



PROMOTING POSITIVE
ATTITUDES AND EVIDENCE-
BASED POLICY FOR
INCLUSIVE EDUCATION

INCLUSIVE EDUCATION: THE WAY FORWARD

NATIONAL REPORT:
PORTUGAL



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Please refer to the end of this report for a list of project partners.

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Introduction

This national report has been written within the framework of the ‘Promoting positive attitudes and evidence-based policy for inclusive education’ (IE+) project. Co-funded by Erasmus+, the project aims to provide decision-makers (including policy-makers and education providers) with the information, training and tools that allow for evidence-based policy making, that will support the transition towards inclusive education for children with intellectual disabilities aged between 3-18 years old.

This report is the result of a research framework that has been developed by Prof. Dr. Geert Van Hove, Dr. Elisabeth De Schauwer & Ms Evelien De Maesschalck from Ghent University. This framework has combined the methodology of ‘Pacific Indicators for Disability-Inclusive Education’ Project (2016), due to its connection with the creation of indicators that can measure the progress towards disability-inclusive education and the Erasmus+ Project: ‘Evidence Based Education + Job Shadowing,’ due to the co-productive approach take during the development of its stakeholder survey.

Part of a series of five national reports, this report contributes to an overview of the current legal, policy and school practice currently in place in [Belgium](#), [Bulgaria](#), [Greece](#), [Spain](#) and [Portugal](#). A comparative analysis of these national reports can be found in the article: Inclusive Education: Realizing Article 24.





Legal framework

a. International Human Rights Law

Portugal signed and ratified the United Nations Convention on the Rights of Persons with Disabilities and its Protocol, by this order in National Assembly on the 7th May 2009 (*Resoluções da Assembleia da República n.º 56/2009 e n.º 57/2009*).

The United Nations Children's Rights Convention was signed on the 26th January 1990 (*Resolução da Assembleia da República n.º 20/90, de 12 de Setembro, publicada no Diário da República, I Série, 1.º Suplemento, n.º 211/90*), ratified on the 12th September 1990 (*Decreto do Presidente da República n.º 49/90 de 12 de Setembro, publicado no Diário da República, I Série, 1.º Suplemento, n.º 211/90*). It comes to force in the Portuguese legal system on the 21th October 1990.

A historical overview can lead us to understand better Portuguese educational policy evolution and their accordance with the International frameworks. For that purpose, regarding Country information for Portugal on Legislation and policy publish online by European Agency for Special Needs and Inclusive Education¹ containing information provided by the Portuguese Education Ministry's, *we have that:*

“As the education system in Portugal has evolved over the years, government initiatives have been taken to deal with individuals and/or groups identified as requiring special education. Some initiatives, no less important from the chronological point of view, will be omitted because they involved no specific, organised social or educational intervention. However, an important milestone was the creation, in 1946, of the first special classes in primary schools. Initially these were for learners with a physical or intellectual disability. However, later learners with learning difficulties and minor disabilities were included. The António Aurélio da

¹ <https://www.european-agency.org/country-information/portugal/legislation-and-policy> (visited on the 29th October 2018)





Costa Ferreira Institute was the state institute responsible for giving guidance to these classes and for training the teachers involved.

In the 1960s, under the Ministry of Health and Assistance, the Institute for Providing Assistance for Minors was created. Centres for special education and centres for observation and assessment were set up. They adopted a medical pedagogic approach and were responsible for detecting, observing and referring learners to schools providing special education or similar provision. The first courses were also organised to give specialist training to teachers.

With the revolution in 1974, which replaced dictatorship with democracy, the parents' associations' movement, aided by specialists and teaching staff, was important in developing many socio-educational activities and in organising and creating schools for learners with disabilities, particularly those with intellectual disabilities. At the time, the state already provided some organised response to other types of disability (sensory), although this was insufficient and ineffective from an educational and social point of view. Therefore, it was through these associations and co-operatives that the first schools for learners with intellectual disabilities were introduced throughout the country. The most important centres were the Co-operatives for the Education and Rehabilitation of Children with Learning Disabilities (CERCI's). Today, these are still an important partner in finding solutions for people with disabilities and, in some cases, a specialised resource serving the educational community.

In the early 1970s, the Ministry of Education began to pass legislation that specifically addressed educational structures for 'those with disabilities and those with learning difficulties'. To this end it created, within the Ministry itself, the Department for Special Education to cover compulsory education (basic education) and the Department of Special and Vocational Education for upper-secondary education. Among other tasks and duties, the Ministry decided to give its support to the above-mentioned schools and to assume responsibility for providing specialised teacher training for those working with learners with





disabilities. The courses administered by the António Aurélio da Costa Ferreira Institute were restructured accordingly. Similarly, in the mid-1970s, regional support structures were organised. Special education teams were only recognised in 1988 with the publication of Joint Order No. 36/SEAM/SERE/88, 17 August. This aimed to develop integrated teaching for children with disabilities and adolescents with sight, hearing or physical impairments. Some time later this was also approved for those with intellectual disabilities.

Education for all, based on the protection of individual rights by applying the principle of equal opportunity to education and the criteria of pedagogic and social justice, is expressed clearly through full participation and co-operation among all those involved in education.

Special education is guided by the principles enshrined in legislation, which comprises the Education Act, Law No. 46/86, 14 October; Decree-Law No. 35/90, 25 January; Decree-Law No. 3/2008, 7 January. The underlying philosophy is based on several international resolutions, such as the Salamanca Statement and Framework for Action on Special Needs Education.

These principles can be summarised under three fundamental rights:

- *The right to education: all children with special educational needs (SEN), even as the result of a problem (or problems) in a particular area of development, have the right to education. At compulsory school age, education for children and adolescents with SEN, no matter how complex they are, should be provided within the mainstream education system.*
- *The right to equality: the inalienable right of all children to equal opportunity in gaining access to and achieving success in education, without any type of discrimination, and with educational resources and support adequate to each one's individual needs.*
- *The right to be part of society: it is a principle that they have the right to attend mainstream schools of education which, from the perspective of a school for all, find the right solutions for the needs of each individual. The rule is that learners with disabilities should preferably be included in the mainstream teaching system, with special schools being the exception. Only when all means for keeping learners in a*





mainstream school alongside their peers have been exhausted may learners attend a special school.

For this attempt to enshrine the right, duty and responsibility of the state and civic society in dealing with persons with disabilities and/or SEN, the development of ideas and scientific and pedagogic research, at national and international level, related to special education was crucial. No less important was the contribution of reformist attitudes that brought change to the education system since the late 1980s, expressed in the Education Act. Also important were recommendations made by international bodies on access for pupils with disabilities to the mainstream system of education and the experience gleaned over a number of years in which pupils with disabilities have attended mainstream schooling.

b. National legislation and educational policies

Portugal signed and ratified the United Nations Convention on the Rights of Persons with Disabilities and its Protocol, by this order in National Assembly on the 7th May 2009 (*Resoluções da Assembleia da República n.º 56/2009 e n.º 57/2009*).

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Disabilities (CERCI's). Today, these are still an important partner in finding solutions for people with disabilities and, in some cases, a specialised resource serving the educational community.

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For this attempt to enshrine the right, duty and responsibility of the state and civic society in dealing with persons with disabilities and/or SEN, the development of ideas and scientific and pedagogic research, at national and international level, related to special education was crucial. No less important was the contribution of reformist attitudes that brought change to the education system since the late 1980s, expressed in the Education Act. Also important were recommendations made by international bodies on access for pupils with disabilities to the mainstream system of education and the experience gleaned over a number of years in which pupils with disabilities have attended mainstream schooling.

Specific legislative framework

The Education Act (Law No. 46/86, 14 October) understands special education as a specific type of education that facilitates the socio-educational recuperation and integration of individuals with SEN caused by physical or intellectual disability.

Including such pupils in the mainstream schooling system, as the educational strategy adopted for pupils with SEN, was enshrined in Law No. 9/89, 2 May, on Prevention and the Rehabilitation and Integration of Persons with Disabilities.





Decree-Law No. 35/90, 25 January, stipulates that learners with SEN, resulting from physical or intellectual disabilities, are obliged to attend compulsory schooling.

Decree-Law No. 319/91, 23 August, called for mainstream schools to take greater responsibility for the problems of learners with disabilities or with learning difficulties. It also opened schools to pupils with SEN ('schools for all') and more explicitly recognised the parents' role in their children's educational guidance. Moreover, it provided a set of measures, according to the principle that the education of pupils with SEN must be carried out in the least restrictive environment possible.

Decree-Law No. 3/2008, 7 January, defines the specialised support provided in state, private and co-operative pre-primary, compulsory and secondary education with the aim of creating the conditions to adjust the educational process to the special educational needs of pupils with major limitations in terms of activity and participation in one or more areas. These needs may be due to permanent functional and structural issues, which result in continued difficulty in terms of communication, learning, mobility, autonomy, interpersonal relationships and social involvement.

Decree-Law No. 20/2006, 31 January, defines the procedures regarding the teacher placement application system, creating the special education recruitment group for the first time. It repeals Decree-Law No. 35/03, 27 February.

Law No. 85/2009, 27 August, establishes compulsory schooling for children and young people of school age and guarantees the universal right to pre-primary education for children aged five years and upwards.

Law No. 46/2006, 28 August, outlaws and punishes discrimination concerning disability and severe health risk.

Mainstream schools are now supported by a national network of Information and Communication Technology Resource Centres for Special Education, which assess pupils' needs for assistive technology and by a network of 93 Resource Centres for Inclusion (RCIs).





The RCIs, which in the past were special schools, provide specialised support through partnerships with mainstream schools.

The transformation of the special schools into RCIs has become an essential tool for implementing Article 24 of the United Nations Convention on the Rights of Persons with Disabilities. The Ministry of Education introduced an accreditation process that enlarged the national coverage of the RCIs. At this date, May 2018, a new law on inclusion is underway.”

Since 4/10/1976, Portugal has legally defined in the current Republic Constitution (Official Gazette No. 86/1976, Series I of 10.04.1976), in particular in points 1 and 2 of Article 73³, that:

- 1. Everyone has the right to education and culture.*
- 2. The state shall promote the democratization of education and the other conditions needed for an education conducted at school and via other means of training to contribute to equal opportunities, the overcoming of economic, social and cultural inequalities, the development of the personality and the spirit of tolerance, mutual understanding, solidarity and responsibility, to social progress and to democratic participation in collective life.*

Between 1977 and 1978, the Portuguese Republic produced legislation on the so called at the time "*students with disabilities or mental disorders*", considering the need to define the school system these students access to, when integrated into the public education system, i.e., mainstreaming schools, as such: Decree-Law 174/77, of 2 May⁴ and Decree-Law No. 84/78 - State Gazette No. 100/1978, Series I of 05.02.1978⁵.

³ <https://dre.pt/constitution-of-the-portuguese-republic>

⁴ <https://dre.pt/web/guest/pesquisa/-/search/251617/details/normal?q=Decreto-Lei+n.%C2%BA%20174%2F77%2C%20de+2+de+Maio>

⁵ <https://dre.pt/pesquisa-avancada/-/asearch/advanced/normal?types=SERIEI&tipo=%22Decreto-Lei%22&numero=84/78>





In 1984 and 1987, it was published legislation that has not yet determined the universality of compulsory and free education for students with disabilities⁶, as it would be possible termination of compulsory education in case of mental or physical disability of the student (Article 6 of Decree-Law No. 301/84, of 7 September, which has been amended by Article 2 Decree-Law No. 243/87 of 15 June).

In 1986, 14 October, is published the Education Act - Law No. 46/86⁷ - <file:///C:/Users/S%C3%B3nia%20Fontes/OneDrive/Documents/Projecto%20IE+/IE+%20Template%20country%20template.docx> - [ftn5](#) establishing the framework for the education system and also the educational supplements provided according to what is determined in the Portuguese Constitution. In the wake of the publication of the Education Act, special education should be organized, preferably, according to various models of integration in regular schools, with support from specialist educators, and may also be conducted in specific institutions when demonstrably requires the type and degree of student's disability.

In January 25th 1990, on the eve of Portuguese Child Rights Convention signature, was published Decree-law 35/90, which states that students with special needs are also subject to compulsory schooling, this ordinance so revokes the termination of compulsory education in case of mental or physical disability of the student.

Due to Decree-Law 35/90 gradually implementation, the Ministry of Education began to take on the technical and financial burden of the frequency of students in private educational institutions and Associations or Co-operatives for the Education and Rehabilitation of Children with Learning Disabilities (CERCI's) by granting aid and subsidies for students with special educational needs who attend these institutions, this way, families cease to be subject to the payment of fees. This orientation is driven by Ordinance No. 1095/95 of 6 September⁸.

⁶ <https://dre.pt/pesquisa-avancada/-/asearch/373429/details/normal?types=SERIEI&numero=301%2F84&tipo=%22Decreto-Lei%22/en>

⁷ https://dre.pt/web/guest/pesquisa/-/asearch/222418/details/normal?p_p_auth=D688OvBC

⁸ <https://dre.pt/web/guest/pesquisa/-/asearch/551463/details/maximized?drelid=103977>





In 1991, Portuguese educational legislation is updated with the publication of Decree-Law 319/91⁹, which defines special education scheme for students with special needs through the development of concepts related to special education. In the Decree-Law Preamble is stated that *“(...) profound changes observed in the Portuguese education system arising from the publication of Education Act and the recommendations concerning access to disabled students to the regular system of education issued by international organizations to which Portugal was bound and ultimately the experience accumulated since 1974, led to consider the existing diplomas outdated and limited in scope”*.

Afterwards, over several years until 2008, special education implementation occurs both in mainstream schools and in private non for profit (CERCI's and similar ones) or for profit (private schools) organizations. Both always primarily focused on the 1st compulsory education cycle (primary school). In global, special education were mainly implemented by Associations and Co-operatives for the Education and Rehabilitation of Children with Learning Disabilities (non for profit) and by some private educational establishments of special education, overseen by the Ministry of Education (for profit), rather than in mainstream schools. Education support implementation in non-for-profit organizations is supported in Ordinance 1102/97⁴ and these organizations during the years strive to perform, as much as possible, inclusive solutions and create liaisons with mainstream schools.

In this context and during those years, CECD MIRA SINTRA, developed a good practice response of special educational support. In close co-operation with mainstream schools, CECD MIRA SINTRA had all special education students enrolled in mainstream schools and special education supports were develop in small units, mainly a dedicated classroom, at regular schools' premises. The objective of this practice was to use all the regular school structures at the same time as other students, to promote activities that include students of the regular school and to create synergies with the teachers so that our students with disability could attend the regular class, supporting a model of integration and some activities that could promote moments of inclusion.

⁹ <https://dre.pt/pesquisa/-/search/403296/details/maximized>





Nationwide, during the years of implementation of Ordinance 1102/97, a large diversity of more or less inclusive responses throughout the country can be reported. For the most part, students were enrolled in the School delegations throughout their 1st cycle of compulsory education, so the recognition and accountability for their educational process by the regular schools remained “invisible” for plenty mainstream schools and mainly in charge of Special Education Schools and families. Special education private schools are regulated by Ordinance 1103/97.

In 2008, January 7 even before the Convention of the Portuguese ratification of the Rights of Persons with Disabilities, is published Decree-Law 3/2008 in order to *“promote equal opportunities, value education and encourage improvements in the quality of education. A key aspect of quality is the promotion of a democratic and inclusive school, oriented to the educational success of all children and young people. Inspired by the Declaration of Salamanca (1994), this Decree-Law establishes the legal norms to plan a flexible education system, based on an integrated global politics”*. Alongside with this legislative update, special schools were encouraged to finish developing services in their facilities and constitute themselves as Resource Centres for Inclusion and have their teams providing specialised support in mainstream schools through partnerships with those schools.

After 10 years of existence of this legislation, in 2018 it was recently substituted by Decree-Law 54/2018 and 55/2018 that reinforce the legislative commitment to inclusive education and the UN Convention ratified by the Portuguese State.

As stated above, Portuguese legislation evolution clearly reflects having being influenced by Child Rights Convention, UN Convention and others, such as Salamanca Statement; The Lisbon Educational Equity Statement, July 2015¹⁰ and UN 2030 Agenda’s Sustainable Development goals. In fact, for at least 40 years, all learners, regardless of their needs and abilities, have the right to attend mainstream schools. We acknowledge that there is still a lot of work to be done in practice in order to ensure good quality education for all. *Teacher education for inclusion, allocation of specialised resources and training/work opportunities*

¹⁰ <http://isec2015lisbon.weebly.com/the-lisbon-educational-equity-statement.html>





*after completion of compulsory education are some of the weak areas.*¹¹

According to the current legislation, approved on the 6th of July, 2018, there is a mandatory schooling for all children, ages 6 to 18. On the current legislation, there is no need of identifying a disability to trigger effects of accommodation to better suit the needs of the child. This is the Portuguese attempt to develop a universal curriculum, accommodating individual needs with a multi-tiered approach. There are no exceptions under the Constitution, not even for illegal migrants.

According to the Portuguese Constitution, everyone has the right of education. (Art.º 73 Chapter III of the Constitution).

The State must assure a universal basic education, mandatory and free access to ALL. (Art.º 74, 2.a). However, the Constitution only assures to its citizens the access of a higher education (Art.º 74, 2.d).

Municipalities have the responsibility of providing auxiliary personnel to public pre-schools, primary and basic education schools. Secondary public schools it's the responsibility of the ministry of education.

Decree-Law n.º 163/2006 defines the accessibility conditions that need to be met in public facilities, public buildings design and construction, emphasizing that, for the first time, these standards extend to housing construction.

It's formally stated by the National Institute of Rehabilitation , the following: "Promotion of accessibility is an essential condition for the full exercise of citizenship rights enshrined in the Portuguese Constitution, such as the right to Quality of Life, Freedom of Expression and Association, Information, Social Dignity and Civil Capacity, as well as to the Equal Opportunities in Access to Education, Health, Housing, Leisure and Free Time and Work. "

¹¹ <https://www.european-agency.org/sites/default/files/agency-projects/CPRA/Phase1/CPRA%20Portugal.pdf>





Public schools have to apply Decree-Law 163/2006 regarding universal design and new or rehabilitated school takes that in consideration. For the others what are done are specific changes in accordance with student's special needs. These specific modifications are in charge of municipalities, if related with compulsory education level's schools.

In despite having legislation addressing the issue for successive years, documentation however states the following: "(...) we verify that the successive measures carried out in this area have not produced yet significant changes in the existing framework, with still a large percentage of buildings, spaces and facilities remaining in the national building that do not meet the minimum conditions of accessibility placing limitations to citizens who legitimately claim them". Municipalities have also the responsibility to provide transportation to children with disability and to eliminate architectural barriers in schools.

c. National Education Funds

According to European Agency for Special Needs and Inclusive Education¹² Country information for Portugal - Financing of inclusive education systems - , we have that:

"In Portugal, responsibility for the design, management and financing of public education has historically been linked primarily to the Ministry of Education, with an appropriate allocation in the state budget. In recent years, this responsibility has been progressively decentralised, and the responsibility shared. Schools have more autonomy and municipalities are more involved. Municipalities are financed by the Ministry of Finance and by their own revenues, generated by local taxes (Source: FPIES – Portugal Country Report, p. 30).

The global budget for education covers all learners, with some specific funding for learners with special educational needs (SEN). A bigger investment is required to provide public pre-primary education to all children, as well as early childhood intervention. Early intervention is

¹² <https://www.european-agency.org/country-information/portugal/financing-of-inclusive-education-systems>





of utmost importance to minimise the impact of disabilities, but stronger co-ordination efforts are required.

The National Early Childhood Intervention System (NECIS) is the responsibility of three ministries (Education, Health and Social Security). There are representatives from each ministry in each of the NECIS structures (at regional and national level). The local intervention teams include educators from the Ministry of Education, medical doctors, nurses and therapists from the Ministry of Health and therapists and psychologists from the Ministry of Labour, Solidarity and Social Security. The NECIS services are free of charge (Sources: Financing of Inclusive Education – Portugal Country Report; IECE – Portugal Country Survey Questionnaire, p. 15).

Financial support for pupils' families

The criteria for financial support for pupils with SEN, which indirectly benefits their families, ensure attendance at and completion of compulsory education.

The allocation of funds for the acquisition and/or maintenance of technical assistance necessary to ensure the right conditions for access to the curriculum are also considered.

Specific legislation establishes the maximum amounts and the regulations of the monthly payments by co-operatives and education and special teaching associations, as well as for-profit education and special teaching establishments, overseen by the Ministry of Education, whose fees are reviewed annually (Ordinance No. 171/07 and Ordinance No. 172/07, 6 February). The financial contribution that families make to special education for children and young people, to determine the special education subsidies from social security, is also established annually via specific legislation.

The system of funding is not tied to categories/types of disability. The Ministry of Education ensures the allocation of human resources (specialist teachers and other professionals) to mainstream schools. For special units in mainstream schools, the Ministry of Education also





assigns a monthly allowance for operating funds. Spending on specialist teachers to support the implementation of inclusive education came to EUR 200 million in 2016. It was EUR 7 million for school-level specialised technicians, while over EUR 500,000 a year were used to operate 25 Information and Communication Technology Resource Centres for Special Education.

The Ministry of Education also allocates funds to support the partnerships between Resource Centres for Inclusion and mainstream schools. Resource Centres for Inclusion oversee activities for an annual amount of over EUR 10 million (Source: Financing of Inclusive Education, p. 36).

Financial support for private special education establishments

In 1993, the criteria were established for financial support for private special education establishments that were supplementary in nature and in line with the principles of school integration. The following year, the family allowances of children and young people with disabilities attending special education establishments were stipulated.

The principle of free education was extended to private special education establishments in 1995, establishing the type of funding given by the Ministry of Education, as well as the techno-pedagogical measures used for pupils with SEN who attend such establishments. The consolidation of the principles and the updating of options and measures in this field were regulated in 1997, with the amount of financial support for pupils and their families reviewed annually.

Ordinances No. 1102/97 and 1103/97, 3 November, establish the access conditions for pupils in special education, the requirements in order for those institutions to function and the funding given by the Ministry of Education.” According to this legislation, budget for each school is defined by the number of students. For every 5 students, the ministry supports the special school with a teacher paid by the ministry, for every 60 children pays for a

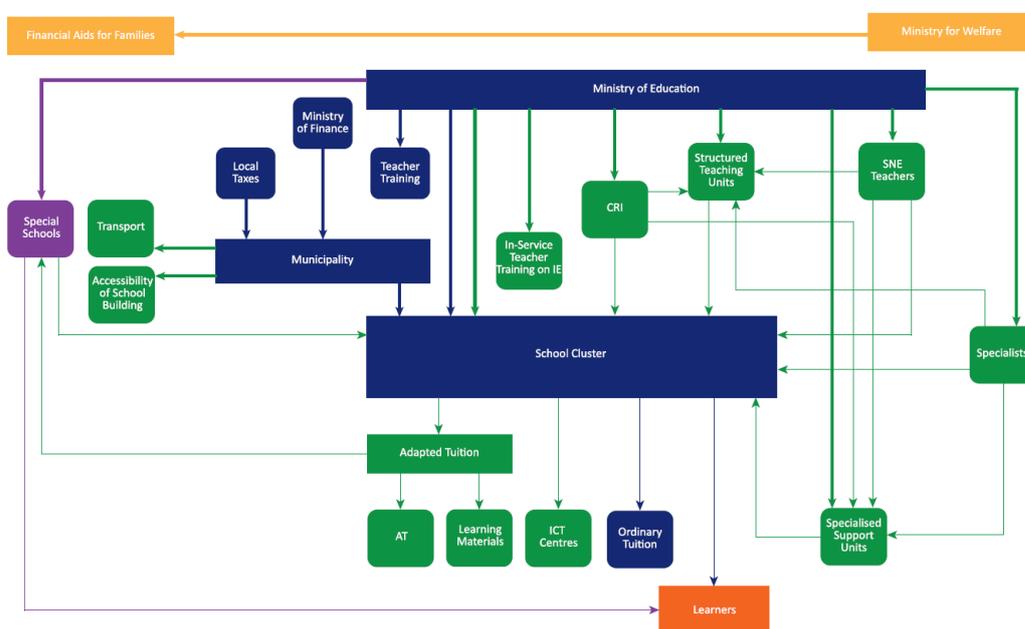




psychologist, for every 20 children pays for a therapist. A special school cannot have more than 65 children, by law.

The ministry of education budget for the special education school is €2.650 per year per child, independently of the diagnosis.

Also, there are subsidies to support nourishment for each child of about €2/day and to support travel for home-school-home.



Source:

file:///C:/Users/S%C3%B3nia%20Fontes/OneDrive/Documents/Projecto%20IE+/fpies_synt_hesis_report.pdf

3. Inclusive Education

a. How is the access to special education arranged?





From July 2018¹³, there is no longer the need to diagnose a child as having special needs to start the process of better accommodate the curriculum to an individual child. The clinical diagnosis is now considered an individual characteristic and an individual health plan can be developed in a complementary way with the educational program.

Not needing a clinical diagnosis, every child can freely access supporting measures to better accommodate individual educational needs, personal goals and interests.

For the child with disability, the educational program should start as any other child, and measures should be triggered as long as difficulties of accessing the curriculum occur.

Anyone can identify a special educational concern about a child. This concern is presented to the school. This paper is presented to the director of the school cluster (usually composed of a secondary school, one or more basic education school, several primary schools and several pre-schools) and it is his decision to present it to the multidisciplinary team of the school cluster.

The multidisciplinary team is composed of several elements: representative of the school board, teachers, psychologist and a special education teacher. The analysis of the process is focused on the universal measures that teachers had already implemented, strategies defined and what was its effects on school inclusion, participation and results. If there haven't been implemented any accommodation, no further measures should be triggered, and the focus of the intervention should be on supporting the teachers on how to better accommodate the children needs, either by pedagogical differentiation, curricular accommodations, curricular enrichment, pro-social behaviour promotion and intervention on a smaller group setting.

If these universal measures (that every teacher should implement with all classrooms) had already been implemented by the teachers and the problem remains, then other measures can be adopted mainly selective and additional measures.

¹³ http://www.dge.mec.pt/sites/default/files/EEspecial/dl_54_2018_en_version_0.pdf (English version)





The multi-tiered approach states that the measures adopted should be cumulative, so the adoption of stronger measures should also be supported by universal measures that any child can benefit from.

In the case of selective or additional measures, the multidisciplinary team is incentivised to invite to the discussion panel, the student, its parents, the teacher responsible for the student process, therapists that know the student and other significant person in the student's life.

A plan is designed where the supportive measures are defined, goals are negotiated, responsibilities are shared to all stakeholders and the monitorization of the process is scheduled.

In the case of significant changes to the curriculum are defined, then an individual educational program is defined, where can be foreseen the substitution of a curriculum content or an entire discipline with another apprenticeship than the family and the child value.

Exiting compulsory school, all students have the right of having a diploma or certification of their competences, knowledge level and abilities relevant to further training, to access higher education or to access the labour market.

b. The relationship between special and regular education

Parents cannot choose to directly enrol their child in a special education school. Children are, by definition, linked to a public mainstream school. In case of a sudden shut down of the private special school, children can access their reference public school.

A child cannot be enrolled in the two schools at the same time. There is not a tight relationship between regular and special schools. Basically, it's an administrative relationship that is established between schools and in one-off joint activities.

The process of enrolment to a special education school starts with a declaration of a public regular school that states the lack of conditions to suit the child needs and in annex it should have a clinical support that states the severity of the condition of the child. This declaration is only accepted if parents agree with the request. It is advisable this request is also





accompanied by a declaration of vacancy and acceptance of this child by the special education school.

The request is sent to the ministry of education and the process is analysed. Usually the ministry denies this request and a contact to the school is established to find what are the needs of the school to better accommodate the needs of the child.

If the request is accepted, the family, the school and the special education school are informed and the transition of the process is sent to the public school nearest to the special school, or the school that have a protocol with the special school. It is then their responsibility of sharing information with the acknowledgement or presence of the parents.

The special education school assumes the development of the entire educational process without the participation of the public school.

c. Teacher training programmes vis à vis inclusive education

According to Country information for Portugal - Teacher education for inclusive education in the European Agency for special needs an Inclusive Education: “There has been a significant reduction in the number of learners in Portugal in recent years. This is accompanied by a reduction in the number of schools in the public education network and a reduction in the number of teachers. At same time, there is a significant increase in the number of special education teachers. This is a consequence of the implementation of the inclusive education policy and of the political support and priority given to this new educational approach (Source: FPIES – Portugal Country Report, p. 9).

Initial teacher education:

Kindergarten/pre-primary and primary education teachers’ initial training lasts for three years, including professional training, in state or private colleges of higher education, leading to a degree. Teachers also can graduate from a public or private university and be permitted to teach a specific subject or group of subjects.

Initial teacher education includes a generic and introductory approach to issues related to inclusion, as well as understanding and supporting learners with diverse characteristics and





additional needs and working with families (Source: IECE – Portugal Country Survey Questionnaire, p. 5).

Secondary education teachers' training also takes three years at a state or private university and includes professional training, leading to a degree. These teachers are awarded qualifications to teach specific areas.

Specialised training:

Kindergarten/pre-primary, primary and secondary education teachers can specialise in some areas (e.g. special education, counselling, pedagogical supervision, school administration, curriculum development, and so on).

This type of training lasts for one or two years and takes place at public or private colleges of higher education. It is equivalent to a postgraduate degree and awards teachers professional qualifications allowing them to work in specialised areas.

Teacher education:

Kindergarten/pre-primary, primary and secondary education teachers may apply to additional different training modalities to update and broaden their knowledge and skills – training courses, action programmes, workshops, studies circle, conferences, etc. The duration depends on the type of training modality chosen.

In-service training can be implemented by higher education institutions, by school clusters in training centres, by training centres of scientific or professional associations, and by central or local administration centres, all of them accredited by the Scientific Pedagogical Council for Teacher Training. The area where most teachers reported greatest need for professional development was in teaching learners with special educational needs (Source: Financing of Inclusive Education – Portugal Country Report).





Training boards are either public or private and teachers or others (with relevant experience in a particular area and suitable accreditation) can be chosen as trainers. Lifelong training modalities entitle those who attend them to a certificate and to some credits vital to progress in their teaching careers.”

Early intervention programmes/services:

There is a National Early Childhood Intervention System (NECIS). NECIS is defined under the law with the contribution of three ministries, health, social security and education, each of one contributing with professionals. Ministry of health contributes with clinical personnel (medical doctors, nurses and clinical psychologists), the ministry of education contributes with teachers (of special education and others) and the ministry of Labour, Solidarity and Social Security does not have their own professionals, so they develop partnerships with local organizations to provide them with other professionals (therapists, social workers and psychologists).

NECIS is composed of several early childhood intervention local teams that are mainly located in local public health services. There is not yet coverage of the entire national territory; only around 90% of the territory is covered.

There are two main categories of children supported by local early childhood intervention teams: those who have a disability and those with an additional risk of developing one due to personal and environmental risks.

Local early childhood intervention teams develop an Early Intervention Plan that focus on the harmonious transition to the mandatory schooling by being the agent that coordinates the several services around the child and the parents. Via capacitation of parents and those in daily direct contact with the child, the teams

There are still references to the previous “special education law” (Decree-Law 3/2008), so it is foreseen that the legislation will change according to the new law of inclusive education.





d. Parent participation:

Parents or guardians, in exercising all their respective powers and duties under the Constitution and the law¹⁴, have the right and duty to participate and cooperate actively in all matters related to the education of their child, as well as access all information contained in the student's individual school file, in particular regarding measures to support learning and inclusion. Pursuant the provisions of the preceding paragraph, parents or guardians have the right to:

- Participate in multidisciplinary team meetings;
- Participate in the preparation and evaluation of the individual educational program;
- Request the review of the individual educational program;
- Consult the individual school file of the pupil;
- Have adequate and clear information about the child's education.

When parents or guardians are proven not to exercise their powers of participation, it is up to the school to initiate appropriate measures in accordance with the identified educational needs.

f. Quality evaluation and control

Regarding mechanisms to evaluate effectiveness and quality in inclusive education, according the information sent from our Education Ministry to the 2016 Country Policy Review and Analysis from the European Agency for Special Needs and Inclusive Education¹⁵ we have that:

- *The law provides three levels for quality assurance implementation: at local level, by multidisciplinary teams based on institutional partnerships; at regional level of coordination; and at national level of articulation with the whole system (Decree-Law no.*

¹⁴ http://www.dge.mec.pt/sites/default/files/EEspecial/dl_54_2018_en_version_0.pdf (Art. 4 of decree law n. º 54/2018)

¹⁵ <https://www.european-agency.org/sites/default/files/agency-projects/CPRA/Phase1/CPRA%20Portugal.pdf>





281/2009, 6 October). A bi-annual evaluation of ECI National System by a Co-ordination Commission with representation of the three Ministries is contemplated. (ECI, p. 4)

- *In 2014, the study Evaluation of Public Policy: the RCI was published, commissioned by the Directorate-General for Education (DGE) to an external entity. The findings of the research allowed the identification of actions to be developed in order to improve the quality of the education provided to pupils with SEN. Following this study, quality indicators have been developed in order to support schools in their internal monitoring processes. Four publications were also produced, containing guidelines for schools.*

The following monitor procedures have been implemented:

- *A bi-annual evaluation of ECI National System by a Co-ordination Commission with representation from the three Ministries is contemplated (ECI example, p. 14)*
- *For the development of quality study cycles, the higher education institutions ensure the contribution of other stakeholders including, among others, schools, teacher associations and scientific societies. Quality is also assured by the Accreditation Agency and the Ministry of Education through accreditation processes, in particular by verifying the conditions and arrangements for admission into respective cycles of study and the methodology of supervised teaching practice evaluation. The accreditation is conducted according to formal criteria. The placement of teachers in schools is done by the Ministry of Education using criteria such as the grade obtained at the end of the initial course. (TE, p. 7)*
- *ICT in inclusion has been monitored every year as part of the activities of the ICT Resource Centres for Special Needs in schools. The Centres present annual activity reports that are analysed and a global report is produced with all relevant quantitative and qualitative data. Statistics on education are the responsibility of the Ministry of*





Education's central department of education statistics, including general ICT statistics in schools (ICT4I, p. 3)

- *A study on the implementation of SNE legislation (Decree-Law no. 3/2008) was produced in 2010; the Ministry of Education established a protocol with a higher education institution and an American consultant. Most of the measures stated in the National Strategy for Disability and in legislation on pupils with SEN have been implemented. However, there is a shortage of human, financial and equipment resources. (ICT4I, p. 3)*
- *The General-Inspection of Education and Science (IGEC) performs, on a regular and on-going basis, actions aimed at monitoring and evaluating how schools have implemented special education support, and the quality of work done in each school organisation.*

Considering the existence of policy outlines on how to involve families in the process of evaluating quality of services, there's the following evidences:

- *The evaluation of the Action Plans of the partnership school/RCI foresees the evaluation of families' degree of satisfaction;*
- *Parents are part of the team in charge of evaluating the IEP (Decree-Law no. 3/2008, 7 January)*

We can't find accountability measures that impact upon educational professionals' work reflect the importance of wider learner achievement; Policy outlines common standards for service and provision evaluation for use across health, education and social services; Description of mechanisms to evaluate demand for services in our policies or policies supporting opportunities for school teams to evaluate their practice through involvement in research and development activities.

In general, *accountability remains a weak area in the education system*¹⁶

¹⁶ <https://www.european-agency.org/sites/default/files/agency-projects/CPRA/Phase1/CPRA%20Portugal.pdf>





g. The concept of reasonable accommodations

Reasonable accommodations are present in the law as “curriculum accommodations” and are considered a universal support measure that should be put in practice for all students, not only for those with difficulties of accessing the curriculum.

'Curricular accommodations' are understood as curricular management measures that allow access to curriculum and learning activities in the classroom through the diversification and appropriate combination of various teaching methods and strategies, the use of different models and assessment tools, the adaptation of educational materials and resources and the removal of barriers in the organization of space and equipment, designed to respond to the different learning styles of each student, promoting educational success.

Availability of support materials, teachers and research centers:

a. Availability of support material:

The ministry of education has its own Resource Centres for ICT (CRTIC)¹⁷, located in school clusters that serve all schools in a region/municipality. These CRTIC have a budget to evaluate and advise schools and parents for the use of those specialized technologies and materials.

The Ministry of Education, by the service General Directorate of Education (DGE), provides adapted school manuals in Braille, Daisy format, PDF and 3D figures to all schools.

It's the responsibility of each school cluster to develop their own support materials. Each school cluster has its Learning Support Centre that provides adapted materials. The availability of support materials is not guaranteed and, after requested, it exists the risk of not arriving on time for the teacher to use it. Since the school manuals change frequently,

¹⁷ <http://www.dge.mec.pt/centros-de-recursos-tic-para-educacao-especial-crtic>





sometimes annually, it is rare that the adapted manuals are arriving to schools with the beginning of the school year.

b. Availability of support teachers/workers:

On some disciplines (mathematics, Portuguese language, sciences) teachers can provide additional support in a small group of students.

Support teachers are usually special education teachers. These special education teachers are placed by the ministry of education according to the number of children with disability/need of support. They are also allocated to support the Learning Support Centres (CAA).

The figure of a personal assistance does not exist and is never mentioned by any law or is considered an additional measure of support. Informally, some schools, under their autonomy scope, attribute this responsibility to their own non-teaching staff.

c. Resource centers/knowledge centers about inclusive education

The Resource Centres for Inclusion (CRI) are available to school clusters via the request of a partnership agreement between the school and the non-profit organization that is accredited by the ministry.

Most CRI are former private special education schools that reformed their services to provide support to regular public schools to better include children with disability/in need of support. The CRI has a multidisciplinary team that is constituted by psychologists, speech therapists, occupational therapists, physical therapists and occasionally, social workers.

On the previous law, CRI was focused on the therapeutic process development in the school context with the child, since these children were identified according to their degree of disability and the use of ICF-CY categorization and classification.

Under the current law, CRI teams are focused on the inclusion and participation of children on the context they are supposed to participate, supporting teachers in the classroom to develop strategies that support Essential Skills and to accommodate the context to the students' needs.





Special Education Teachers are provided to schools directly by the ministry of education, they are not provided by the CRI.

The Resource Centres for Inclusion also support the school to define and implement an after-school transition plan for those students that have significant changes to their curriculum, which can involve a transition to an Occupational Activity Centre, to further Training, to Employment or to Higher Education. Each school cluster should develop their own knowledge centre with their own resources, through community partnerships and between other school clusters.





IE+ PARTNERS



The European Association of Service providers for Persons with Disabilities (EASPD) is a wide European network which represents around 17,000 services across Europe and across disabilities. The main objective of EASPD is to promote the equalisation of opportunities for people with disabilities (through effective and high-quality service systems). The work of the organisation is based on the three interconnected pillars of Impact (European Policy), Innovation (Research & Development as well as implementation of international projects) and Information (for the members).



Inclusion Europe has 67 members in 37 European countries. Inclusion Europe represents the voice of people with intellectual disabilities and their families throughout Europe. Started in 1988, Inclusion Europe fight for equal rights and full inclusion of people with intellectual disabilities and their families in all aspects of life. As a European association they work in the many different areas which their members have identified as important to them: Inclusion Europe provide for the exchange of knowledge across Europe, support their members, and influence European policies.



At Ghent University the Department of Special Needs Education has a focus on Inclusive Education in teaching research and service to the community.



The first University of Salamanca's Institute on Community Integration (INICO) is composed of interdisciplinary professionals that lead activities linked to training, research and counselling in the field of disability and special educational needs with the aim of easing and enhancing the quality of life and self-determination of people living at social disadvantages in different contexts and throughout their life cycle.



The National Association of Resource Teachers in Bulgaria (NART) is a national NGO umbrella for professionals working for full and quality integration, inclusion and education of children with different abilities and needs in mainstream education. Their goal is to promote the continuous improvement of quality education and social services in support of integration and inclusion of all children in Bulgaria. The specialists who are members of NART are working with more than 15 000 children and young people with special needs across the country.



Kentro Koinonikis Frontidas Atomon Me Noitiki Ysterisi (ESTIA) is a recognised Charity overseen by the Ministry of Health & Social Solidarity in Greece. ESTIA was founded in 1982 by parents of children with intellectual children. ESTIA specialises in providing support and care to people with intellectual disabilities from 15 years of age with the aim of improving quality of life and supporting inclusion into the community.



C.E.C.D. Mira Sintra - Centro de Educação para o Cidadão com Deficiência, C.R.L. (Education Centre for Persons with Disability) is a Cooperative for Social Solidarity, a non-profit organisation and was recognized 2.000 people, since toddlers, children, youth and adults who need specialised support, due to problems in their development and/or deficits in academic, work or social performance.

