

## **The Importance of Public Manager in Municipal Policy to Promote the Accessibility: the case of the Federal Institute of State of São Paulo, Campus Pirituba, Brazil**

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**Abstract:** The laws that protect and give right to equal the person in a condition of disability (PWD), soon to be guided by the political class. Only after the promulgation of the law Constitution of the Republic, in 1988, excluding the reality in which approximately 45 million people are inserted (IBGE, 2010) [14] begins to change. Fact that caused the delay of the equitable participation of this group in the face of regional opportunities and neglected for a long time, the right to full exercise of the fundamental freedoms of citizens who do not fit the pattern of man conceived by society. This study aimed to verify the perception of students regarding the care of requirements and compare it with the analysis of specialists. The method used was the exploratory research and field, with the application of a questionnaire containing eight questions of multiple choices applied to students and the analysis of four experts. The results indicate that the 57 respondents, 92.2% reported that the infrastructure is suitable for individuals with special needs, since the experts pointed out that the institution does not meet 5 of 8 requirements, indicating a percentage of 80% of noncompliance. In this way, the perception of students does not represent the reality of the institution, this may lead to a misunderstanding between the groups, in addition to the motivation of people with special needs, it is noteworthy the fact of being a public institution which refers to the idea that the creative power and supervised the rules does not meet the requirements, favoring the inequality.

**Keywords:** Social Inclusion, Disability and Special Needs, Urban Mobility

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### **1. Introduction**

The contemporary society brought rooted in its basic premise the necessity of inclusion, the unitary transformation in totality, questioning and claiming the whole time the segregation by differences, whatever they are. These characteristics make them capable of changing the reality of thousands of people who have some kind of impediment, be they physical, mental, intellectual or sensory impairment. A large part of the people under these conditions, they feel helpless to come out on the streets, without option, they live isolated within their homes. Become hostages of the circumstances in which they find themselves. The problem is easily justifiable to look with attention while we walked through the streets beside. We can observe sidewalks of different averaging, too steep, bumpy, slippery and outside of technical standards established by the Brazilian Association of Technical Standards (ABNT-NBR 9050-2015) [1]. Facts that characterize the urban barrier found in the municipality of São Paulo and reflect the obstruction that advocates the lack of full participation of these people in society. But this can still be considered the "tip of the iceberg" in the context of accessibility.

The barriers that prevent unauthorised can be found in all places, be they public, private or in the labor market. For Konrad, Moore, Doherty, Ng and Breward (2012) [15] people with special educational needs (PWD) are faced with high levels of unemployment and job insecurity, which is a position influence on quality of life, the permanent employees have better levels of quality of life than the unemployed.

The example of supermarkets: environment where daily activities are carried out with the intention of supplying collective needs, considering that the food and hygiene are part of the routine of each and every individual. To attend the local trades in Salina, State of São Paulo, it is customary to identify the difficulties encountered by those who belong to the group of the person in a condition of Disability (PWD). This difficulty,

which may pass unnoticed by the citizen in full enjoyment of their bodily movements but is far from being able to be ignored by whoever is part of another group.

To ponder about these facts, we can see that the inaccessibility is more present in our day to day than we can imagine. However, open spaces to be able to question: will, in fact, schools and public universities comply with the laws that portray the inclusion? In addition, will do justice to the ideals of inclusion and permanence as they defend?

On the basis of these questions, this study sought to analyze the accessibility of the Federal Institute of São Paulo - Campus Pirituba, by bias of its users, as well as the impacts resulting from the inclusion of PWD impartial in the teaching environment, so that it can act in the future as a public policy instrument for the construction of a more inclusive and egalitarian. As assigned to Art. 23 of the Federal Constitution [3] is "common competence of the Federal Government, States, Federal District and the municipalities: Section II, health care and public assistance, protection and security of persons with disabilities". Being of common interest between State and Union, the autonomy of the municipality to the regional needs, because this is the last federal entity that the population concentrates and contributes a priori.

## 2. Literature Survey

The literature review brings the topic about the legality and the lack of planning of the institutions, the public on which the study is being applied and the new prospects that started from the federal constitution [3].

### 2.1 A Legacy Left by the Absence of Planning

The reflections of the lack of structural planning, perhaps have never been so senses as in current days. Until the 1960s 80 was not a concern of the political class, the elaboration of law projects aimed at the group of people in a condition of Disability (PWD). Only in 1989 The Law no. 7,853 that offers support for people with disabilities, their social integration [...]" (BRAZIL, 1989) [4], was enacted with the aim of alleviating the explicit segregation caused by the lack of a plan that objetivasse totalitarian inclusion of PWD in society.

They are part of the law described above Article and sections:

“Art. 1º are laid down general rules which ensure the full exercise of individual and social rights of persons with disabilities, and its effective social integration, in accordance with this Law.

§ 1º in the application and interpretation of this Law, shall be considered as the basic values of equality of treatment and opportunity, social justice, respect for the dignity of the human person, well-being, and others, indicated in the constitution or justified by general principles of law.

Paragraph 2 of the rules of this law intended to guarantee to persons with disabilities the governmental actions necessary for its completion and other legal and constitutional provisions that concern them, clear the discriminations and prejudices of any kind, and understood the matter as national obligation to be borne by the Public Power and Society” (BRASIL, 1989) [4].

In the year 2010, data indicated by the Brazilian Institute of Geography and Statistics (IBGE, 2010) [14], showed that 45 million Brazilians have some degree of disability, whether origin intellectual, motor, visual, hearing or mental. Still according to the census, this number, approximately 2.7 million live in the capital of São Paulo. Soon, the urban mobility and accessibility mustbe basic needs of the citizen and priority of the State. São Paulo was the first city in the country to create the Secretariat of the person with disabilities and reduced mobility, precisely in the year of 2005, but only at the end of 2013, in partnership with 20 Municipal, instituted the Decree No. 54,655 - São Paulo more inclusive, described as: "Municipal Plan of actions articulated to the person with a disability of the city of São Paulo", which is composed by 70 shares, and has as guidelines set forth in its Art. 4º [...] "I - accessibility; II - attention to health; III - access to education, culture and sport; IV - work; V - social inclusion and citizenship." (BRASIL, 2013) [8]. Within the context discussed in this article, we can highlight the following: "structuring routes accessible with the reform of 850,000 m<sup>2</sup> of public tours and installation of 125 traffic lights beeps" and "Ensure physical accessibility and audible, visual and tactile for persons with disabilities in 100% of the bus fleet" (BRASIL, 2013) [8].

In the year of 2012 was created the law nº 12.587 establishing the National Policy of urban mobility (UNMP), stating in his Art. 1 "The National Policy of Urban Mobility is an instrument of the policy of urban development of dealing subsection XX do art. 21 and the art. 182 da Constituição Federal [...]" (BRASIL, 2012) [7]. Being the art. 182 of the Federal Constitution of 1988 "The Politics of urban development, performed by the municipal public power [...] aims to sort the full development of the social functions of the city and ensure the well-being of its inhabitants" (BRASIL, 1988) [3]. With the emergence of this Law, municipalities must revise their plans for urban mobility every ten years, having as a focal point to the need that the municipality meets more than 20 thousand inhabitants.

In 2015, the mobility plan of São Paulo (PLANMOB) initially created in 2007 by the Ministry of Cities, such as "instrument of planning and management of the municipal system for urban mobility, [...] the means and infrastructure of transport of goods and persons in the municipality, for the next 15 years" (PLANMOB-SP, 2015) [9] was redesigned by the Prefecture of city de São Paulo, in partnership with the Municipal Secretary of Transportation, in order to meet the guidelines imposed on PNMU. Facts that demonstrate the enhanced concern of new public managers, to establish better conditions of life for citizens with disabilities, through the reconfiguration of urban mobility and accessibility.

## 2.2 New Perspective

As noted earlier, the advances of the third millennium, culminated in the fall of old paradigms, with the aim of providing the person in a condition of disability (PWD), through the legal backing and legal means, the autonomy necessary for them to be exempted from the supporting role in society, and the role of protagonists will be responsible, regardless of their physical condition.

The Charter for the Third Millennium stresses:

"The scientific and social progress in the 20 century increased the understanding of the unique and inviolable value of every life. However, the ignorance, prejudice, superstition and fear still dominate a large part of society's responses to disability. In the Third Millennium, we need to accept the disability as a common part of the varied human condition. Statistically, at least 10% of any society are born with or acquire a disability; and approximately one in every four families has a person with a disability. [...] with inventiveness and ingenuity, it is possible to extend the access to all the resources of the Community physical environments, social and cultural rights, transportation, information technology, means of communication, education, justice, public service, employment, sport and recreation, voting and prayer. In the century 21, we need to extend this access that few have for many, eliminating all environmental barriers, electronic and antepoham ATTITUDINAL that full inclusion in community life" (REHABILITATION INTERNATIONAL, 1999, p. 1) [17].

It is a fact that the municipalities belong, first, to humans before they belong to the vehicles. Soon, the inclusion impartial person with disabilities goes far beyond the adaptation of modes of urban transport, or pedestrian thoroughfare, as ordinarily can be observed in public policies directed to this segment. In the words of Bueno, Paula (2006, p. 1) [11] "the universal design seeks to break with the vision of a service-oriented architecture for an ideal of man or a so-called middle man, seeking to respect human diversity."

The architecture of an urban environment, by itself, can provide the citizen who has physical impediment the feeling of belonging or exclusion, explaining when the subject in question, in fact, does not meet the standards introduced there. The problem is further expanding to bring the matter to the local trade, not to feel belonging to the city, people in a condition of disability (PWD), shall cease to contribute significantly to the community in which they live.

Therefore, obstruct the participation of this group of people, even that of veiled manner, to local establishments, due to careless as to compliance with the Brazilian Standard 9050 established by the Brazilian Association of Technical Standards (ABNT), which had its third version created in 2015 to provide the poor citizen equity in environments in which is inserted, it means no longer count on the contribution of a plot, nothing simple, regional potential users. In this perspective, the accessibility demonstrates that it can directly influence the local economy and provide improvements in the life of the citizen deficient. De Moura e Moura (2016, p. 10) [16], portray the impact arising from the lack of accessibility, by political bias:

"The fact that people with disabilities are reduced to the condition of enclosure and do not assume their roles in society, the country no longer rely on a significant portion of the population that could be coming out of the "beard" assistentialist public policies and qualifying to contribute to local development in an active and full".

The same happens when the inaccessibility affects the student environment public. A percentage of potential students fail to take advantage of what they are fundamental: education, as provided for in Art. 205. The Federal Constitution "to education, the right of all and a duty of the State and the family, will be promoted, [...] aimed at the full development of the human person, its preparation for the exercise of citizenship and their qualifications for the job" (BRAZIL, 1988, p. 40) [3]. In addition to foundation for living in society, education fosters the search for larger goals, and it is the right of every citizen who contributes to the State through taxes. The Barrier found in teaching environments, brings a further aggravating factor: the explicit ethical values in

student policies, as well as the assistance proposed in public education, diminish in proportion, since the basic (free) is not subsidized the student in a condition of disability.

The Decree No. 5,296 of 2004 created with the objective of regulating the laws n°. 0,048 and 10,098, both in the year 2000, which aim to: prioritize customer service people in a condition of disability (PWD), and to establish guidelines and prerequisites in order to promote the inclusion of this group in environments, respectively, stresses in his Art. 10.:

The design and deployment of architectural and urbanistic projects must meet the principles of universal design, having as basic references the technical standards of accessibility of ABNT, specific legislation and the rules contained in this Decree. (BRAZIL, 2004, Chapter IV, Section I) [6].

And, in its Art. 16.:

The characteristics of the design and installation of the urban furniture should ensure the approximation and secure the use per person with visual impairment, mental or hearing, the approach and the scope of visual and manual for persons with physical disabilities, especially those in wheelchairs, and the free circulation of barriers, taking into account the conditions laid down in the technical standards of accessibility of ABNT. (BRAZIL, 2004, Chapter IV, Section II) [6].

Subsequently the Law no. 13,146, of 2015 [10], entitled: Brazilian Law for inclusion (LBI), showed concern with the preservation of the dignity of the person in a condition of disability (PWD) in their Art. 1°: "designed to ensure and promote, in conditions of equality, the exercise of rights and freedoms by persons with disabilities, aiming at their social inclusion and citizenship."

The Law portrays in his Art. 3° the concept of universal design: "[...] the design of products, environments, programs and services to be used by all people, without the need for adaptation or specific project [...]."

Emphasizes in his Art. 53. the importance of inclusion: "The accessibility is right that ensures the person with a disability or reduced mobility to live independently and to exercise their rights of citizenship and social participation."

Already the Art. 55. expressed:

"The design and implementation of projects dealing with the physical environment, [...] premises open to the public, public or private use of collective use both in urban and in rural areas, must meet the principles of universal design, taking as a reference the accessibility standards.

§ 1° the universal design will always be taken as a rule of general character;

§ 5° from the stage of conception, public policies should consider the adoption of universal design.

In Art. 57. "The buildings [...] collective use already existing shall ensure accessibility for people with disabilities in all its facilities and services, taking as a reference the accessibility standards in force."

The primer: Accessibility to buildings, furniture, urban spaces and equipments, the Brazilian Association of Technical Standards (ABNT-NBR 9050, 2015, p. 15) [1] says: "This standard aims to provide the use of an autonomous, independent and secure environment, buildings, furniture, [...] to the largest possible number of people, regardless of [...] limitation of mobility." And crystalline makes some concepts:

"3.1.1 Accessibility: possibility and range condition, perception and understanding for use with security and autonomy, spaces, securities, urban equipment, buildings, transport, information and communication, including their systems and technologies, as well as other services and facilities open to the public, public or private use of collective use, both in urban and in rural areas, by a person with a disability or reduced mobility.

3.1.16 universal design: design of products, environments, programs and services to be used by all people, without the need for adaptation or specific project, including the resources of assistive technology.

Brazilian standard 9050 the Brazilian Association of Technical Standards" (ABNT-NBR 9050, 2015) [1].

However, despite the commitment of the legislature in the creation of laws and regulations that establish standards and defend the right of the person in a condition of disability (PWD) to the society, it can be observed that, in practice, there is too much concern regarding compliance with these various constructions of collective use and great local significance, nor supervision on the part of the responsible authorities.

### 3 Methodology

The little literature on the topic in the educational institutions led to the decision to make an exploratory research at the Federal Institute of São Paulo, Campus Pirituba, Brazil, in addition to the field research that to Gil (2008, p. 57) [13] this study is characterized by the deepening of questions previously proposed, with flexibility in your planning. In addition, the field survey enables the study of only one social group, emphasizing the interaction exists. Finally, it is a technique of observing more than mark.

For the calculation of the sample evaluation (a priori), it was used the *software G-Power 3.1*. As a criterion, we adopted the size of average effect ( $f^2=0.15$ ), alpha of 0.05 for the confidence interval, power of 80% and the maximum number of predictors equal to 2. Therefore, it is suggested the minimum value of 45 respondents. Were obtained 57 valid responses representing an explanatory power of 0.98. The responses were collected during the month of October 2018. Figure 1 and 2 show the ratings of the sample.

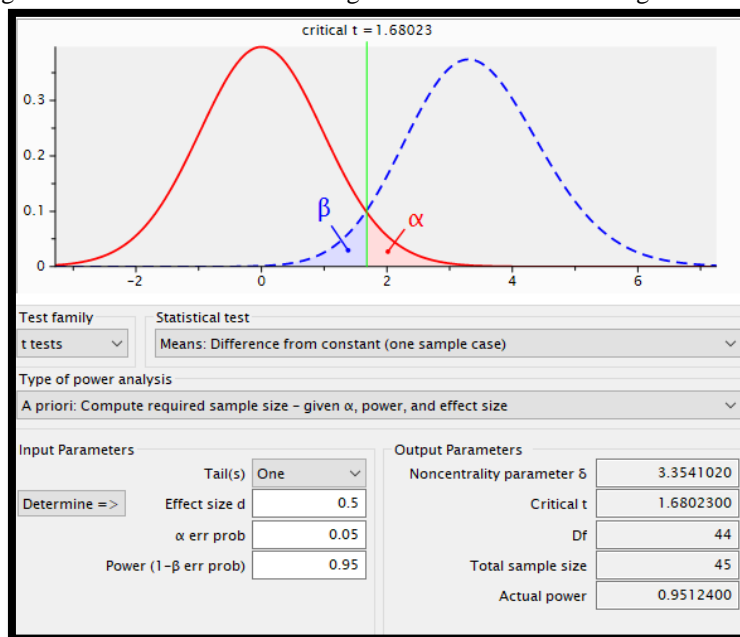


Figure 1 - A priori assessment, verification and sensitivity of the sample  
Source: calculation carried out by the author with the use of the software G-Power 3.

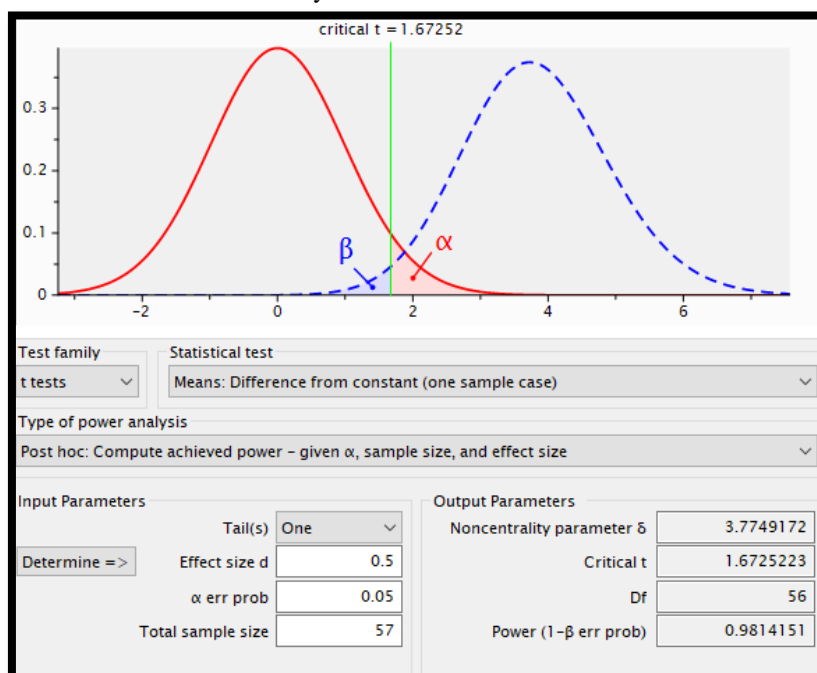


Figure 2 - ex post evaluation and sensitivity of the sample  
Source: calculation carried out by the author with the use of the software G-Power 3.

The questionnaire was drawn up on the basis of the references researched, containing 8 requirements related to physical infrastructure for adequacy of facilities. 57 valid responses were obtained.

After the application of the questionnaire was conducted a field study with experts in the area, were 4 specialists who do not have access to the results of the questionnaires to evaluate the infrastructure required according to the ABNT -NBR 9050-2015. The results were compared to identify the perception and reality of the adaptations necessary for inclusion.

#### 4 Result and Discussion

The questionnaire was answered by 57 students, who could choose more than one option in the list described above. Of these, 52 said they find the campus accessible, and only 5 observed inaccessibility, representing respectively 91.2% and 8.8%.

Although the majority of students by means of empirical knowledge, realize the campus as an environment accessible, experts to analyze in detail the spatial conditions that shape the institution, together with the contents presented in this study, we identified that 80% of the technical standards established by the ABNT-NBR 9050-2015 are not met, as shown in table 1.

Table 1: requirements not met by the infrastructure of the institution

<i>Item</i>	<i>Description</i>
<b>Tactile Floor</b>	Floor characterized by contrasting texture and color in relation to the adjacent floor, intended to be alert or guide line, serving as a guideline, especially to people with visual disabilities or low vision. They are of two types: tactile floor and tactile floor warning signal.
<b>Accessible Route</b>	Continuous path, clear and signposted, which connect the external or internal environments of spaces and buildings, and which can be used independently and safe for all people, including those with disabilities and reduced mobility. The route accessible may incorporate parking lots, sidewalks lowered, bands of pedestrian crossing, floors, corridors, stairs and ramps, among others.
<b>Principle of two directions</b>	The information should occur through the use of at least two senses: visual and tactile or visual and audible.
<b>Direction Signaling</b>	The signs must be self-explanatory, visible and legible to everyone, including people with disabilities. Must be fixed where decisions are taken in a logical sequence of orientation, a point of departure to point of arrival. Must be repeated whenever there is a possibility of changes of direction. [...].
<b>Fixing the signals</b>	The signs must be located so as to clearly identify the utilities available environments. Must be fixed where decisions are taken in a logical sequence of orientation, a point of departure to point of arrival. Must be repeated whenever there is a possibility of changes of direction.

Source: Based on standards ABNT-NBR 9050 of 2015 [1]

The Law no. 9,394 that "establishes the guidelines and bases of national education," says in its Art. 2º "education, [...] inspired by the principles of freedom and the ideals of human solidarity, aims at the full development of the learner, your preparation for the exercise of citizenship and their qualifications for the job." and save in your Art. 3 "The teaching will be provided based on the following principles: I - equality of conditions for access and permanence in school; [...]." (BRASIL, 1996) [5].

How much more an environment that adjusts to the user's needs, more comfortable it is. However, if the opposite occurs, when the built environment does not consider the needs or human limitations, it can get to be more inhospitable than the natural environment. (CAMBIAGHI, 2007, p.15) [12].

Soon, the lack of implementation of technical standards established in the ABNT-NBR 9050-2015, hindered the fulfilment of the law and generates an opposite effect that that principle should result. In this way, makes it limited the access of the person in a condition of disability to the campus, and therefore an effective

segregation that even latent, opposes the ethical principles defended in student sphere and will not fit in the purposes of the institution in question.

It should be noted that the inclusion is still an issue to be discussed by public institutions of education. The school is a space full of variables and signals that modify the whole time thinking in this environment the teacher is an agent of change, and should seek to adapt its model of classroom, innovation in order to make the classroom effectively (BAPTISTA and MEYRELLES, 2011) [2].

These sets of knowledge must be included in the curriculum of the schools. For Young (2014) [18] the curriculum should answer the question, "what students should learn to leave the school?".

The curriculum should not be used as a separation between social classes, powerful and other classes. For Young (2014) [18], must maintain a balance between the duality of knowledge of the mighty and powerful knowledge, there is a concentration in the system designed to keep the difference between the classes. It may be that one of the reasons of this force, is related to income distribution in the world. The perception of inclusion of students is not adequate engineering rules apply. For Konrad et. al (2012) [15], although it has dealt with the issue in relation to the labor market, it can be observed that the inclusion to be complete is required a holistic look about the theme. The lack of access to an adequate infrastructure may refer the notion of inequality on the part of the public PWD and a distrust on the part of others that this audience is not adapted, which can cause a short-sighted vision of reality.

## 5 Conclusion

The accessibility fully exercised through the fulfilment of universal design in schools and universities, can provide equality of opportunity and treatment to those who for some reason are distinguished from most people. The universal design eliminates the need to seek different solutions is costly and curative measures for each type of need in particular, with the result that the conviviality of the person in a condition of disability (PWD) in the environment in question will be more comfortable and organic, so that they do not feel displaced or dependent on others.

To acknowledge that the institution of education, in fact, has hospitable environment, it is natural that the PWD feel comfortable to broaden their theoretical knowledge, thus reducing the inequalities which face before the labor market, as identified by Konrad et. al (2012) [15]. The illuminate professionally PWD starts to have greater financial freedom and, consequently, increases its purchasing power, can contribute positively to the development of the local economy. A fact that provides autonomy in the exercise of their fundamental rights and freedoms within the system as they are entered will be guaranteed and the improvement of the quality of life will be allowed.

In addition, subsidising access and permanence suitable for PWD in the teaching environment, must be master line of public managers, therefore, only to meet the needs of citizens in its totality, that is, without conceal the participation of anyone, do justice to the latent convictions the policies of inclusion, enshrining the ethical ideal explicit in the universe educational and provide means to that citizenship is executed so unrestricted.

In the comparison between the answers obtained by 57 students, where 92.2% identified that the facilities are adequate and analysis by four specialists who identified that the 8 requirements indicated by the ABNT -NBR 9050-2015, 5 were not being met, which represents 80% of correction. This shows that the perception of inclusion is not clear, what makes a great challenge for all the institutions to ensure that the theme is treated.

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