

## Review Article

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## Autistic Spectrum Disorder and Current Laws in Brazil

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### ABSTRACT

The objective of the work was to analyze the autistic spectrum disorder and the current laws in Brazil. In addition to the concept of TEA, a special law composed of a total of 8 (eight) articles establishes the inherent rights of these people, and in its 2nd article, establishes guidelines for national policies, including the intersectoriality of service actions of development; community participation; comprehensive attention to the needs of autistic patients, etc. The type of study is a systematic review, research of this type has the primary objective of exposing the attributes of a given phenomenon or statement among its variables. Thus, it is recommended that it presents characteristics such as: analyzing the atmosphere as a direct source of data and the researcher as a switch instrument; not to broker the use of statistical artifices and methods, having as a greater apprehension the interpretation of phenomena and the imputation of results, the method should be the main focus for the approach and not the result or the fruit, the appreciation of the data should be achieved from intuitively and inductively through the researcher.

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### Introduction

Autism spectrum disorder, which is represented by the acronym ASD, is a pathology that is currently the object of research in many scientific fields, not only in medicine, but also in law, as individuals who are identified as autistic have the status and condition Related legal privileges. Although the most recent, autism research is not new because it has been around since the 20th century and has evolved over the years into current knowledge of the disease. In 1908, Eugen Bleuler was responsible for naming the nomenclature “autism” to identify patients with schizophrenia [1]. In view of the need to regulate the rights of ASD patients in Brazil, on December 27, 2012, then President Dilma Rousseff enacted Law No. 12,764, whose provisions establish the national policy for the protection of people with autism [2]. After many struggles and perseverance, Law No. 12.764 / 12 was enacted, which formulated a national policy to protect the rights of people with autism spectrum disorders, and established the rights of physical and mental integrity, social tolerance, equality and dignity. People with autism are treated as people with disabilities, thus covering all legal rights guaranteed to people with disabilities [2].

The aforementioned Law No. 12.764 / 2012 is very important for the regulation of this matter, being also responsible for the legal definition of the TEA in article 1, paragraph 1: Article 1 [...] § 1 The term “person with autism spectrum disorder” in this law refers to a clinical syndrome with the first or second characteristics of the following: I-Continuous and clinically significant damage to communication and social interaction, manifested as significant damage to verbal and nonverbal communication used for social

interaction, lack of social reciprocity, failure to develop and maintain a relationship appropriate to their level of development; II- Restrictive and repetitive behaviors, interests and activity patterns, manifested as stereotyped sports or speech behaviors or abnormal sensory behaviors; excessive compliance with ritualized conventions and patterns of behavior; restricted and fixed interests [2].

In addition to the concept of TEA, a special law composed of a total of 8 (eight) articles establishes the inherent rights of these people, and in its 2nd article, establishes guidelines for national policies, including the intersectoriality of service actions of development; community participation; comprehensive attention to the needs of autistic patients, etc.

The objective of the work was to analyze the autistic spectrum disorder and the current laws in Brazil.

### Methodology

The type of study is a systematic review, research of this type has the primary objective of exposing the attributes of a given phenomenon or statement among its variables. Thus, it is recommended that it presents characteristics such as: analyzing the atmosphere as a direct source of data and the researcher as a switch instrument; not to broker the use of statistical artifices and methods, having as a greater apprehension the interpretation of phenomena and the imputation of results, the method should be the main focus for the approach and not the result or the fruit, the appreciation of the data should be achieved from intuitively and inductively through the researcher.

**Table**

References	Objectives	Method	Results
ALMEIDA, Hévelin Caroline Melo de. The effectiveness of Law No. 12,764/12, which protects the rights of individuals with Autistic Spectrum Disorder, regarding inclusion in regular schools. <i>Ambito Jurídico Magazine</i> , October 1, 2020.	The present work aims to question the effective application of the Law that protects the rights of individuals diagnosed with Autistic Spectrum Disorder regarding their inclusion in regular schools,	Literature review	These facts will be validated through a bibliographic study, as well as Law No. 12764/12 and other normative instruments that regulate the referred matter.
MONTEIRO, K. The autistic person and his objects. 1st ed. Rio de Janeiro. Publisher: Sete Letras 2015.	Analyzing the treatment proposals intend, based on this assumption, to overcome this deficiency through different methods.	Literature review	Autism is now a widely publicized issue in the media. Diagnoses of the so-called “autism spectrum” proliferated and eventually extended to various clinical conditions in childhood.
ORRÚ, S. E. Apprentices with autism: learning by axes of interest in non-excluding spaces. Rio de Janeiro: Voices. 2016.	This article aims to characterize the axes of interest as a pedagogical and strategic possibility for the development of learning for students with Autism Spectrum Disorder (ASD) from the perspective of inclusive education.	Literature review	The results show that the use of the axes of interest as a pedagogical strategy is an important educational possibility for the participants, valuing its optimal point in the individual and collective construction of knowledge.
SILVA, A. B. B. Singular World: understand the autism. Rio de Janeiro: Objective. 2012.	Analyze the daily lives of caregivers informal and people who are on the Autism Spectrum. Methodology: evaluative, exploratory research, with a qualitative approach, of the case study type.	Case study	It is noticed that even with the difficulties that arise in the day-to-day of caregivers who live with children who are on the autism spectrum, they seek support to adapt to reality.
SCHWARTZMAN, J.S. Autism Spectrum Disorders: General Features. In MEF D’Antino, D. Brunoni, & JS Schwartzman (Org.), Contributions to school inclusion of students with special needs: Interdisciplinary studies in education and health in students with Autism Spectrum Disorders in the city of Barueri, SP (pp .13-24). São Paulo: Memnon. 2015.	The objective of validating the diagnostic suspicion of pervasive developmental disorder and investigating genetic and environmental comorbidities.	Case study	1. the autism diagnosis registered by the schools must be validated; 2. interdisciplinary academic teams can partner with educational systems; 3. Basic clinical protocols available in our country are effective both to validate the diagnosis and to better understand the cognitive-behavioral profile and general health conditions of students with autism.

**Source:** Prepared by the author (2021).

Inclusion aims at the importance of education and its opportunities within this culture, which they emphasize: certainly, the differences between individuals, indicated by the limits, are also socially determined, but such limits, when not the product of a delusion, have a basis real. People with visual impairments, hearing impairments, intellectual disabilities, physical disabilities can have different destinations, depending on the meanings that the culture attributes to these disabilities; meanings that depend on objective social conditions [2].

Inclusion is not just taking the child or young person to schools, but that this participation is effectively from society as well, it is, above all, to live with dignity, and society needs to be educated, as life depends on exchange, respect, values etc. Thus, inclusion according to Silva (2012) is a process that expands the participation of everyone and their singularities, emphasized by the authors above, a challenging path for the formation of educated citizens who are prepared for a society without discrimination [7].

When inserting a person with a disability into society, it is not an easy task, as mentioned above, several actions are required, which are: family education, school education and access to public

spaces, among other support networks to lead, involve and promote integrity together with others. Thus, the inclusion of children with Autism Spectrum Disorder (ASD) is not an easy task, it requires several behaviors and especially information for their transitions, which I will go into about this group in the next pages [2].

Inclusion is not just taking the child or young person to schools, but that this participation is effectively from society as well, it is, above all, to live with dignity, and society needs to be educated, as life depends on exchange, respect, values etc. Thus, inclusion according to Silva is a process that expands the participation of everyone and their singularities, emphasized by the authors above, a challenging path for the formation of educated citizens who are prepared for a society without discrimination[5].

Therefore, this appeal coming from the depths of the unconscious exists, I am convinced of it, and it is this appeal that gives me strength to continue helping them, it must be added that the younger the child, the less their defenses are sedimented and the greater are the chances of helping them to get out of their internal stagnation and of building and organizing their psychic apparatus and, consequently, their relationship with the world [7].

Its importance, according to Monteiro, arises from the contradictory character that accompanies it: in it there is always a dimension of struggle [8]. It fights for more democratic inscriptions, for more realistic executions, against mutilating decharacterization, for dreams of justice. The entire advance of school education beyond primary education was the result of struggles conducted by a democratic conception of society in which equality of opportunities or even equality of social conditions is postulated.

It is observed in the table above, that the challenges of inclusion with children with Autism Spectrum Disorder (ASD), involves several teams of professionals with different aspects and the family as cotherapists, but together so that the results are the best possible care with the person with autism. Based on this information, the importance of children with Autism Spectrum Disorder (ASD) being inserted in an educational environment "school" for their development process, allowing their inclusion to be monitored and experienced among other peers, a right guaranteed by Brazilian Inclusion Law in its Chapter IV, Education, Article 27 emphasizes: Education is a right of people with disabilities, ensured an inclusive educational system at all levels and lifelong learning, in order to achieve the maximum possible development of their physical, sensory, intellectual and social talents and abilities, according to their characteristics, interests and learning needs [2].

Thus, the inclusion of Autistic Spectrum Disorder (ASD) will be developed through its educational process, through interventions and pedagogical practices, and based on approaches such as Teachh (Treatment and Education of Autistic and related Communication-handicapped Children), Applied Behavior Analysis tab, Assistive resources - Technology and education, PECS - Picture Exchange Communication System, among others that can contribute to the inclusive education of children with autism [2].

It should be noted that the above-mentioned paragraph, which institutes this process of inclusion for people with special educational needs, including the child with autism spectrum disorder, within a diagnosis of some comorbidity associated with other conditions of genetic disorders, and based on the literature, one of the main conducts is to know about this prognosis presented by this group and the importance of documents such as; Lesson plan, AIP- Initial Pedagogical Assessment, PEI (Individualized Teaching Plan), which directs the entire educational process [2].

The schooling of children with Autistic Spectrum Disorder (ASD) according to Orrú (2016) should be based on practices and strategies that enable: its structure contemplating adequate spaces, materials and activities, time, communication that can adjust and conduct their learning stages and autonomy, promoting its spatial organization.

It is known that one of the characteristics according to Schwartzman presented by the person with autism, and its instability, which ends up disorganized with behavioral problems, and this manifestation scenario presented by this student [6]. As can be seen, the inclusion of the student with Autistic Spectrum Disorder (ASD) with autism requires techniques from several areas to conduct, so we will discuss from here on the presentation of these resources and their proposals in the intervention of the student with the Disorder of the Autistic Spectrum (ATE).

## Conclusion

Individuals with Autistic Spectrum Disorder (ASD), in general, have difficulty in learning to use words correctly, but when they

participate in an intense program of classes, positive changes in language, motor, social interaction and learning skills seem to occur. In order for individuals with autism to actively participate in society, interaction with other individuals must always be encouraged, and strategies for this individual to actively participate in activities should be devised.

The activities should encourage students to communicate spontaneously, so that there is a natural relationship with other individuals, so they will face the professional environment as an extension of their family life. The autistic person's learning is generally slower, so the educator should adapt the activities to their reality, so that they do not feel displaced, but an active member of the school community, and thus feeling integrated will be much easier to stimulate the cognitive and your learning will follow in a more natural way.

The difficulty of relating to the other, students who receive the diagnosis of autism, showed a lack of initiative, curiosity or exploratory behavior, when babies. But when it comes to learning, some things are learned at the "proper" age, others too soon, while others will only be understood much later or only when taught, thus the education of the autistic person is hampered by the difficulty of socialization, the lack of interaction with the other makes learning difficult, as the student does not use the other's experience to add to their learning, as other children do, making educational development even more difficult.

And so that there is an incentive for the student to follow the others, the specialists must make an execution plan, so that the activities are meaningful for the autistic student. The student needs to establish relationships with a new knowledge to important guidelines and principles in relation to their intellectual formation with a view to expanding the learning, that is, in which now a little discernment of understanding, security and determination.

Obviously, the educator and his educational practices, as a learning intermediary, need to be harmonized before the universe of the pedagogical initiative, educators are adhering to a conduct and strategies in the learning of their students, making them competent and expressive. Acquiring knowledge clearly requires granting concepts, and concepts present at all times specific segments and learning without a function of concepts or concurrent connection to previous knowledge, an automatic knowledge is expressed, never expressive.

Knowledge as a mechanism for understanding and transforming the world thus transfers to Universities the role of offering, in addition to education and knowledge, to provide moments in which the student is able to practice recreational activities and thereby achieve absolute growth. Thus, in order for a satisfactory learning to occur in the teaching area, it is necessary for the educator in his performance to know how to consider the social, physical, cognitive and emotional profile of his students, to promote a relationship of exchange and trust, where he can perform a serious and committed work based on freedom of expression [8-30].

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