBTphobia in educational units, the information obtained was that broader actions are not carried out, only in cases where conflicts, jokes, bullying, and forms of violence occur, as a protocol to be implemented in every situation that happens within the unit. In this case, it is necessary to consider the specificity of each type of violence

for proper handling, considering that this universal approach may make the demands faced by this group within the unit invisible.

What is observed are broader actions of conflict prevention and forms of violence, but nothing official aimed at mobilizing the unit against transphobia or LGBTphobia. In this case, the presence of training programs and projects can be incorporated into the guidelines and directives contained in the PEE/MS. These findings directly impact the conditions of permanence and the educational trajectories of these students. On one hand, they highlight the difficulty of the school in pedagogically dealing with prejudices and symbolic violences of a transphobic nature; on the other hand, they denounce the structural incapacity of public policies to ensure a safe environment, of recognition and meaningful learning. As Bento (2014) analyzes, the school tends to reproduce the cisheteronormative grammar of the State, in which gender difference is treated as a deviation and inherently pathological, and not as a legitimate expression of human plurality/diversity.

The Educational Psychology Coordination (COPED), linked to the Superintendence of Educational Policies (SUPED) of the State Department of Education of MS (SED/MS), has guiding documents for the institutional flows of the school units connected to the state system on how to act in cases of violence. Called Violence among Students (SED/MS, 2022), in its second edition, the document names some forms of violence, such as: direct (physical and verbal) and indirect (socio-emotional and bullying). However, it does not mention forms of violence experienced by LGBTI+ people, implying that the specificity of this violence is treated within the same group as the other forms of violence.

Author of several dossiers on the murders of transvestite people, trans women, trans men, and transmasculine people, Benevides (2024) organizes various data year by year for ANTRA. It is alarming that, in 2024, when presenting the 2023 data, she says that “there is no educational policy that guarantees the retention and success of trans students within all educational institutions in all cycles” (Benevides, 2024, p. 25). In order to understand the implications of this statement for educational policy agendas, Barros' dissertation (2021) highlights advances and setbacks in the field of educational policies.

The study highlights important advances in recognizing violence against LGBTI+ students as a subject of educational public policies by mapping cases of violence in municipal schools in Picos-PI. Barros (2021) shows how institutions (including through public interest civil society organizations and community-based initiatives) are beginning to give visibility to the inequalities experienced by LGBTI+ people. This represents a break with the traditionally cisheteronormative school culture.

According to the author, this effort reflects a shift toward questioning heteronormativity and transforming school spaces into places that promote dignity, belonging, and identity plurality. However, Barros (2021) also reveals the limits and setbacks of these advances. The continuation of these initiatives in Picos/PI was interrupted in 2019, compromising the monitoring and consolidation of retention and protection policies for LGBTI+ students.

Furthermore, this visibility can be understood as partial, as it remains conditioned to external mediation, with the presence of public interest entities and local higher education institutions (HEIs), driving the discussion in search of the creation and strengthening of partnerships that do not always generate permanent structural changes in the public education system.

It is necessary, then, to understand that the State of MS, through its education departments and coordinations, needs to take responsibility for the elimination of educational barriers for LGBTI+ students itself. This aligns with Arroyo's (2011) proposal, by suggesting the combination of educational policies with the recognition of educational inequalities related to specific audiences within the scope of differences. The author raises many questions that should be considered guidelines for public policymakers and education administrators, for example: “[s]chool inequalities are reduced to the unequal abilities of students, holding them responsible for school inequalities” (Arroyo, 2011, p. 84).

This reduction of school inequalities among students becomes more pronounced as the children of popular groups, the most unequal, begin to arrive at schools. From policies, management, and analyses, it has been expected that they balance the inequalities among students and point out mechanisms for their correction. In this view, inequalities are not those of the schools. These are merely the locus where the unequal show themselves as unequal. Policy analyses are responsible for showing what political relationships reproduce these attempts to hold the groups made unequal accountable for their inequalities and those of the nation and the school system. (Arroyo, 2011, p. 85).

According to the author, we disregard the latent differences of our students when formulating educational policies because, for countless decades, we have thought about the ideal student, school, curriculum, right, education, and citizenship in an abstraction rather than a real context: “[w]ithout faces. Without concrete, historical, contextualized subjects. In this conception, progress is made in an ideal of equality so abstract and decontextualized that different unequal achievements will end up being left out” (Arroyo, 2011, p. 88). There are two issues pointed out by the author that deserve attention in this analysis.

The first is that conservatism gains political ground in debates because this conception of educational policy casts all the identity plurality of our students into abstract and egalitarian universalism. On the other hand, this view makes the unequal invisible and treats them with inclusion policies instead of recognition policies. Parallel to the issue of transvestite and trans women students, Arroyo (2011) understands that the social dimension of education is marked by inequalities that the school and the educational system reproduce, but do not fight against.

This is a perspective in educational policy useful for thinking about the recognition of the educational demands of transvestites and trans women in the educational system. In this way, it is possible to move from the sphere of formal needs to a broader effort to dismantle regimes of invisibility and social exclusion

of the right to education. A warning about the limits of education policies when they are not linked to structural transformations of social inequality, as Arroyo (2011) rightly points out.

It is worth highlighting that this articulation between educational policies and the reduction of inequalities for transvestites and trans women suggests a concrete risk: even with effective policies to reduce transphobia, if the State maintains hegemonic logics of curriculum, social normalization, and unequal distribution of resources, such measures may become symbolic. Or rather, without ensuring the effective recognition of these people's differences, significant changes in the logic of exclusion that educational policies impose on these bodies will consequently not be observed.

CONCLUSION

The research results show that, although the State of MS has legal provisions that mention gender, diversity, and the use of social names, such normative provisions remain insufficient to guarantee the continued presence and full recognition of transvestite students, trans women, and, why not say it, non-binary people. The documentary analysis of the PEE/MS (2014–2025), its reports, and the resolutions governing the state education system shows that the presence of these terms does not translate into structured and articulated policies, but rather functions more as a discursive mark of symbolic inclusion than as a material guarantee of rights.

Thus, the central objective of the study, to recall: identifying presences and absences in retention policies, was achieved, indicating gaps that compromise the effectiveness of educational actions.

The discussion also revealed that disputes around the inclusion of gender and sexualities in educational plans, intensified by the advance of conservative agendas, directly impact the formulation and implementation of policies aimed at trans populations. Even when expressions such as gender and diversity appear in the document, they are generally associated with biologicist perspectives or the cis women's agenda, reducing the complexity of experiences that go beyond the binary and reinforcing the normative framing. It is noted that the absence of transvestites and trans women in the documents is not mere oversight, but an effect of regimes of truth that define who can be recognized, and who remains only known, according to Butler (2015).

Another objective achieved by the research was the analysis of the institutional flows of the CRE, where it was found that, although there is a significant number of enrolled trans students, the welcoming practices are improvised, restricted to the scope of school management, and mostly guided by specific demands. The recurring practice of directing trans students to staff or PWD bathrooms, presented as a temporary solution, reveals a policy of symbolic segregation and reinforces the sex-gender system, as discussed by ANTRA (2023). Such a scenario confirms that institutional actions operate more under

the logic of “not doing” than through the active recognition of differences, perpetuating the school vulnerability of these students.

Comparative analyses with research such as Barros (2021) and reflections on educational inequalities proposed by Arroyo (2011) allow us to affirm that the educational policies in MS remain anchored in an abstract universalism that disregards the concrete subjects of public schools. Even with some discursive advances, such as the formal incorporation of the social name, the educational system still reproduces the conservatism and standardization that sustain historical inequalities. Policies become symbolic when they do not confront the structures that reproduce violence, exclusion, and school dropout, especially for bodies that do not perform cisnormativity.

In light of this, it is concluded that the challenge is not only to expand the presence of terms in official documents, but to produce a structural (why not say radical) change that recognizes the narratives, needs, and demands of transvestites, trans women, and non-binary people as a constitutive part of the right to education. The study reaffirms that effective retention policies require continuous training actions, precise normative reviews, institutional protection mechanisms, production of teaching materials, and pedagogical practices that challenge school cisheteronormativity. Thus, recognition, in turn, distinct from mere visibility, emerges as an indispensable condition for these students to not only have access, but to belong and complete their educational journey with dignity.

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