

EVOLUTION OF INCLUSIVE EDUCATION POLICIES IN PORTUGAL

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Summary

Inclusive education in Portugal has undergone significant transformation over recent decades, driven by shifts in social, political, and legal frameworks that reflect a growing commitment to human rights and equal access to education. The movement from a historically segregated model to an integrated approach, catalysed by the Salamanca Declaration of 1994, has been pivotal in shaping contemporary educational practices. This study analyses how Portuguese policies on special needs education have evolved from the 1970s to the present and examines their implementation in practice in compulsory education. The primary objectives are to analyse the impact of key legislative changes, particularly Decree-Law 3/2008 and Decree-Law 54/2018, on the inclusivity of the education system and to assess how these policies have been operationalized in schools. The findings reveal that while significant progress has been made in integrating students with special needs into mainstream education, challenges remain in achieving uniform implementation and in ensuring that all educational professionals are adequately prepared to support diverse learning needs. The shift towards a more flexible and personalized educational approach, as mandated by recent legislation and inspired by the Salamanca principles, marks a crucial step towards a more inclusive education system.

Keywords: *Special education, inclusive education, Portugal, Salamanca Declaration, Decree-Law 3/2008, Decree-Law 54/2018, paradigms, change, inclusion, equity.*

Introduction. Portugal joined the European Union on 1 January 1986. This accession brought significant changes to the education system, promoting inclusion and improving special needs education. With access to European funds, the country could invest in programmes and infrastructure that favoured integrating students with special educational needs, ensuring a more inclusive and equitable school environment. In addition, the exchange of good practices and collaboration with other member states has contributed to teacher training and developing more effective educational policies. The transition from a segregated model, centred on special education as something separate from the mainstream education system, to an inclusive model, in which all students are integrated into mainstream education, is the result of a long transformation journey. This has not been a linear or homogenous process, although the change in policies and mentalities that has made education a more inclusive space is recognised as positive, notwithstanding slowly.

As in many other countries, with regard to compulsory education, inclusive education in Portugal was historically organised in a segregated way. Until the end of the 20th century, the predominant idea was that children with special educational needs should attend separate schools or classes to receive the appropriate education. The creation of specialised institutions, often run by private organisations or associations, was seen as the primary response to the needs of these students.

The Salamanca Declaration, adopted in 1994, was a crucial milestone in the promotion of inclusive education in Portugal, emphasising the need to integrate students with special educational needs into mainstream schools, as before this time, many students with special needs were educated in segregated institutions, which often resulted in their social and educational exclusion. The Declaration encouraged a significant transformation, creating and implementing policies to adapt the education system to meet the diversity of students' needs.

In this context, Decree-Law 3/2008 of 7 January was an important step in formalising inclusive education in Portugal, laying the foundations for the development and coordination between different professionals and educational services. Subsequently, Decree-Law 54/2018 of 6 July reinforced and updated these principles, promoting a more inclusive and equitable approach. This decree introduced significant changes by ensuring that all students, regardless of their specific needs, have access to an adapted curriculum and appropriate resources.

The research question. Given the above, the research question is, "How have Portuguese policies on special needs education evolved from the 1970s to the present, and how are they being implemented?"

Methodology. In order to answer the problem question, the researchers opted for a qualitative methodology consisting of an empirical study of documentary analysis whose primary sources are the decree-laws adopted in Portugal, to understand the evolution of inclusive education paradigms, policies and practices introduced since the Salamanca Declaration. Therefore, a thorough analysis will be carried out of the legal diplomas that have shaped inclusive education policy in Portugal, specifically Decree-Law 3/2008 and Decree-Law 54/2018. This analysis will focus on the interpretation and application of these pieces of legislation, examining how each has contributed to structuring and improving inclusive education. The methodology will include reviewing the legal texts, comparing the provisions of the two decrees, and assessing the changes in educational practices.

Findings. Since the end of the 1970s, the Portuguese education system has been characterised by introducing and applying diverse legislation to transform education increasingly inclusive [1, p. 25]. The introduction of the Basic Law of the Education System, introduced by Law no. 46/1986, of 14 October, at the end of the 1980s, allowed for the establishment of a new general framework for the education system, considering, according to its article 2, no. 1, that *all Portuguese have the right to education and culture, under the terms of the Constitution of the Portuguese Republic*. Article 17 (Scope and objectives of special education) of the same law states that, according to paragraph 1, *Special education is aimed at the socio-educational recovery and integration of individuals with specific educational needs due to physical and mental disabilities*; and under paragraph 2, that *Special education includes activities aimed at students and actions aimed at families, educators and communities*.

The first training course for Special Education Teachers was created in 1941; however, the process of real inclusion of children and young people with disabilities and neurodivergent in the Portuguese education system was well behind when compared to other European countries [9, p. 4]. In the 1980s and 1990s, it was not yet common to find children or young people with disabilities in Portuguese schools since the emergence of the Cooperative(s) for the Education and Rehabilitation of Handicapped Children (*Cooperativa para a Educação e Reabilitação de Crianças Inadaptadas* [CERCII]), many institutions were created that welcomed people with these characteristics. However, it was also common for a large number of school dropouts, children and young people who could not keep up with the pace of learning set by the class and who did not progress as expected in their learning. It is also important to mention that many of these children and young people came from families with low socio-economic resources, often without the necessary knowledge to establish more direct contact with the school and without a holistic vision of its importance.

As a follow-up to the conference held in Spain (Salamanca) in 1994 by the United Nations Organisation, attended by 92 countries and 25 international organisations, a declaration was drawn

up, known as the Salamanca Declaration. This conference was essential, as fundamental dimensions, principles and guidelines for promoting inclusive education were debated and defined, and it is considered an important milestone in this field. The approach provided by the Salamanca declaration included three main dimensions that could be observed in Figure 1.

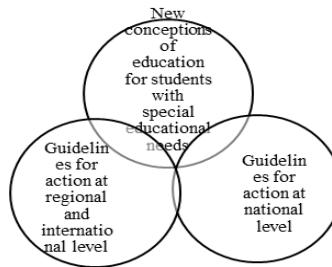


Figure 1.¹

Some of the main aspects of the Salamanca Declaration relate to the fundamental right to education, the opportunity to achieve acceptable levels of learning, the recognition that each child is unique, with their own characteristics, interests, abilities and learning needs, and it is proposed that education systems should be able to include planning adapted to the diversity of characteristics and needs experienced by school-age children and young people.

The Salamanca Declaration argues that education should be inclusive, maintaining that all children, regardless of their difficulties or special needs, have the right to attend mainstream schools. Inclusion is considered fundamental to promoting equality and equity in access to education. The document emphasises that schools must adapt their learning environments to meet students' needs, including curriculum adjustments, teaching methods, and pedagogical resources [10].

In addition, the Declaration emphasises the importance of training and capacity building for teachers and education professionals to adequately deal with diversity and meet the special needs of students. Collaboration between schools, families and communities is also highlighted as essential to the success of inclusive education and is seen as a crucial strategy for developing effective educational practices [10]. The Salamanca Declaration can be better perceived in Figure 2.



Figure 2.²

¹ [10].

² [10].

Finally, the Declaration suggests that governments must adopt policies and legislation that promote integration and guarantee the right to education for all students, reinforcing the need for a government commitment to inclusive education.

Lately, the implementation of Decree-Law 3/2008, of January 3rd, highlights the need for implementing a *flexible education system guided by an integrated global policy that responds to the diverse characteristics and needs of all students, which includes the integration of children and young people with special educational needs within a quality policy focused on the educational success of all students*. This law marked a turning point in the perception and awareness of all those involved in the educational process—families, parents, teachers, psychologists, therapists, specialists, medical teams, and other education professionals—regarding the importance of adopting a more integrated, holistic approach, where all stakeholders play an active role [7, p. 421].

The decree emphasized that including students with special needs should not be treated as a separate issue but as part of the broader aim to enhance the overall quality of education. This approach acknowledges that each student is unique and that education must adapt to accommodate different learning styles, challenges, and abilities. It also stresses the importance of collaboration between professionals from various fields, ensuring students receive academic, social and medical support.

Through the implementation of this law, a greater emphasis was placed on the role of families and external professionals in supporting the educational process. It encouraged multidisciplinary teams to work closely with schools, enabling them to create personalized learning plans and interventions that foster the development and success of every student, especially those with special needs. This shift toward a more inclusive and collaborative framework is crucial for fostering an educational environment where all students, regardless of their abilities or challenges, can succeed.

A referral process was initiated when learning difficulties were identified in a child or adolescent, followed by a detailed assessment. This process aimed to determine the nature and extent of the student's difficulties. The special education team, who worked with the psychology and medical services, was responsible for conducting this assessment. Together, they drew up a Technical-Pedagogical Report (*Relatório Técnico Pedagógico* [RTP]), an essential document for identifying the reasons behind the student's special needs and the specific type of support required. This analysis was based on the International Classification of Functioning (*Classificação Internacional de Incapacidade, Funcionalidade e Saúde* [CIF]), a globally recognised tool for assessing a person's level of functionality and participation in different life contexts.

In addition to identifying difficulties, the special education team determined the specialised support and adaptations needed in teaching and learning. This included adjustments to the curriculum and teaching methodology to ensure the student could participate fully in school life. This specialised support could range from an assistant in the classroom to implementing differentiated teaching strategies in a separate classroom or a mix of both strategies, depending on the student's needs.

The decree also provided for the drawing up of two crucial documents: the Individual Educational Programme (*Plano Educativo Individual* [PEI]) and the Individual Transition Plan (*Plano Individual de Transição* [PIT]). The PEI defined personalised learning objectives and goals for the student. At the same time, the PIT played a key role in preparing the student for the transition to adult life, including entry into the labour market, post-school training or other activities considered adequate to the student's profile. These documents remain central to current educational legislation, demonstrating their relevance and continuity.

At the time, many schools had multi-disability units, spaces dedicated to catering for students with more severe disabilities. In many cases, these students had scarcely contact with their regular classes, which limited their full inclusion in the school environment. The practice was to keep these students in separate environments, focusing on specialised care, which, although necessary, ended up isolating them from their peers.

For students with specific learning difficulties, such as those known (at that time) as DYS (dyslexia, dysgraphia, dysorthography and dyscalculia), the approach varied. They often received support from a special education teacher, who could work in a separate room or within the class itself, working closely with the head teacher. This intervention aimed to offer targeted support without the student being completely removed from the mainstream environment, thus promoting greater inclusion and continuity of learning within the classroom context. This specialised support was aimed at overcoming difficulties in the reading, writing, and calculation processes and maintaining a normal school path. These students were often accompanied by other health professionals and therapists, such as psychologists, speech therapists, occupational therapists or others.

Although this cannot yet be considered an inclusive model, it has already operated in a logic of integration, paving the way for the legislation that would be introduced in 2018, as well as the educational practices inherent to it. Over the years, these strategies have proved fundamental in ensuring that students with special educational needs can access quality, inclusive education, respect their particularities and promote their all-round development. The conception of adapted learning environments and the use of personalised individual plans have allowed the Portuguese education system to evolve to respond more effectively to the diverse needs of all students. With Decree-Law 54/2018, these practices were consolidated and expanded, reinforcing the commitment to inclusion by introducing more comprehensive and specific measures to guarantee equity and continuous support for all students.

Subsequently, with the publication of Decree-Law 54/2018 of 6 July (which establishes the current legal framework for inclusive education), the guiding principles in Article 3 are universal: educability, equity, inclusion, personalisation, flexibility, self-determination, parental involvement and minimal interference. The various dimensions that make up this model and the establishment of relationships, are shaped like observed in Figure 3.

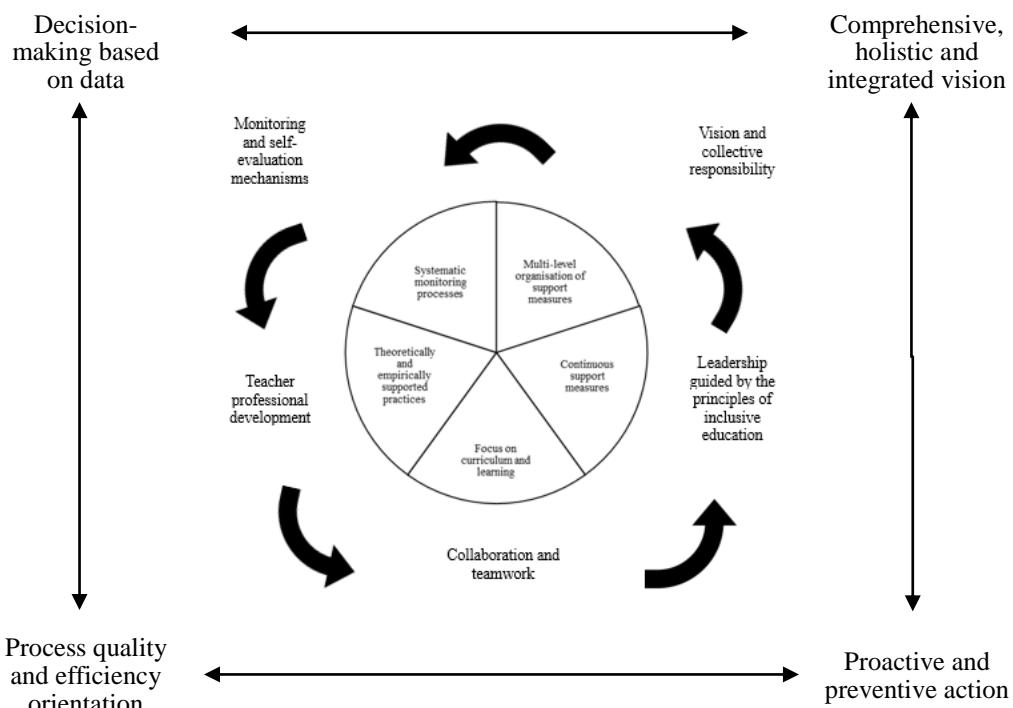


Figure 3.¹

¹ [4, p.19].

This law has transformed schools more flexible, allowing for better optimisation and management of available resources, as it sets out a series of principles, practices and conditions for the operationalisation of inclusive education that result from theoretical and methodological choices, namely the multi-level approach and universal learning design. The principles underlying the multi-level approach are as follows: i) a comprehensive, holistic and integrated vision; ii) a proactive and preventive action; iii) an orientation towards the quality and effectiveness of processes; and iv) a structuring decision-making processes according to data.

Based on the fundamental principles of the multi-level approach, it is essential to recognise its main distinguishing features. The multilevel structure organises learning support measures staggered, allowing for continuous adaptation of interventions according to the needs of the students. This model establishes a continuum of learning support that focuses on the curriculum and learning process, prioritising practices that are theoretically and empirically grounded. It also emphasises the importance of systematic monitoring processes to evaluate and adjust interventions. The organisation by levels of intervention, which vary in type, intensity and frequency, is adjusted based on the student's response, ensuring a personalised and effective approach to meeting their educational needs.

These approaches must be considered in an integrated, articulated and flexible way and are guides to support schools' actions in the schools in the operationalisation of the diploma at the community, school and classroom levels. Promoting a multi-level approach to education, the basic model assumed in the Figure 4.

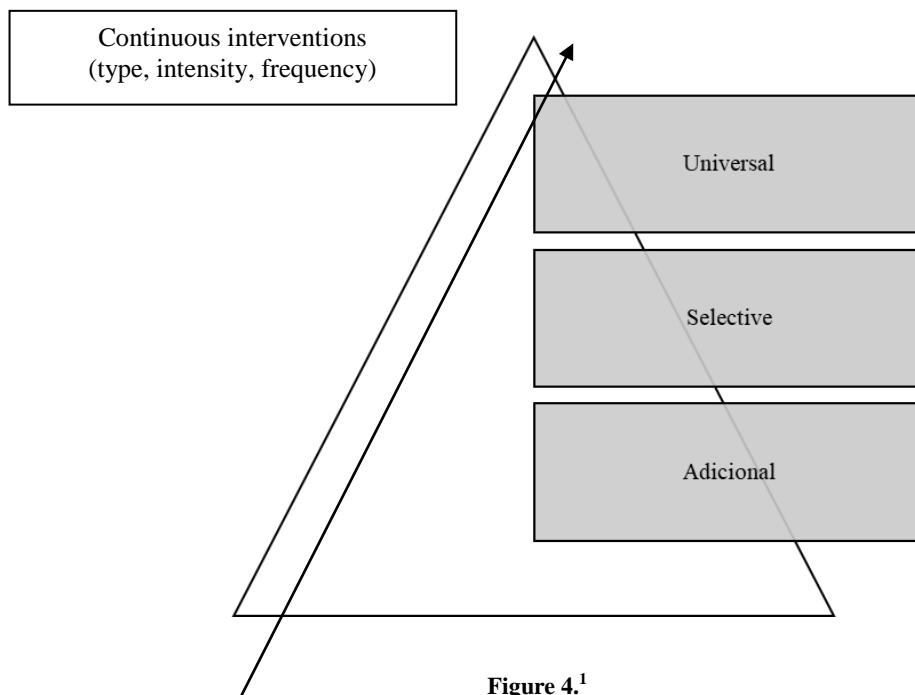


Figure 4.¹

A multi-level approach has been made possible for children and adolescents, integrating three sets of measures, universal, selective, and additional, which can be implemented successively to promote a teaching and learning process appropriate for the child. The Multidisciplinary Support Team for Inclusive Education was also created, comprising various (fixed and variable) school members who played a key role in defining the implementation of measures for each student. Also

¹ [4, p.21].

noteworthy is the publication of the Practice Support Manual, which has greatly helped schools and professionals to implement the diploma.

Still, this is not a perfect model, but rather a process that promotes greater openness and flexibility among the professionals accompanying children and young people, promoting more significant interaction in contact with families. However, there is also greater accountability on their part since, in some cases, there is a resignation from their responsibilities.

As for the special education teachers, they are increasingly taking on the role of facilitators, firstly by strengthening ties with the students they support, as these are essential for working directly with the student, but also by establishing a link between all those involved in the process [5, p. 3].

In the Primary School, children spend all their time with their class, and support is often given in the classroom. This support, provided by a special education teacher, is often distributed to other pupils when requested, often proving to be a kind of support for the head teacher. In this way, students do not feel different from their peers, and, as a rule, at this level of education, children always appreciate special attention from a teacher, as it makes them feel special.

At the Middle School of Basic Education and Secondary Level, the schools have great flexibility in the way support is distributed, which can be direct or indirect, depending on the resources available, the profile of the students and the classes they are in. However, when it is direct, it is often channelled to the subjects of Portuguese and Maths. At these levels of education, the special education teacher often takes on the role of facilitator of the process since it is their responsibility not only to provide support to the student to the class director but also to assist, for example, in adapting materials (e.g. assessment materials for dyslexic students) and in drawing up the documentation that will form part of the student's file.

There are also reference schools for blind or deaf students, which bring together a set of even more specific resources (material, human, etc.) to work on these areas. However, this offer is still small, given the geographical dispersion of the students who attend them, who sometimes have to travel more than 150 kilometers a day to attend a school adapted to their needs.

As for the other teachers who accompany the students (i.e. subject teachers), there is still a long journey to go [2, p. 23; 3, p.736], especially in the case of Secondary-level education, where some teachers still lack knowledge about how to proceed to promote more inclusive teaching. The issue of national exams, access to and attendance at higher education, and the integration of students after compulsory schooling into society will not be addressed here, as these dimensions deserve further analysis and reflection.

After an initial period of uncertainty on the part of the schools (2018-2019 school year), the definition of new working methodologies made it possible to realise the need to establish a more holistic approach and to understand that a paradigm shift was needed. At the same time, in a society that wants to be increasingly inclusive and sees difference as usual, we need to learn to live with differences. Before being professionals, people are human beings who will be better if they know how to embrace differences. For example, a doctor will certainly be a better human if he or she has lived with differences as a child or young person.

Concluding remarks. The conclusion is that, although there is still a long way to go, since the introduction of Decree-Law 54/2018 of 6 July, there has been significant progress in the inclusion of all students in school, with the school adapting and making itself more flexible to the individual characteristics of each student and not the other way around (adapting the student to the school, and not the opposite, as in previous paradigms) [8, p. 5]. The trajectory of inclusive education in Portugal, with regard to compulsory education, reveals a profound and significant transformation, reflecting a paradigm shift from a segregated model to a more integrated and equitable approach, as shown in Figure 5.

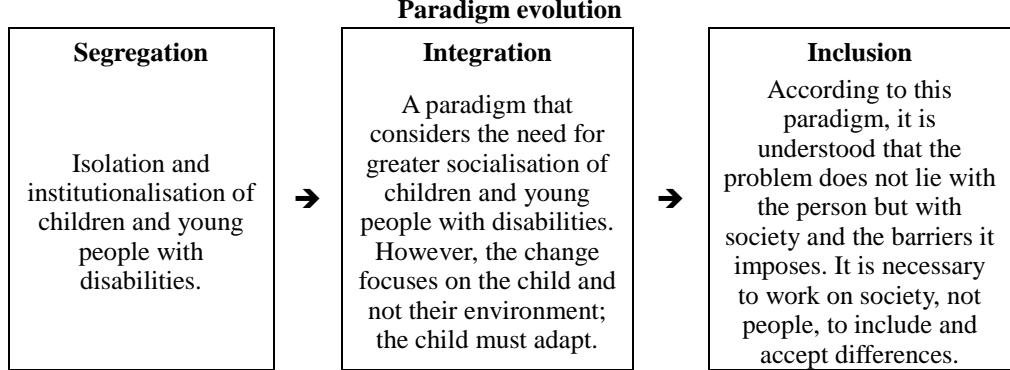


Figure 5.¹

The process began with the Salamanca Declaration in 1994, which established the fundamental principles of inclusive education, encouraging the integration of students with special educational needs into mainstream schools [2, p. 282]. This crucial moment triggered a series of legislative and practical changes. Decree-Law 3/2008 played a key role in formalising and structuring inclusive practices, introducing measures for drawing up Individual Education Plans and coordination between professionals and educational services.

With the publication of Decree-Law 54/2018, inclusive education in Portugal was consolidated and improved by introducing more comprehensive and specific measures. This decree highlighted the importance of a holistic approach, emphasising the need to adapt the curriculum and educational resources to meet the diverse needs of students and promoting the flexibility and personalisation of teaching. Despite notable advances, significant challenges remain, including the uniform implementation of inclusive practices in all schools and regions and the ongoing training of education professionals to deal with diversity. The paradigm shift observed since 2018 has allowed schools to become more flexible and adaptive to students' characteristics rather than requiring students to fit into the rigid standards of the education system. This progress is a crucial step towards true inclusion, where diversity is valued and every student has the opportunity to reach their full potential. As society moves towards greater acceptance of differences, the education system must continue to evolve, embracing diversity and promoting an educational environment where all students, regardless of their needs or challenges, can thrive and integrate fully.

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Ամփոփում

Ներառական կրթությունը՝ Պորտուգալիայում զգալի վերափոխումների է ենթարկվել վերջին տասնամյակների ընթացքում՝ պայմանավորված սոցիալական, քաղաքական ու իրավական

¹ Self-elaboration.

շրջանակների փոփոխություններով, որոնք պայմանավորված են մարդու իրավունքների ու կրթության հավասարության և հասանելիության աճով: Շարժումը պատմականորեն առանձնացված մողելից դեպի ինտեգրված մոտեցում, որն ամրագրված է 1994 թվականի Սալամանկայի հոչակագով, առանցքային է եղել ժամանակակից կրթական պրակտիկայի ձևավորման գործում: Այս հետագործությունը ուսումնասիրում է, թե ինչպես է զարգացել Պորտուգալիայի հասուկ կարիքներով անձանց կրթական քաղաքականությունը 1970-ականներից մինչ օրս, և այն ուսումնասիրում է դրանց իրականացրումը գործնականում: Առաջնային նպատակներն են վերլուծել հիմնական օրենսդրական փոփոխությունների, մասնավորապես 3/2008 և 54/2018 հրամանագրերի ազդեցությունը կրթական համակարգի ներառականության վրա և զնահատել, թե ինչպես են այդ փոփոխությունները ներդրվել դպրոցներում: Արդյունքները ցույց են տալիս, որ թեև զգալի առաջընթաց է արձանագրվել հասուկ կարիքներով ուսանողներին հիմնական կրթության մեջ ինտեգրելու հարցում, այնուամենայնիվ առկա են մարտահրավերներ: Ավելի ձկուն և անհատականացված կրթական մոտեցման անցումը, ինչպես պահանջվում է օրենսդրության փոփոխությամբ, կարևոր քայլ է դեպի ներառական կրթություն:

Բանագի բառեր՝ հասուկ կրթություն, ներառական կրթություն, Պորտուգալիա, Սալամանկայի հրշակագիր, 3/2008 հրամանագիր, օրենք 54/2018, հարացուցներ, փոփոխություն, ներառում, հավասարություն:

ЭВОЛЮЦИЯ ПОЛИТИКИ ИНКЛЮЗИВНОГО ОБРАЗОВАНИЯ В ПОРТУГАЛИИ

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Аннотация

За последние десятилетия инклюзивное образование в Португалии претерпело значительные преобразования, обусловленные изменениями в социальной, политической и правовой сферах, отражающие растущую приверженность к вопросу защиты прав человека и политике доступного образования. Движение от исторически сложившейся сегрегационной модели к интегрированному подходу, катализатором которого стала Саламанкская декларация 1994 г., сыграло решающую роль в формировании современной образовательной практики. В данном исследовании рассматривается эволюция португальской политики в области образования детей с особыми потребностями с 1970-х годов по настоящее время, а также практическая реализация этой политики. Основная цель – проанализировать влияние ключевых изменений в законодательстве, в частности влияние закона 3/2008 и закона 54/2018, на инклюзивность системы образования и оценить, как эта политика реализуется в школах. Результаты исследования показывают, что, несмотря на значительный прогресс, достигнутый в интеграции учащихся с особыми потребностями в общеобразовательную систему, все еще существует ряд вызовов, связанных с ее о реализацией и надлежащей подготовкой всех специалистов в области образования для поддержки различных образовательных потребностей. Переход к более гибкому и индивидуализированному подходу к образованию, предусмотренный недавними изменениями в законодательстве и вдохновленный принципами Саламанки, знаменует собой важный шаг на пути к созданию более инклюзивной системы образования.

Ключевые слова: специальное образование, инклюзивное образование, Португалия, Саламанкская декларация, закон 3/2008, закон 54/2018, парадигмы, изменения, инклюзия, справедливость.

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