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Inclusive Education in Portugal: 50 years following the 25th April Revolution

Manuela Sanches-Ferreira, Catarina Neto, Mónica Silveira-Maia, Sílvia Alves and Rune J Simeonsson

Authors Note

Manuela Sanches-Ferreira, Centre for Research and Innovation in Education, ESE, Polytechnic of Porto, Porto, Portugal; email: manuelaferreira@ese.ipp.pt (https://orcid.org/0000-0002-4693-3928).

Catarina Neto, Centre for Research and Innovation in Education, ESE, Polytechnic of Porto, Porto, Portugal; Current affiliation ISCTE - Lisbon University Institute, Lisbon, Portugal; email: cfgno@iscte-iul.pt (https://orcid.org/0009-0008-7986-1888).

Mónica Silveira-Maia*, ESE, Polytechnic of Porto, Porto, Portugal; email: msmaia@ese.ipp.pt (https://orcid.org/0000-0003-3975-7900).

Sílvia Alves, Centre for Research and Innovation in Education, ESE, Polytechnic of Porto, Porto, Portugal; email: silviaalves@ese.ipp.pt (https://orcid.org/0000-0001-5433-5066).

Rune J Simeonsson, Child Development Institute, University of NC at Chapel Hill, Chapel Hill, NC, USA & CHILD Research Program, Jönköping University, Jönköping, Sweden; email: rjsimeon@email.unc.edu (https://orcid.org/0000-0002-2181-8034).

*Correspondence concerning this article should be addressed to Mónica Silveira-Maia: Centre for Research and Innovation in Education, ESE, Polytechnic of Porto, Rua Dr. Roberto Frias 712, 4200-465 Porto, Portugal. Email: msmaia@ese.ipp.pt

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Catarina Neto: Conceptualization, Data curation, Formal analysis, Funding acquisition, Investigation, Methodology, Project administration, Resources, Visualization, Writing - original draft, Writing - review & editing.

Mónica Silveira-Maia: Conceptualization, Data curation, Formal analysis, Funding acquisition, Investigation, Methodology, Project administration, Resources, Supervision, Validation, Visualization, Writing - original draft, Writing - review & editing.
Sílvia Alves: Conceptualization, Data curation, Formal analysis, Funding acquisition, Investigation, Methodology, Project administration, Resources, Supervision, Validation, Visualization, Writing - review & editing.
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Inclusive Education in Portugal: 50 years following the 25th April Revolution

Abstract

After the 25th of April 1974, Portugal was marked by legislative developments in major areas defining a democratic society, including education.

The aim of this paper is to describe a comprehensive analysis of the legislation on education for children with disabilities in Portugal, exploring commonalities with international developments regarding children's rights and access to education.

A document analysis was conducted on the chronology of laws on education for children with disabilities over the last 50 years coupled with assessment of quantitative indicators of their access to mainstream schools. Findings confirm the accomplishment of significant legislative developments following the 25th April, 1974 affirming and reaffirming the right of children with disabilities to education in mainstream settings and establishing support for them to succeed in school. Legislative developments were analysed within Göransson & Nilholm' framework (2014), describing evolving categories to education from physical placement in mainstream schools towards the building of an inclusive and supportive school community based on principles of equity, care and justice. Legislative developments were consistent with the focus of international conventions as well as the emphasis on access to education in mainstream schools, highlighting that inclusive education for children with disabilities has been mainly a policy-driven process.

Keywords: Democracy; People with disabilities; Special educational needs; Educational policy; Inclusion; Portugal

Key Points:

- This manuscript presents for the first time the trajectory of Portuguese legislative developments on education for children with disabilities in interaction with the international conventions and their access to mainstream schools.
- Crossed with the international conventions that emerged over the last 50 years, the chronological analysis of legislation on education for children with disabilities provides support of Portugal's alignment of policies with international recommendations in increasingly shorter transitions of time.

- Based on an analysis triangulating international conventions, Portuguese laws on education for children with disabilities and their access to mainstream schools, the study provides evidence that successive approaches adopted over the last 50 years in Portugal mobilized the appropriate measures and resources towards an inclusive school system.

Introduction

In 2024, Portugal celebrated 50 years from the revolution of 25th April 1974, one of the highest moments of the Portuguese history, ending 48 years of dictatorship to build a democratic and free regime. According to the 1970 Census, there was an illiteracy rate of 26% of the population aged ten years or over in Portugal (20% among men and 31% among women) (INE, 2014). Access to education until 1974 was marked by significant inequalities at different levels of study and across different regions. Those inequalities were even deeply expressed with regard to vulnerable groups, namely people with disabilities (UNESCO, 1982). These restrictions on education during the dictatorship are still evident in the current low literacy performance of Portuguese adults – as reported on the Program for the International Assessment of Adult Competencies (OECD, 2024).

The revolution triggered changes in the Portuguese society, bringing a commitment to fundamental human rights to the political agenda. The right to education was one of the primary commitments. Following the ideal of guaranteeing education as a universal right – formalized in the Portuguese Constitution of 1976 (Portugal, 2005) -, the Portuguese education system has been guided by the goal of forming education environments of quality, able to meet the diverse backgrounds and needs of students.

The path to that ideal that evolved at that time reflected different directions and impacts, marked by *before and after* phases of the Revolution of April.

This manuscript focuses exclusively on Portuguese legislative developments over the last 50 years regarding education of children with disabilities, as a process informed by international developments in the human rights field. Data on quantitative indicators of access by children with disabilities to education are also examined within the context of political national and international movements over the last 50 years. Specifically, we aim to describe the trajectory of Portuguese national policies on education for children with disabilities in the context of international value systems and as expressed the national data on rates of their access to education. From the triangulation of international values, national policies and access rates, emerging patterns and alignments will be discussed as the base for future policies orientations.

The Before and the After of the Revolution

Globally - before the 25th April of 1974 - the right to education for children with disabilities was restricted to a limited number of children that were placed in specialized institutions (Capucha & Nogueira, 2014). Indeed, until the 1960's, services for people with disabilities were framed in an institutionalization logic, defined by providing

assistance and protection. From the sixties on – faced with European developments after the second world war - there was increased pressure to not exclude the children with disabilities from education, targeting all people as future productive adults (Mesquita, 2001; Sanches-Ferreira, 2007).

As a consequence, there was a significant increase in educating children with disabilities in so-called “special” schools, created mainly by the initiative of parents (Capucha & Nogueira, 2014). These special schools embodied access to education programs for children on the basis of type of disability or diagnostic categories (Mesquita, 2024). This approach for access to education was deeply rooted in the medical model with organizational structures and practices focused on fixing and compensating deficits – an approach that remained dominant much beyond the April Revolution.

The emergence of the human rights movement in the early 1970’s broke the medical approach hegemony, by defining societal discrimination as the main barrier to be addressed towards the inclusion of people with disabilities (Hogan, 2019). In Portugal, this perspective initiated first attempts to integrate children with disabilities in “so-called” mainstream schools. Although these initiatives emerged before the Revolution of 1974, access to education for children with disabilities remained mostly limited or segregated (CNE, 1999).

The Revolution of April 1974 implemented a democratic state governed by the rule of law, expressed in the Republic Constitution published in 1976. The Constitution (Portugal, 2005) affirmed the right of equal opportunity to education, stating “All have the right to education with the guarantee to the right of equal opportunities of access and success in school” (art 74, n.1) and “the citizens with physical and intellectual disabilities fully enjoy the rights and are subject to the duties set forth in the Constitution” (art 71, n.1).

The global culture promoting the access of people with disabilities to education

From the 1960s onwards, national and international social movements of non-discrimination influenced full recognition of the rights of people with disabilities (Oliver, 1990). This recognition was evident in country initiatives to solve many of the social and physical barriers that people with disabilities faced in their daily lives, upholding values of social equality and justice. A pioneer in this national political action, the U.S. Congress passed the Education for all Handicapped Children Act in 1975 (United States Congress, 1975), requiring all public schools to accept provide equal access to education for children with physical and mental disabilities except when the nature or severity of the disability did not allow educational objectives to be achieved in mainstream schools. Similarly, the publication of the Warnock Report (Warnock, 1978) in the United Kingdom, defined "special” schools as schools intended for children with long term, complex and multiple disabilities whereas “mainstream schools” were developed to meet the needs of all other children. These ideas were later codified in the Education

Act (United Kingdom, 1981), specifying children with special educational needs (learning difficulties) that required specific educational responses.

These national developments contributed to the agenda of the United Nations nurturing a global culture that firstly emphasized equal opportunities, rehabilitation and prevention of disabilities, and later required member countries to eliminate environmental barriers and recognize the right of equal participation in society by people with disabilities.

In 1990, the USA adopted the Americans with Disabilities Act (United States Congress, 1990) which affirmed the civil rights of people with disabilities and introduced, for the first time, the concept of independent living for people with disabilities and prohibited discrimination against them as citizens in their participation in employment, education, transport, and in other areas of public and private life. Reflecting this initiative, as well as experiences acquired during the Decade for Disabled Persons (1983-1992), the UN adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (United Nations, 1993), specifying that persons with disabilities can exercise the same rights and be subject to the same obligations as other citizens.

In the specific area of education, UNESCO promoted the World Conference on Special Needs Education, in 1994, which resulted in the Salamanca Statement (UNESCO, 1994); framing inclusive education as a matter of basic human rights and social justice, and emphasizing that schools should accommodate all children, including those with special educational needs, through common school under conditions of education for all. This broader concept of inclusion of various groups of children and young people in education was clarified in 2009 in the publication of the policy guidelines on inclusion in education (United Nations, 2009), establishing the concept of inclusive education as a guiding principle of all policies and practices in education affecting all children and young people, without exception. Later in 2006, the Convention on the Rights of Persons with Disabilities (CRPD) was adopted by the UN instructing the need for States to “ensure an inclusive education system at all levels” (United Nations, 2006); a principle reinforced and quantified since 2015, in the 2030 Agenda (United Nations, 2015) which defines the goal to "Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all". Other initiatives continued to be developed at international levels, reinforcing a long path in the promotion and advocacy of the rights of people with disabilities.

Towards an inclusive education system in Europe

Translation of inclusive education as a goal for political, organizational and pedagogical practices has differed across European education systems. Following the international steps recognizing the right of people with disabilities to equally participate in society, and specifically in education, the EU set up the European Agency for Development in

Special Needs Education in 1996, as a platform for Member-States on special needs in education. Its mission was validated by the entry into force of the Treaty of Amsterdam, in 1999, which enshrined the fight against discrimination on the basis of disability, consideration of the needs of people with disabilities, and broad access to education for all as a fundamental right. Later, with increasing international efforts towards the defense and promotion of the rights of people with disabilities (e.g. ratification of the CRPD, in 2010; adoption of the Agenda 2030, in 2015), the EU proceeded with political and organizational updates that have entered into force throughout the 21st century for Member-States: the proclamation of 2003 as the European Year of People with Disabilities; the adoption of Directive 2006/54/EC for equal opportunities; the entry into force in 2009 of the Charter of Fundamental Rights of the EU; the change in the name of the then European Agency for Development in Special Needs Education to the European Agency for Special Needs and Inclusive Education, in 2014; and, the adoption in 2017 of the European Pillar of Social Rights.

Although these steps reinforced non-discrimination on the grounds of disability and the overall agreement on inclusive education systems goal - "[…] to ensure that all learners of any age are provided with meaningful, high-quality, educational opportunities in their local community, alongside their friends and peers" (European Agency for Special Needs and Inclusive Education, 2015, p. 1) – there are gaps in how the common values are translated into laws and how the laws are converted into practices (Ramberg & Watkins, 2020), also affecting the development of more inclusive schools in Portugal (Alves, 2019). Such gaps are reflected by differences in placement (European Agency for Development in Special Needs Education, 2003), as a tangible indicator, and in understanding the actions and processes that should be implemented in practice. Although, as Norwich (2022) argued, these gaps are a consequence of the contested meanings of inclusive education reflected by research that relies on 'thin' definitions focusing on placement or empirical outcomes rather than broader normative and value-based foundations. This variability was organized by Göransson and Nilholm (2014) – based on research analysis – into four categories representing different understandings about what school systems, schools and classrooms should accomplish in terms of inclusion. Presentation of inclusion in the four categories of placement, specific individualized, general individualized, and community encompassed a move from developing specific responses for individual students towards implementation of a whole school approach. As proposed by Göransson and Nilholm (2014), these four categories are not mutually exclusive but hierarchically related, in that more comprehensive definitions presuppose and incorporate the preceding ones. Furthermore, the authors emphasize that increasingly stringent criteria are applied to what counts as inclusive education as one moves from category A (placement) to category D (community). This hierarchical structuring indicates a progressive augmentation in the scope and demands of inclusion, transitioning from a focus on

individual students, to groups of students, to all learners, and ultimately to the school as a social and organizational system.

Therefore, this manuscript uses the four categories of Göransson and Nilholm (2014) as a framework for a chronological analysis of developments in education for children with disabilities over the last 50 years of democratic regime in Portugal. By understanding how policy and legislation in education evolved in the Portuguese context – how target-populations, educational measures and underlying values and purposes are defined -, we explore the pathways that the educational sector made to foster the inclusion of people with disabilities in schools and in a democratic society. This analysis will be done along with international values-reference documents and national quantitative indicators of access, enlightening the knowledge, the values and the repercussions that shaped each decade. To that end, the study examined the following research questions:

1) How has the evolution of educational legislation for children with disabilities in Portugal over the past five decades reflected the prevailing knowledge and societal values of each period?

2) How have rates of access to mainstream schools for children with disabilities in Portugal changed in relation to the chronology of educational legislation?

Method

We employed a longitudinal document analysis of Portuguese laws in education, from 1974 to 2024, that were designed to guarantee the rights of children with disabilities to education, assessing a set of variables measured at defined time points. Worldwide changes in special needs and inclusive education were identified in a non-systematic literature review and related to developments registered in the in educational legislation in Portugal over the last 50 years. Along with the documenta analysis, quantitative indicators about access rates were gathered and organized making use of statistical databases of reference in Portugal.

Data collection, extraction, and analysis were conducted individually by two researchers to ensure methodological rigor. The results were subsequently compared and discussed and in the cases of disagreement, discrepancies have been presented to a third researcher, allowing all to clarify doubts and reach a joint consensus; thus, all decisions were aligned with the study's predefined criteria and analytical framework.

Data collection and extraction

1) Legislation: Portuguese legislation focusing the right of access to education of children with disabilities, published in the last 50 years, were collected. For access to the legislative documents, these reliable online sources of information were consulted: Inspectorate-General of Education and Science (IGEC); General Directorate for Education; National Council of Education (CNE); and, National Institute for Rehabilitation (INR). The data was collected in December 2024. The legislation was selected

considering the following inclusion criteria: (1) Portuguese legislation published between May 1974 and December 2024, in force and repealed legislation; (2) legislation explicitly addressing the right of access of children with disabilities in education; and, (3) actions and/or measures applied to the compulsory education, covering basic education and secondary education.

Applying these criteria, 81 documents were identified and compiled into a single Microsoft Excel file (Figure 1). The legislative documents were listed and identified by title, online access to the official site and reference to the resource where it was found. As documents were listed sequentially, the total number of identified documents (n = 81) was free of duplicate laws. All documents were screened in a process in which the title, preamble and first article of each article were read, in order to define the object of the legislation in analysis and to determine if the identified legislation was genuinely related to the scope of the research. Based on the established criteria, 2 documents were excluded under criterion 1, as the review was restricted to the period between May 1974 and December 2024. At the end of this first screening, 79 documents were retained for screening of the full text. At the next step, an additional 56 documents were excluded under criterion 2, as the documents were primarily targeting audiences other than children with disabilities (e.g. training of teachers in special education; defining role of municipalities in inclusive education). Finally, 13 documents were excluded under the third criterion (e.g. specific measures for kindergartens, for childminders; actions for transversal sectors such as employment, social protection and education). The final number of laws (n = 10) was double-checked for meeting all criteria for comprehensive analysis.

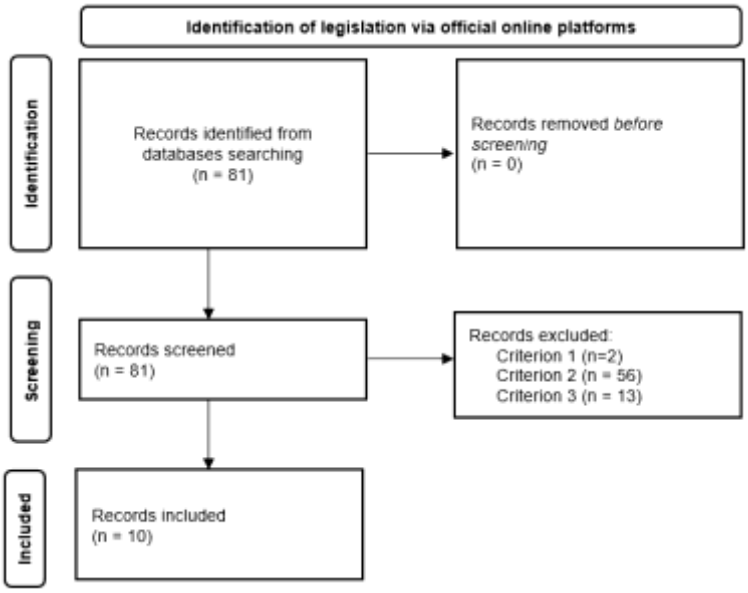


Figure 1. Detailed arrangements of steps executed in the process for selecting legislation.

2) Indicators of access: Identification of legislative documents was followed by identification of databases providing statistics on access by children with disabilities to education, three years before and after publication of each identified legislation. The databases of these indicators covered the period between 1974 and 2024 and were retrieved from reliable sources including the Ministry of Education, INE (Statistics Portugal), Eurostat, and the European Agency for Special Needs and Inclusive Education. No data was available on the access of children with disabilities in education in the first decade of the 21st century, as confirmed by the General Directorate of Education and Science Statistics (DGEEC). The data was collected in December 2024 and January 2025 with a total of 20 databases extracted and compiled into a single Microsoft Excel file.

Data analysis

1) Legislation: Each document was analysed using a common coding tree previously agreed and based on the Göransson and Nilholm (2014) framework and the understandings in each category concerning three topics: (i) *who* - how was the target-population defined; (ii) *how* - what measures were employed; and (iii) for *what* - what were the underlying values and proposes. Based on the results, a synthesis table was elaborated and laws were categorized within Göransson & Nilholm' framework (2014), exploring their commonalities with the four main definitions of inclusion:

> Placement (P) - inclusion as the physical placement of students with disabilities in mainstream classrooms.
>
> Specific individualized (SI) - inclusion as meeting the social/academic needs of students with disabilities, within a special education discourse focused on students with disabilities.
>
> General individualized (GI) - inclusion as meeting the social/academic needs of all students, emphasizing that inclusive education is for all students, meets individual needs, and promotes solutions for educating everyone in a typical school setting.
>
> Community (C) - inclusion as creation of communities, defining inclusion as a community-centered concept that emphasizes equity, care, justice, and valuing diversity to create inclusive and supportive classroom environments.

2) Indicators of access: Two main indicators were selected for analysis of access by children with disabilities to compulsory schooling, based on their consistency in annual records over the past 50 years: (i) children with disabilities in mainstream schools and (ii) children in specialized units (out of the mainstream schools).

The integration of legislative analysis with quantitative indicators of access followed a temporal alignment strategy, whereby the ten key legislative developments were

compared with trends in educational access data. Nevertheless, the analysis remains chiefly descriptive and does not seek to establish causal relationships, which should be considered in the subsequent presentation of the results.

Results and discussion

An initial analysis presents how legislation contents and access rates evolved over the period of 5 decades, followed by a comprehensive analysis of the triangulation of findings on national legislation, access rates and international values.

Legislation and access rates evolvements

Table 1 presents the analyses of the 10 selected Portuguese laws in education, from 1974 to 2024.

As shown in the table, developments – not always linear – can be noticed concerning the "who" question. Generally, the target audience was, until 1986, defined by types of disabilities (e.g., physical, sensory or motor) progressing towards an approach centred on the students' needs, using the concept special education needs – and more recently student profiles of functioning, measuring needs defined by person-environment interactions. From the decree-law of 2008 to the decree-law of 2018 there is also a significant change of criteria defining students as having disabilities – or functional limitations - to embracing diversity of all students, replacing a law specific to special education towards inclusive education in a broader sense.

Also noticeable is the development of the "how" question, from "simplification" towards a set of educational measures designed to enable access to a common curriculum and facilitation of learning social and functional skills. Similarly, the "for what question" changed from job-related concerns to full social inclusion in a democratic society.

Table 1. List of Portuguese legislation on the right of access of children with disabilities in education, between 1974 and 2024, analyzed by 'who', 'how', and 'for what'.

	Who (how the target audience is defined)	**How** (what measures are employed)	**For what** (what are the values and purposes)
***Decree-Law 174/77, from 2nd of May* - School regime for students with disabilities**	Students with physical or mental disabilities	Benefit from special conditions of attendance, discipline regime, forms of evaluation and curricular simplification	Need to define the school regime for students carrying disabilities when integrated into the public education system
***Law 66/79, from 4th of October* – Special Education**	Children and young people who, due to the characteristics they present, need specific care, including physical, motor, organic, sensory and intellectual disabilities	Special education, with regard to students, will take place, whenever possible, in regular educational establishments	Preparation for adequate vocational training and integration into working life. Disabled people integrated into regular education structures are supported by special education services for as long as they need it throughout their schooling, at any level of education.
***Decree-Law 538/79, from 31st December* - Compulsory education**	Person carrying physical, sensory or motor disabilities	Documented by a certificate of the alleged insufficiency and professional aptitude that the student possesses	Preparation for adequate vocational training and integration into working life by young people with disabilities, in collaboration with vocational training and rehabilitation services
***Law 46/86, from 14th October* - Basic Law of the Education System**	Individuals with special educational needs, resulting from limitations or disabilities that manifest themselves in a systematic and prolonged manner inherent to the individual learning process and participation in school, family and community life, as well as gifted individuals	Special education is preferably organized according to diversified models of integration in regular educational establishments, taking into account the needs of specific care, and with the support of specialized educators, and can also be carried out in specific institutions	Special education aims at educational and social integration, autonomy, at all levels where it may occur, and the emotional stability of individuals

	Who (how the target audience is defined)	**How** (what measures are employed)	**For what** (what are the values and purposes)
Decree-Law 319/91, from 23rd August **- Special education regime applicable to students with special educational needs**	Students with special educational needs	The special educational regime consists of adapting the conditions in which the teaching-learning of students with special educational needs takes place by the following measures: special compensation equipment; material adaptations; curricular adaptations; special enrollment conditions; special frequency conditions; special evaluation conditions; adequacy in the organization of classes or classes; increased pedagogical support; special education.	The access of disabled students to the regular education system
Joint Order 105/97, from 1st of July **- Regime applicable to the provision of educational support services**	Socio-educational integration of children and young people with special educational needs in schools	Placement of teaching staff and other technicians in schools, substantiating the conditions for the integration and success of all students	Focus on schools the diversified interventions necessary for the educational success of all children and young people.
Ordinance 1102/97, from 3rd of November **– Education conditions for students attending special education associations and cooperatives**	Children and young people with significant educational needs	Schooling of students associated with individual conditions of disability that require significant and extreme adaptations in an area of the common curriculum	Non-profit cooperatives and special education associations as a valuable resource in the development of an inclusive school for all children and young people with special educational needs
Decree-Law 3/2008, from 7th of January **- Specialised support to be provided in pre-school education and in basic and secondary education**	Students with significant limitations in terms of activity and participation resulting from structural and functional changes of a permanent nature	The school aims to promote universal skills that allow autonomy and access to the full conduct of citizenship by all. Educational measures are: personalized pedagogical support; individual curricular adjustments; adjustments in the enrollment process; adjustments in the evaluation process; specific individual curriculum; supporting technologies.	Promotion of a democratic and inclusive school, oriented towards the educational success of all children and young people. Schools are required to incorporate into their educational projects the organizational and operational adaptations to teaching and learning ensuring their fullest possible participation in classroom activities and in the broader school community.

	Who (how the target audience is defined)	**How** (what measures are employed)	**For what** (what are the values and purposes)
Ordinance 275-A/2012, from 11th of September **- Regulates the teaching of students with a specific individual curriculum in the process of transition to post-school life**	Students with special educational needs	Ensure that individual curricula integrate the curricular areas considered fundamental, with the necessary flexibility for an individualized approach capable of respecting and responding to the specificities of each student	It is also the responsibility of educational establishments to ensure the transition process of these students to post-school life
Decree-Law 54/2018, from 6th of July - Legal regime of inclusive education	Diversity of needs and potentialities of each and every student	The school must respond to the diversity of needs and potentialities of each and every student, by increasing participation in the learning processes and in the life of the educational community. Measures to support learning and inclusion are organized into three levels of intervention: universal, selective and additional.	Commitment to an inclusive school where each and every student finds answers that enable them to acquire a level of education and training that facilitates their full social inclusion

Access rates on the number of children with disabilities in mainstream schools and in specialized units (out of the mainstream schools) are presented in Figure 2. There were three time points in which the number of students in mainstream settings increased more expressively: (i) in 1978, one year after the initial law that established "Special education, with regard to students, will take place, whenever possible, in regular educational establishments"; (ii) in 1996, five years after the decree-law 319/91 - which had set the measures of support based on teaching-learning dynamics - and one year before the *Regime applicable to the provision of educational support services*; and (iii) in 2010, two years after the decree-law 3/2008 which reinforced the transformation of special school into inclusive resource centers and two years before the Ordinance that regulated the teaching of students with a specific individual curriculum in the process of transition to post-school life.

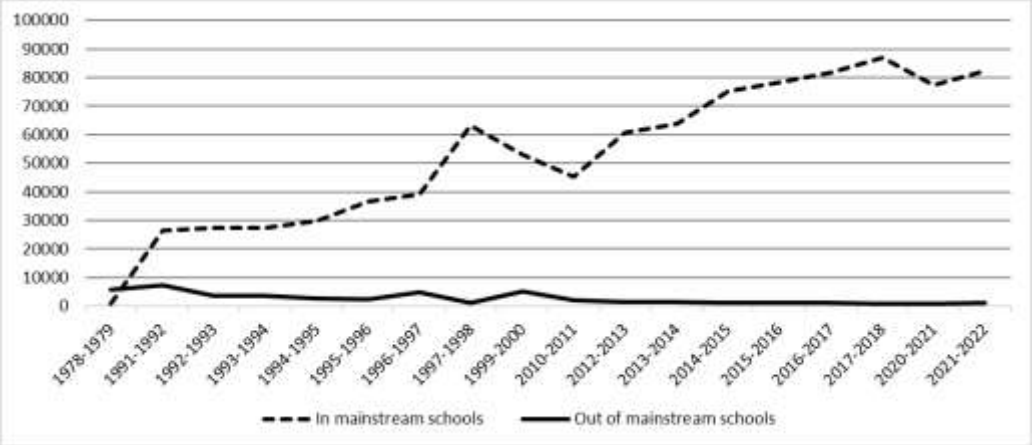


Figure 2. Number of children with disabilities in compulsory schooling, per type of school, between 1978 and 2022. The type of school is represented by different line styles: In mainstream schools – Dashed line; Out of mainstream schools (in specialized units) – Solid line. Sources: DGEEC-Portugal and European Agency for Special Needs and Inclusive Education.

Triangulation of national legislation -international values- access rates: commonalities and gaps

As described in the method, analyses of the content of laws and of international reference documents made use of the four categories of Göransson & Nilholm (2014) to locate understanding of inclusion in different decades (Figure 3).

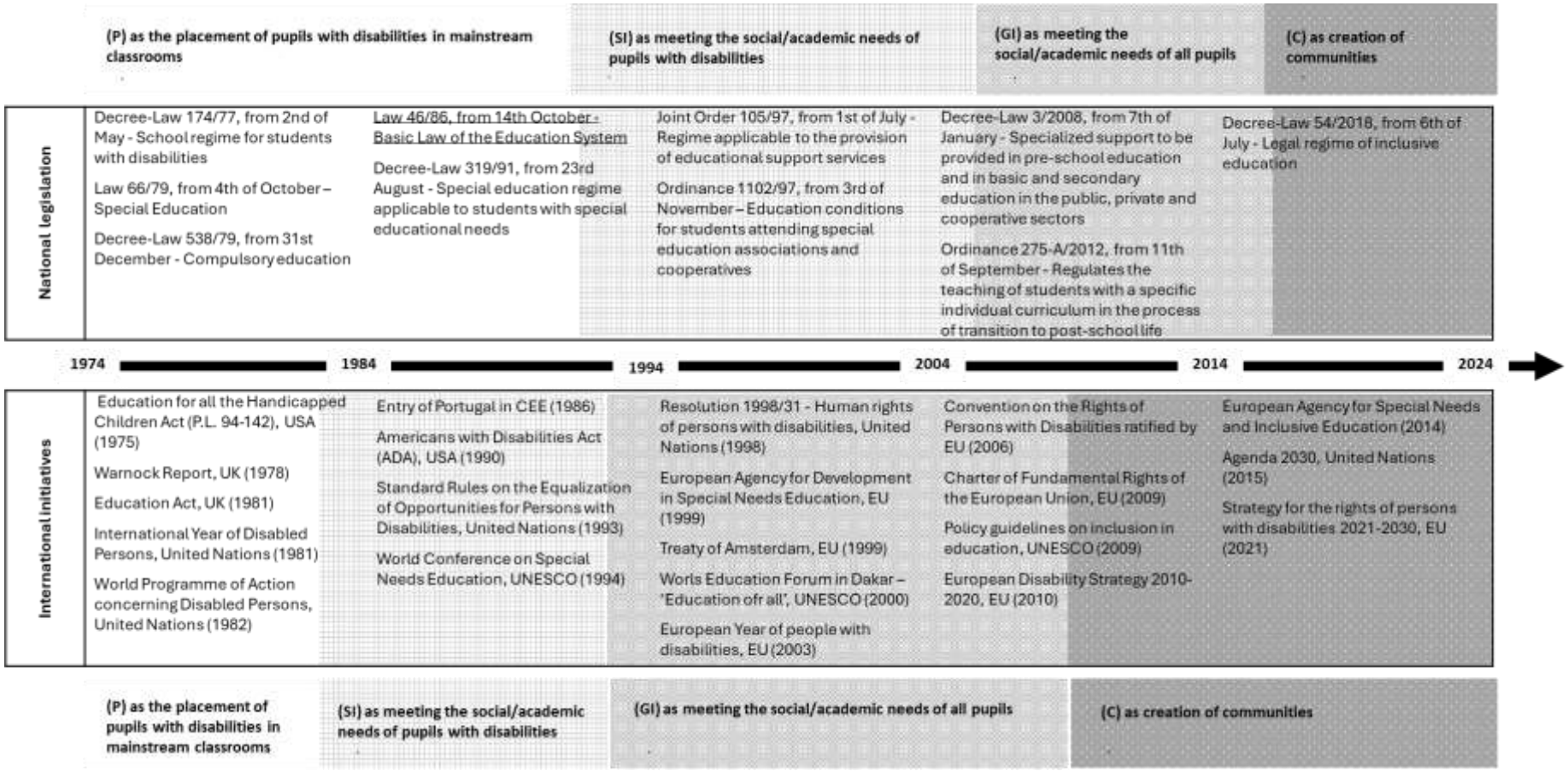


Figure 3. Chronological distribution of Portuguese legislation and international initiatives in education for people with disabilities, paired with the categories understanding inclusive education as proposed by Göransson & Nilholm (2014). These categories are represented by different patterns: Category P (Placement) – white with no pattern; Category SI (Specific individualized) - light gray with a small grid pattern; Category GI (General individualized) – gray with a light dot pattern; C (Community) – dark gray with bold dot pattern.

Indeed, following this categorization, the chronological and comprehensive analysis of the selected Portuguese legislation in education seems consistent with the evolution of the four categories of inclusive education, reflecting a progression from approaching inclusion as a placement issue (P) to an approach focusing mainly on community movement (C). It is noteworthy that the progression was not always linear, with the Law 46/86, (Basic Law of the Education System) presenting a system of values emphasizing a school for all students and promoting solutions for educating everyone in mainstream schools (GI), while specific legislation for students with disabilities (e.g. Decree-Law 319/91,) was still in force and a step behind (SI). It was in the first decade of the 21st century, with the entry in force of the Decree-Law 3/2008, and revoking the Decree-Law 319/91, that specific legislation for students with disabilities was updated in accordance with the framework of a law that had been in force for 22 years.

Triangulated with the international initiatives that emerged in the last 50 years, the chronological analysis suggests alignment of Portuguese legislation on inclusion of students with disabilities with international recommendations in increasingly shorter periods of time. Placement (P) as a category referencing inclusion mainly as the physical placement of students with disabilities is reflected in the first decade from 1974 to 1984. In this regard international initiatives referred to schools as the place for students to be integrated. For example, the U.S. Education for all Handicapped Children Act (United States Congress, 1975) defines as its purpose "to assure that all handicapped children have available to them, (…), a free appropriate public education which emphasizes special education and related services" (p. 775). Later, the Warnock Report (Warnock, 1978) recommends that "special nursery classes and units should be provided for young children with more severe or complex disabilities" (p. 88), and that children with "disabilities or significant difficulties should be educated in ordinary nursery schools and Classes" (p. 88). This approach was reflected in Portuguese legislation on education in this same time period, framing this group of children with "physical, motor, organic, sensory and intellectual disabilities" (Portugal, 1979) – still explicitly associated with a clinical diagnosis -, for placement in special education and, whenever possible, in regular educational establishments. Official statistics from the Ministry of Education in Portugal mirror this segregation, identifying a total of 6620 "mental disabled children" in schools for the school year of 1978/79, although only 922 attended the "official" schools. This placement approach continued in the Portuguese legislation on education during the next decade from 1984 onwards until 1991, when a new decree-law took force, revoking legislation from the previous decade that defined the school regime for students with physical or mental disabilities.

The decade from 1984 to 1994 in Portugal was characterized by a mix of three of the categories proposed by Göransson & Nilholm (2014) to describe approaches of inclusion. As the previous laws for children with disabilities based on a placement approach (P) were still in place, a new law entry in force in 1986 - Law 46/86 - redefined the educational system in Portugal and proposed a system of schools for educating

everyone. This law defined a general individualized approach (GI) that emphasized education for all students and promoted solutions for educating everyone in mainstream schools. The subsequent decree-law in 1991 (Decree-Law 319/91) stressed a more specific individualized approach (SI) establishing a special educational regime to meet the social/academic needs of students associated with special educational needs. This step was in line with international guidelines starting in early 1980s that acknowledged the existence of “physical and social barriers in society which hamper their [disabled persons] full participation” (United Nations, 1982) and introduced the concept of "special educational needs" to identify children with a “learning difficulty which calls for special educational provision to be made for him” (United Kingdom, 1981). This means that the Portuguese legislation was following international values with a specific individualized approach, ten years later. With this approach, a total of 26484 “students with special educational needs” (SEN) attended mainstream schools in the school year of 1991/92.

In 1994, the Declaration of Salamanca clarified the concept of inclusion as an approach of regular education of children and young people with special educational needs under conditions of education for all. Linking the general individualized approach (GI) with international guidelines defining inclusion - as meeting the social/academic needs of all pupils - was consistent with the principles of the Portuguese Basic Law of the Educational System, in 1986. This approach was later embraced by the Portuguese specific legislation for children with disabilities in 2008, with the entry in force of the Decree-Law 3/2008, , 14 years after the international guidelines and 22 years after the publication of Law 46/86, still in force today. The re-conceptualization of the target population (who), together with solutions conceived from school resources and naturally embedded in the school’s projects (for what) defined a transition from a specific individualized approach (SI) to a more general individualized approach (GI), reflecting an emphasis placed, not on the disability but on the needs for support resulting from interactions of the child with the environment. This change also seems to be reflected in the statistical data which registered 60756 SEN students attending mainstream schools and additional 1344 SEN students in special schools, for the school year of 2012/13.

The last decade analyzed in this study, from 2014 to 2024, marked the entry in force in 2018 of a new decree-law in Portugal, consistent with the fourth category – community (C) - which reflects an understanding of inclusion focused on creating a supportive school community for all. This understanding is clearly mirrored in the universal Policy Guidelines on Inclusion in Education (United Nations, 2009), declaring that “Inclusive education is a process of strengthening the capacity of the education system to reach out to all learners and can thus be understood as a key strategy to achieve EFA [education for all]” (p. 8). This definition advances inclusion as a community-centered concept that values diversity to create inclusive and supportive classroom environments. The same set of views for schools to accomplish was legislated in the Portuguese Decree-Law 54/2018, defining specialized support to be provided in pre-

school education and in basic and secondary education, meeting the diversity of needs and potentialities of each and every student. The statistical data available for the school year of 2021/22 reports a total of 82422 students with "selective and/or additional measures to support learning and inclusion" attending mainstream schools, while 1009 additional students are educated outside of mainstream schools. Together, the Constitution of the Portuguese Republic (2005), the Law 46/86, and the Decree-Law 54/2018, are the national laws reviewed for this study currently in force.

Conclusions

The movement in education from placement and specific individualized approaches towards a more community-centered approach to inclusion was associated with differences in how laws identified the target-population and treated statistical data. From specifically identifying children with disabilities with a physical or mental diagnosis in the 1970s, identification evolved towards a more educational-related conception of special educational needs or significant educational needs in the 1980s. By the beginning of the 21st century, children with disabilities were identified holistically as members of a group rather than as individual subjects. These changes in how children with disabilities were defined in international conventions not only impacted the formulation of public policies in Portugal, but also reflected how society perceives, diagnoses and treats people with disabilities in each moment of time (Rioux & Fraser, 2006). Consequently, opportunities opened for children with disabilities to be integrated into community enabled settings for all children, not to be diagnosed just/only on the basis of mental or physical disabilities (as defined in the Decree-Law of 1977), to be supported on the basis of their special educational needs (as defined in the Decree-Law of 1991), activity limitations and participation restrictions (as defined in the Decree-Law of 2008), or their diversity of needs (as defined in the Decree-Law of 2018) to access levels of education and training facilitating their full social inclusion.

These different approaches adopted over the last 50 years mobilized measures and resources to respond to problems of access to education experienced by children with disabilities in Portugal. As noted by Capucha and Nogueira (2014), following the April Revolution, in 1974, Portugal was characterized by a marked structural delay in advancing education for children with disabilities compared to other countries with limited opportunities and resources in mainstream schools. However, by the school year of 2021/22, almost all (99.9%) of the children with disabilities (including those with complex needs, profound intellectual disabilities, multiple disabilities, autism) were educated in mainstream schools in Portugal, indicating that 1009 children were in specialized units, e.g. public schools under dual tutelage (of more than one Ministry), private schools and special schools. Noteworthily, these numbers are insufficient to get a clear picture of the success of evolving legislation, specially when recent studies provide evidence of inclusive education shortcomings in Portugal (e.g. Alves, Campos Pinto & Pinto, 2020; Capucha e Pedroso, 2025).

The chronological analysis of legislation showed that the focus moved from access to a school building to transformation of the context of inclusive education in which – more than being placed along with the others - all students have the needed supports to belong and participate in school life. This analysis contributes to an evolving understanding of disability, in which the focus on categories of disability (informed by the medical model) was replaced by a biopsychosocial model defining disability as limitations and restrictions (Sanches-Ferreira, 2017). Although the analysis in this study is constrained by the theoretical framework adopted, and may be subject to alternative interpretations, its employment as an informed structure provides a comprehensive view of how conventions, legislation and statistical trends are interpreted from their normative and value-based foundations. In summary, this study documented a comprehensive trajectory of inclusion in the school system of Portugal, in which the articulation of national laws reflected international conventions and student access rates to mainstream schools, mainly triggered by policy-driven processes. Nevertheless, this study presents a gap between theory and implementation, which invites future research to examine how policies have been and are interpreted and enacted at the school and classroom levels. While the approach proposed by Alves & Fernandes (2022) may support the study of policy-to-practice in inclusive education, investigating the few cases of students out of mainstream schools in Portugal would help move the analysis beyond policy discourse and provide a more detailed understanding of how the community is addressing all students' needs.

References

Alves, I. (2019) 'International inspiration and national aspirations: inclusive education in Portugal.' International Journal of Inclusive Education, 23(7–8), pp. 862–875. https://doi.org/10.1080/13603116.2019.1624846

Alves, I., & Fernandes, D. (2023) 'Public policies in Portuguese education: the path to inclusion for all'. In R. Tierney, F. Rizvi & K. Ercikan (eds), International Encyclopedia of Education, pp. 397 - 403. Elsevier. https://doi.org/10.1016/B978-0-12-818630-5.12027-5

Alves, I., Campos Pinto, P., & Pinto, T. J. (2020) 'Developing inclusive education in Portugal: Evidence and challenges'. Prospects, 49, pp. 281–296. https://doi.org/10.1007/s11125-020-09504-y

Capucha, L. & Nogueira, J. M. (2014) 'A educação especial em Portugal, os últimos 40 anos.' In M. L. Rodrigues (eds), 40 anos de políticas de educação em Portugal (Vol. 1), pp. 499-533. Coimbra: Almedina.

Capucha, L., & Pedroso, P. (Coords.). (2025) 'Avaliação da educação inclusiva para o Programa Temático Demografia, Qualificações e Inclusão (PESSOAS 2030): Relatório final.' Lisbon: Instituto para as Políticas Públicas e Sociais (IPPS-Iscte).

CNE – Conselho Nacional de Educação (1999) 'Uma Educação Inclusiva a partir da escola que temos.' https://www.cnedu.pt/pt/publicacoes/seminarios-e-coloquios/uma-educacao-inclusiva-a-partir-da-escola-que-temos (accessed 22 July 2025).

European Agency for Development in Special Needs Education (2003) 'Inclusive Education and Effective Classroom Practice.' https://www.european-agency.org/sites/default/files/inclusive-education-and-classroom-practices_iecp-en.pdf (accessed 22 July 2025).

European Agency for Special Needs and Inclusive Education (2015) 'Agency Position on Inclusive Education Systems.' https://www.european-agency.org/resources/publications/agency-position-inclusive-education-systems-first-edition (accessed 22 July 2025).

Göransson, K., & Nilholm, C. (2014) 'Conceptual diversities and empirical shortcomings – a critical analysis of research on inclusive education.' European Journal of Special Needs Education, 29 (3), pp. 265–280. https://doi.org/10.1080/08856257.2014.933545

Hogan A. J. (2019) 'Social and medical models of disability and mental health: evolution and renewal.' CMAJ: Canadian Medical Association journal, 191 (1), pp. E16–E18. https://doi.org/10.1503/cmaj.181008

INE - Instituto Nacional de Estatística (2014) '25 de Abril – 40 anos de estatísticas.' https://www.cig.gov.pt/siic/pdf/2015/25Abril_2014_2_SIIC.pdf (accessed 22 July 2025).

Mesquita, H. (2001) 'Movimento de integração escolar em Portugal: da reforma de Veiga Simão à Lei de bases do sistema educativo'. Educação Fisíca. http://hdl.handle.net/10400.11/1532.

Mesquita, H. (2024) 'Da Educação Especial à Educação Inclusiva: 50 anos de história em democracia.' In D. Justino (eds), O ensino em Portugal antes e depois do 25 de Abril: Escolarização e ensino primário, pp. 93-114. Porto: Fundação Belmiro de Azevedo.

Norwich, B. (2022). Research about inclusive education: Are the scope, reach and limits empirical and methodological and/or conceptual and evaluative? *Frontiers in Education*, 7, 937929. https://doi.org/10.3389/feduc.2022.937929

OECD (2024) 'Do Adults Have the Skills They Need to Thrive in a Changing World?: Survey of Adult Skills 2023.' Paris: OECD Publishing. https://doi.org/10.1787/b263dc5d-en

Oliver, M. (1990) 'The Politics of Disablement - New Social Movements'. In M. Oliver (eds), Politics of Disablement, pp. 112-131. London: Red Globe Press London. https://doi.org/10.1007/978-1-349-20895-1

Portugal (1979) 'Lei n.º 66/79, de 4 de outubro, Educação especial.' https://diariodarepublica.pt/dr/detalhe/lei/66-1979-365138 (accessed 22 July 2025).

Portugal (2005) 'Constitution of the Portuguese Republic.' https://www.parlamento.pt/Legislacao/paginas/constituicaorepublicaportuguesa.aspx (accessed 22 July 2025).

Ramberg, J. & Watkins, A. (2020) 'Exploring Inclusive Education across Europe: Some insights from the European Agency Statistics on Inclusive Education.' FIRE: Forum for International Research in Education, 6 (1), pp. 85–101. http://dx.doi.org/10.32865/fire202061172

Rioux, M. H & Fraser, V. (2006) 'Does Theory Matter? Exploring the Nexus between Disability, Human Rights, and Public Policy.' In D. Pothier & R. Devlin (eds), Critical Disability Theory Essays in Philosophy, Politics, Policy, and Law, pp. 47-69. University of British Columbia Press.

Sanches-Ferreira, M. (2007) 'Educação Especial Educação Regular, Uma História de Separação'. Porto: Afrontamento.

Sanches-Ferreira, M. (2017) 'Educação Especial'. In CNE (eds), Lei de Bases do Sistema Educativo: balanço e prospetiva - Volume I, pp. 373-384. Lisboa: Conselho Nacional de Educação.

UNESCO (1982) Para uma Política de Educação em Portugal. (1st edn). Lisboa: Livros Horizonte.

UNESCO (1994) 'The Salamanca Statement and Framework for Action on Special Needs Education.' https://unesdoc.unesco.org/ark:/48223/pf0000098427 (accessed 22 July 2025).

United Kingdom (1981) 'Education Act 1981, c. 60.' https://www.legislation.gov.uk/ukpga/1981/60/enacted (accessed 22 July 2025).

United Nations (1993) 'Standard Rules on the Equalization of Opportunities for Persons with Disabilities.' https://www.ohchr.org/en/instruments-mechanisms/instruments/standard-rules-equalization-opportunities-persons-disabilities (accessed 22 July 2025).

United Nations (2006) 'Convention on the Rights of Persons with Disabilities.' https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities (accessed 22 July 2025).

United Nations (2009) 'Policy guidelines on inclusion in education.' https://unesdoc.unesco.org/ark:/48223/pf0000177849 (accessed 22 July 2025).

United Nations (2015) 'Transforming our world: the 2030 Agenda for Sustainable Development.' https://sdgs.un.org/2030agenda (accessed 22 July 2025).

United States Congress (1975) 'Public Law 94-142: Education For All Handicapped Children Act.' https://www.govinfo.gov/content/pkg/STATUTE-89/pdf/STATUTE-89-Pg773.pdf (accessed 22 July 2025).

United States Congress (1990) 'Public Law 101-336: Americans with Disabilities Act.' https://www.ada.gov/law-and-regs/ada/ (accessed 22 July 2025).

Warnock, H. M. (1978) 'Special Educational Needs: Report of the Committee of Enquiry into the Education of Handicapped Children and Young People.' https://education-uk.org/documents/warnock/warnock1978.html (accessed 22 July 2025).