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Rethinking School Inclusion: A Comparative Analysis of Decree-Laws No. 3/2008 and No. 54/2018 in Portugal Based on UNESCO Reports

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Abstract

This article proposes a comparative analysis of Decree-Laws No. 3/2008 and No. 54/2018, legal instruments that define the models for supporting inclusive education in Portugal. By linking national regulatory developments with data and recommendations from UNESCO's monitoring reports (GEM Reports), this research assesses the structural and conceptual changes underlying Portuguese education policy. The research follows a qualitative approach, of an exploratory and interpretative nature, using comparative document analysis as the central method. The results reveal a transition from a model focused on categorizing students with special educational needs (SEN) to an approach focused on universally meeting the needs of all students. The Discussion and Conclusions and Recommendations highlight the need to strengthen teacher training, pedagogical leadership, and monitoring based on disaggregated data, as recommended by UNESCO.

Keywords: education; inclusion; public policies; special educational needs; teacher training



Academic Editors: Aglaia Stampoltzis and Eleni Peristeri

Received: 30 July 2025

Revised: 22 November 2025

Accepted: 24 November 2025

Published: 29 November 2025

Citation: Morgado, E. G., Pereira, A., Gouveia, L. B., Rodrigues, J. B., & Leonido, L. (2025). Rethinking School Inclusion: A Comparative Analysis of Decree-Laws No. 3/2008 and No. 54/2018 in Portugal Based on UNESCO Reports. *Education Sciences*, 15(12), 1612. <https://doi.org/10.3390/educsci15121612>

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1. Introduction

Inclusive education has emerged in recent decades as a robust international paradigm focused on ensuring equity, quality, and retention for all students in the educational system, with special attention to those in situations of greatest vulnerability. This concept is based on the recognition of the universal right to education and the principle that diversity should be valued as a structuring element of the educational process (Ainscow & Sandill, 2010; Ainscow, 2020a, 2020b; UNESCO, 2020; Kefallinou et al., 2020).

Portugal has followed this trend, reformulating its legal provisions with the aim of aligning pedagogical practice with international guidelines, namely those defined by the 2030 Agenda for Sustainable Development, specifically Sustainable Development Goal 4

(SDG 4), which aims to “ensure inclusive, equitable and quality education and promote life-long learning opportunities for all” (UNESCO, 2015). The Incheon Declaration (UNESCO, 2015) and successive reports in the Global Education Monitoring Report (GEM Report) series have served as a guide for the transformation of education systems worldwide, highlighting the need to abandon models centered on disabilities or fixed categories. In line with these guidelines, Portugal has evolved toward a more inclusive and flexible model.

The legislative change introduced by Decree-Law No. 54/2018 represents profound alterations in the daily life of Portuguese schools, far beyond a mere normative reconfiguration. The replacement of the categorical model of special education with a regime of inclusive education implies that schools will no longer depend on the identification of special educational needs to mobilize support, but will instead focus on identifying barriers to learning and participation present in educational contexts. This change requires concrete transformations in pedagogical organization, such as flexible learning planning, diversification of strategies and resources, strengthening collaboration between teachers, and more systematic intervention by multidisciplinary teams. For teachers, this translates into a repositioning of their role: from executors of specialized measures for “identified” students to active agents in the construction of responsive and inclusive environments for all students. From an international perspective, the relevance of this transformation goes far beyond simple convergence with global agendas. The Portuguese experience constitutes a particularly illustrative example of how medium-sized educational systems operationalize the principles of inclusion, especially when transitioning from a model centered on diagnosis to a universalist framework. It is, therefore, a concrete case that reveals how national policies interpret, adapt to, and implement international guidelines, highlighting tensions, challenges, and opportunities that can enrich the global debate on the future development of inclusive education.

In this context, this paper proposes a comparative analysis between Decree-Laws No. 3/2008 (Decreto-Lei n.º 3/2008, 2008) and No. 54/2018 (Decreto-Lei n.º 54/2018, 2018), seeking to understand how these regulations reflect paradigmatic shifts in the understanding of educational needs and the structuring of learning support. It also aims to contextualize this evolution in light of international evidence and recommendations, particularly those issued by UNESCO reports.

The transition from the special education model, established in Decree-Law No. 3/2008, to the current legal regime of inclusive education, established by Decree-Law No. 54/2018, is part of a global movement of educational reform supported by the Incheon Declaration and the assumptions of SDG 4. Recent studies (I. Alves et al., 2020; Merrigan & Senior, 2021; Baptista et al., 2022; R. S. Bonança et al., 2023; E. G. Morgado et al., 2024; Silva, 2024) indicate that this change has led to a profound reconfiguration of educational practices and conceptions of difference, equity, and quality.

Thus, this study aims to deepen the comparative analysis between the two decrees in light of the inclusion goals determined by UNESCO, analyzing their conceptual foundations, operational devices, and contributions to making schools truly inclusive.

The aim is to identify results and challenges and propose recommendations for the future of inclusive education in Portugal, based on empirical data and international guidelines.

2. Theoretical Framework

Decree-Law No. 3/2008, published following the guidelines of the Basic Law of the Education System (LBSE), constituted a milestone in defining support measures for students with permanent special educational needs (SEN). It established the special education system in Portugal, defining the set of support measures intended for students with permanent special educational needs (SEN).

The decree was based on a logic of identifying and evaluating significant limitations in activity and participation, introducing eligibility criteria grounded in the International Classification of Functioning, Disability and Health (ICF). Once a student was identified as having permanent special educational needs (SEN), differentiated educational responses were planned, including curricular adaptations, specialized resources, assistive technologies, and therapeutic intervention. This framework assigned a central role to the Individualized Education Program (PEI) in planning and monitoring responses, as well as defining objectives, strategies, and forms of assessment. It also regulated the functioning of Multidisciplinary Support Teams for Special Education, responsible for specialized assessment, defining measures, and monitoring each student's educational progress. The decree also stipulated the creation and organization of Specialized Support Units, such as Structured Teaching Units or Units for Support of Multiple Disabilities, to be integrated into regular schools.

Although it sought to guarantee access and participation for students with permanent needs, it was based on a logic of clinical and categorical identification of students, requiring a formal diagnosis that allowed access to specialized support, namely the Individual Educational Program (PEI) and the Individual Transition Plan (PIT), with a view to planning school and post-school pathways (I. F. Alves, 2017; E. M. G. Morgado et al., 2018; Tannús-Valadão & Mendes, 2018; R. S. Bonança et al., 2023). However, this model was increasingly criticized for perpetuating exclusionary practices, by associating eligibility for support with a medical-psychological perspective centered on disability, anchored in the existence of fixed categories.

Criticisms converge on the recognition that the decree was based on a logic of categorization, individual assessment, and segmentation of support, thus aligning with traditional approaches to special education and distancing itself from international recommendations, particularly those of UNESCO, which advocate for models focused on transforming school practices and eliminating barriers to participation.

The literature has shown that such practices tend to generate stigmatization and hold students individually responsible for their difficulties, disregarding contextual and structural factors that condition learning (I. Alves et al., 2020; Abreu & Grande, 2021).

In this context, the enactment of Decree-Law No. 54/2018 represents an attempt to overcome this logic by inaugurating a new intervention paradigm focused on educational responses rather than clinical categorization.

The legislative review enshrined in Decree-Law No. 54/2018 sought to address these limitations, replacing the medical-diagnostic logic with a universalist approach focused on the flexible design of teaching, the identification of barriers to learning and participation, and the promotion of diverse responses for all students. This change represents a decisive step in bringing national educational policies closer to international inclusion standards.

This decree established the legal framework for inclusive education in Portugal, marking a break with the previously existing categorical model. The decree defines inclusion as a structuring principle of the education system, assuming that all schools must guarantee the participation, well-being, and learning of all students, regardless of their characteristics, needs, or backgrounds. One of the most significant changes was the elimination of the categories of special educational needs (SEN), replaced by an approach based on identifying and overcoming barriers to learning and participation, shifting the focus from the student to the educational environment and the organization of pedagogical practices. The decree introduced a multi-level model of learning support, structured in universal, selective, and additional measures, designed flexibly and in an articulated way to respond to the diversity present in each school. It also created the Multidisciplinary Team for Inclusive Education Support (EMAEI), responsible for monitoring processes, proposing measures,

and supporting teachers in educational decision-making. Universal Design for Learning (UDL) is adopted as a reference for pedagogical planning, encouraging the diversification of strategies and resources. By valuing teacher collaboration, pedagogical leadership, and school autonomy, Decree-Law No. 54/2018 seeks to promote a more equitable, responsive, and inclusion-centered educational system.

In short, this legal framework defines a system of measures to support learning and inclusion, structured on three levels, universal, selective, and additional measures, accessible to all students, regardless of formal diagnosis (I. Alves et al., 2020; Abreu & Grande, 2021). The focus thus shifts from individual disabilities or difficulties to pedagogical and organizational contexts, promoting the shared responsibility of professionals and an institutional culture based on valuing diversity as a structural element of school functioning.

However, despite the paradigmatic shift, the implementation of Decree-Law No. 54/2018 has been the subject of critical analysis by several authors. Particularly noteworthy is the law's ambiguous and sometimes vague normative language, which can hinder its uniform interpretation and coherent application in different educational contexts (Oliveira Sá & Raposo, 2022; Gonçalves, 2023; Merki, 2024; OPP, 2025). Furthermore, the lack of concrete mechanisms for monitoring and evaluating the effectiveness of support measures compromises the systematic monitoring and continuous improvement of inclusive practices (Rutigliano et al., 2021; Azorín & Ainscow, 2020; DeStefano et al., 2022; Chaveiro Duarte et al., 2024; Guerreiro et al., 2025).

At the international level, UNESCO reports, particularly the Global Education Monitoring Report (UNESCO, 2020, 2023), have repeatedly emphasized that legislative changes, while necessary, are not in themselves sufficient to ensure quality inclusive education. Achieving such inclusion requires a set of structural and organizational factors, including ongoing teacher training, inclusive school leadership, equitable financing, and monitoring systems based on disaggregated data (UNESCO, 2020, 2023). In the same vein, the GEM Report 2024/25, entitled Leadership in Education: Lead for Learning, delves deeper into the interdependence between leadership and inclusion, highlighting that effective school leaders are catalysts in building equitable, safe, and high-quality learning-centered educational environments. The 2025 regional report, Lead for Inclusion: Central and Eastern Europe, the Caucasus and Central Asia, although it focused on a specific region, reinforces the role of inclusive educational leadership as a driver of institutional transformation and an essential element for achieving Sustainable Development Goal 4 (SDG 4).

These reports converge on the idea that achieving inclusion cannot be limited to the adoption of legal regulations; committed pedagogical leadership is essential, capable of fostering collaborative school cultures, resolving institutional tensions, and consolidating reflective pedagogical practices focused on the most vulnerable students. According to UNESCO (2020, 2023, 2024/2025, 2025), school exclusion continues to disproportionately affect students with disabilities, those from disadvantaged socioeconomic backgrounds, those belonging to ethnic or cultural minorities, and girls in certain regions. These exclusions are often sustained by structural barriers and the ineffectiveness—or absence—of integrated public policies.

Portugal, despite having made significant progress in the field of educational inclusion, faces challenges that mirror international trends. Law No. 116/2019, which reinforces the principles of inclusion, serves as a complementary instrument to Decree-Law No. 54/2018, consolidating the focus on education for all. However, as Ainscow (2020a, 2020b) points out, the creation of inclusive educational policies requires profound transformations in mindsets, pedagogical practices, and organizational structures. In this sense, school leadership plays a fundamental role, not only in interpreting legal regulations, but above all in building educational communities committed to the success of all students.

Thus, the contemporary literature has been emphasizing that a truly inclusive education requires, in addition to legislative reforms, investment in collaborative, reflective and systematically evaluated practices, supported by an ethical and professional commitment to educational equity (C. Meijer et al., 2007; C. J. W. Meijer & Watkins, 2016; Correia & Fernandes, 2020; Kefallinou et al., 2020; Costa & Mota, 2023; E. G. Morgado et al., 2024; Kefallinou & Howes, 2024; Barbosa & Fernandes, 2025).

3. Materials and Methods

This research adopts a qualitative, exploratory, and interpretative approach, using comparative documentary analysis as its primary method. This methodological choice is justified by the nature of the objects of study, Decree-Laws No. 3/2008 and No. 54/2018, which constitute fundamental normative documents in defining public policies for inclusive education in Portugal.

Following the methodological guidelines of Cellard (2008) and Bardin (2016), documentary analysis allowed for the identification, categorization, and comparison of explicit and implicit content in these legal instruments. A systematic reading of the legal texts was carried out, extracting analytical categories and subsequently critically interpreting them in light of the theoretical and normative frameworks of inclusive education. The categories defined a priori included the conceptual framework, target audience definition, intervention model, support mechanisms, monitoring, and inter-institutional coordination.

Additionally, UNESCO's global reports, particularly the Global Education Monitoring Reports (GEM Reports) for (UNESCO, 2020, 2023), which address educational inclusion across multiple dimensions (disability, poverty, gender, ethnicity, geographic location), were integrated into the analysis. These international documents served as a comparative reference and source of analytical triangulation, reinforcing the study's validity. (Yin, 2015)

The criteria of credibility, transferability, and dependability were applied (Lincoln & Guba, 1985). Triangulation between national and international normative sources, as well as between the scientific literature and public policy, enabled a more comprehensive and sustained analysis.

Finally, it is important to emphasize that this study does not aim solely to establish causal relationships, but also to identify convergences, divergences, and gaps between legal models and the principles of inclusive education, contributing to the academic debate and to the improvement of educational policies in Portugal.

4. Results

A comparative analysis between Decree-Laws No. 3/2008 and No. 54/2018 highlights significant progress in the design and implementation of inclusive education in Portugal. Based on the documentary analysis, the structural and conceptual differences between the two pieces of legislation were systematically identified, as shown in Table 1.

Each of the dimensions analyzed allows us to infer profound paradigmatic differences between the two legal frameworks. The definition of target audience, for example, shifts from a logic centered on the clinical diagnosis of permanent special educational needs (SEN) (DL 3/2008) to a more comprehensive conception of educational needs, recognizing the variability in learning profiles (DL 54/2018), as advocated by Florian (2013) and corroborated by UNESCO (2020).

Regarding the approach, DL 3/2008 adopted a categorical logic, dependent on the identification of individual deficits. In turn, DL 54/2018 proposes an ecological approach centered on educational response, promoting differentiated and flexible pedagogical interventions, aligned with the principles of Universal Design for Learning (CAST, 2018).

Table 1. Main features compared between DL 3/2008 and DL 54/2018.

Dimension	DL 3/2008 (Special Education)	DL 54/2018 (Inclusive Education)
Target audience definition	Students with diagnosed SEN	All students with support needs
Type of approach	Diagnosis and category	Preventive, universal, and focused on educational response
Support models	IEP and PIT for SEN with individual pedagogical support	Continuum of measures: universal, selective and additional
Intervention plans	PEI, PIT	Learning Support Plan (PAA), EMAI
Methods	Adapted curricula, individual curricular adjustments	Measures tailored to the context and needs
Evaluation and monitoring	Internal and specialized, centered on the PEI	Multidisciplinary, focused on results, family involvement and context
Promoting inclusion	Specialized disability-focused support	New universal paradigm, abandonment of exclusive categories

The support structure also undergoes a significant change. The previous model was based on Individual Educational Programs (PEIs) and Individual Transition Plans (PITs), often implemented in a fragmented manner and with little integration with current pedagogical practices (R. M. C. S. Bonança et al., 2022; R. S. Bonança et al., 2023). In contrast, DL 54/2018 structures support along a continuum of measures—universal, selective, and additional—that allow for a more integrated, contextualized, and inclusive response.

Regarding intervention plans, the mandatory use of formal instruments, such as the PEI and PIT provided for in DL 3/2008, is replaced by more flexible mechanisms in DL 54/2018, such as the Learning Support Plan (PAA) and the plans defined by the Multidisciplinary Team for Support to Inclusive Education (EMAIEI), promoting more effective pedagogical co-accountability, as highlighted by Silva (2024) and de Sousa Silva et al. (2025). To deepen the comparative analysis, Table 2 presents an article-by-article reading of the legal provisions that structure the two decrees, allowing a more precise visualization of the changes introduced.

Table 2. Comparative analysis of the legal provisions (DL 3/2008 and DL 54/2018).

Dimension	DL 3/2008	DL 54/2018
Legal framework	Focused on permanent SEN (art. 2)	Applicable to all students (art. 1)
Target audience definition	Students with permanent SEN (art. 3)	All students in need of learning support (art. 3)
Access criteria	Mandatory clinical diagnosis (art. 4)	No diagnostic requirement, focus on educational response (art. 4)
Support model	Categorical approach (art. 5)	Continuous measurement model (art. 5)
Pedagogical instruments	PEI and PIT (art. 6)	Measures adapted to the context (art. 6)
Responsibility	Multidisciplinary team (art. 9)	School's pedagogical and multidisciplinary team (art. 12)
Evaluation and monitoring	Internal evaluation centered on the PEI (art. 13)	Participatory and continuous monitoring (art. 25)
Inclusion	Insertion with external support	Inclusion as a structuring principle of the educational system

Complementing the qualitative analysis outlined in the previous tables, Table 3 presents the frequency of some key concepts in the legal texts of the two decrees, based on an exploratory lexical analysis. This table highlights the discursive transformation that accompanies the legislative reform.

Table 3. Frequency of key concepts in DL 3/2008 and DL 54/2018.

Key Concepts	DL 3/2008 (n)	DL 3/2008 (%)	DL 54/2018 (n)	DL 54/2018 (%)
Deficiency	11	11.96%	2	1.00%
Educational Needs	25	27.17%	3	1.49%
Referencing	11	11.96%	1	0.50%
Learning	28	30.43%	68	33.83%
Methods	11	11.96%	78	38.81%
Inclusion	6	6.52%	49	24.38%
Total	92	100%	201	100%

This analysis clearly highlights the paradigmatic transition between the two decrees, highlighting a significant lexical shift. A significant reduction in the frequency of terms such as “Disability,” “Educational Needs,” and “Referencing” is observed in DL 54/2018, in contrast to their predominance in DL 3/2008. Conversely, there is a sharp increase in the use of expressions such as “Learning,” “Measures,” and “Inclusion,” signaling a shift from a logic centered on categorization and deficit to one centered on educational response, curricular flexibility, and the promotion of equity. This terminological shift reflects not only a vocabulary transformation but, above all, an epistemological repositioning consistent with the principles of inclusive education advocated by UNESCO (2020) and authors such as Florian (2013) and Ainscow (2020a, 2020b).

This lexical shift reflects an epistemological repositioning of Portuguese educational policy, moving toward a socio-contextual perspective centered on diversity (OPP, 2025). This transition requires curricular reorganization, teacher collaboration, and active school leadership (UNESCO, 2020).

These results are echoed in studies such as that by I. Alves et al. (2020), which highlight the importance of pedagogical leadership and continuing education as conditions for the effective implementation of measures to support inclusion. Similarly, an analysis of reports UNESCO (2020, 2023) reinforces that achieving the SDG 4 targets requires monitoring mechanisms based on disaggregated data and sustained educational policies.

(EASNIE, 2022), analyzing the diversity of legal definitions in use across European countries, warns that terminological clarity and conceptual consistency are crucial to the effectiveness of reforms. Although Portugal has made legal progress with DL 54/2018, it still lacks standardized practices and investment in teacher training (EASNIE, 2020).

Thus, although DL 54/2018 represents a substantial advancement by abandoning the category of “special education” and proposing a system based on graduated support measures, structural and operational challenges remain. The absence of an operational definition of “inclusion,” the lack of qualified human resources, and the scarcity of systematic monitoring processes hinder the full realization of the normative intentions (UNESCO, 2020; European Commission, 2010, 2021).

Finally, comparison with international contexts, as highlighted in the UNESCO and EASNIE reports, shows that the countries with the best results in inclusion are those that combine advanced legislation with collaborative pedagogical practices, high-quality training, and distributed leadership. By aligning itself with these principles at the regulatory level, Portugal is committed to protecting the educational rights of all students. However, the effectiveness of its implementation will depend on the continuity of public policies and the strengthening of an inclusive professional culture in schools.

5. Discussion

The results presented reflect not only a legislative change, but also a paradigm shift in Brazilian education policy. Decree-Law No. 54/2018 represents a theoretical and op-

erational shift in the way students' educational needs are understood, aligning with the principles of inclusive education advocated for by UNESCO (2020, 2023) and researchers such as Florian (2013) and Ainscow (2020a, 2020b). While Decree-Law No. 3/2008 operated within a categorical logic, requiring a formal diagnosis for access to support, DL 54/2018 adopts a holistic and responsive approach, promoting equity, participation, and diversity. This change is in line with Universal Design for Learning (UDL), which advocates for the flexibility of pedagogical contexts to respond to the heterogeneity of the school population (CAST, 2018; Mainardes & Casagrande, 2022; Baptista et al., 2022; Andrzejewski et al., 2024; DGE, 2024; Melro, 2024; de Sousa Silva et al., 2025).

However, several authors emphasize that this conceptual shift does not automatically translate into transformative practices. I. Alves et al. (2020) state that the success of DL 54/2018 depends on the existence of a collaborative culture in schools, distributed pedagogical leadership, and ongoing teacher training. Costa and Mota (2023) add that the effective operationalization of universal, selective, and additional measures requires rigorous pedagogical planning and efficient coordination between different professionals and educational services. In this sense, recent studies by R. S. Bonança et al. (2023) indicate that, although early childhood educators recognize the advances provided by DL 54/2018 in preschool, difficulties remain in its operationalization due to a lack of resources, regulatory clarity, and adequate training. This finding is reinforced by E. G. Morgado et al. (2024), who propose a reconfiguration of teacher training from a dialogical and community perspective, essential to sustain authentic inclusive practices.

Despite legislative progress, significant structural and contextual challenges remain. The lack of specialized human resources, the scarcity of effective monitoring mechanisms, and the lack of disaggregated data make it difficult to assess the impact of inclusive measures (UNESCO, 2023; Reneu Pereira et al., 2022; OECD, 2022; Boff & Machado, 2024). Monteiro et al. (2020), Abrantes (2021), R. S. Bonança et al. (2023), Merki (2024), and Barbosa and Fernandes (2025) warn of the inequality in educational responses between schools and clusters, compromising the principle of equity.

Internationally, Portugal is often cited as an exemplary example of legally formulating inclusion (UNESCO, 2020), but faces challenges in its practical implementation. In comparison, countries like Italy and Canada stand out for their consolidated systems of co-teaching and continuous pedagogical monitoring, and are considered benchmark models (Ainscow, 2020a, 2020b; Giangreco, 2020).

Data from the UNESCO GEM Reports show that the most vulnerable populations—students with disabilities, those living in poverty, or those belonging to ethnic minorities—continue to face barriers to access and success in school. Inclusion, in this sense, must go beyond the normative level and be translated into integrated public policies and a profound transformation of school culture (Ainscow & Sandill, 2010).

In this context, DL 54/2018 should be understood as a facilitator of change, whose effectiveness depends on the educational system's ability to ensure both structural conditions—resources, training, and leadership—and cultural conditions—inclusive values, attitudes, and practices. An analysis of the legal provisions, combined with international reports and the scientific literature, leads to the conclusion that Portugal is at a critical point in its trajectory toward inclusivity. Although the legislation is consistent with global benchmarks, its implementation requires continued and monitored political, pedagogical, and institutional investment.

UNESCO's 2020 Global Education Monitoring Report, "Inclusion and Education: All, Without Exception", underscores the urgency of reforming education systems to ensure that no child is excluded based on disability, gender, ethnicity, or socioeconomic status.

The report highlights the need for disaggregated data and inclusive policies focused on continuing teacher education and transformative pedagogical leadership.

The European Agency for Special Needs and Inclusive Education (EASNIE) has contributed key reports, such as Legislative Definitions Relating to Learner Needs (EASNIE, 2022), which advocates for the terminological and conceptual harmonization of inclusive practices at the European level. The report *Teacher Professional Learning for Inclusion* (2020), coordinated by (EASNIE, 2020), reinforces the importance of professional learning centered on collaborative and contextualized practice, advocating for continuous professional development that goes beyond technical training.

Additionally, the document “*Teacher Education for Inclusion: Profile of Inclusive Teachers*” (EASNIE, 2012) defines four fundamental values for inclusive teachers: valuing diversity, supporting all students, collaborative work, and continuous professional development. These principles coincide with the assumptions of DL 54/2018 and reinforce the need for coordination between national policies and supranational guidelines.

The report *Special Education in Europe: Policies and Practices* (EASNIE, 2017) highlights that legal reforms must be supported by adequate funding, collaborative support frameworks, and rigorous monitoring and evaluation mechanisms; otherwise, there is a risk of regression in the legal progress achieved in the field of inclusion.

The European Commission, through the European Disability Strategy 2010–2020 and the Strategy for the Rights of Persons with Disabilities 2021–2030, reinforces the centrality of inclusive education in building equal opportunities. These strategies advocate for a human rights approach, promoting the full and effective participation of persons with disabilities, starting in school.

The European Union’s most recent guidelines, within the framework of the European Education Area (2021), emphasize that education systems must be more resilient, inclusive, and digital. In this context, the Erasmus+ 2021–2027 program prioritizes inclusion and diversity across the board, encouraging pedagogical innovation projects and the sharing of best practices. Portugal could significantly benefit from these community instruments to consolidate the trajectory initiated by DL 54/2018.

In summary, the strategic documents from UNESCO, EASNIE, and the European Union converge on a clear set of recommendations: coherent policies, inclusive leadership, continuous monitoring based on reliable data, systematic professional training, and community engagement. These pillars constitute the foundation for the achievement of inclusive education and provide a robust benchmark for evaluating the implementation of legal provisions in Portugal.

As Florian (2013), Ainscow and Sandill (2010), Azorín and Ainscow (2020) and Carvalho et al. (2022) point out, profound cultural change is essential for any legal reform to be effective. Inclusive schools require more than physical integration: they require a transformation of school practices, values, and cultures. Integrating the guiding principles of UNESCO, EASNIE, and the European Commission should be seen not only as a political obligation but also as a concrete opportunity to guarantee the right to education under conditions of equity for all students. Portugal has taken significant steps in this direction, but consolidating this path requires ongoing political, pedagogical, and community commitment.

6. Conclusions and Recommendations

A comparative analysis of Decree-Laws No. 3/2008 and No. 54/2018 highlights a profound paradigmatic shift in Portuguese education policy, moving away from a conception centered on the diagnostic categorization of special educational needs (SEN) and toward an inclusive education model based on principles of equity, accessibility, and edu-

cational justice. This transition, reflected in the legal framework introduced by Decree-Law No. 54/2018, rejects diagnosis as the sole criterion for access to support, instead proposing a system structured around universal, selective, and additional measures, based on the educational response and an analysis of the school context.

This legal and conceptual framework brings Portugal closer to the commitments made at international level, namely within the scope of the 2030 Agenda for Sustainable Development (SDG 4), the UNESCO guidelines (2020, 2023), the European Agency for Special Needs and Inclusive Education (EASNIE, 2012, 2017, 2020, 2022), and the most recent guidelines of the European Commission and the European Education Area (2021), reinforced by the Strategy for the Rights of Persons with Disabilities 2021–2030.

However, this research corroborates the warnings of several authors and international organizations: regulatory changes alone do not ensure effective transformations in educational practice (Ainscow & Sandill, 2010; Florian, 2013; I. Alves et al., 2020). Achieving school inclusion requires a profound reconfiguration of institutional culture, pedagogical leadership, teacher training, and evaluation and monitoring systems.

Based on the study results and the international references analyzed, the following strategic recommendations are proposed to consolidate inclusive education in Portugal: strengthening monitoring and evaluation; investing in teacher training; promoting inclusive leadership; equitable and sustainable funding; alignment with European policies; and promoting applied research.

Strengthening monitoring and evaluation—This involves developing continuous monitoring systems with disaggregated indicators that allow for the assessment of the effectiveness of educational measures, ensuring equity in results, especially among the most vulnerable students (UNESCO, 2020; EASNIE, 2017). Reliable data is essential for identifying gaps, promoting continuous improvement, and combating structural inequalities (Merki, 2024; Barbosa & Fernandes, 2025).

Investing in teacher training— This involves strengthening initial and continuing teacher training, aligning it with frameworks such as the Profile of Inclusive Teachers (EASNIE, 2012), which emphasize competencies such as valuing diversity, collaborative work, and pedagogical flexibility. Inclusive professionalization must be practical, reflective, and contextualized, as advocated by (EASNIE, 2020).

Promoting inclusive leadership—This involves empowering school leaders to foster an organizational culture centered on inclusion. Principals and pedagogical coordinators play a key role in connecting policies, practices, and values, as highlighted by UNESCO (2020) and the (EASNIE, 2020) reports, as well as in the priorities defined by the Erasmus+ program (2021–2027).

Equitable and sustainable financing—This involves ensuring human, material, and financial resources adapted to the diversity of school contexts, with special attention to schools located in priority educational intervention areas. Equitable financing is a fundamental condition for transforming legal guidelines into real learning opportunities (EASNIE, 2017; UNESCO, 2023).

Alignment with European policies—This involves ensuring that national policies are aligned with European strategic frameworks, such as the European Education Area (2021) and the Strategy for the Rights of Persons with Disabilities 2021–2030, reinforcing the commitment to accessible, quality and inclusive education for all (European Commission, 2010, 2021).

Promoting applied research—This involves promoting collaborative research-action projects between universities, schools, and educational communities, fostering the production of situated knowledge useful for improving inclusive practices. Research should

serve as the basis for evidence-based educational policies tailored to the realities of school contexts (Florian, 2013; Costa & Mota, 2023).

Portugal is at a critical turning point in building a truly inclusive education system. The current regulatory framework, anchored in DL 54/2018, represents significant progress and a clear alignment with international inclusion principles. However, as Florian (2013), Ainscow (2020a, 2020b), Azorín and Ainscow (2020), and Carvalho et al. (2022) state, realizing inclusion requires a structural, cultural, and pedagogical commitment that goes beyond legal intentions. Inclusive transformation requires political courage, educational leadership, and an ongoing commitment to the values of equity, participation, and diversity. Only with coordinated and sustained action across legislation, practice, and values will it be possible to consolidate a school truly for all—a school that not only accepts difference but also values it as a foundational principle of learning and citizenship.

Author Contributions: E.G.M.: conceptualization, methodology, software, validation, formal analysis, investigation, resources, writing—original draft preparation, funding acquisition, project administration; A.P.: methodology, investigation, visualization, project administration, writing—review and editing, funding acquisition; L.B.G.: investigation, visualization, writing—review and editing; J.B.R.: visualization, writing—review and editing; L.L.: Investigation, supervision, visualization, formal analysis; supervision, writing—review and editing; project administration. All authors have read and agreed to the published version of the manuscript.

Funding: This work is funded by National Funds through the FCT—Foundation for Science and Technology, I.P., project reference UIDB/05507/2020 and DOI identifier 10.54499/UIDB/05507/2020. Furthermore, we would like to thank the Centre for Studies in Education and Innovation (CI&DEI) and the Polytechnic of Viseu for their support.

Institutional Review Board Statement: Not applicable.

Informed Consent Statement: Not applicable.

Data Availability Statement: Data are contained within the article.

Conflicts of Interest: The authors declare no conflicts of interest.

References

- Abrantes, P. (2021). Educação inclusiva: Proposta de quadro analítico e aplicação ao caso português. *Revista Portuguesa de Educação*, 34(2), 25–41. [CrossRef]
- Abreu, D. C., & Grande, C. (2021). A caminhar para uma escola inclusiva em Portugal: Os desafios sentidos pelos profissionais dos contextos educativos. *Revista Educação Especial*, 34, 1–22. [CrossRef]
- Ainscow, M. (2020a). Promoting inclusion and equity in education: Lessons from international experiences. *Nordic Journal of Studies in Educational Policy*, 6(1), 7–16. [CrossRef]
- Ainscow, M. (2020b). Promoting inclusion and equity in education: Lessons from international experiences. *Prospects*, 49, 11–22. [CrossRef]
- Ainscow, M., & Sandill, A. (2010). Developing inclusive education systems: The role of organisational cultures and leadership. *International Journal of Inclusive Education*, 14(4), 401–416. [CrossRef]
- Alves, I., Campos Pinto, P., & Pinto, T. J. (2020). Developing inclusive education in Portugal: Evidence and challenges. *Prospects*, 49, 281–296. [CrossRef]
- Alves, I. F. (2017). Diversidade, diferença e planeamento educativo individualizado na escola portuguesa. *Medições—Revista de Educação*, 5(1), 116–135. [CrossRef]
- Andrzejewski, E., Graupe, M. E., & Inácio, H. (2024). Adaptações curriculares e desenho universal para a aprendizagem: Caminhos e possibilidades para a educação inclusiva. *Cadernos Cajuína*, 9(6), e249615. [CrossRef]
- Azorín, C., & Ainscow, M. (2020). Guiding schools on their journey towards inclusion. *International Journal of Inclusive Education*, 24, 58–76. [CrossRef]
- Baptista, R., Ferreira, M. E., & Costeira, J. (2022). Abrindo portas para a inclusão: Perceções sobre educação inclusiva e desenho universal para a aprendizagem. *Revista Docência do Ensino Superior*, 12, e039486. [CrossRef]

- Barbosa, I. J. J., & Fernandes, P. (2025). Educação inclusiva como direito: Desafios às escolas, aos professores e à sua formação. In R. C. de Oliveira, A. R. P. da Silva, & R. S. da Cunha (Eds.), *Construindo uma sociedade inclusiva: Desafios e soluções para a igualdade* (pp. 27–41). Atena Editora.
- Bardin, L. (2016). *Análise de Conteúdo*. Edições 70.
- Boff, A. P., & Machado, A. de B. (2024). Educação especial na perspectiva inclusiva: Uma revisão pautada no direito de todos à educação. *Educar em Revista*, 40, e85133. [CrossRef]
- Bonança, R. M. C. S., Castanho, M. G. B., & Morgado, E. M. G. (2022). O Decreto-Lei n.º 54/2018: Um desafio para a inclusão. *Brazilian Journal of Education, Technology and Society*, 15(se1), 135–143. [CrossRef]
- Bonança, R. S., Bulhões, P. C. F., Leonido, L., & Morgado, E. M. G. (2023). Decree-Law 54/2018: Perspectives of early childhood educators on inclusion in preschool education in Portugal. *Education Sciences*, 13(7), 737. [CrossRef]
- Carvalho, M., Cruz, J., Azevedo, H., & Fonseca, H. (2022). Measuring Inclusive Education in Portuguese Schools: Adaptation and Validation of a Questionnaire. *Frontiers in Education* 7, 812013. [CrossRef]
- CAST. (2018). *Universal design for learning guidelines version 2.2*. Center for Applied Special Technology. Available online: <http://udlguidelines.cast.org> (accessed on 14 May 2025).
- Cellard, A. (2008). A Análise Documental. In J. Poupart, J. P. Deslauriers, L. H. Groulx, A. Laperrière, R. Mayer, & Á. Pires (Eds.), *A pesquisa qualitativa: Enfoques epistemológicos e metodológicos* (pp. 295–316). Vozes.
- Chaveiro Duarte, L., Ribeiro, L. C., Loução Martins, A. P., & Morgado, J. C. (2024). Monitorização com base no currículo em escolas inclusivas em Portugal: Implicações para a aprendizagem da leitura. *Educação e Pesquisa*, 50, e274887. [CrossRef]
- Correia, A. M., & Fernandes, P. (2020). A educação especial e inclusiva em Portugal. In L. C. Silva, C. F. Reis, & W. F. Silva (Eds.), *Educação especial e inclusão educacional: Evidências e esmaecimentos na formação dos professores* (pp. 9–23). Navegando Publicações. [CrossRef]
- Costa, S., & Mota, P. (2023). *Implementação das medidas universais, seletivas e adicionais: Orientações para o trabalho colaborativo nas escolas*. Direção-Geral de Educação.
- Decreto-Lei n.º 3/2008, de 7 de janeiro. *Diário da república*, 1.ª série, n.º 4, 7 de janeiro de 2008. (2008). Available online: <https://diariodarepublica.pt/dr/en/detail/decreto-law/3-2008-386871> (accessed on 29 July 2025).
- Decreto-Lei n.º 54/2018, de 6 de julho. *Diário da república*, 1.ª série, n.º 129, 6 de julho de 2018. (2018). Available online: <https://diariodarepublica.pt/dr/detalhe/decreto-lei/54-2018-115652961> (accessed on 29 July 2025).
- de Sousa Silva, R. C., de Paula, M. C. N., da Silva Pereira, M. A., da Silva, M. G., da Silva, M. V. M., Barbosa, M. Â., Mendes, M. C., Oliveira, P. D. J. L. T., & Santos, R. C. B. M. (2025). Educação inclusiva e o desenho universal para a aprendizagem (DUA): Caminhos para a equidade. *Cuadernos De Educación Y Desarrollo*, 17(4), e8117. [CrossRef]
- DeStefano, L., de Vroey, A., Presmanes, M., Mangiaracina, A., Uysal, G., & Soriano, V. (2022). *Design a system to monitor the implementation of the law on inclusive education in Portugal: Final report*. European Agency for Special Needs and Inclusive Education. Available online: <https://www.european-agency.org/resources/publications/design-system-monitor-law-inclusive-education-portugal> (accessed on 14 May 2025).
- Direção-Geral da Educação (DGE). (2024). *Educação Inclusiva: Da visão às práticas educativas promotoras de equidade e inclusão em 10 escolas portuguesas*. Direção-Geral da Educação. Available online: <https://www.dge.mec.pt/educacao-inclusiva> (accessed on 14 May 2025).
- European Agency for Special Needs and Inclusive Education (EASNIE). (2012). *Teacher education for inclusion: Profile of inclusive teachers*. EASNIE. Available online: <https://www.european-agency.org/sites/default/files/Profile-of-Inclusive-Teachers.pdf> (accessed on 14 May 2025).
- European Agency for Special Needs and Inclusive Education (EASNIE). (2017). *Raising the achievement of all learners in inclusive education: Lessons from European policy and practice* (A. Kefallinou, & V. J. Donnelly, Eds.). EASNIE. Available online: https://www.european-agency.org/sites/default/files/ra_lessons_from_european_policy_and_practice-web_0.pdf (accessed on 14 May 2025).
- European Agency for Special Needs and Inclusive Education (EASNIE). (2020). *Teacher professional learning for inclusion: Phase 1 final summary report* (A. De Vroey, S. Symeonidou, & A. Lecheval, Eds.). EASNIE. Available online: https://www.european-agency.org/sites/default/files/TPL4I_Final_Summary_Report_EN.pdf (accessed on 14 May 2025).
- European Agency for Special Needs and Inclusive Education (EASNIE). (2022). *Definições legislativas relativas às necessidades dos alunos— Síntese*. EASNIE. Available online: <https://www.european-agency.org/sites/default/files/LD-PolicyBrief-PT.pdf> (accessed on 14 May 2025).
- European Commission. (2010, November 15). *European disability strategy 2010–2020: A renewed commitment to a barrier-free Europe* (COM (2010) 636 final). European Commission. Available online: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52010DC0636> (accessed on 14 May 2025).
- European Commission. (2021, March). *Union of equality: Strategy for the rights of persons with disabilities 2021–2030* (COM (2021) 101 final). European Commission. Available online: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52021DC0101> (accessed on 14 May 2025).

- Florian, L. (2013). Reimagining special education: Why new approaches are needed. In L. Florian (Ed.), *The sage handbook of special education* (2nd ed., pp. 9–22). SAGE Publications. Available online: <http://www.uk.sagepub.com/books/Book237524?bookType=%22Reference%20Books%22&subject=C00&sortBy=defaultPubDate%20desc&fs=1#tabview=title> (accessed on 14 May 2025).
- Giangreco, M. F. (2020). Masquerading as inclusion: The misrepresentation of paraprofessional support in inclusive education. *Exceptionality*, 28(4), 243–257.
- Gonçalves, A. S. C. (2023). As lideranças na educação inclusiva. Desafios ou oportunidades? *Revista Portuguesa De Investigação Educacional*, 25, 1–19. [CrossRef]
- Guerreiro, A. B. C., Branco, M. L., & da Silva, S. M. (2025). Educação Inclusiva em Portugal, do ensino básico ao ensino superior: Uma análise da legislação [Inclusive education in Portugal from primary to higher education: An analysis of legislation]. *European Public & Social Innovation Review*, 10, 1–18. [CrossRef]
- Kefallinou, A., & Howes, A. (2024). Experiencing ‘inclusion’: A critical and systemic analysis of young people’s voices in English and Greek mainstream secondary schools. *International Journal of Inclusive Education*, 28(12), 2797–2814. [CrossRef]
- Kefallinou, A., Symeonidou, S., & Meijer, C. J. W. (2020). Understanding the value of inclusive education and its implementation: A review of the literature. *International Journal of Inclusive Education*, 26(11), 1129–1146. [CrossRef]
- Lincoln, Y. S., & Guba, E. G. (1985). *Naturalistic inquiry*. Sage Publications.
- Mainardes, J., & Casagrande, R. C. (2022). O Desenho Universal para a Aprendizagem (DUA) e a diferenciação curricular: Contribuições para a efetivação da inclusão escolar. *Sisyphus—Journal of Education*, 10(1), 102–115. [CrossRef]
- Meijer, C., Soriano, V., & Watkins, A. (2007). Inclusive education across Europe: Reflections upon 10 years of work from the European agency for development in special needs education. *Childhood Education*, 83(6), 361–365. [CrossRef]
- Meijer, C. J. W., & Watkins, A. (Eds.). (2016). *Implementing inclusive education: Issues in bridging the policy–practice gap* (Vol. 8). Emerald Publishing. [CrossRef]
- Melro, J. (2024). O Desenho Universal para a Aprendizagem (DUA): Desafios à formação de professores e à escola em cenários de educação inclusiva. In: *A boa educação na escola*. Universidade Católica Portuguesa. Available online: <https://www.redalyc.org/journal/5757/575774221007/575774221007.pdf> (accessed on 14 May 2025).
- Merki, G. (2024). Decreto-Lei 54/2018: Para uma educação realmente inclusiva? *NAUS—Revista Lusófona de Estudos Culturais e Comunicacionais*, 7(1), 56–60. [CrossRef]
- Merrigan, C., & Senior, J. (2021). Special schools at the crossroads of inclusion: Do they have a value, purpose, and educational responsibility in an inclusive education system? *Irish Educational Studies*, 42(2), 275–291. [CrossRef]
- Monteiro, S., Sanches-Ferreira, M., & Alves, S. (2020). Implementação do Decreto-Lei n.º 54/2018: Experiências e percepções de uma equipa multidisciplinar. *Sensos-e*, 7(3), 70–86. [CrossRef]
- Morgado, E. G., Rodrigues, J. B., & Leonido, L. (2024). Rethinking teacher training from an inclusive and community dialogical perspective. *Journal of Education and E-Learning Research*, 11(1), 219–228. [CrossRef]
- Morgado, E. M. G., da Silva, L. L. F., Conceição, M. B. L., Rego Cardoso, M. A. G., & Rodrigues, J. B. (2018). Conceptual evolution of special education: A view centered on the legal framework in Portugal. *Cadernos De Educação Tecnologia E Sociedade*, 11(3), 416–426. [CrossRef]
- OECD. (2022). *Review of inclusive education in Portugal: Governance, capacity, school-level interventions, monitoring and evaluation*. Reviews of national policies for education. OECD Publishing. [CrossRef]
- Oliveira Sá, S., & Raposo, O. (2022). Práticas para uma escola inclusiva: O papel da liderança. *Revista NAU*, 12(3), 45–61. [CrossRef]
- Ordem dos Psicólogos Portugueses (OPP). (2025). *Parecer OPP—Decreto-Lei n.º 54/2018*. Available online: https://recursos.ordemdospsicologos.pt/files/artigos/parecer_opp_dl54.pdf (accessed on 14 May 2025).
- Reneu Pereira, M., Sanches-Ferreira, M., & Alves, S. (2022). Implementação do desenho universal para a aprendizagem e das medidas universais do Decreto-Lei n.º 54/2018: Perspetiva dos professores. *Sensos-e*, 9(2), 19–36. [CrossRef]
- Rutigliano, A., Cerna, L., Ainscow, M., & Acquah, E. (2021). *Review of inclusive education in Portugal*. OECD Publishing. Available online: <https://www.oecd.org/content/dam/oecd/en/publications/reports/2022/03/review-of-inclusive-education%E2%80%A6> (accessed on 29 July 2025).
- Silva, T. F. (2024). Promovendo a inclusão e a equidade: Desafios e estratégias para um contexto escolar justo e igualitário. *Educação Especial*, 3, 90–110. [CrossRef]
- Tannús-Valadão, G., & Mendes, E. G. (2018). Inclusão escolar e o planeamento educacional individualizado: Estudo comparativo sobre práticas de planeamento em diferentes países. *Revista Brasileira de Educação*, 23, e230076. [CrossRef]
- UNESCO. (2015). *Declaração de incheon e quadro de Ação para a implementação do ODS 4—Educação 2030*. UNESCO. Available online: https://unesdoc.unesco.org/ark:/48223/pf0000245656_por (accessed on 14 May 2025).
- UNESCO. (2020). *Global education monitoring report 2020: Inclusion and education—All means all*. UNESCO Publishing. Available online: <https://unesdoc.unesco.org/ark:/48223/pf0000373718> (accessed on 10 May 2025).
- UNESCO. (2023). *Global education monitoring report 2023: Technology in education—A tool on whose terms?* UNESCO. Available online: <https://unesdoc.unesco.org/ark:/48223/pf0000385990> (accessed on 14 May 2025).

- UNESCO. (2024/2025). *Global education monitoring report 2024/25: Leadership in education—Lead for learning*. UNESCO. Available online: <https://www.unesco.org/gem-report/en/2024leadership> (accessed on 14 May 2025).
- UNESCO. (2025). *GEM regional report 2025: Lead for inclusion—Central and eastern Europe, the caucasus and central Asia*. UNESCO. Available online: <https://www.unesco.org/gem-report/en/2025inclusion> (accessed on 14 May 2025).
- Yin, R. K. (2015). *Case study research: Design and methods* (5th ed.). Sage. [[CrossRef](#)]

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