

CONTROL OF THE SCHOOL FEEDING PROGRAM IN A LARGE MUNICIPALITY

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ABSTRACT: To analyze the performance profile of the School Feeding Council (CAE) of a large municipality in the state of Rio de Janeiro. This is qualitative research of documentary analysis of federal regulations and of the public documents of the CAE meetings during the mandate from 2013 to 2016. The search of the norms of the School Feeding National (PNAE) was carried out on the website of the Ministry of Education, on the official website of the city council of the selected city. We can analyze that there seems to be a time tendency in federal government documents to strengthen the CAE oversight role and the analysis of the documents of the city points to convergence with this oversight conception of the CAE, focused on the bureaucratic processes of the resource, reporting irregularities to the control and reporting bodies, although participation movements in training events. The CAE's performance profile is shaped by the concept that prevails in the legal frameworks, standing out as supervisory and mostly technical.

KEY WORDS: Nutrition programs and policies; Social control, formal; Schools; School feeding.

CONTROLE SOCIAL DO PROGRAMA DE ALIMENTAÇÃO ESCOLAR EM UM MUNICÍPIO DE GRANDE PORTE SOCIAL

RESUMO: Analisar o perfil de atuação do Conselho de Alimentação Escolar (CAE) de um município de grande porte do estado do Rio de Janeiro. Trata-se de pesquisa qualitativa de análise documental de normativas federais e das atas públicas das reuniões do CAE durante o mandato de 2013 a 2016. A coleta de documentos foi realizada no sítio eletrônico do Ministério da Educação e no sítio eletrônico oficial da prefeitura do município estudado. Verificou-se tendência temporal nos documentos do governo federal de reforçar o papel fiscalizador do CAE e a análise das atas do município aponta convergência com essa concepção fiscalizadora, focada nos processos burocráticos do recurso, a prestação de contas, comunicação de irregularidades aos órgãos de controle e emissão de relatórios. O perfil de atuação do CAE é moldado pela concepção que predomina nos marcos legais se destacando como fiscalizador e majoritariamente técnico.

PALAVRAS-CHAVE: Alimentação escolar; Controle social; Instituições acadêmicas; Programas e políticas de nutrição e alimentação.

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INTRODUCTION

The redemocratization process in Brazil culminated in conquests registered in the Federal Constitution of 1988¹, inaugurating a new form in the relationship between State and society, with the institutionalization of mechanisms for social participation in public policies as permanent and deliberative collegiate instances^{2,3}. The institutionalization of participation and social control in public policies is established through councils, plebiscites, participatory budgeting or directly by citizens, who can act individually or in an organized manner in the monitoring and inspection of the implementation of social public policies, evaluating objectives, processes and results⁴.

One of the main mechanisms for consolidating participation occurs through social councils, which reinforce the idea of participatory democracy and social representation with instances of the executive power⁵. They are collegiate bodies organized to monitor and inspect public policies in the most diverse areas, composed of representatives of organized civil society and the government. These instances of exercising citizenship enable popular participation in public management, performing functions of inspection (monitoring and control of acts practiced by government officials), mobilization (encouraging popular participation in public management and disseminating strategies for informing society about public policies); deliberation and consultancy⁴. However, participation and control of society in the management and monitoring of public policies face challenges specific of each context and each participation mechanism^{6,7}.

The School Feeding Council (CAE in Portuguese) differs from other social policy councils in that it is a council linked to a specific program - the National School Food Program (PNAE in Portuguese) - and not to a macro-policy, as is the case of health and food and nutrition security councils, the latter recently extinct at national level, among others. It is up to CAE to deliberate, supervise and advise the PNAE, especially regarding the use of financial resources transferred by the National Education Development Fund (FNDE in Portuguese) to states and municipalities for school feeding⁸⁻¹¹.

The complexity that PNAE has acquired over time, especially regarding its importance in guaranteeing Food and Nutritional Security (SAN in Portuguese) and the Human Right to Adequate and Healthy Food (DHAAS in Portuguese), has brought new attributions, demands and challenges for CAE¹². Thus, understanding the performance characteristics and challenges that CAE face in their daily operations can contribute to support strategies for their strengthening in monitoring PNAE. Large municipalities have specificities, such as high number of schools, greater territorial extension, institutional dynamics and management of more complex resources that deserve to be studied, considering the knowledge gap on the subject. Thus, this study aimed to analyze the performance profile of CAE in a large municipality in the state of Rio de Janeiro.

METHODOLOGY

This is a qualitative research of documentary analysis¹³ of public minutes of CAE, meetings over a period of four years, during the 2013-2016 mandate, of a large municipality located in the metropolitan area of the state of Rio de Janeiro, as well as official documents produced by FNDE that deal with CAE. The study was based on references from the field of policy analysis, focused on concepts that emerge from narratives present in these documents¹⁴.

Based on the right to public access, the analysis of minutes referring to the four years of CAE mandate of the municipality under study was performed. The meeting minutes and regulations and legislation were considered as public policy documents, which constitute fundamental elements for the analysis of public policies and programs, and can thus indicate characteristics, advances and challenges of this participation mechanism and social control¹⁵. It was analyzed based on the identification of the dynamics of prioritized activities and predominant conception of CAE throughout the mandate as a mechanism of social control present in minutes and legislation, considered as dimensions of analysis. Thus, the performance profile of CAE was built based on the following analytical categories: 1) CAE structure and functioning; 2) relationship of CAE with other control

bodies; 3) mediation with the municipal executive power; 4) monitoring of school feeding; 5) accountability; 6) training activities and 7) CAE conception.

For documentary analysis of PNAE legislation (Table 1), the following steps were performed: preliminary reading, identification of the main themes described, thematic grouping and categorization¹³.

Table 1. Table of the legislation used in the documentary analysis of PNAE

Brazil. Legislative power. Law No. 8913 of July 12, 1994.	Decentralization of school meals.
Brazil. Ministry of Education. National Education Development Fund. Resolution No. 15 of August 25, 2000.	Establishes criteria and ways of transferring financial resources.
Brazil. Ministry of Education National Education Development Fund. Resolution No. 2 of January 10, 2002.	Establishes criteria for the transfer of financial resources.
Brazil. Ministry of Education National Education Development Fund. Resolution No. 35 of October 1, 2003.	Establishes criteria for the transfer of financial resources.
Brazil. Ministry of Education National Education Development Fund. Resolution No. 38 of August 23, 2004.	Establishes criteria for the PNAE execution.
Brazil. Ministry of Education National Fund for the Development of Education Resolution No. 35 of September 1, 2005.	Provides for the PNAE accountability.
Brazil. Ministry of Education National Education Development Fund (FNDE). Resolution 32 August 10, 2006.	Establishes the rules for the execution of the National School Feeding Program.
Brazil. Ministry of Education National Education Development Fund. Resolution 38 of August 19, 2008.	Establishes criteria for the transfer of financial resources.
Brazil. Legislative power. Law No. 11.947 of June 16, 2009.	Provides for attending school meals.
Brazil. Ministry of Education National Education Development Fund. Resolution No. 26 of June 17, 2013.	Provides for attending school meals.
Brazil. Presidency of the Republic. Law No. 12.982, of May 28, 2014.	Establishes adequate school meals for students with specific health status or condition.

This study was conducted in accordance with Resolution No. 466/12 of the National Health Council, Ministry of Health¹⁶, which ensures compliance with current ethical principles. In this sense, it was decided not to identify the municipality under study in order to avoid possible constraints due to the political importance of PNAE and CAE.

RESULTS

The CAE of the municipality under study was composed of two members from each segment: executive power, education officials, teachers, parents and representatives of professional councils. Forty-three minutes referring to four years of CAE mandate, were analyzed, with average attendance of 10 of the 12 counselors at each meeting. In addition to CAE members, other government agencies that assist in the executive management of PNAE participated in extraordinary meetings to address specific topics, as identified in the records of minutes.

During the mandate, CAE meetings were held almost monthly and had the presence of a large part of counselors, with average of 10 meetings per mandate year. In addition, extraordinary meetings were held to meet accountability and other priority issues. According to the records of minutes, the board built internal documents that guide their activities, organization and operation.

Regarding the CAE mediation with the executive power and other control bodies, a record on the communication of irregularities was identified, mainly in the delivery of foodstuffs (brands of non-approved products, non-compliance with delivery deadlines, omission of the presentation of new brands to the technical team of nutritionists for testing and homologation and persistence of irregularities even with the penalties applied), resulting in the disqualification of one of the supplying companies. In addition to these irregularities, there were records of problems with infrastructure of the School Food and Nutrition Unit (SFNU). Records of the receipt of official letters from the state's Public Prosecutor (MP in Portuguese) were also identified regarding user complaints about irregularities in school meals.

Regarding the monitoring of school meals, it was found that during the four-year mandate, CAE made around one thousand visits to schools in the municipality due to complaints from parents of students and other representatives of civil society, from the Public Prosecutor and at the initiative of the council in accordance with territorial planning. As for the dynamics of the CAE performance during visits, it was identified that the process occurred with the completion of the visit script (prepared by the council) with a copy for the school management and communication with the executive power in the monthly meetings for the forwarding of measures.

In this process, the main weaknesses in the SFNU documented in minutes referred to: infrastructure problems (equipment and infrastructure); absence of supporting documents for food handlers; insufficient number of food handlers and training programs; resistance to the proper use of personal protective equipment; problems related to school management; problems with the supply of foodstuffs and differences between planned and executed menu. Despite the high number of visits, there were few records on the return of visits with indication of solutions presented. An important record identified was about difficulties in the availability of vehicles provided by the city hall to carry out school visits.

Accountability focused on the Program's bureaucratic processes. During the mandate, two public calls were made for the purchase of foodstuffs from family farms; however, this process was unsuccessful, which was justified in minutes as the absence of family farms registered with PRONAF (National Program for Strengthening Family Agriculture). Only in the last year of the mandate, there was record in minutes on the attempt to purchase organic products and an internal board discussion clarifying the administrative process for purchasing organic products.

In addition to the analysis of described activities directly related to school meals, actions of administrative nature such as exchanging counselors throughout the mandate and introducing new members, complaining about their absences at meetings, production of visit guides to guide counselors and presentation of results of schools visited were identified, highlighting the positive aspects and weaknesses of SFNU. Some counselors par-

ticipated as speakers in classes at public universities disclosing the role of CAE, activities in schools and scientific and training events.

According to documentary analysis of PNAE legislation, the legal backgrounds that guide CAE's performance point out that since its creation, its character has been predominantly supervisory with attributions aimed at: the monitoring and application of financial resources destined for school meals, the communication of irregularities to control bodies and monitoring the sanitary quality of food. Its deliberative character is manifested when the conclusive opinion is issued, approving or not the accountability of the executive power since 2006⁸.

The participation of civil society in the monitoring of PNAE was expanded with the removal of the legislative power representation in CAE⁹; with the mandate extension to 4 years⁹ and the regulation of the appropriate infrastructure for the Council^{8,9}.

The inclusion of the provision of financial resources for CAE in the action plan, the obligation of the executive power to provide CAE with access to documents necessary for the performance of its activities, and the responsibility for the training of counselors and for the dissemination of CAE activities were also evident in the analyzed legislation¹⁰. Another aspect was the emphasis given in legislation for the development of its attributions in cooperation with the National Council for Food and Nutritional Security (CONSEA in Portuguese) and other related councils⁸.

Laws point to an apparent temporal trend in federal government documents to reinforce the supervisory role of CAE, especially focused on bureaucratic processes related to the use of resources, accountability, reporting irregularities to control bodies and issuing reports. The analysis of municipality minutes points to convergence with this supervisory concept of CAE (Table 1), although some records of participation in training events have been identified. This characteristic is also observed in the analysis of mediation with other supervisory bodies, such as MP, FNDE and the secretary of education itself; however, mediation with other policy councils was not recorded in minutes.

Table 2. Categories of analysis and respective description present in CAE minutes of a large municipality in the metropolitan region of the State of Rio de Janeiro in the period from 2013 to 2016

ANALYSIS CATEGORIES	DESCRIPTION
1) CAE structure and functioning	Elaboration of internal regulations, the action plan and planning for the use of the city hall vehicle.
2) Relationship between CAE and other control bodies	Reporting irregularities to FNDE and the Public Ministry
3) Mediation with the municipal executive power	Reporting irregularities and / or demands from schools; Request for documents.
4) Monitoring of school meals	Visits to School Food and Nutrition Units; Monitoring of purchasing processes (family farming, approved food brands); Identification of weaknesses in the school feeding program.
5) Accountability	Request for documents; Analysis of the annual FNDE accountability; Issuance of a conclusive opinion.
6) Training activities	CAE mobilization in the week of school meals, participation in scientific congresses, school Saturdays and lectures
7) CAE conception	Predominance of CAE conception as an instance of inspection

DISCUSSION

Social councils are spaces for mobilization, discussion, articulation, proposition and monitoring that influence the conduct of public policies. However, the existence of the council space does not guarantee its full operation in view of the complexity that involves the representativeness on councils, the operating structure, and the technical and political capacity of its members, among other aspects that affect mechanisms of social control¹⁷.

CAE is expected to monitor and inspect the application of the financial resources of PNAE, avoiding deviations and guaranteeing the right of children and adolescents to adequate and healthy food at school^{8,10}. The existence of the active CAE is a mechanism of social con-

trol mandatory within the scope of PNAE, being a necessary condition for states and municipalities to guarantee the transfer of financial resources from FNDE^{9,10}.

The municipality under study maintains an active CAE and guarantees the necessary infrastructure for its operation, which includes physical space, computer and desk. However, the availability of vehicles for visits was insufficient. Souza¹⁸ observed precarious operation when studying 425 counselors in 77 municipalities in the state of Minas Gerais and 07 in Espírito Santo and highlighted inadequate working conditions and lack of knowledge of the Program's regulations and CAE's internal regulations.

In the process of analyzing the records of minutes, it was possible to observe that the Council met monthly and elaborated internal regulations and their action plan, which are strategic activities for the performance of social control, as it is through these documents that the parameters necessary for the performance of its activities during a given mandate are established. It is, therefore, a management instrument of the Council that contributes for the planning and continuity of actions. Paludo¹⁹ showed that the average frequency of CAE meetings for all regions of Brazil is monthly and bimonthly, but there are some municipalities that have held annual meetings, demonstrating that, in these cases, CAE only meets to discuss the accountability of PNAE. According to Belik & Chaim²⁰, attendance at CAE meetings (over 20 meetings / year) enables improving school feeding programs.

Visits to SFNU stood out as one of the main activities identified, considering that it is essential to verify on the spot the daily activities of school meals. However, no records were identified of return visits to SFNU showing inadequacies or the planning for the monitoring of corrective measures taken by the manager in response to CAE demands. The full execution of CAE's actions is largely determined by regular visits to schools and discussions organized in meetings with deliberations regarding the PNAE's needs; therefore, extrapolating the accountability process²⁰. Thus, visits enable the analysis of quality and specifications of products delivered by suppliers, and are important mechanisms for monitoring contracts signed between companies and the municipal government, as observed in this study. In addition, it enhances the monitoring of the execution of planned menus, and

the physical and functional demands of SFNU, providing support to the CAE management.

It is noteworthy that some characteristics of large municipalities such as the large territorial extension, distant school units of difficult access, sometimes located in areas considered being “at risk”, where the domain of trafficking is predominant, can negatively impact the CAE’s capacity to comply all its assignments. It should also be noted that the activity of a counselor is unpaid¹⁰, which impairs carrying out subsequent visits considering the time available for participation in the council. However, the availability of financial resources for CAE activities is already foreseen in the legislation, as long as they are provided for in the action plan annually prepared by counselors¹⁰.

Despite the identified difficulties, it was observed, from records, good interaction and participation of council members for this activity that requires knowledge, responsibility and availability. However, according to Souza et al.²¹, one of the challenges for social control is the insufficiency in the technical and political capacity to guarantee resoluteness and a critical view of processes²¹. Training provided to counselors has been shown to be less than necessary to qualify the performance as social control in the context of school feeding¹⁸. Knowledge about the political importance of PNAE, its specific legislation, the duties of counselors and the availability of material resources are factors that can contribute to the greater participation of counselors in meetings and, consequently, better performance of CAE’s functions and the scope of DHHAS²⁴.

PNAE legislation establishes that the State must cooperate with the process of training of human resources involved in the execution of PNAE and in the social control of the program, which is the responsibility of states and municipalities, but there are no guidelines for a training program with an objective approach and instrumentalization to evaluate the municipality accountability, a situation that leads to the understanding that the process of training human resources is not compatible with the proposal of citizen participation, as suggested by Machado and Goldenberg²². In 2018, in a partnership with a Center for School Feeding and Nutrition (CECANE in Portuguese), FNDE provided training in the format

of Distance Education (EAD in Portuguese), which represents a strategy capable of contributing to the qualification of CAE counselors.

CAE’s analysis of accountability depends on information and documents issued by the executing entity and, therefore, on the municipality’s own institutional and financial structure. In this sense, difficulties in accessing and understanding the numerous documents necessary for such an analysis are commonly found. However, it is up to CAE to issue a conclusive opinion that must be sent to FNDE with the approval or not of accounts, which may imply suspension of transfer of funds by the federal government.

This process creates some stress for both municipality and CAE when an irregularity is found. Although CAE have a deliberative function, its main task is restricted to the drawing up of the conclusive opinion since 2006⁸. Counselors face difficulties in resolving relevant issues that depend on bureaucracy and resource mobilization that may affect the response to their demands, making them feasible or not, depending on the interest of the public power²³.

During the CAE mandate of the municipality under study, accounts were directly approved with reservations due to the weaknesses found during the mandate and the failure to comply with the purchase from family farms. Accountability and sending the final report to FNDE are exclusive activities of CAE and, if not carried out, the resource may be blocked and the supply of school meals may be compromised. It is worth highlighting the difficulty in analyzing accountability documents, especially in large municipalities, with high number of school units. The volume of invoices and the dynamics of the municipality’s financial management can make it difficult for CAE members to understand the accounting, which in general, do not have technical capacity to understand and approve all procedures operated by the municipality.

In the present study, in the civil society segment, CAE was represented by the Regional Accounting Council, which acted in monitoring financial resources for the purchase of foodstuffs and accountability to FNDE; however, in the records of minutes, there were many questions for

understanding the use of financial resources for school meals, without satisfactory response to the Council.

The non-compliance with legislation regarding the purchase of foodstuff from family farms by the municipality does not seem to have mobilized CAE members during the evaluation period. According to Paludo¹⁹, the appreciation and positioning of counselors on the complex process of purchasing foodstuffs from family farms for PNAE are still limited. This limitation points to the need to reformulate the accountability system so that they can be provided with more details on the execution of the Program, specifically on the purchase of foodstuffs from family farms. The articulated performance of CAE with other councils and actors involved with the SAN policy or theme provided for in the legislation³ could contribute to this process. However, CAE's participation in food and nutrition security councils was not identified in minutes.

Another important attribution of CAE is its participation in acceptability tests carried out in schools together with the technical team of nutritionists¹⁰. Acceptability tests consist of a set of procedures that assess the acceptance of a food by students, thus determining the quality of the service provided by schools in relation to the provision of school meals. They also contribute to reduce waste of public resources in the purchase of foodstuffs rejected by students²⁴.

Changes in legislation specifically regarding the provision of adequate school meals to students with specific dietary needs, specific dietary guidelines for each segment and age group, as well as the mandatory purchase of foodstuffs from family farms increase the CAE's demand for monitoring the execution of PNAE^{9,10}.

The study allowed identifying that the CAE of the municipality under study performed a large part of activities described in the National School Food Booklet¹⁷ and in the model proposed by Garcia et al²⁵, specifically in the "social control" sub-dimension. Activities carried out in the social control of the PNAE of this municipality are associated with the inspection of public resources, approval of accountability and sanitary hygienic control in the production of meals.

CAE also carried out activities that were essential to disseminate information about the importance of

social control in the inspection of public policies, such as the participation of counselors in scientific events and the presentation of lectures in Schools of Nutrition on the role and duties of CAE. The approximation between CAE and other institutions (Councils, Universities, Control bodies) contributes to broadening the view on social control and improving the technical knowledge of counselors for a critical view of the work carried out, as pointed out in minutes.

A study³ carried out in the State of Santa Catarina identified that the majority of municipal CAEs performed their attributions with high percentage of councilors not remembering the content of internal regulations and a small portion of them never read it. Pipitone et al²⁶ highlighted the need for more effective action by the Municipal School Food Councils as a space for popular participation and PNAE promotion. These studies demonstrate that there is still need to advance in popular participation through the dissemination of CAE's actions with consequent recognition of its importance by councilors, by the community and by the government.

Some records on the weaknesses in the PNAE execution in the municipality under study were forwarded to control bodies that provided, for example, the exchange of a supplier that failed to meet specifications regarding foodstuffs. However, there was no record of possible solutions to other weaknesses identified at SFNU, such as the lack of training for school cooks, nor about their insufficient quantity. Despite the transparency of information with the exercise of social control in school meals, community participation in the construction and strengthening of CAE is still insufficient^{18,20}.

Some factors may limit the effectiveness of the capacity for discussion and decision in these spaces such as: the duplicity of representation from the government and civil society; the dispute for distinct political projects between members and the government; the dialogue between the counselor and the council he/she represents; the ability to debate public policies with quality; the manager's political involvement and the lack of effective power sharing between the State and civil society, since the State concentrates decision-making and deliberation functions. Thus, Councils often become legitimizers of decisions taken by the executive power²⁷.

However, technical training, despite qualifying the council's performance, is often not sufficient to ensure its decision-making effectiveness. This is because, in many cases, counselors do not have a support base for their performance, which makes them extremely vulnerable to interference by public authorities. And yet, because training takes on a technical character that does not meet the latent need for political training²⁸. Querino et al²⁹ found that counselors who participated in other CAE mandates can become more aware of their political role, acquiring experiences and exercising citizenship that points to greater articulation among different public policies that dialogue with PNAE. Since the mandate period increased from two to four years, the legislation does not limit the participation of the CAE counselor, being able to remain as many mandates as desired¹⁰.

CONCLUDING REMARKS

The performance profile of CAE of the municipality under study is shaped by the concept that prevails in legal frameworks, in prioritized actions and in the dynamics of operation recorded in meeting minutes, standing out as supervisory and mostly technical. Technical representation was predominant, despite the participation of counselors in training and coordination courses with other public bodies, universities and councils.

CAE performed most of the activities described in the National School Food Booklet, but it is important that counselors know their rights, and the legal and institutional collection and monitoring instruments so that the incidence on these spaces becomes a management and qualification tool of the program. Special attention should be paid to the council composition in view of the real impact on the qualification of actions performed and on the lesser possibility of co-opting the space for political use and inadequate interference by the executive power in its decisions.

Studies on the work carried out by CAE, especially focused on in-depth understanding of the operation dynamics, the challenges in the relationship with managers and the local executive and in the fulfillment of the expected tasks, are still scarce. Qualitative analyses developed through interviews and focal groups with school

feeding managers, CAE members, responsible for public procurement and family farmers are needed to better understand the challenges and paths found for the exercise of social control in different Brazilian contexts.

The analysis of only one municipality, although limiting the extrapolation of results to other contexts, brings reflections on social control in metropolitan municipalities that can help to understand challenges and possibilities of action of school feeding councils in Brazil.

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