2 Governing and financing inclusive education

This chapter is about the governance and resourcing of inclusive education in Portugal. It analyses the country's educational goals for diversity, equity and inclusion; the curriculum; the regulatory framework; the responsibilities and administration and the resourcing of inclusive education. Portugal started focusing on inclusion in education in the 1970s. It has developed one of the most comprehensive legal frameworks for inclusive education. The country has made significant efforts to respond to the needs of all students and grant more flexibility and autonomy to local actors. Many programmes and resources are now available to support equity and inclusion. However, challenges remain regarding the management of these resources and the administration of inclusive education. Also, the system is still mainly orientated towards the inclusion of students with special education needs. The chapter provides recommendations to overcome these challenges and strengthen the governance and resourcing of inclusive education.

Context and features

Educational goals for diversity, equity and inclusion

Portugal has a specific history of inclusive education policies that has led to its current educational priorities. After the 1974 revolution, based on previous small and local experiments, more intensive efforts to integrate students with special education needs (SEN) in mainstream schools started in Portugal (Nogueira and Rodrigues, 2010[1]). In 1979, the national policy already stated that students with special education needs should, as far as possible, attend mainstream schools and that these schools should progressively readjust their structures to respond to these students' needs (Alves, 2019[2]).

In parallel to the emergence of integration policies, parents and specialised staff created various private special education schools. About 100 of these institutions, called Education and Rehabilitation Cooperatives for Citizens with Disabilities (*Cooperativa Educação e Reabilitação de Cidadãos com Incapacidades,* CERCI), were formed, specifically dedicated to supporting and educating students with SEN in separate settings (Nogueira and Rodrigues, 2010[1]). Decree Law No. 319/1991[1] then established the right of children with SEN to attend mainstream schools. While inclusion emerged as an important orientation relatively early in Portugal, the inclusive education terminology was only adopted after the 1994 Salamanca Conference, which established the principle of inclusive education. However, inclusion was not fully integrated into school culture and remained mainly understood as the inclusion of students with SEN.

In 2008, there were approximately 10 000 students in 93 private special education schools. Within the logic that an inclusive system should, as much as possible, avoid separate provisions and equip mainstream schools to respond to diversity, the Ministry of Education (MoE) in Portugal started a dialogue with these special private schools. The MoE suggested that students and staff should be placed in mainstream schools, which should be supported in promoting the inclusion of these students. This consultation led to the elaboration of Decree Law No. 3/2008, 7 January, which defined the specialised support to implement in pre-school, basic and secondary education for the inclusion of students with SEN in mainstream schools. An agreement was made ensuring these separate private schools received funding from the MoE to intervene in public schools (Ministry of Education, 2022[3]). Most of these institutions thus became Resource Centres for Inclusion (*Centros de Recursos para a Inclusão,* CRIs).

While inclusion has been an important part of Portugal's education agenda since even before the 1990s, the focus largely remained until recently, almost exclusively students with SEN. However, over the last years, in particular, in the last three years, there have been major changes in education policy in Portugal. As in many OECD countries, trends such as an increase in the share of the population with an immigrant background and a shift towards accommodating diversity (Cerna et al., 2021[4]) have led to a greater recognition of diversity in Portuguese schools. There has been, for example, a steady increase in the share of students with an immigrant background and of identified students with SEN across regions in Portugal (see Chapter 1). Also, in PISA 2018 (OECD, 2020, p. 24[5]), nearly 55% of students responded that they have contact with people from other countries in schools, placing Portugal slightly above the OECD average. In this context, measures to promote students' inclusion into the education system through access to the curriculum, educational success and ensuring their sense of belonging and self-worth have become core priorities.

The 22nd Constitutional Government's programme promotes an education policy that focuses on people, guaranteeing equity and quality. In particular, it states that "the public school is the main instrument to reduce social mobility inequalities. As such, schools must guarantee equality of opportunity in accessing a quality and inclusive education".[2]

In line with these principles, policies and laws adopted at the national level have been increasingly orientated towards the inclusive education model, adopting inclusion in a broad sense as a cornerstone of

educational policy and a key responsibility of the education system. Equity and inclusion principles inform national policy measures within the education system, particularly those that deal with the curriculum, assessment, school evaluation, continuing teacher professional learning and budgets.

Recent legislation on inclusive education requires the provision of support for all students to be determined, managed and provided within mainstream school settings. For example, local multidisciplinary teams to support inclusive education (*Equipas multidisciplinares de Apoio à Educação Inclusiva*, EMAEI, see Chapter 4) are formed within schools to support inclusion. They are responsible for determining what support is necessary to ensure that all students (regardless of socio-economic, cultural, linguistic, ethnic backgrounds and ability) have access and the means to participate effectively in education and be fully included in society. Furthermore, various national action plans and programmes support all students, especially those from diverse groups who are particularly vulnerable and at risk of dropout, such as students with special education needs, students from ethnic minorities (in particular, Roma communities) and students with an immigrant background.

Measures within the education system are designed and implemented at all levels - national, regional and local - so that all students have access to good learning conditions. The system promotes inclusion for all and the creation of a system-wide culture of inclusion that requires a shared commitment amongst staff at the national, local and school levels.

There has been an increasing trend towards local autonomy, which has been accompanied by new governance and accountability mechanisms. Ongoing reforms are leading to a growing intervention of municipalities in the field of education. There is a common assumption that there is not one single model of an inclusive school. Therefore, within the recent political orientation developed at the system level, schools have been granted more autonomy. Autonomy and curriculum flexibility, together with inclusion, are key concepts and principles in the design and implementation of curricula and educational activities. Significant effort is being made regarding personalisation, which involves giving individual attention to students and closely working with them. A strong development-orientated political commitment currently exists, which aims to reduce educational inequities and promote quality education and learning for all. There is also the possibility for schools to have up to 25% autonomy in managing the curriculum to respond to the needs and characteristics of their students and local context.

Curriculum reference documents and other essential documents developed at the central level, such as The Students' Profile by the End of Compulsory Schooling and Essential Learning described below, guarantee coherence within the education system. They guarantee the inclusive function of the school and guide them through a set of principles, values and vision, resulting from social consensus.

Curriculum

Since 2017, the MoE of Portugal has adopted a set of new documents that constitute the framework for the design and implementation of a 21st century curriculum. The national curriculum for primary and secondary education has changed according to three major guiding central documents: (1) the Students' Profile by the End of Compulsory Schooling (2017); (2) the National Strategy for Citizenship Education (2017); and (3) a set of documents, called the Essential Learning.

The Students' Profile by the End of Compulsory Schooling (Students' Profile)
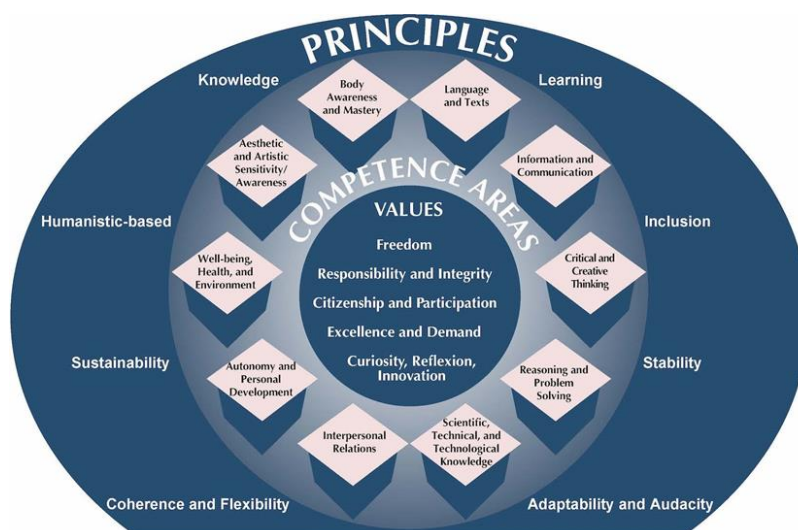
The Students' Profile (*Perfil dos Alunos à Saída da Escolaridade Obrigatória*, Legislative Order No. 6478/2017, 26th June) is a reference guide for the whole curriculum, setting out the principles, vision and competence areas (academic, social and emotional competences) that students should have attained by the time they complete compulsory schooling. It is the matrix for decisions to be taken by educational managers and actors at the level of the bodies responsible for educational policies and schools. The purpose is to contribute to the organisation and management of the curriculum and to the definition of

strategies, methodologies, and pedagogical-didactic procedures to be used in learning and teaching practices. It is the matrix for decisions to be used by educational stakeholders at all levels of the education system.

This document is the framework for curriculum development and the organisation of school activities. The broadness of the Students' Profile respects the inclusive and multiple character of the school, ensuring that, regardless of the school pathways, all knowledge is guided by explicit principles, values and vision, resulting from social consensus (Ministry of Education, 2022[3]).

The principles and values outlined in the Students' Profile's conceptual framework (see Figure 2.1) mirror the humanistic-based philosophy on which the whole document is based. By referring to students in the plural form, it fosters inclusion and values diversity viewing each student as a unique human being. Therefore, the Students' Profile leads to a school education on which the students of this global generation can build a humanistic-based scientific and artistic culture. It aims to help students: (1) mobilise values and skills that allow them to act upon the life and history of individuals and societies; (2) make free and informed decisions about environmental, social and ethical issues; and (3) carry out civic, active, conscious and responsible participation (d'Oliveira and al., 2017[6]).

Figure 2.1. Conceptual Framework for the Students' Profile by the End of Compulsory Schooling

Source: DGE (2022[7]), P*erfil dos Alunos [Students' Profile]*, https://www.dge.mec.pt/perfil-dos-alunos (accessed on 17 March 2022).

National Strategy for Citizenship Education (ENEC)

The 2017 National Strategy for Citizenship Education (*Estratégia Nacional da Educação para a Cidadania,* ENEC[3]) was created to support children and young people to acquire citizenship skills, knowledge and values throughout compulsory education. The Strategy was developed in accordance with the Students' Profile. In line with the ENEC, the national curriculum includes the Citizenship and Development subject, which promotes and reflects on the principles of diversity, equity and inclusion and encourages interdisciplinary activities.

This strategy aims to help students develop and participate actively in projects that promote fairer and more inclusive societies within the context of democracy and democratic institutions, the respect and defence of human rights, and respect for diversity and gender equality, environmental sustainability and health education. Enshrined in the 1986 Basic Law of the Education System (Law No. 46/86) and the *Students' Profile*, the inclusion of this area in the curriculum recognises the school's responsibility to provide adequate preparation for active and informed citizenship, as well as appropriate education to achieve the *Sustainable Development Goals*[4].

The Essential Learning

In 2018, based on these two reference documents, the MoE developed the Essential Learning (*Aprendizagens Essenciais,* AE, established by Legislative Orders No. 6944-A/2018, of 19th July and No. 8476-A/2018, of 31st August). The AE are curricular orientation documents that describe the bases for the planning, realisation and assessment of each school subject for each year of schooling[5] to Vocational Courses and Artistic Specialised Courses (Legislative Orders No. 7414/2020, of 24th July and No. 7415/2020, of 24th July). The AE were developed in consultation with teacher associations. When there was no professional teacher association constituted, this was undertaken by scientific societies and authors, allowing for the development of meaningful learning standards. The AE also facilitate interdisciplinary work, various assessment procedures and tools, the promotion of research, comparison and analysis skills, the mastery of presentation and argumentation techniques and the ability to work cooperatively and independently (Ministry of Education, 2022[3]).

School autonomy and curriculum flexibility

It is critical that schools and teachers make the main decisions at curricular and pedagogical levels, for instance by having greater flexibility in curriculum management, aiming to foster interdisciplinary work, in order to deepen, strengthen and enrich the Essential Learning by subject and year of schooling. As such, within Decree Law No. 55/2018, 6 July, schools are provided with up to 25% of curriculum autonomy in order to meet their specific needs by fostering pedagogical differentiation in the classroom, interdisciplinary work and project-based methodologies; creating new subjects; and allowing upper secondary students to choose their own course format by being able to swap and replace subjects within the scientific component of each course, among other measures.

In the scope of the School Autonomy and Curriculum Flexibility the MoE issued Ordinance No. 181/2019, of 11th June, which allows public and private schools, according to their autonomy and flexibility, to manage more than 25% of the curriculum by designing innovation plans. This Ordinance aims at facilitating the implementation of curricular and organisational innovation school plans based on the need to implement appropriate responses to curriculum and pedagogy to meet each educational community's challenges and improve the quality of learning, the focus on meeting diverse learners' needs and, ultimately, the success of all. Each innovation plan must be proposed and presented by each school and requires validation by the MoE.

Curricular accommodations

Students can benefit from curricular accommodations which aim to facilitate their access to the curriculum. Portugal implemented various tools to respond to the needs of students at risk of school failure and those from disadvantaged and diverse backgrounds who encounter difficulties in their learning. These tools are to be implemented in the classroom through diverse strategies, including the diversification and appropriate combination of various teaching methods and strategies, diversified and inclusive assessment strategies and the removal of barriers in the organisation of space and equipment. In other words, curriculum adaptation strategies are designed to respond to the different learning styles of every student and promote

their educational success (Ministry of Education, 2022[3]). The main curricular adaptation programmes and strategies are the following:

Education and Training Courses (CEF)

The Education and Training Courses (*Cursos de Educação e Formação* - CEF) were first implemented during the school year 2004/2005. They aim at supporting young people who:

- Are at risk of early school leaving.
- Left school before completing 12 years of schooling.
- Are interested in obtaining a professional qualification before entering the labour market.

CEFs are mainly aimed at young people aged 15 or over but are also offered to students under 15 in exceptional circumstances. The courses have a specific curriculum design, tailored to the profile and individual features of each student. They provide academic and/or professional certification at different levels, depending on the student's starting point.

Education and Training Integrated Programme (PIEF)

Created in 1999, the Education and Training Integrated Programme (PIEF)[6] is an exceptional measure for students up to 15 years old in a situation of abandonment that has been redesigned over the years. The PIEF is a socio-educational measure, of a temporary and exceptional nature, to be adopted after all other school integration measures have been exhausted. It aims to promote the fulfilment of compulsory education and social inclusion, granting a qualification in a second or third school cycle. The programme aims to reintegrate students into education and promote the completion of compulsory education and/or integration into the labour market. Each student is specifically targeted through the development of an Individual Education and Training Plan. It differs from Education and Training Courses (CEF) in that it does not confer double academic and professional certification. The two also differ in terms of curriculum and study scope. The main objective of PIEF is to recover students who have left the education system early.

Distance learning (ED)

Drawing on a previous educational provision entitled Mobile School (*Escola Móvel*) in 2005, distance learning (*Ensino a Distância*, ED)[7] formally became an official educational provision in 2014 through Ministerial Implementing Order no. 85/2014, of the 14th April, which was repealed by the Ministerial Implementing Order no. 359/2019, on the 8th October. Distance learning aims to adapt an educational and training offer to students for whom face-to-face teaching is not possible. A virtual education platform was put in place for:

- Children of travelling professionals.
- Student-athletes attending distance learning in the network of schools with High Performance Support Units at School.
- Students integrated in social solidarity institutions that establish cooperation agreements with the ED school.
- Students with health problems or physical conditions that limit their regular attendance at school.
- Other specific cases.

The ED aims to ensure equal access to education, stable educational paths, quality learning, and students' educational success in the above circumstances. It is offered from the second cycle of primary education until the end of secondary education. It provides an organisational, curricular, pedagogical and learning structure suitable for this type of teaching, functioning on a b-learning model.[8] Both b-learning and

e-learning models are used in distance learning. However, students have to attend some face-to-face lessons, namely Physical Education. Students usually attend these lessons in a nearby school.

Alternative Curricular Pathways (PCAs)

Alternative Curricular Pathways (*Percursos Curriculares Alternativos*, PCAs)[9] were implemented in 2006. They are specific educational provisions for exceptional circumstances, which require prior authorisation from the MoE. These pathways target students who have repeated years in the same cycle and are at risk of early school leaving, or experience school or social exclusion. PCAs are adapted to the profile and specific needs of each student. They are part of a re-orientation strategy and aim at facilitating inclusion into mainstream education.

Currently, PCAs are integrated into innovation plans established by Ordinance No. 181/2019, of the 11th June, altered by Ordinance No. 306/2021, of 17th December. Within the scope of their curricular autonomy and the principles that underpin innovation plans, a school can design PCAs if: (1) it identifies a group of students from the same year of schooling who require specific and temporary management of the basic curricular matrix; and (2) none of the existing educational and training offers proves to be adequate. These innovation plans, of which PCAs are part, are submitted to the MoE for analysis and approval.

Portuguese as a Second Language (PLNM)

Some measures have been implemented to respond to these challenges to improve access and inclusion of newly arrived students with an immigrant background and, more recently, of refugee students (see Box 2.1), in primary and secondary education. Data from PISA 2018 show that in Portugal, 33.2% of first-generation and 23.5% of second-generation students with an immigrant background do not speak the language of instruction at home. Evidence shows that students who do not speak the language of instruction at home might face significant challenges in accessing the curriculum and feeling that they belong (OECD, 2019[8]; European Commission/EACEA/Eurydice, 2019[9]).

To promote the inclusion of students with an immigrant background who recently arrived in the Portuguese educational system, the MoE implemented measures to support the acquisition of the Portuguese language. These students are offered the school subject Portuguese as a second language (PL2 or *Português Língua Não Materna,* PLNM), in primary and secondary education (ISCED 1, 2 and 3). The objective is to ensure that all students who are non-native Portuguese speakers are offered equal conditions to access the school curriculum and achieve educational success. The idea that schools "must provide specific curricular activities for students whose language is not Portuguese to learn Portuguese as a second language" first emerged in 2001 with Decree Law No. 6/2001, 18 January. The PNLM subject was created a few years later, in 2006 (Ordinance No. 7/2006) in basic schools and in 2007 (Ordinance No. 30/2007) in secondary schools. It was strengthened with Decree Law No. 139/2012 that requires PNLM to be a mandatory part of the curriculum (Oliveira, 2021[10]).

The PL2 offer is taught in ISCED 1 and 2 (primary and lower secondary education - year 1 to year 9) in most education and training courses, including sciences - humanities courses and specialised artistic courses in ISCED 3 (upper secondary education – year 10 to year 12) as well as professional courses with dual certification at the secondary level[10].

All public primary and secondary schools in the Portuguese educational system offer these measures. Based on language assessment through interviews and placement tests, students are placed depending on their language level (A1, A2 or B1, according to the Common European Framework of Reference for Languages, CEFR). They can benefit from PLNM classes for the development of the Portuguese language and follow a specific PL2 curriculum. Immigrant students with a B2 or C1 level follow the Portuguese subject as described in the national curriculum and can benefit from additional language support classes. Furthermore, students placed at the A1, A2 and B1 language levels can also benefit from specific

assessment criteria in the PLNM subject, as well as final exams of PLNM, which correspond to their language level instead of the regular final exams of the Portuguese subject.

During the 2018/2019 school year, there were 3 487 students attending PNLM classes, fewer than in 2017/2018 (3 922) although 1.3 times more than in 2015/2016 (2 644) (Figure 2.2). In 2018/2019, 86.6% of PLNM students were enrolled in basic education, and 17.4% of them were in secondary education. Moreover, the same year, 48% were girls, and 52% were boys (Oliveira, 2021[10]).

Figure 2.2. Students enrolled in PLNM classes in public schools, Continental Portugal (2007/2008 - 2018/2019)
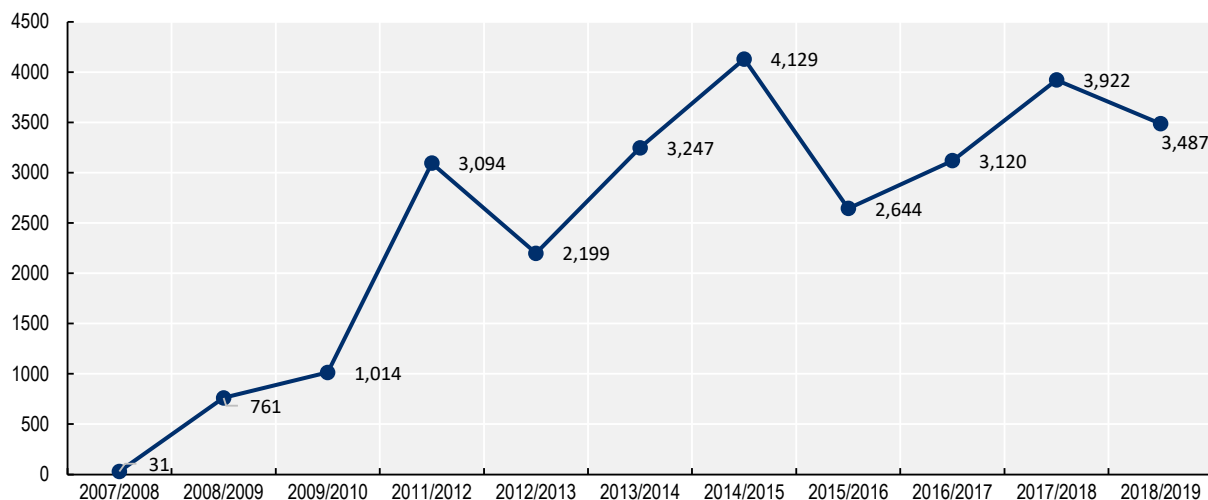
Source: Oliveira (2021[10]), *Indicadores de integração de imigrantes: relatório estatístico annual 2021 [Immigrant integration indicators: 2021 annual statistics report]*, ACM (High Commissioner for Migrations), Lisbon, Figure 6.6, p.130, https://www.om.acm.gov.pt/documents/58428/383402/Relat%C3%B3rio+Estat%C3%ADstico+Anual+2021.pdf/e4dd5643-f282-4cc8-8be1-92aa499bb92f .(accessed on 19 January 2022).

StatLink 🖳 https://stat.link/uv3t5b

Also, within the scope of the Decree Law No. 54/2018, other specific educational measures, such as universal, selective and/or additional measures can be applied by each school to support immigrant students placed at level A1 to ensure their access to the curriculum and inclusion.

> **Box 2.1. Extraordinary educational measures for foreign non-accompanied minors**
>
> Since the 2015/16 school year, the MoE has developed a set of extraordinary educational measures for foreign non-accompanied minors (*menores estrangeiros não acompanhados*, MENA). These measures aim to welcome refugee or asylum seeker non-accompanied students by supporting progressive access to the national curriculum and ensuring their educational success. It reinforces support for PLNM classes and provides specific educational measures. These include simplifying the process of academic degree recognition, progressive integration in the curriculum (through the adaptation of the school calendar and separate small group classes to reinforce learning) and School Social Assistance (*Ação Social Escolar*, ASE). In 2020, the Directorate-General for Education (*Direção-Geral da Educação*, DGE) and the National Agency for Vocation Education and Training (*Agência Nacional para a Qualificação e o Ensino Professional*, ANQEP) created a "Welcoming Guide" (*Guia de Acolhimento*) to help officials and school staff implement the appropriate measures.
>
> Various entities from the different ministries collaborate to welcome unaccompanied children and youth to ease the inclusion of these children and youth in the Portuguese society and schools.
>
> Source: DGE and ANQEP (2020[11]), *Menores Estrangeiros Não Acompanhados (MENA) - Guia de Acolhimento: Educação Pré-Escolar, Ensino Básico e Ensino Secundário [Unaccompanied Foreign Minors (MENA) – A Welcoming Guide: Pre-school, Basic and Secondary Education]*, http://www.dge.mec.pt/sites/default/files/Projetos/Criancas_jovens_refugiados/guia_acolhimento_mena_agosto2020.pdf (accessed on 3 November 2021).

Regulatory framework for diversity, equity and inclusion in education

The Constitution of the Portuguese Republic establishes that:

> "[t]he State promotes the democratisation of education and other necessary conditions, for education, realised through the school and other educational means, to contribute to equal opportunities, the overcoming of economic, social and cultural inequalities, the development of personality and a spirit of tolerance, mutual understanding, solidarity and responsibility, for social progress and democratic participation in collective life."[11]

As mentioned above, Portugal has undertaken major changes to reform its education system. While one of its main focuses was the inclusion of students with SEN into mainstream education from the 1970s, the new regulatory framework established in 2018 has broadened the approach to inclusive education. Moving away from the one-dimensional approach to inclusion in education as the mere participation of students with SEN in mainstream schools, the new legislation adopted a vision that implies developing equitable quality education systems by removing barriers to the "presence, participation and achievement of all students in education" (Ainscow, 2005, p. 119[12]). Following international standards, inclusion in education in Portugal is seen as a process in which the education system has to adapt to the needs of all students, and all students should attend mainstream education as much as possible. According to this approach, a new set of legal instruments has been developed (see Table 2.1).

Table 2.1. New legislative framework on inclusive education

Law	Scope
Decree Law No. 54/2018, 6 July	Establishes the principles and norms that guarantee inclusion in education, understood as a process that aims to respond to the diversity of the needs and potential of all students, by increasing participation in the processes of learning and educational community life.
Decree Law No. 55/2018, 6 July	Establishes the curriculum for basic and secondary education and the guiding principles for the design, implementation and evaluation of the learning process.
Legislative Order No. 10-A/2018, 19th June and Legislative Order No. 16/2019, 4 June	Establishes the criteria for the composition of groups and classes and the period of operation of education and teaching establishments within the scope of compulsory education.
Legislative Order No. 181/2019, 11 June	Allows public and private schools, according to their autonomy and flexibility, to manage more than 25% of the curriculum by designing innovation plans.
Legislative Order No. 3-A/2020, 5 March	Regulates the National Examination Jury and Regulation of External Evaluations.
Legislative Order No. 5/2020, 21 April	Regulates the registration and renewal procedures and the rules to be observed in the distribution of students in each school and classroom.

Source: Ministry of Education (2022[3]), *OECD Review of Inclusive Education: Country Background Report*.

The Law for Inclusive Education - Decree Law No. 54/2018

Decree Law No. 54/2018 (to which amendments were introduced by Law No. 116/2019, 13 September) entered into force following a rigorous evaluation process of the past ten years' policies and practices and a broad national consultation in 2017. The proposal of the new Law on inclusive education was elaborated by a taskforce that listened to multiple stakeholders searching for the best solutions from didactic, pedagogical, health, education and social inclusion perspectives. The draft of the Decree Law was submitted to public consultation between July and September 2017, with broad participation of stakeholders, including public and private educational establishments, teachers' associations, professionals of the educational community, professional associations, parents and guardians' associations, representatives of persons with special education needs, federations, trade unions and individuals in general. Also participating were the National Council for Education, the Council of Schools, the Association of Schools of Private and Co-operative Education, the Portuguese Co-operative Confederation, the National Confederation of Solidarity Institutions, the Union of Portuguese *Misericórdias* and the Union of Portuguese Private Health Insurances. The political organs of the Autonomous Regions were also consulted (Ministry of Education, 2022[3]).

It establishes the principles and regulations that ensure inclusion as a process by which the education system must adapt to respond to the diversity of needs and capabilities of each student through increased participation in the learning processes and educational community. According to the law, inclusive education has eight main principles that must guide its implementation: (1) Universal education; (2) Equity; (3) Inclusion; (4) Customisation; (5) Flexibility; (6) Self-determination; (7) Parental involvement; and (8) Minimum interference.

Equity, as one of the core principles of inclusive education, must guarantee that all students have access to the necessary support to achieve their learning and potential, while inclusion is the right of all children and students to access and participate fully and effectively in the same educational contexts. In this sense, schools, and more broadly the education system, must adapt to respond to the needs of each student, valuing diversity and promoting equity and non-discrimination in accessing the curriculum and the different levels of education.

Furthermore, the new law on inclusive education reflects a move away from the rationale that it is necessary to categorise to intervene. This means that there is no need to categorise students based on personal characteristics or establish a formal diagnosis of special education needs to provide specific support. Rather, it seeks to ensure that all students can access the curriculum and realise the Students'

Profile. Providing relevant support can be realised through reasonable accommodations, i.e. differentiated learning paths that allow each student to progress in the curriculum in a way that ensures their educational success. Therefore, Decree Law No. 54/2018 abandons categorisation systems for students, including the categories associated with special education needs. By doing so, it removes the restricted concept of "support measures for students with special education needs". Instead, it takes a broader view, implying a whole school approach, which considers multiple dimensions and the interactions between them. It aims to end segregation and discrimination based on diagnosis or clinical labels, as well as suppress special education legislation.

Under this approach, there is a need to evaluate the reasons why students encounter difficulties in the learning process, both taking into account the students themselves and their context (e.g. need for additional support, poor teaching, inappropriate curriculum, inadequate resources, socio-economic factors). Support is no longer the exclusive responsibility of a specific professional considered as a "specialist". Rather, a broader and systemic approach to support is adopted, considering all factors that increase a school's ability to respond to diversity. In this sense, building support networks within and between schools as well as between the school and its community is needed.

Every student has the right to receive adapted measures to support their learning and inclusion process and to specific resources that might be mobilised to meet their educational needs in all education and training offerings. The law distinguishes between three broad types of measures to support students (see Table 2.2).

Table 2.2. Support measures for the inclusion of all students in Portuguese mainstream schools

Type of support measures	Definition	Examples of measures
Universal Measures (*Medidas Universais*)	Support measures that schools use to support the participation and learning improvement of all students.	Differentiated instruction, curricular accommodations and/or enrichment, promotion of pro-social behaviour.
Selective Measures (*Medidas Seletivas*)	Support measures aimed to support students' more specific needs that are not addressed by universal measures.	Differentiated curricular pathways, psycho-pedagogical support, and tutorial support.
Additional Measures (*Medidas Adicionais*)	Support measures aimed to respond to persistent needs related to communication, integration, cognition or learning that require specialised resources to support inclusion in education.	Significant curricular adaptations, individual transition plans, adapted teaching methodologies and strategies, development of personal and social autonomy competences.

Source: Ministry of Education (2022[3]), *OECD Review of Inclusive Education: Country Background Report.*

The Decree Law for inclusive education emphasises the responsibility of schools to identify barriers to individual students' learning and develop diverse strategies to overcome them. The law calls for a change in school culture and encourages multi-level and multidisciplinary interventions (see Chapter 4) to support all students who need additional support for their learning. To support the implementation of the Decree Law, meetings and training opportunities have been offered to school boards, teachers and other staff (Ministry of Education, 2022[3]).

The Law for Curriculum flexibility – Decree Law No. 55/2018

An increasing number of OECD countries implement measures to have greater flexibility in curriculum management. A recent OECD report covering OECD and non-OECD estimates that 61% of participant countries allow local flexibility on curriculum content, pedagogies or assessment (OECD, 2021[13]). In Portugal, since Decree Law No. 55/2018, schools' autonomy allows a flexible management of the curriculum and of the learning spaces and schedules, so that the methods, timing, instruments and activities can respond to the singularities of each student.

Schools have greater flexibility in curriculum management, which aims to foster interdisciplinary work to strengthen the competence areas set out in the Students' Profile and deepen the Essential Learnings. As such, within Decree Law No. 55/2018, schools are provided with up to 25% of curriculum autonomy to meet their specific needs by fostering pedagogical differentiation in the classroom, interdisciplinary work and project-based methodologies; creating new subjects; and allowing upper secondary students to choose their own course format by being able to swap and replace subjects within the scientific component of each course, among other measures (Ministry of Education, 2022[3]).

The Decree Law requires the creation of school-based strategies for implementing flexibility and autonomy as key concepts in the design and implementation of curricula and educational activities organisation, giving increased autonomy to schools in order to design and shape their curriculum options so that teaching and learning are meaningful and beneficial for all their students and their specific contexts. Decree Law No. 55/2018 on Curriculum Autonomy and Flexibility was established at the same time as the Decree Law No. 54/2018 on Inclusive Education. Through these legal documents, schools are encouraged to change their organisational and pedagogical practices, according to the Essential Learnings, to ensure that all students acquire the competences set out in the Students' Profile.

Decree Law No. 55/2018 also sets out the curriculum for primary, lower and upper secondary education, as well as the guiding principles for the design, implementation and evaluation of the learning process to ensure that every student acquires the knowledge and develops the skills and attitudes, which contribute to the achievement of the competences outlined in the Students' Profile. In line with the ENEC, the Decree Law No. 55/2018 enacts the mandatory creation of school-based strategies for the implementation of a specific curricular component, Citizenship and Development. This aims at developing a broad range of active citizenship competences deemed essential for any young person to achieve before they reach the age of 18.

The Decree Law was completed by Ordinance No. 181/2019, 11 June, altered by Ordinance No. 306/2021, of 17th December, which allows public and private schools to potentially manage more than 25% of the curriculum. The Ordinance aims at:

- Further facilitating the implementation of curricular and organisational innovative school plans based on the need to implement curricular and pedagogical appropriate responses to meet each educational community's challenges
- Improving the quality of learning, the focus on meeting diverse students' needs and, ultimately, the success of all.

To gain the possibility of managing more than 25% of the curriculum, school must design and present to the MoE an innovation plan, focused on curriculum and pedagogical innovation. In the school year 2020/2021, 103 schools implemented innovation plans.

To support and monitor the implementation of this curriculum autonomy and flexibility (A*utonomia e Flexibilidade curricular*, AFC) in all public schools, regional AFC teams were created. The members of these teams come from different entities of the MoE to ensure proximity to the field.

Responsibilities for and administration of inclusive education

Portugal is a semi-presidential republic, which joined the European Union (EU) in 1986. The Constitution of the Portuguese Republic (1976) governs the separation of powers into the legislative (the Assembly of the Republic), the executive (the Government) and the judiciary (the Constitutional Court as well as Administrative, Civil and Criminal Courts) branches. The President of the Republic – elected every five years – is the State's Chief, whose duties are to represent the country, as well as supervise and guarantee the regular functioning of democratic institutions. The President is also vested with the responsibility of commanding the Armed Forces, approving or vetoing legislation and nominating the Prime Minister, after

approval of the Parliament. The Parliament (*Assembleia da República*) is composed of 230 members who are elected by popular vote every four years (Liebowitz et al., 2018[14]).

The executive power in Portugal is shared across two administrative tiers: central and local. The central government is divided into executive departments headed by their respective ministers who are nominated by the Prime Minister. The local level is sub-divided into municipalities (*concelhos*) and civil parishes (*freguesias*). Each municipality has executive and deliberative representation. The Municipal Chamber, composed of a President – the mayor – and other elected members (*vereadores*) acts as the executive body, whereas the Municipal Assembly supervises all municipal activity. At the sub-municipal level, civil parishes are governed by a Council of parishes (*junta de freguesia*) and an Assembly. The Portuguese Constitution established a political division of Portugal into Portugal Mainland and two Autonomous Regions, the Azores and Madeira, which have autonomous power over several areas, including education. Portugal Mainland is divided into five continental regions (North, Centre, Lisbon Metropolitan Area, Alentejo and the Algarve). However, no formal regional administration exists on the Continent. The five continental regions have no governance power and are only used for statistical purposes.[12] Instead, Supra-municipal administration is generally provided by such entities as Metropolitan Areas, Regional Co-ordination and Development Commissions (*Comissões de Coordenação e Desenvolvimento Regional*, CCDRs) or inter-municipal communities (*comunidades intermunicipais,* CIMs), which often have intertwining and overlapping functions.

Most regional approaches are related to the use of EU Structural and Investment Funds, put forth in the Partnership Agreement with the EU for 2014-2020. The five statistical territorial regions in continental Portugal – and to which the Review refer – are the North (*Norte*), Centre (*Centro*), Lisbon Metropolitan Area (*Área Metropolitana de Lisboa*), Alentejo and Algarve.

A centralised system

Governance in Portugal is highly centralised. Decisions about education policy are made at several levels of government, although a majority are made at the central level. Figure 2.3 shows that in 2017 in Portugal, 77% of decisions in public lower secondary education were made at the central level, only 15% at the school level, and 8% at multiple levels of government. This was below the OECD average of 34% for decisions made at the school level. At that time, Portugal had the second highest most centralised education decision-making of OECD countries and economies (OECD, 2018[15]).

Figure 2.3. Percentage of decisions taken at each level of government in public lower secondary education (2017)
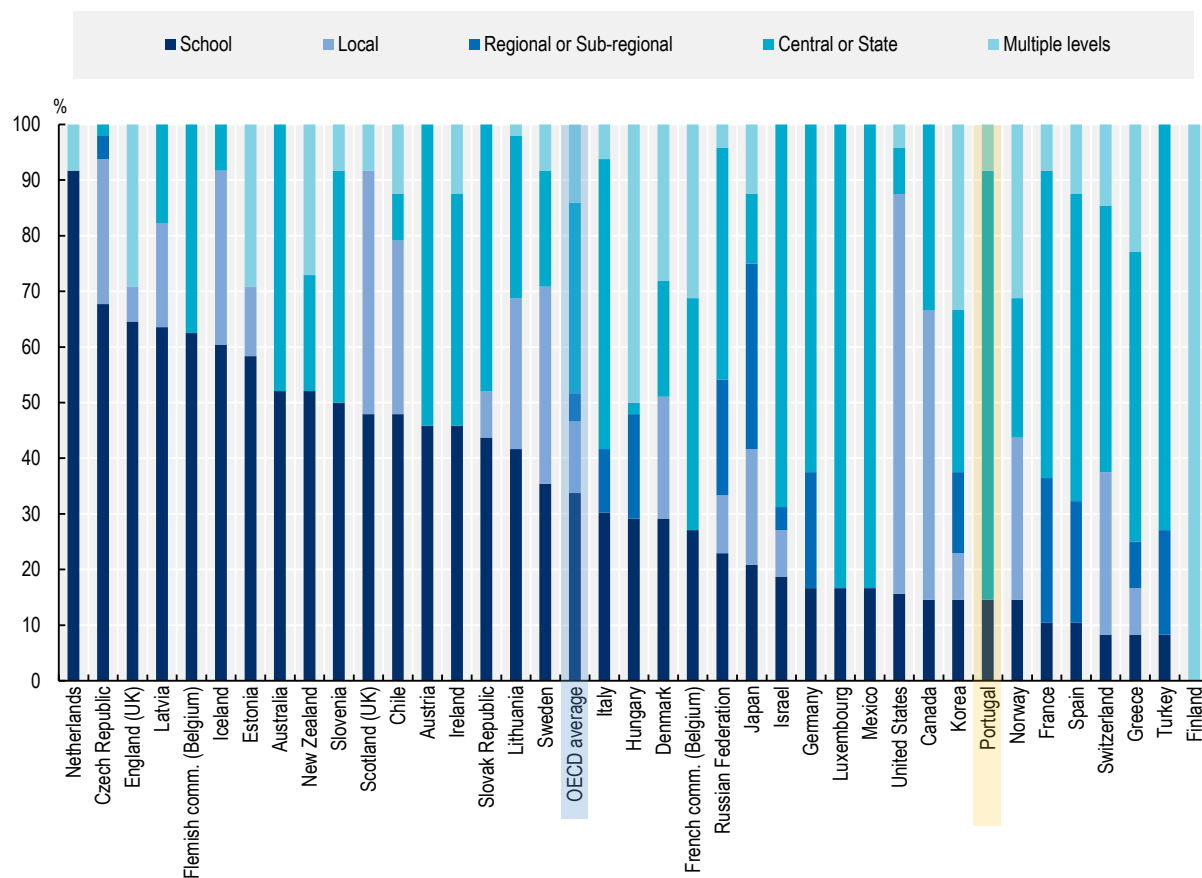
Note: Countries are ranked in descending order of the percentage of decisions taken at the school level.
Source: OECD (2018[15]), *Education at a Glance 2018: OECD Indicators*, Table D6.1. https://dx.doi.org/10.1787/eag-2018-en.

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There are multiple stakeholders involved in the functioning of the educational system at the national level (see Table 2.3). At the central level, government bodies under the MoE are the main ones responsible for managing the education system. Among others, they ensure the design and implementation of laws and policies, the creation of a common curriculum, the management of public schools, including vocational education and training (VET) and their regular evaluation. Entities that are part of the Portuguese MoE are the Directorate-General for Education (DGE), the Directorate-General for School Administration (DGAE), the Directorate-General for Schools (DGEstE), the Directorate-General for Statistics of Education and Science (DGEEC) and the Inspectorate-General for Education and Science (IGEC).

The Directorate-General for Education (*Direção-Geral da Educação*, DGE) is responsible for the management of the curriculum and the production of curricular reference documents for general education and out-of-school education to be developed by all schools at the national level (from pre-school to ISCED 3). In this vein, the DGE is responsible for the support and monitoring process regarding the implementation of education policies. Moreover, it is also responsible for the conception and management of specific programmes regarding school achievement.

The Directorate-General for School Administration (*Direção-Geral da Administração Escolar*, DGAE) ensures the implementation of policies for the strategic and efficient management of human resources in education. It guarantees the development of the human resources allocated to public educational structures. DGAE also responsible for the management of the teaching workforce and the organisation of school leadership, including recruitment and selection, career progression, remuneration and training.

The Directorate-General for Schools' (*Direção-Geral dos Estabelecimentos Escolares*, DGEstE) mission is to ensure the regional implementation of administrative measures and the exercise of peripheral competences related to the MoE, without prejudice to the competencies of the other central services. It has decentralised services with a regional scope. Some of its competencies involve monitoring, coordinating and supporting the organisation and functioning of schools and the management of their human and material resources, as well as promoting the development and consolidation of their autonomy. It is also responsible for the co-ordination with local authorities, as well as public and private organisations involved in education in order to strengthen local interactions and support the development of good practices. DGEstE's follow-up work is carried out in collaboration with schools, teachers, parents and the entire educational community.

The Directorate-General for Education and Science Statistics (*Direção-Geral de Estatísticas da Educação e Ciência*, DGEEC) is a central service under the State's direct administration, with administrative autonomy that operates under the purview of the MoE and the Ministry of Science, Technology and Higher Education (MCTES). The DGEEC's mission is to guarantee the production and statistical analysis of education and science. To create and ensure the proper functioning of the integrated information system of the MoE, DGEEC provides technical support for policy formulation, strategic planning and operations. Also, DGEEC observes and evaluates the overall results obtained by the educational, scientific and technological systems in co-ordination with other services of the MoE and MCTES.

The Inspectorate-General for Education and Science (*Inspeção-Geral da Educação e Ciência*, IGEC) has a specific law that details its organisational framework and states its role within the education system. Inspection activities range from the supervision of legal compliance to school external evaluation. In addition, there are many other activities the Inspectorate can perform, such as monitoring schools' performance, administrative and financial audits or even disciplinary proceedings against individual staff. Schools are inspected regularly (often more than once a year), although inspections can fill different purposes. IGEC gives significant attention to schools' culture, specifically to how they promote equity and inclusion. It recently modified its reference framework for evaluation by adding indicators to assess how the management of the school promotes the development of an inclusive education culture.

Portugal also created the National Agency for Qualification and Vocational Education and Training (*Agência Nacional para a Qualificação e o Ensino Profissional*, ANQEP). ANQEP is a public institute under the indirect administration of the State, with administrative, financial and pedagogical autonomy. The ANQEP has superintendence and joint supervision of the Ministry of Education and Labour and the Ministry of Solidarity and Social Security, in co-ordination with the Ministry of Economy and Digital Transition. Its mission is to contribute to improving the qualification levels of young people and adults in Portugal.

Table 2.3. Portuguese Ministry of Education's organisational responsibilities

Entity	Primary Responsibility
General Secretariat for Education and Science (SGEC)	• Responsible for quality of policy, information and communication. • Provides specialised technical support to the MoE (Ministry of Education) and MCTES (Higher Education) government members in conflict resolution and litigation, as well as in employment regime, human, material and financial resources management. • Responsible for European affairs and international relations.
General Directorate for Education (DGE)	• Responsible for the management of the curriculum and the production of curricular reference documents. • Ensures support and monitoring for the implementation of education policies. • Co-ordinates, collaborates with and/or supervises targeted educational programmes developed in schools. • Directs psychological services. • Assists in defining teachers' training needs and can provide theoretical training on inclusive education.
General Directorate for Schools (DGEstE)	• Ensures the implementation of educational policies defined within the scope of the educational system in an articulated manner by the various regional districts. • Monitors, co-ordinates and supports the organisation and functioning of schools and the management of their human and material resources, promoting the development and consolidation of their maintenance. • Provides support and information to users of the education system, in particular students and guardians, local entities and agents. • Defines, manages and monitors the requalification, modernisation and maintenance of the school network. • Discloses guidelines and technical information from MoE services. • Collects information as necessary for the design and execution of education and training policies to groups of schools or non-grouped schools. • Monitors the procedures and activities developed within the scope of the educational system regarding the control of the quality of teaching. • Cooperates with other services, bodies and entities, with a view to carrying out joint actions in the field of education and VET.
General Directorate for School Administration (DGAE)	• Ensures the implementation of policies for strategic management. • Ensures the development of the human resources of education allocated to the public educational structures. • Responsible for the management of the teaching workforce and the organisation of school leadership, including recruitment and selection, career progression, remuneration and training.
General Directorate for Statistics of Education and Sciences (DGEEC)	• Operates under the purview of the MoE and the MCTES. • Produces and analyses education and science data. • Provides technical support to the formulation of policies and strategic planning. • Creates and ensures a properly integrated information system for the MoE and the MCTES. • Manages the technological infrastructures of schools (computers, digital cloud, data communications network, internet, access control system, video surveillance system, etc.) • Develops new indicators on equity and inclusion.
General Inspectorate for Education and Science (IGEC)	• Ensures the legality of actions taken by services and departments of the MoE and the MCTES. • Monitors, audits and supervises the functioning of the technical-pedagogical and administrative-financial aspects of the activities of pre-schools, schools and out-of-school education, other educational and teaching institutions of public, private and co-operative networks, including higher education, as well as institutions teaching Portuguese abroad. • Assesses to what extent the management of the school promotes the development of a culture of inclusive education. • Identifies best practices that promote inclusive education.
Institute for the Management of Educational Finance (IGeFE)	• Ensures the programming, financial management and operational and strategic planning of the MoE. • Assures accurate execution of MoE budget and its reliable and sustainable management. • Provides comprehensive evaluation of policy implementation.
Educational Evaluation Institute (IAVE)	• Plans, develops and validates the tools for the external assessment of students' knowledge and ability in primary and secondary education.

	• Responsible for the development of national tests. • Processes and disseminates information related to decisions made for the improvement of the quality, effectiveness and efficiency of the national educational system. • Co-ordinates the Portuguese participation in international studies related to external student assessment. • Drafts tests certifying specific knowledge and abilities for other purposes and educational levels on an *ad hoc* basis.

Sources: Liebowitz et al. (2018[14]), *OECD Reviews of School Resources: Portugal 2018*, https://doi.org/10.1787/9789264308411-en; Ministry of Education (2022[3]), *OECD Review of Inclusive Education: Country Background Report*.

Undergoing a decentralisation process

As explained above, in Portugal, the core institutional actors at the local levels are the municipalities. There are no decision-making authorities at the regional level, except for the Autonomous Regions of the Azores and Madeira. The municipality is also a territorial unit endowed with legal personality and a certain administrative autonomy, led by its political and administrative bodies, namely the Municipal Assembly - legislative body - and the City Council - executive body. While central entities remain the main decision-making bodies, Portugal has intensified its decentralisation process in recent years, giving increasing responsibilities to municipalities in the field of education. The ongoing decentralisation process has encouraged the transfer of some decision-making and responsibilities to municipalities. These responsibilities include the areas of school social assistance, recruitment and management of some human resources (non-teaching staff), as well as curricular enrichment activities, facilities and the management of pre-school and basic education (Ministry of Education, 2022[3]).

Decentralisation became a dominant paradigm in the 1980s (Lima and Franca, 2020[16]). The Portuguese Education Act, established by Law No. 46/86, was the first major tool that established the reform of the role of the state in education. The act states that the education system must be organised in ways that that "decentralise and diversify the structures of the educational actions" (Art. 3). According to Santos, Rochette Cordeiro and Alcoforado (2018[17]), while the 1976 Constitution already recognises the role of municipalities, it is in 1999, with the Law No. 159/99, that the principles of administrative decentralisation and local power autonomy started to be realised. The law established the framework for the transfer of responsibilities to local authorities, delimiting the intervention of the central administration. It also reinforces principles enshrined in the Education Act by requiring municipalities to participate in the planning and management of educational equipment and infrastructure (in pre-school and basic education). A year before, in 1998, Decree Law No. 115-A/98, 4 May, was enacted. It approved the regime of autonomy, administration and management of pre-school, basic and secondary schools. This normative framework, with cuts from municipal initiative, also foresaw the creation of Local Education Councils (CLE), conceived as structures of participation of the various agents and social partners for the articulation of educational policy with other social policies, mainly in terms of socio-educational support, organisation of complementary curricular activities, school network, timetables and school transport. These councils were conceived as structures of participation and collaboration for various actors and social partners in order to articulate educational policy with other social policies, mainly in terms of socio-educational support, organisation of complementary curricular activities, school network, timetables and school transport (Ministry of Education, 2022[3]).

Nonetheless, little change happened in practice until Decree Law No. 7/2003, 15 January, was enacted (Santos, Rochette Cordeiro and Alcoforado, 2018[17]). This Decree Law introduced a diploma that requires the Constitution and functioning of Municipal Councils of Education (*Conselhos Municipais de Educação*, CME). The CMEs are essential entities that concretise the institutionalisation of the intervention of educational communities at the municipal level. The same legal act also introduced the Educational Charter (1st generation), which is a fundamental instrument for organising the education network and teaching offers. The contracts for the transfer of competences between state and municipalities,

established in Decree Law No. 144/2008, 28 July, defined the conditions for the transfer of the management of non-teaching staff in pre-schools and basic schools, of curricular enrichment activities in lower primary education and the management of public school facilities in upper primary and lower secondary education.

A few years later, an inter-administrative contract for the delegation of competences was signed under Decree Law No. 30/2015, 12 February. This Decree Law established the system of delegation of competencies to municipalities and inter-municipal entities in the field of social functions. Among other elements, this set a general programme for transferring responsibilities in education and better collaboration between the MoE (central level), municipalities (local level) and schools. Recently, Decree Law No. 21/2019, 30 January, reinforced and consolidated the framework for transferring power and competences to local authorities. It reinforces the areas that have, to some extent, already been decentralised. It gives the municipality new local and inter-municipal competences in the fields of planning, investment and management of education. However, the definition of the educational network, in conjunction with municipalities, inter-municipal entities and school clusters and non-clustered schools, as well as the decision on contracting or assigning creation and maintenance, remains within the competences of the MoE.

Furthermore, the competences of local authorities in the field of investment, equipment, conservation and maintenance of school buildings are now extended to all basic education and secondary education. The provision of meals in cafeterias of upper primary and secondary schools is now managed by the municipalities. Allocation of subsidies and/or provision of support and services by or contracted by municipalities are complementary to those available in schools. Furthermore, the responsibility for the recruitment, selection and management of non-teaching staff, of all levels and teaching cycles, is now ensured by the city councils. Consequently, this responsibility covers and reinforces the legal and functional mechanisms already enforced in the completion contracts.

In the area of security, the municipalities have also acquired, in conjunction with the security forces present in their territory and with the administrative and management bodies of clusters of schools and ungrouped schools, the competencies of organising the surveillance and security of educational equipment, namely the building and exterior spaces included in their perimeter.

Finally, as the highest expression of territorialisation, the municipal education council is an institutional body of intervention, leading consultation and debates to advance educational policy. Its composition has now been extended and includes, in addition to the members who already belonged to it, a representative of the co-ordination and regional development commissions, a representative of each of the pedagogical councils of the groupings of schools and non-grouped schools and a representative of social and solidarity sector institutions that develop activities in education.

Central policies and programmes for diversity, equity and inclusion in education

Many educational policies and programmes implemented in the last two decades in Portugal are aligned with equity and inclusion principles described above. They are designed to support students from disadvantaged backgrounds, promote school success and respond to Portugal's current educational challenges, including grade repetition and early school leaving. The primary policies and programmes that allow for adaptation of and support to learning processes for students or groups of students are described in this section.

School Social Assistance (ASE)

Implemented in 1971, the granting of School Social Assistance (*Ação Social Escolar*, ASE) aims to prevent social exclusion and early school leaving. It promotes school and educational success, allowing all students to successfully complete compulsory schooling, regardless of their social, economic, cultural and family

situation. As mentioned earlier in this report (see Chapter 1), eligibility for financial aid is structured in income brackets. Students in bracket A, corresponding to students with families receiving the lowest income, receive the most support, including free meals and textbooks. Students in bracket B also receive significant support, although less than students in bracket A (e.g. they have to pay 50% of the price of school meals). Students in bracket C are from families with the highest income and do not receive any support (Ministry of Education, 2022[3]). Between the 2014/2015 and 2017/2018 school years, the share of students benefiting from the ASE decreased from 40.1% to 36.1%. During the 2017/2018 school year, among the 36.1%% benefiting from the ASE, 20.7% were in bracket A, while 15.4% were in bracket B (Figure 2.4).

Figure 2.4. Students receiving the ASE in public schools, Continental Portugal (2008/2009 - 2017/2018)
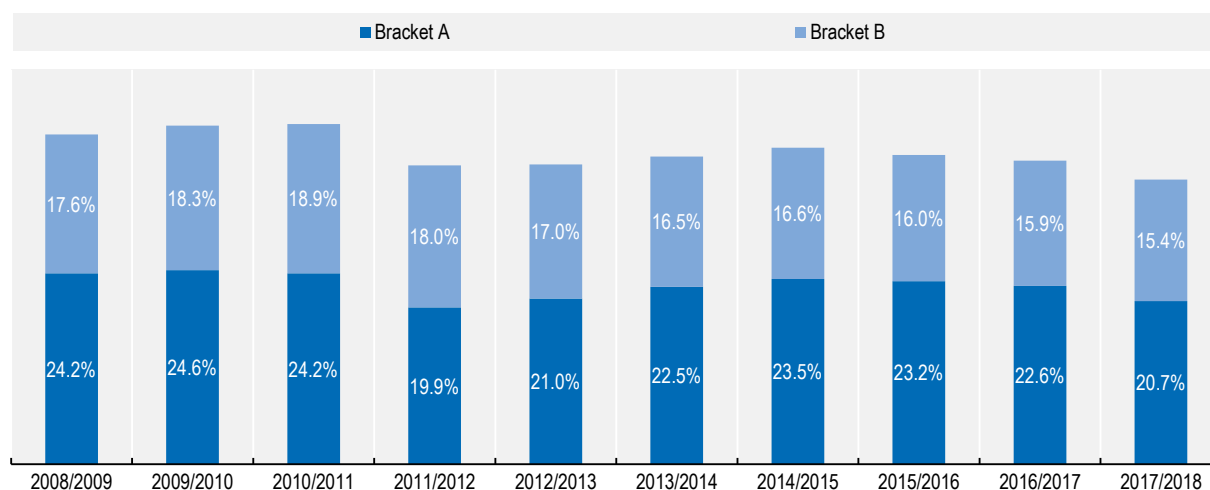
Source: CNE (2020[18]), *Estado da Educação 2018 [*State of Education 2018*]*, Conselho Nacional da Educação, https://www.cnedu.pt/content/edicoes/estado_da_educacao/Estado_da_Educacao2018_web_26nov2019.pdf (accessed on 14 December 2021).

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The Priority Intervention Educational Territories Programme (TEIP)

The first generation of the Priority Intervention Educational Territories Programme (*Terrirórios Educativos de Intervenção Prioritária*, TEIP) was implemented in the 1996/1997 school year. The fourth generation, which is currently starting, includes 146 school clusters (about 18% of the total of Portuguese school clusters). The TEIP programme involves schools located in areas with high levels of poverty and social exclusion, as identified by educational (e.g., school failure) and socio-economic indicators (e.g., the ASE). Within the transition from third generation to fourth generation (TEIP 3 to TEIP 4) there was the revision of the criteria for integration in the TEIP Programme and thus, recently ten school clusters have been added to this programme (there used to be 136) following the Council of Ministers' Resolution 90/2021 in the scope of a national learning recovery programme that extended the TEIP programme to schools with a high number of students with an immigrant background and with a wide variety of mother tongues.

Through the TEIP 3, schools have been encouraged to develop a plan of improvement (*plano plurianual de melhoria*, PPM) based on their own knowledge of their context and challenges. The plans aim to strengthen their autonomy and positive discrimination measures to support the inclusion of all students. The last PPMs cover the years 2018 – 2021.

With the support of the MoE, TEIP schools implement their three-year Improvement PPM focused on four main, broad areas of intervention: (1) improvement of teaching and learning to ensure educational success; (2) prevention of early school leaving, absenteeism and indiscipline; (3) school management and organisation; and (4) relationship between school, family and community (Ministry of Education, 2022[3]). Regarding the monitoring process of the TEIP programme, there are regional teams from the MoE that support and provide a close contact for these schools to help them make the necessary adjustments to their commitments, methodologies and practices.

Specific Tutorial Support (ATE)

Implemented since the academic year 2016/2017, Special Tutorial Support (*Apoio Tutorial Específico*, ATE) consists of close and continued support to students in the second and third cycles of basic education who are over 12-years-old and have had two or more grade repetitions. It aims to prevent early school leaving, increase retention and, overall, promotes educational success by complementing other existing measures.

Choices Programme (PE)

First implemented in 2001, the Schools Programme (*Programa Escolhas,* PE) is a government programme promoted by the Council of Ministers under the leadership of the Portuguese High Commissioner for Migrations (*Alto Comissariado para as Migrações*, ACM). The PE targets 6- to 30-year-olds in vulnerable social and economic situations. These include children and young people with an immigrant background and from Roma communities. The PE, currently in its seventh generation, funds 101 projects, including three in the Autonomous Regions of Madeira and Azores. Its budget comes from the overall State budget and is co-funded by the European Social Fund and regional programmes in Lisbon and the Algarve.

The main objectives are to promote the social inclusion of children and young people from the most vulnerable socio-economic contexts. Various areas are included in the programme, including education and training considered essential to foster equal opportunities and inclusion. Projects funded by the PE are planned to be intensified in 68 municipalities, mobilising numerous partnerships between municipalities, parishes, school clusters, migrant associations and other relevant stakeholders[13].

Commissions for the Protection of Children and Youngsters (CPCJ)

Created in 2001, the Commissions for the Protection of Children and Youngsters (*Comissões de Proteção de Crianças e Jovens*, CPCJ) succeeded the Commissions for the Protection of Minors created in 1991. The CPCJ offices are spread throughout the country and aim to prevent or end current or imminent situations which endanger the lives of children and young people. In addition to other areas of intervention, they specifically consider children and young people's participation in school and their educational success. Each Commission includes a representative from the MoE, preferably a teacher. There are 269 teachers in total working at the CPCJ.

The National Programme for School Success Promotion (PNPSE)

The National Programme for School Success Promotion (*Programa Nacional de Promoção do Sucesso Escolar*, PNPSE) was created in April 2016. Its mission is to prevent school failure by reducing grade repetition rates through a bottom-up approach. Each school can implement its own strategic action plan to promote educational practices and improve learning[14]. The PNPSE has been engaging closely with local authorities and inter-municipal entities, with which it implements various programmes to combat school failure, such as the Integrated and Innovative Plan to Combat School Failure (*Plano Integrado e Inovador de Combate ao Insucesso Escolar,* PIICIE).

In practice, the PNPSE is based on a logic of proximity, meaning that it is implemented through teams constituted of officials close to the field. The PNPSE can:

- Support local initiatives of diagnosis and interventions, i.e., ensure the training of local officials and school staff to design and implement strategies tailored to their context.
- Promote practices that anticipate and prevent failure through an emphasis on early intervention instead of remedial strategies.
- Encourage common and collaborative strategies between local education authorities.

In August 2020, all the public schools of mainland Portugal (including the TEIP schools) were invited to apply for the Personal, Social and Community Development Plan (*Plano de Desenvolvimento Pessoal, Social e Comunitário,* PDPSC), which is part of the PNPSE and sets out measures to support students' return to school after the lockdown due to the COVID-19 pandemic. These plans aim to welcome students, reinforce their learning, promote well-being, foster social skills and enhance interaction with the community. From a total of 810 schools and school clusters, 668 have designed plans that comprise a total of 1 316 measures for social and educational intervention, corresponding to an average of two measures per plan. During the school year 2020/2021, schools and school clusters that applied were able to hire more than 900 specialised support staff (e.g. psychologists, social workers, IT technicians, artists) to implement these plans (Verdasca, J.; et al., 2020[19]).

The National Plan for Arts (PNA)

The National Plan for Arts (*Plano Nacional das Artes*, PNA)[15] is a culture and education initiative for 2019-2029 that operates through partnerships with school clusters that develop their own artistic and cultural projects promoting curricular development and inclusive education.

The PNA is currently working with 148 school clusters, spread across the country and the Autonomous Regions (Azores and Madeira) and two Portuguese schools abroad: Mozambique and Timor-Leste. In these schools, Coordinators of the Cultural School Project (CSP) are identified, and CSP Consultative Commissions are formed. The commissions are formed of school staff, staff from the departments of culture of the city councils, cultural institutions (directions of theatres, museums, educational heritage services, etc.), artistic associations, higher education institutions and representatives from previously described plans and programmes already existing in schools.

The PNA supports various artistic and cultural projects, including:

- Resident Artist Projects: An artist, cultural association or theatre company can reside in a school for a minimum of three months. During the 2019/2020 school year, there were 19 Artists in Residence. Due to the COVID-19 pandemic, most of this work was conducted through online communication.
- Digital Educational Resources Website: Created in March 2019, the online page provides digital resources for all students, teachers, mediators and parents about the arts, heritage, culture, citizenship, sciences and the humanities. More than 300 digital resources are provided to be incorporated in other curricular subjects at each year of education.
- Academia PNA: The PNA also provides training courses and accreditations for teachers. The vast majority are now online courses, carried out in partnership with the School Association Training Centres.

The Digital Programme for Schools

The Digital Programme for Schools (*Programa de Digitalização para as Escolas*[16]) is a part of the national Plan for Digital Transition. The Action Plan for the Digital Transition was formally created in 2020 (Council of Ministers Resolution No. 30/2020) to develop a programme for the digital transformation of schools. The

Programme has a strong commitment to teacher training to ensure the acquisition of the competences necessary for teaching in digital environments. The training of teachers is articulated with the Action Plan for the Digital Development of Schools, a fundamental document to support decision-making and monitoring of digital strategies. This measure aims to actively contribute to schools' technological modernisation, familiarising students with digital tools they might increasingly encounter in the labour market. The objective is to develop teacher's digital literacy skills so that they can use digital tools to strengthen pedagogical practices and simultaneously promote innovation in the teaching and learning process. Also, the programme aims to foster digital inclusion and give access to the internet to all. Within the frame of the programme, spurred by distance learning during the COVID-19 pandemic, computers with an internet connection have already been distributed to many students, giving priority to the most socio-economically disadvantaged students. Computers with an internet connection have also been distributed to all teachers. Digital access and literacy are important for inclusion not only to ensure certain student groups are not further excluded, but that digital education tools can also increase flexibility and personalisation for diverse student needs.

Resourcing for inclusive education

Overview on the funding of the education system

In comparison to other OECD countries, Portugal invests substantially in non-tertiary education. According to OECD (2021[20]), 3.8% of the added-value produced in the country (gross domestic product, GDP) in 2018 was dedicated to financing education, from primary to upper secondary education institutions. The share of GDP invested by Portugal in education was above the OECD average (3.4%) and, apart from France (3.7%), well above its Southern European peers (Figure 2.5).

Figure 2.5. Public and private expenditure on non-tertiary educational institutions as a percentage of GDP (2018)

Primary, secondary, post-secondary non-tertiary education, after transfers, in per cent
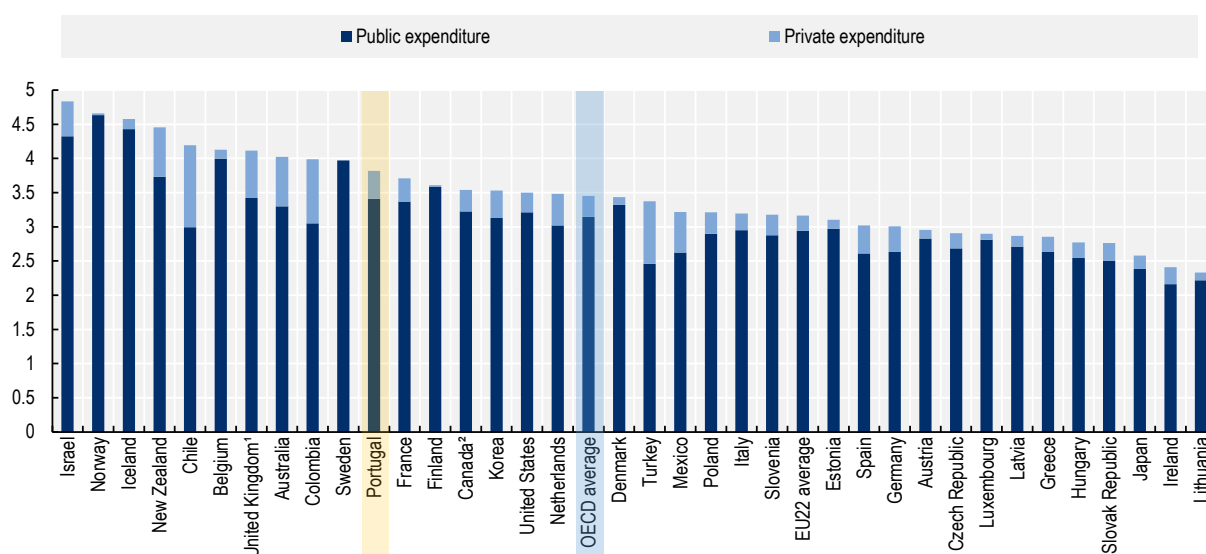
Notes: International expenditure is aggregated with public expenditure for display purposes.
1. Figures are for net student loans rather than gross, thereby underestimating public transfers.
2. Primary, secondary and post-secondary non-tertiary education includes pre-primary programmes.
Source: Adapted from OECD (2021[20]), *Education at a Glance 2021*, Figure C2.2, https://dx.doi.org/10.1787/b35a14e5-en.

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According to the OECD (2021[20]), between 2012 and 2018, the total expenditure per student in primary, secondary and post-secondary non-tertiary corrected for differences in purchasing power increased in Portugal, from USD 8 950 (EUR 7 876) to USD 9 300 (EUR 8 183) (+0.6%). Meanwhile, the total expenditure on education institutions at the same levels slightly decreased (-1.1%), which can be explained by a decrease in the student population (-1.8%). In sum, although between 2012 and 2018, Portugal's student population has decreased and less is spent on education, the country spends more per student. Similarly, Portugal has observed a negative change in public expenditure on educational institutions as a share of the GDP within the same period (-7.4%). More than two-thirds of OECD and partner countries with available data experienced a reduction in the total expenditure on educational institutions as a share of GDP, although this is in most cases the result of a higher rise in GDP compared to education expenditure. Lithuania and Portugal were among the countries with the largest negative adjustments over that period, due to increases in GDP over 5% combined with reductions in total expenditure on educational institutions (OECD, 2021[20]).

While the share of GDP spent in education is relatively high at all educational levels, the absolute level of expenditure and expenditure per student is close to the OECD average. In fact, the annual expenditure per student in pre-primary and primary schooling, corrected for differences in purchasing power across countries, is below the OECD average at all levels of education except from lower secondary (Table 2.4). In 2018, Portugal spent slightly more than the OECD average in secondary schooling, a notable change in comparison to 2014 when the annual expenditure per student in secondary schooling, corrected for differences in purchasing power across countries, was about 15% below the OECD average (Liebowitz et al., 2018[14]). Although expenditure has increased since 2014 at all levels of education, it still favours secondary and tertiary levels compared to pre-primary and primary ones (Table 2.4).

Furthermore, at the non-tertiary level, the funding of education in Portugal is mostly supported by public revenues, representing 89% of the total expenditure. The remaining 11% of the funding comes from household expenditure, while private sources do not participate in the funding of non-tertiary education (OECD, 2021[20]).

Table 2.4. Selected indicators of expenditure in education (2018)

	Education level	Portugal	OECD average
Annual expenditure per student (in equivalent USD PPP)	Pre-primary and primary	8 812	9 550
	Lower secondary	11 354	11 091
	Upper secondary	10 670	11 690
	Tertiary	11 779	17 065
Expenditure on educational institutions (% GDP)	Pre-primary and primary	1.5	1.5
	Lower secondary	1.1	0.9
	Upper secondary	1.2	1.1
	Pre-primary to secondary	3.8	3.4
	Tertiary	1.1	1.4

Source: OECD (2021[20]) *Education at a Glance 2021: OECD Indicators*, https://dx.doi.org/10.1787/b35a14e5-en.

According to the National Council of Education (*Conselho Nacional da Educação*, CNE) (2020[18]), in 2019 Portugal spent a total of around EUR 9 million in education. About 71.2% (around EUR 6.4 billion) of this amount was devoted to non-tertiary education from pre-primary education to upper secondary. While the amount spent on non-tertiary education significantly decreased between 2010 and 2015, it steadily increased until 2019, the year that registered the third highest amount spent on education since 2010. Still in 2019, around EUR 5.7 billion were spent in pre-primary education, the highest amount since 2013 (EUR 5.8 billion). It was highlighted in the 2019 State Budget that the "budget has gradually increased over the past years. This is the result of an increase in the budget dotation for public pre-school classrooms, including animation activities and support to the families that extend the daily functioning hours of pre-schools, promoting a balance between work and family".

Also, overall, 98.4% of the budget for non-tertiary education was spent on current expenditures and less than 2% on capital expenditures[17] (CNE, 2020[18]). Regarding current expenditures, as in most OECD countries, the largest share is spent on compensation of staff. In 2018, about 75% was dedicated to the compensation of teachers, 9% to the compensation of non-teaching staff and the remaining 16% to other current expenditures (see Figure 2.6). The latter category includes teaching materials and supplies, ordinary maintenance of school buildings, provision of meals and dormitories to students, and rental of school facilities.

Figure 2.6. Distribution of current expenditure in public and private educational institutions (2018)

Primary, secondary and post-secondary non-tertiary education, in per cent
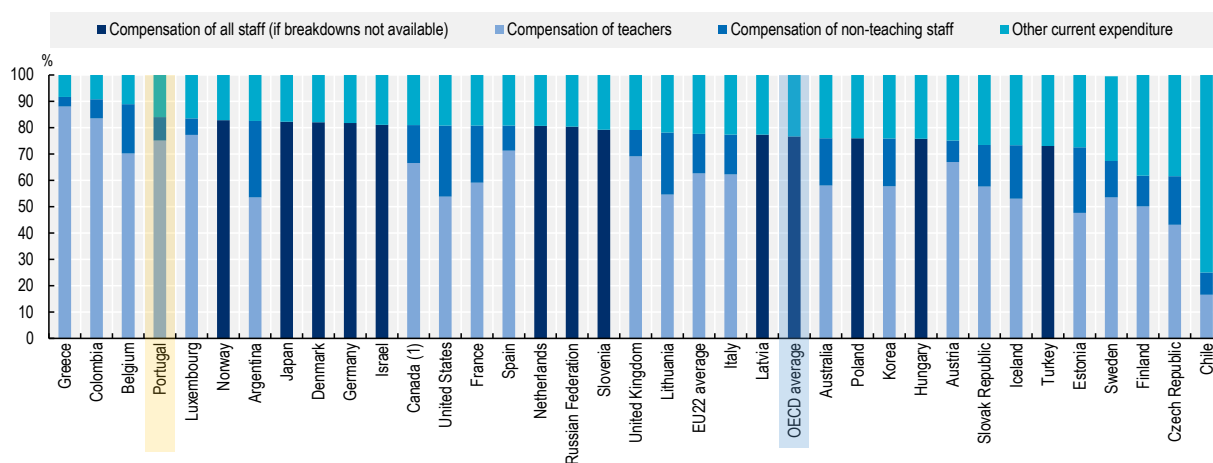
Notes: 1. Primary, secondary and post-secondary non-tertiary education includes pre-primary programmes.
Countries are ranked in descending order of the share of all staff compensation.
Source: Adapted from OECD (2021[20]), *Education at a Glance 2021*, Figure C2.6, https://dx.doi.org/10.1787/b35a14e5-en.

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Budgeting and planning process

The governance of the funding system in Portugal is historically largely centralised. Article 74 of the 1976 Constitution besides establishing that everyone has a right to education, indicates that the State must be responsible in ensuring universal and free basic education for all. This logic is extended to secondary education. The budget process for financing schools is annually defined, based on information provided by schools and central estimates, and is anchored in past expenditure corrected for inflation. The public budget for education is proposed by the MoE, negotiated with the Ministry of Finance and finally approved by both the central government and parliament (Liebowitz et al., 2018[14]). Two separate mechanisms exist for budgeting centrally distributed funds, one for the teaching salary component of the budget and the other for non-teaching salaries and non-salary expenditures.

Furthermore, the financing of schools and the provision of resources are structured around two main axes (Ministry of Education, 2022[3]):

- Costs, including salaries for teachers and other professionals and investment expenditures, supported directly by the MoE, which regularly transfers the required funds to schools.
- Annual budget allocation for each school containing MoE funding for the ongoing period.

Teaching salary budget

Each spring, the DGEstE, in articulation with ANQEP for planning VET courses, provides student enrolment projections to each school cluster administration. The school cluster administration uses this information to decide on an offering of classes sufficient to meet student needs, following the guidelines presented in a set of governmental dispatches for the organisation of the school year. These include Normative Dispatches No. 10-A/2018, 19th June, and No. 16/2019, 4th June, which provide orientations on the class size and the organisation of the school year (*organização do ano letivo*), an official regulation published on a yearly basis by the Secretary of State for Education that defines key elements such as

staffing rules for schools. The school cluster proposal takes into account planned strategic projects, including PNPSE and TEIP, and the estimated number of classes previously approved by DGEstE on the basis of the estimated distribution of students. DGEstE reviews, corrects as necessary and ultimately validates the network of class offerings for each school and the entire system (Ministry of Education, 2022[3]).

Once classes have been determined, the school cluster administration reviews the available permanent teaching staff returning to the cluster, compares the instructional needs with the available human resources and submits a proposal for any missing teaching hours to the DGAE to meet its instructional needs. Similarly, DGAE reviews the proposal, corrects it as necessary, validates the number of required teachers and then assigns the required teachers following established protocols. Finally, the financial department within the MoE, the Institute for the Management of Educational Finance (*Instituto de Gestão Financieira da Educação*, IGeFE), receives the defined staffing levels for each school cluster and transfers earmarked funds to schools and school clusters to pay teachers' salaries (Liebowitz et al., 2018[14]).

The source and allocation of funding for teaching staff and specialised technicians mainly come from the state budget and funds from the Human Capital Operational Programme (*Programa Operacional Capital Humano*, POCH). This system is managed by specialised entities of the MoE (mainly DGAE and DGEstE), according to centrally established criteria and guidelines to monitor local needs (see 0.).

Non-teaching salary budget

A parallel process exists for planning and developing the budget for the non-teaching component of schools' budgets. Each spring, school administrators prepare a proposal for their non-teaching expenses to submit to IGeFE. This proposal takes into account prior-year expenditures, planned investment in school facilities and resources, and other projects pursued by the school, all following the guidelines relating to non-teaching expenses in the organisation of the school year regulations (Liebowitz et al., 2018[14]).

IGeFE is responsible for analysing the budget proposal according to legal criteria and for defining the school budget. The amount requested by the school is contrasted with the results of a model recently developed by IGeFE based on historical expenses, number of students, levels of education, facilities at the schools, the existence of central heating and the geographic location of schools. This model, which was newly introduced for the 2017/2018 school year and is not public, automates the rules defined for each expenditure item. During the school year, IGeFE may approve additional *ad hoc* funding following a justified request from a school (Liebowitz et al., 2018[14]).

Budgetary responsibilities and resource allocation

The funding system for education in Portugal is based on a system of transfer from central authorities towards the other levels of administration, which benefit from increasing autonomy to manage their resources (Lima and Franca, 2020[16]). Most of the budget is calculated and managed at the central level (see

Figure 2.7). It is then distributed through several funding streams, either directly to school cluster administrations or to municipalities that then distribute resources to schools according to needs assessments and established partnerships mechanisms. While this is true for current expenditures, most capital expenditures are managed by the municipalities or the *Parque Escolar*. *Parque Escolar* is a state-owned company, functionally dependent on the MoE, created in 2007. The main goal for the creation of *Parque Escolar* was to plan and carry out a Programme for the Modernisation of Secondary Schools, with the objective of updating and restoring the physical, environmental and functional effectiveness of secondary school facilities. *Parque Escolar* also inaugurated a new management model for the maintenance of the intervened school infrastructures (Liebowitz et al., 2018[14]). Actors at the different

levels of the education system and other relevant stakeholders take part in the allocation of the educational funds and resources.

Figure 2.7. Distribution of initial sources of public funds for education (2018)
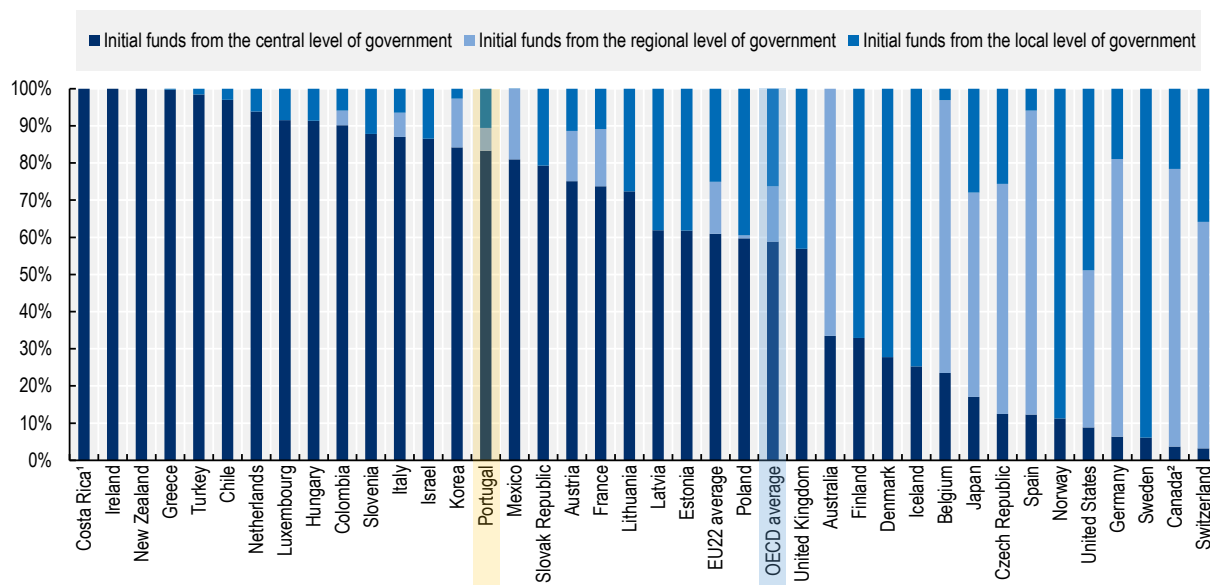
Notes: 1. Year of reference 2018.
2. Primary, secondary and post-secondary non-tertiary education includes pre-primary programmes.
Countries are ranked in descending order of the share of initial sources of funds from the central level of government.
Source: Adapted from OECD (2021[20]), *Education at a Glance 2021*, Figure C4.4, https://dx.doi.org/10.1787/b35a14e5-en.

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While the education system remains largely centralised, policy initiatives, programmes and support measures have recently created room for local agents, namely schools and municipalities, to intervene with relative autonomy. They are increasingly able to implement initiatives in partnership with schools and other stakeholders so that they can adapt to local contexts and further promote inclusion and school success.

Schools and school clusters have limited autonomy to manage their budget. The vast majority of schools' operating budgets are devoted to staffing and transferred to competent units within the MoE (mainly DGAE and DGEstE) through IGeFE. However, the levels of staffing, the selection of staff and the assignment of teaching staff to schools are decisions made at the central level (see Chapter 3) as established in Decree Law No. 41/2012 (first established by Decree Law No. 139-A/90) Career Statute of Childhood Educator and Basic and Secondary Education Teachers (*Estatuto da Carreira dos Educadores da Infância e Professores do Ensino Básico e Secundário*). The Statute[18] is the reference document for the management of teacher's careers from their education and training to their retirements. It describes the rights and duties of educational staff and sets rules related to recruitment, salary, career evolution opportunities, etc.

School clusters control the assignment of teachers to roles. In particular, at the school level, the directors of the school clusters are responsible for: (1) managing the allocated funds (except for the salaries of teachers and other professionals and investment expenditure, which are directly managed by the MoE); (2) monitoring spending; and (3) reporting the number of students engaged in school activities and their academic achievement. Schools report their annual activities plan and budget to the MoE each year. This report includes the initiatives and activities promoted by the school, the associated expenditures and

students' academic results. Schools also report periodically on additional funding allocated to them through applications for specific support measures or programmes. These are sent to the administrative bodies mentioned above that have approved the initiatives and the associated funding.

Municipalities have formal responsibilities for the education funding of pre-primary and primary schools (first cycle/lower primary). In particular, they are responsible for providing non-teaching staff, maintaining buildings and assigning/maintaining standard equipment. Additional responsibilities are in the process of being transferred to the municipalities, covering non-instructional aspects of education.

Since 2019, with Decree Law No. 21/2019 (Framework for the transfer of competences to municipalities and to intercity entities in the field of education), the competences of municipalities in the field of investment, equipment, conservation and maintenance of school buildings are extended to all basic education and secondary education, with the exception of schools whose education and training offer covers, due to its specificity, a supra-municipal territorial area. In preparing the Educational Charter[19], the municipalities and the government department with competence in the matter must closely collaborate and coordinate their interventions. At the municipal level, the Educational Charter is the instrument for planning. The educational charter is thus the reflection, at the municipal level, of the planning process at the national and inter-municipal level of the network of education and training offers.

Municipalities report their annual interventions in terms of activities promoted or supported, the number of students involved and the expenditure incurred. Results and cost effectiveness are not usually evaluated. Annual accounting reports from municipalities are submitted to the Municipal Assembly for approval before being disseminated on their websites.

Other ministries, especially the Ministry of Work, Solidarity and Social Security (MTSSS) and the Ministry of Health (MS) also contribute to the funding of education. These contributions concern areas within their political responsibility that also overlap with the MoE. Some collaborations happen within the framework of local and informal articulation. Others take place within the framework of programmes and measures involving institutionalised partnerships between these ministries. These collaborative partnerships are more active and frequent when they occur in the context of social inclusion policies, such as expenditure and measures related to special education. These partnerships sometimes extend to local and regional organisations in the community in order to guarantee a greater level of responsibility and autonomy in delivering and managing education at a local level by municipalities.

Occasionally, companies and other entities (such as foundations) are also involved, collaborating on, and occasionally launching, inclusive education initiatives and projects. Also, schools may sometimes have and use their own revenues, which they obtain from school fundraising initiatives and collaborations with companies that co-finance specific projects by granting different types of support to schools.

Targeted resources to support equity and inclusion

Unlike most countries, Portugal recently legislated a non-categorical approach to determining special needs. As described above, Decree Law No. 54/2018 organises educational support according to a multi-level approach to students' needs. Students are not labelled, but the school must identify the students who need universal, selective and additional support measures. Moreover, there are no financial incentives for schools welcoming students from diverse and/or disadvantaged backgrounds. Students must attend the school of their geographic residence area and while no school can refuse a student's registration based on their characteristics, it must ensure that the students receive the necessary support. Chapter 4 on school-level interventions provides more details on the measures implemented at the school level to support students' needs.

It is therefore possible to divide Portuguese funding schemes into three broad categories (Ministry of Education, 2022[3]; European Agency for Special Needs and Inclusive Education, 2016[21]), at least in theory:

- General funding described above, devoted to the implementation of universal support measures. These measures are allocated to schools to provide flexible teaching and learning processes, within the general school dynamics. The resources are allocated to provide general education to all students.

- Through funding, devoted to selective support measures. This funding provides adaptive and intensified support allocated to schools for groups of students-at risk of failure who may need additional help. This is complementary to universal support. Several programmes for equity and inclusion included in this category receive funding from EU institutions.

- Input funding, dedicated to additional support measures. These are resources allocated to individual students in need of intensive additional support. The support is specialised and individualised and responds to specific needs. It is frequently associated with special education needs.

As described above, Portugal has implemented various policies and programmes to promote equity and the inclusion of its students and provide them with additional support. About EUR 19 million was spent on the PNPSE during the 2019/2020 school year to support non-TEIP schools in promoting school success, including EUR 175 271 coming from EU funding (IGeFE, 2019[22]).

The additional resources allocated to school clusters involved in the TEIP are dedicated to:

- human resources development, mainly through training opportunities

- additional human resources (teachers, psychologists, social workers, and mediators, among others)

- additional funds that allow schools to organise learning networks, as well as the monitoring and the assessment by the higher education institutions

- diversification of the educational offers.

Support is also provided for costs associated with external evaluation, the training of human resources, and school meals for deprived students. Resource allocation is based on the school's own need assessment, set out in their PPM. During the 2018/2019 and 2019/2020 school years, TEIP school clusters benefited from three additional credit hours for each class created (DGE, 2020[23]). Credit hour (Crédito Horário, CH) refers to a set of hours attributed to each school by the MoE, which is calculated depending on the hours estimated in curricular matrix and the exercise of organisational functions. TEIP school clusters may also benefit from additional support, mainly through European funds (see Box 2.2). DGEstE has received POCH and European Social Fund (ESF) financing operations to respond to this challenge for several years (see Annex 2.B).

Box 2.2. Learning Communities Project: INCLUD-ED

Scope of the project

The INCLUD-ED Project started in 2011 as a research project funded by the EU Reform Support Service (SRSS) of the European Commission and coordinated by the University of Barcelona, Spain. It aims to identify best practices, or "Successful Educational Actions for All", that promote school success and the improvement of social cohesion by strengthening the participation of families and communities.

INCLUD-ED in Portugal

The Learning Communities Project - INCLUD-ED (*Projeto Comunidades de Aprendizagem*, INCLUD-ED) in Portugal is supported by the MoE and implemented by a team of the University of Barcelona. It aims to implement good practices to reduce school failure and promote inclusion in Portuguese schools by developing research and activities within schools with the strong participation of parents and local

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communities. A pilot programme started in Portugal during the 2017/18 school year in 11 TEIP schools. The objective is to implement the project in 50 TEIP schools, and strengthen collaboration between them, in order to obtain comparable results that could contribute to the development of a sustainable strategy at the national level.

In order to reach these goals, the research and implementation team from Barcelona provides technical support to the DGE by working with school clusters, as well as training teachers and teacher trainers who will guarantee the sustainability of the project. The training of teacher trainers began in 2019, followed by the training of school teams in 2020. In addition, stakeholder meetings have been organised since 2020 to ensure collaboration and the monitoring of the project.

Source: DGE (2020[23]), *Relatório Anual TEIP, Territórios educativos de intervenção prioritária*, https://www.dge.mec.pt/sites/default/files/EPIPSE/relatorio_teip_2019_2020.pdf (accessed on 7 September 2021).

In addition, schools can benefit from extra resources to apply selective and additional measures through applications for funding to European funds, mainly dedicated to human resources and managed by the European Commission. The ESF provides resources for the organisation and availability of education and training offers. These funds sometimes constitute a considerable share of the total budget dedicated to equity and inclusion programmes. For example, the PNPSE created in 2016 had a total approved budget of EUR 32 million, including EUR 3 million from national funds and EUR 29 million from European funds (Liebowitz et al., 2018[14]). Specific procedures for applying to EU funds have also been developed. Applications are now made by municipalities together with schools through the proposal of several projects aiming at promoting school success and the inclusion of all students (Ministry of Education, 2022[3]).

Furthermore, a significant budget is allocated to special education provisions. For example, during the 2020/2021 school year, EUR 283.199 million was dedicated to special teachers, a significant increase compared to 2015/2016 (EUR 206.328 million). Resource Centres for Inclusion (CRIs) received EUR 27.826 million in 2020/2021, slightly more than the previous years, although less than in 2015/2016 (EUR 30.584 million). Also, Decree Law No.163/2007 requires that all schools have disability-friendly access points. More broadly, it established the accessibility regime for public and residential buildings and public spaces. There has also been an increase in the funding of programmes and initiatives to support equity and inclusion more broadly. For example, TEIP schools received increasing funding between 2015/2016 (EUR 21.298 million) and 2020/2021 (EUR 26.337 million). In 2019/2020, about EUR 219 000 was dedicated to the PNA, increasing to EUR 479 000 in 2020/2021. Table 2.5 provides an overview of the funding for equity and inclusion in education between the 2015/2016 and the 2020/2021 school years.

Table 2.5. Expenditure on policies for equity and inclusion[1] in education (2011/2012 - 2020/2021)

In EUR million

Total Education Budget	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021[2] (Initial Consolidated Allocation)
Execution (consolidated total) by economic year					5 854 603	6 253 867	6 222 026	6 330 069	6 443 871	6 673 413	7 017 147
Programmes/Initiatives to promote equity and inclusion in schools											
PNPSE						32 000	32 000	32 000	18 847[3]	n. a.	
TEIP[4]	12 938	23 956	23 542	21 288	21 298	21 301	23 020	24 321	25 320	26 337	
ATE[5]						n. a.	10 455	11 452	n. a.	8 883	
PNA									219	479	
Psychology Services[6]	n. a.	17 373	18 783	20 029	20 283	20 347	26 028	26 117	29 406	29 688	
EMAEI										2 025[7]	
Measures to promote success[8]						433 388	435 374	462 141	522 510	528 772	
PDPSC										22 500	
Support to socio-economically disadvantaged students											
ASE (execution by economic year)	173 502	168 228	189 108	189 443	185 435	259 179	254 831	248 437	250 411	199 925[9]	253 468
Special Education											
Specialised teachers[10]	n. a.	n. a.	193 060	192 206	206 328	219 138	238 955	247 165	306 143	283 199	

Specialised technicians (not psychologists)	n. a.	n. a.	6 405	6 901	7 358	7 625	7 460	5 935	6 252	8 490	
Early childhood intervention[11]	n. a.	20 428	20 428	20 428	20 428	20 428	19 855	19 855	19 855	19 855	
Resource Centres[12]	15 383	8 631	31 581	30 466	30 584	26 159	26 243	24 883	24 923	27 826	
Transport[13]	n. a.	n. a.	6 800	6 900	5 218	7 559	10 999	12 411	12 680	11 858[7]	

Notes: 1. Expenditure on equity and inclusion policies includes all nationally managed funds, combining Portuguese and European sources.

2. The 2021 value corresponds to the initial allocation. The performance values presented correspond to the first year of the academic year pair.

3. The amount indicated in 2019/2020, stems from the permanence in the system of the resources used in previous years.

4. Extrapolated values based on trend line. From 2012/2013, there has been an increase in TEIPs schools (from 110 to 136), as well as in reinforced Credit Hours in recent years.

5. The programme was first implemented in the 2016/2017 school year. In 2019, due to the COVID-19 pandemic, no survey was not carried out to estimate the number of teachers involved. The reduction in the funding dedicated to ATE during the 2021/2021 school year is due to the pandemic that reduced the amount of in-school ATE provided.

6. This psychologist allocation network is complemented by psychologists allocated by municipalities. Calculations are based on the average salary indexes indicated by IGeFE.

7. This amount corresponds to the reinforcement of two more Credit Hours per EMAEI to provide more support within schools.

8. These values corresponds to the reinforcement of specialised technicians within schools.

9. In 2020/2021 the execution values decrease due to the pandemic that reduces the amount spent on meals and school transport.

10. The number of teachers considered for the calculations was made available by DGAE and DGEEC and was based on the average salary indexes indicated by IGeFE.

11. In the 2017/2018 school year, the number of teachers was lower as a result of the diagnosis that was carried out. It indicated the need to allocate the number of specialised technicians that were missing, to promote therapeutic support. The number was maintained in the following years. The professionals that MoE gave to the system (teachers) was greater than the therapists given by Health, Social Security. There was an increase in the referral, in the system, of children from zero to three years old and still with serious pathologies, with an effective need for rehabilitative intervention and, therefore, in need of therapists (professional careers in Health and Social Security).

12. The indicated values include the following items: Resource Centres for Inclusion (CRI), special education schools, educational area, materials/supplies for the support learning centres.

Resource centres for information and communication technologies (CRTIC), Braille, digital and relief textbooks, DGE budget and the system for the allocation of support products.

It should be noted that in the case of the special education schools and educational area, the values vary depending on the number of students attending this offer each year.

13. The reduction of the amount is due to the pandemic that obviated the transportation of many students who stayed home due to lockdowns.

Source: Ministry of Education (2022[3]), *OECD Review of Inclusive Education: Country Background Report*. IGeFE/ME – Budget execution reports.

Furthermore, Portugal recently created two funding formulae that allow non-TEIP and TEIP schools to receive extra resources. Normative Dispatch No. 10-B/2018 established the rules for the organisation of the school year in pre-primary, basic and secondary education. It recognises the importance of strengthening schools' autonomy in the management of resources while ensuring work efficacy. It introduced greater flexibility in the use of hour credits attributed to management staff and to the implementation of pedagogical measures. The overall CHs are determined based on the number of existing classes and hours already available under the terms of article 79 of the 1990 Statute of the Career of Early Childhood Educators and Teachers of Basic and Secondary Education (ECD).

The Normative Dispatch also states that, in school clusters to which the first formula applies, if the total number of hours remains insufficient to reach the school's objectives, the school can present a demand to the DGE to obtain more CH. This demand can be rejected or validated upon confirmation from the DGE and IGeFE. Dispatch No. 10-B/2018 allows non-TEIP schools to receive extra CHs based on the following formula:

CH = 7 x number of classes – 50% of the total hours stated in article 79[20] of the ECD

The following formula applies to TEIP schools:

CH = 10 x number of classes – 50% of the total hours stated in article 79 of the ECD

The CH calculated according to the above-mentioned formulae are distributed similarly across the whole school cluster, although their management is flexible and the distribution is made by school leaders according to the needs of their students. The reinforcement of the CH as a result of the application of the formulae is exclusively used for the recovery and consolidation of learning, through hours of educational support and class support, mainly in the years of cycle transition and in the 3rd year of schooling.

Additional resources to recover from the lockdowns due to the COVID-19 pandemic

During the preparation of the 2020/2021 school year, Portugal recognised the necessity of strengthening the availability of human resources to ensure the implementation of measures to support learning losses due to school closures caused by the pandemic. Following the Council of Ministers' Resolution No. 53-D/2020, 20 July, more than 3 300 teachers were hired through the extension of CHs to provide additional support to students through the Specific Tutorial Support Programme (*Apoio Tutorial Específico*). Moreover, 900 specialised staff were recruited to support schools in the implementation of Personal, Social and Community Development Plan (*Plano de Desenvolvimento Pessoal, Social e Comunitário,* PDPSC).

Dispatch No. 10-B/2021 was most recently updated with the Council of Ministers' Resolution No. 90/2021[21] of 7th July. The Resolution approved the *Plano 21/23 Escola* + (Box 2.3), which is an integrated plan for the recovery of learning loss caused by the lockdowns in the context of the pandemic. The Plan, which applies to basic and secondary education students, continues the applications of the provisions established by Resolution No. 53-D/2020, to the school year 2021/2022.

Box 2.3. 21|23 Escola+

The *21|23 Escola+* plan allocated more than EUR 900 million in response to school closures during the COVID-19 pandemic. The plan aims to recover learning losses with consideration to the unequal effects on different students. The two-year plan was developed in consultation with working groups who divided the plan into three hubs: "Teaching and Learning", "Supporting Educational Communities" and "Knowing and Evaluating" with the following objectives:

- recovery of the most affected skills

- diversification of teaching strategies

- investment in social and emotional well-being

- confidence in the educational system

- involvement of the entire educational community

- capacity building through increased resources and means

- monitoring, through the evaluation of the impact and efficiency of measures and resources.

Each hub has a number of domains, and each domain encompasses a number of specific actions. Within the hub of Teaching and Learning, Domain 1.6 Inclusion and Well-Being includes specific actions such as tutorial support, programs for social and emotional skills, personal, social and community development plans, school sports, and cultural and artistic programmes. The resources distributed under the plan are in addition to pre-existing structures and are part of a two-year plan, with the possibility for extension.

Source: Ministério da Educação [Ministry of Education] (n.d.[24])), "Governo Apresenta Plano 21/23 Escola+: Investimento de Mais de 900 Milhões de Euros para Recuperação de Aprendizagens" [Government Presents Plan 21/23 Escola+: Investment of more than EUR 900 Million for Learning Recovery], https://escolamais.dge.mec.pt/noticias/governo-apresenta-plano-2123-escola-investimento-de-mais-de-900-milhoes-de-euros-para (accessed on 7 September 2021); Eurydice (2021[25]), *National Reforms in School Education*, https://eacea.ec.europa.eu/national-policies/eurydice/content/national-reforms-school-education-53_en (accessed on 7 September).

Besides displaying a set of measures to support all students, Resolution No. 90/2021 increased the number of additional CHs schools can demand and that are determined by the above-mentioned formulae. The resolution establishes that the new formula for non-TEIP schools for the 2021/2022 school year is the following: CH = 8 x number of classes – 50% of the total hours stated in article 79 of the ECD.

Similarly, the resolution establishes that the new formula for TEIP schools for the 2021/2022 is the following: CH = 11 x number of classes – 50% of the total hours stated in article 79 of the ECD.

The distribution and management of the CHs are the same as described above.

Students who are beneficiaries from or applicants for international protection

Children and young people who are beneficiaries or applicants for international protection can benefit from specific measures that support their progressive access to the curriculum. These measures are selected depending on the student's socio-linguistic profile and needs in terms of learning the Portuguese language. The total weekly workload defined in the national curriculum matrix is mandatory but it is possible to adopt a flexible management according to the pedagogical technical report defined by the EMAEI. The team is responsible for facilitating the welcoming and integration of these students into the school they are enrolled in.

To apply these measures, schools have a maximum time credit of 1100 minutes/week if the number of students covered is equal to or greater than six, and a maximum time credit of 550 minutes/week if the number is less than six. Students are accompanied by a teacher with training in Portuguese/PL2 or, alternatively, by a teacher from primary education (year 1 to year 4) or by a teacher with qualifications in foreign languages, or by a specialised technician with experience in teaching PL2 and/or experience in teaching Portuguese to foreigners. School psychologists, whenever possible, should articulate with the schools' class councils of teachers, or with the coordinators responsible for the dual certification courses if students are over 15 and follow a professional path.

Strengths

The framework regulating inclusive education is considered comprehensive and is widely known among most relevant stakeholders

As described previously, Portugal has a long history of promoting the integration of students with SEN into mainstream schools, which started in the 1970s (Costa and Rodrigues, 1999[26]; Nogueira and Rodrigues, 2010[1]). Inclusion has been even more prominently on Portugal's agenda since the 1990s and the country adopted the inclusive education terminology in 1994 with the Salamanca Declaration (Alves, 2019[2]). The Decree Law No. 3/2008 then defined specialised support for the inclusion of students with SEN in mainstream schools. However, since most of the focus of inclusion was on students with SEN, further efforts followed to include all diverse students in mainstream schools. This led to the implementation of Decree Law No. 54/2018 on inclusion.

While a broad vision of inclusion in education is still lacking in most countries worldwide, Portugal is among the countries who have inclusive education laws covering all learners (UNESCO, 2020[27]). Diversity and inclusion also permeate legal and policy documents and education programmes, such as the Decree Law No. 54 and 55, Students' Profile at the End of Compulsory Schooling, the National Strategy for Citizenship Education and the National Arts Plan, among others. This creates considerable comprehensiveness in the legal and policy realm around issues of diversity and inclusion. Overall, the framework regulating inclusive education is considered comprehensive and innovative by stakeholders. Other countries are looking to learn from Portugal how to design and implement policies for inclusive education. During the interviews, the review team also gained the impression that all stakeholders value the new law on inclusion and consider it a great strength in the education system. As Alves (2019, p. 872[2]) notes, "there seems to be a strong cultural commitment to inclusion in Portugal". Inclusion is considered a concept with a positive value (Nilholm, 2006, p. 436[28]), and there is a clear commitment from stakeholders and society to create better, more inclusive responses to all students within mainstream schools (Alves, 2019[2]; Alves, Campos Pinto and Janela Pinto, 2020[29]). This has created the necessary buy-in for the new law on inclusion and other related laws and policies.

The government conducted a broad consultation process to design the law on inclusive education and regularly consults different education stakeholders

The Decree Law on inclusive education (No. 54/2018) entered into force in 2018. As mentioned before, the legal framework for inclusive education (Decree Law No. 54/2018, with the amendments introduced by the Law No. 116/2019) establishes the principles and regulations that ensure inclusion as a process, according to which the education system must adapt to respond to the diversity of needs and capabilities of each and every student, through increased participation in the learning processes and educational community.

This law followed a rigorous evaluation process of the past ten years' policies and practices and a broad national consultation. In preparation, a working group was established which was composed of State

Secretaries and representatives from various organisations (e.g. Education, Inclusion of Persons with Disabilities, Health, Social Security, Employment, Schools Council, National Institute for Rehabilitation) (Alves, 2019[2]). These engaged with many stakeholders including academics, teachers and teacher unions, parent's associations, organisations for disabled persons and the general public. Public consultations on the draft law took place both in writing and through several open talks organised across the country (Alves, 2019, p. 866[2]). Nonetheless, despite efforts to consult a wide range of stakeholders, the OECD review team heard during its visit that some stakeholders were not consulted. This was for example the case of some Roma associations, although Roma students are among the groups who face the most significant challenges in education (see Chapter 1). While there remain gaps in this area, the OECD review team gained the impression that many stakeholders felt heard, although with different frequencies, and that the MoE expresses its openness and willingness to listen to a variety of actors to learn and work through feedback.

Another key example for consultations with stakeholders is the consensus-building that has taken place concerning the Students' Profile. Expert consultation, meetings with teachers, administrators and parents have all provided crucial information and created stakeholder buy-in. Critically, this process has also involved students themselves – from the youngest ages.

Portugal has also taken a strategic approach to communications about its reforms. An example of this is an event called Student Profile Day that was held on 15 January 2018. The event was well covered – with live streaming to every school in the country and a TV media partner who ensured that the event would be broadcast for viewing by the broader population. It is a considerable achievement that such an event made the national news. The broad and popular base of the panel involved on the day (a prominent Portuguese TV presenter, the national football team's coach, a well-known judge, a scientist, a journalist and a young pop star) gave the event a freshness and relevance. Most impressive, however, was the engagement and enthusiasm of students in schools across the country. Event organisers interviewed students watching the programme and asked them to contribute their thoughts (OECD, 2018[30]).

The new curriculum framework reflects broad citizenship and inclusive values while enabling schools to adapt to their local context

An inclusive curriculum[22] is key for putting the principle of inclusion into action within an education system (IBE, 2008, p. 22[31]). It refers to a curriculum that acknowledges and values students' differences and embraces diversity so that all students can experience an enriching school life. The importance of including diversity in the curriculum is broadly recognised (see Chapter 3). Evidence highlights, for example, that ethnic minority students who are taught on the basis of an inclusive curriculum show greater interest in education and adapt more easily to different environments (Cerna et al., 2019, p. 100[32]). Certain criteria must be met, the first of which is "to respect the linguistic and cultural capital of 'difference', taking its position in the curriculum and school culture and considering it an important factor for the psychosocial and cognitive development of the students" (Calogiannaki and al, 2018, p. 174[33]).

As described, in Portugal equity and inclusion of diversity in educational goals became central to all students, regardless of the reasons behind their disadvantaged situations. These goals permeate the recent curriculum documents developed by Portugal. As such, the 2017 Students' Profile, the main reference curricular document, is based on a set of broad principles, including the "Inclusion" and "Humanistic" principles. Besides the Students' Profile, other curriculum documents such as 2017 National Strategy for Citizenship and the 2018 Essential Learnings, came to strengthen and give coherence to Portugal's new priorities. In addition to the legislative framework, all guiding curricular documents, besides promoting learning, now promote core humanistic and inclusive values and require schools implement such a culture. Also, as mentioned in the previous section, these documents are the result of nation-wide debates and consensus, which, to some extent, seem to have established the legitimacy of this approach across the education system.

In addition, as in various other countries (Brussino, 2020[34]), the Portuguese education system offers the possibility to implement curricular adaptations to allow students with SEN and other students from diverse groups who might face significant barriers to access the curriculum. In fact, a recent OECD report indicates based on a survey to government officials that Portugal grants special provisions to the following groups within the curriculum: students with SEN, language learners, non-native speakers, immigrants students; students belonging to Indigenous communities or minority groups; gifted/talented students; socio-economically disadvantaged students; early school leavers or potential dropouts; and geographically disadvantaged students (OECD, 2021[13]).

Furthermore, the legislative order No. 5908/2017 increased school autonomy in curriculum management and flexibility. In the pilot phase of an autonomy and curriculum flexibility project in 2017/2018, 302 schools could adapt the curriculum to various learning needs and teachers could tailor delivery to make lessons more inclusive (UNESCO, 2020, p. 118[27]). The 2018 law for inclusion (both Decree Laws No. 54/2018 and 55/2018) formally offered all schools more autonomy to manage curricula (European Commission, 2019[35]). Inclusive curricula are flexible ones, involving interactive group work and allowing for curricular accommodations to facilitate access and learning and promote school success (O'Mara et al., 2012[36]; UNESCO, 2020[27]). Based on interviews with school staff, the OECD review team gained the impression that, although they were sometimes unsure regarding how to implement efficiently curriculum flexibility, most teachers valued the possibility of teaching interdisciplinary classes and adapt the content to make it more relevant to the school context and students' needs. Moreover, Portuguese schools have the possibility to implement curricular accommodations and adjustment to foster access and enhance outcomes of different student groups. As such, the Portuguese curriculum flexibility framework focuses both on processes and outcomes. It aims to implement inclusive teaching/learning strategies while improving the outcomes of all students, in particular those at risk of exclusion.

However, based on the interviews conducted, the review team formed the impression that there are restrictions and clearly defined rules in place regarding the curriculum. While schools and teachers can make some adjustments to the curriculum, they need to maintain national curriculum subjects. Therefore, curricular flexibility might be limited as low stakes assessment remains the same for all students in grades 3, 5 and 8 and high-stakes assessment in grades 9 and 12. As Alves, Campos Pinto and Janela Pinto (2020, p. 291[29]) note, "while the new policy has tried to align the message systems of curriculum and pedagogy, there is still some conflict at the level of assessment".

Levels of inclusivity are reported to be part of school assessment, and both schools and MoE are expected to develop indicators to monitor levels of inclusivity and success in implementing the current policy framework (see project with European Agency for Special Needs and Inclusive Education). Furthermore, a curriculum is part of the "message systems of schooling" and does not function in isolation (Alves, Campos Pinto and Janela Pinto, 2020[29]; Lingard, 2007[37]; Lingard and Mills, 2007[38]). An inclusive curriculum reflects what is meant to be taught (content) and learned (goals). It needs to be coherent with how it is to be taught (pedagogical methods) and learned (tasks), as well as with the materials to support learning (e.g. textbooks, computers) and the methods to assess learning (e.g. examinations, projects) (UNESCO, 2020, p. 112[27]). The review team nonetheless also gained the impression the curriculum might be compartmentalised and lack sufficient representation and consideration of the histories and experience of cultural and linguistic minorities in Portugal. In the way it is implemented, it might thus not be sufficiently inclusive and ensure that all students are part of the shared learning experiences in the classroom. These challenges are further developed in Chapters 3 and 4.

There are a significant number of programmes, structures and human resources available to support equity and inclusion in education

As mentioned before, Portugal draws on a wide range of national and European funding programmes to support students, such as the TEIP and the PNPSE. Under some of these programmes, schools can

design their own plans, or strategies, to promote inclusion and school success. In addition, municipalities can hire specialised staff (e.g. cultural mediator, therapist, etc.) and benefit from an increasing autonomy that allows them to apply for external projects or develop local ones with schools. As such, schools seem, to some extent, to receive extra human resources and support to train these human resources that are adapted to their needs. During the visit, the OECD review team gained the impression that schools that received additional resources through programmes, in particular TEIP schools, and those that participated in local projects were able to implement activities and practices which, while targeting all students, benefited to some vulnerable groups such as Roma students or students with an immigrant background. As described in this chapter, the system for funding inclusive education is being adapted in order to increasingly enable stakeholders at the territorial, local and school levels to design and implement their own inclusive initiatives. Allowing space and providing funding for local projects has proven to be effective for vulnerable student groups, even more so when the involve families and the broader communities (Rutigliano, 2020[39]; OECD, 2018[40]).

Furthermore, a significant amount of resources and funding are available to support students with special education needs. According to the Disability and Human Rights Observatory (*Observatório da Deficiência e Direitos Humanos, ODDH*) students with SEN still face significant challenges in the Portuguese education system, including discrimination, high dropout rates and low education attainment (Campos Pinto and Neca, 2020[41]). This, coupled with an increasing number of identifications, highlights the necessity of continually mobilising resources for these students. The OECD review team heard, for example, that in 2019/2020, there were nearly 7 769 special education teachers in Portugal. These special education teachers are moreover spread across various structures that specifically support the learning and the inclusion of students with SEN. Resources and structures available at the local and school levels to support these students, such as Resource Centres for Inclusion and multidisciplinary teams, are described in greater detail in Chapter 4 on school-level interventions.

Also, Portugal has implemented several programmes to support disadvantaged students and ensure equity in education, which is a prerequisite to build an inclusive education system (Cerna et al., 2021[4]). The School Social Assistance provides substantial support to students from low socio-economic backgrounds. Following the first lockdown due to the COVID-19 pandemic, the country made significant effort to distribute computers and internet connection to all students, while building on existing partnerships and structures to ensure the continuity of learning (OECD, 2020[42]). As mentioned in this chapter, Ordinances delivered in the past year and a half ensure the durability of these efforts.

In Portugal, socio-economically disadvantaged and other groups of vulnerable students are supported in various ways. Portugal is one of the seven European education systems which use socio-economic criteria in school admissions at primary level (European Commission/EACEA/Eurydice, 2020[43]). In the case of Portugal, the criteria aim to positively discriminate in favour of disadvantaged students and rank them for priority admission. The socio-economic admissions criteria include: a) beneficiaries of school social benefits whose parents/legal guardians reside in the catchment area of the intended school/school cluster; b) beneficiaries of school social benefits whose parents/legal guardians work in the catchment area of the intended school/school cluster; c) students who in the previous year attended pre-school education in private social solidarity institutions or the same school, in the catchment area of the intended school/school cluster (European Commission/EACEA/Eurydice, 2020[43]). Furthermore, schools in Portugal are considered to be best placed to understand the educational needs of their eligible students, though guidance may be provided (European Commission/EACEA/Eurydice, 2020[43]).

Challenges

The education system is still mainly orientated towards the inclusion of students with special education needs, with less focus on other dimensions of diversity

Inclusive education became a concept widely accepted as a necessary driver for educational policy starting with UNESCO's Salamanca Declaration of 1994. However, the Declaration was exclusively directed at students with special education needs. It is only recently that inclusive education began to be understood as a necessary process of change of an education system to reach and adapt to all students (Ainscow, 2019[44]). Today, many legislations across the world understand still conceptualise inclusive education as the inclusion of students with SEN. Portugal is among the few countries who have an inclusive education law reaching all students (UNESCO, 2020[27]).

While the Portuguese legal framework has broadened the scope of inclusive education to include all students, it is still understood by many stakeholders as the inclusion of students with SEN (now included in the administrative category of students in needs of support measures). This might stem from the decades of policy efforts on mainstreaming of students with SEN. In fact, there seems to be some resistance to the broadening of the concept of inclusive education. A 2019 study from the National Federation of Education (*Federação Nacional da Educação*, FNE) undertaken through a questionnaire distributed across the country to school staff found that slightly more than half of respondents (55%) did not agree with the extension of the scope of inclusive education. Even more (80%) thought that it is necessary to have a specific law for students with SEN (FNE, 2019[45]).

During the visit, the review team repeatedly heard that it is challenging to change mentality as the system is still orientated towards supporting students with SEN in different ways. For example, even though special schools were turned into Resource Centres for Inclusion, most of the staff are still professionals specialised on SEN. However, special education teachers are now considered specialist resources for schools, mainstream teachers and students (Alves, 2020[46]) and thus expected to support diverse students, beyond students with SEN. Furthermore, many interviewees mentioned the fact that the medical model of intervention for these students is still wide-spread and that specialised staff and teachers often do not fully understand how to apply the new approach to support these students. This too, was highlighted by the FNE (2019[45]) study. The review team also heard that multidisciplinary teams usually have special needs teachers as members, who also often serve as chairs, meaning that they can steer the focus on students with SEN (intentionally or unintentionally). Chapter 4 provides more details on the role, strength and challenges of multidisciplinary teams. Finally, teachers lack preparedness to deal with some dimensions of diversity, which is analysed in Chapter 3.

As a result of the composition of the multidisciplinary teams, students with an immigrant or ethnic minority background might be less of a priority and suffer from a significant lack of support due to a certain resistance and lack of preparedness in the education system. Nonetheless, Chapter 1 shows that a number of entities and organisations (such as ACM and Roma associations) promote the inclusion of ethnic minorities (particularly Roma communities) and students with an immigrant background. However, collaboration between MoE and some of these actors might be limited, for example in terms of consultation of legislative proposals (see earlier sections). During the visit, the review team also gained the impression that stakeholders focused particularly on students with SEN, while other diverse students were mentioned less frequently. In sum, while there is consensus on inclusion principles and the new inclusive education framework is broadly known, further efforts might be needed for educational staff to broadly acknowledge its scope and feel confident to implement it in schools.

There is a lack of clarity and coherence regarding the responsibilities for and administration of inclusion in education between different levels of governance

Portugal has initiated a process to transform its education system towards a more inclusive education system that can adapt and respond to the needs of all students. As such, most actors involved in the governance of the education system have a role to play in promoting equity and inclusion; a wide range of agents and institutions take responsibilities for and govern equity and inclusion in education. These include education authorities both at the national level (e.g. ministry of education and dedicated units within it) and at the sub-national level (e.g. municipalities, parishes) (Cerna et al., 2021[4]).

Besides the MoE, Portugal has several central actors involved in the management of inclusion in the Portuguese society. The Secretary of State for the Inclusion of Persons with Disabilities (*Secretária de Estado da Inclusão de Pessoas com Deficiência*) The Secretary for Integration and Migration (*Secretária de Estado para a Integração e as Migrações*), and the High Commissioner for Migrations (ACM) formed by the Observatory for Migrations and the Observatory for Roma Communities, are such actors. In particular, ACM, while focusing on broader inclusion, has various project that focus on the inclusion of students from an immigrant background and ethnic minority groups. ACM, in partnership with the DGE and the Aga Khan Foundation, manages for example a Network of Schools for Intercultural Education (R*ede de Escolas para a Educação Intercultural*, REEI) (ACM, DGE and AKF, 2020[47]). In spite of this variety of actors, the OECD review team formed the impression that, besides the REEI, collaboration between actors involved in the inclusion of students with an immigrant or ethnic minority background and the MoE is limited and punctual.

As much horizontal co-ordination (across the same level of the education system) as vertical co-ordination (across the different levels of the education system) are key to ensure inclusive education systems (UNESCO, 2020[27]). While in 2017 Portugal had the second highest most centralised education decision-making of OECD countries and economies (OECD, 2018[15]), since the Law 50/2018, of 16 August, there has been a decentralisation process going on for a few decades and intensified recently in Portugal. This process transfers new competencies from the government to the municipalities in different policy areas. In the area of education, municipalities will be able to decide over non-instructional aspects in non-tertiary education. However, they will still not have any responsibility regarding the management of teaching staff, the definition of curricular contents as well as school evaluation and assessment processes (OECD, 2020[48]). Overall decentralisation in education in Portugal is twofold, it aims to provide autonomy to municipalities to: (1) fund and manage school infrastructure and non-teaching staff from pre-primary to secondary education; (2) implement and apply to (national and international) projects that promote learning and inclusion and are adapted to the local context of their schools. This could, although to a limited extent, contribute to promoting responsive governance close to the needs of its citizens and efficient in its operation (Liebowitz et al., 2018[14]).

At the time of writing, 103 out of 278 municipalities in mainland Portugal have joined the decentralisation process, at least partially. The aim is that the process of decentralisation is completed for all municipalities by end of March 2022. Granting municipalities and schools autonomy and flexibility allows them to adapt the law of inclusion and other decrees to their local contexts. In addition, previous decentralisation measures have tended to focus on operational and administrative matters to improve efficiency, but recent curricular reforms and the PNPSE have adopted implementation models that centre on leveraging greater school autonomy to enhance educational outcomes. This may have helped develop greater capacity at school and local level to implement rapid responses to different challenges (OECD, 2020[49]). The 2 882 parishes (*freguesias*) in mainland Portugal also have important functions and flexibility in responding to the needs at the local level. They operate under municipal structures and parishes in some municipalities have been granted considerable responsibilities. This is the case, for example, in the Lisbon municipality where parishes play an important role in education by undertaking the maintenance of buildings, hiring non-teaching staff, organising study supervision and support, social support, extracurricular activities and

school holiday activities, providing meals and launching specific educational projects (Liebowitz et al., 2018[14]). Parishes can have a close relationship with school clusters for ensuring the payment of school maintenance and with parent associations, but it can vary.

However, some challenges remain as the process of decentralisation is rather slow and limiting as most areas (such as hiring and placement of teaching staff and the organisation of the school network) remain under the control of the MoE (Liebowitz et al., 2018[14]). The review team also heard that there is still variation across municipalities in terms of decision-making powers while the decentralisation process is underway.

Finally, at the regional level, Curriculum Autonomy and Flexibility (AFC) regional teams exist since 2018, but their role is unclear. These teams are composed by members from different organisms of the MoE (including IGEC) and aimed at supporting and monitoring the implementation of this curriculum autonomy and flexibility in all public schools. While other regional teams such as those monitoring the TEIP programme seem well connected to stakeholders in schools, the review team did not gain the impression during the visit that stakeholders were working closely with the AFC regional teams or were aware of them. While the schools visited by the review team presented outstanding examples of AFC management, the team formed the impression that support available for school leaders and teachers to implement AFC was limited. As a result, implementation of AFC on the ground might remain limited and its extent might primarily depend on the school leadership. Nonetheless, the review team acknowledges that AFC regional teams are fairly recent and that the COVID-19 pandemic might have limited their actions and impact.

There are significant challenges remaining regarding the management of available educational resources to support inclusion

In line with the precedent challenge, there seems to be also a lack of coherence and co-ordination of human resources. The review team has heard that there are nearly 7 769 special education teachers in the Portuguese system, which seems a considerable number for a small system. Nonetheless, a previous OECD review recommended that Portugal invested additional resources for special education teachers to support students in mainstream classes as special education teachers might not be evenly distributed across the country and were often on temporary, part-time contracts (Liebowitz et al., 2018[14]). Furthermore, since the focus in the system is on inclusive education of all students, the special education teachers in the system might not be used effectively to support all students. This also points to the need of training continuous professional learning of these teachers (see Chapter 3). Furthermore, mentioned before, the activities of the CRIs are still mainly focused on students with SEN and often promote a therapeutic approach. Although the law requires CRIs to support students in needs of additional measures, their function could be extended. As community organisations supporting schools, these centres could provide broader support to schools in order to help implement programmes and initiatives dedicated to the inclusion of all students. Resources and skills of these centres, as well as those of multidisciplinary teams (EMAEI), are currently not diversified enough to respond to the needs of all diverse student groups (see Chapter 3).

In terms of available resources and resource allocation, another challenge might lay in the capacity of some municipalities to provide additional resources for schools to promote equity and inclusion. The ongoing decentralisation process, which varies across municipalities might create some imbalances not only in terms of responsibilities and autonomy, but also in terms of funding. While there exist various national programmes to support equity and inclusion in education, municipalities can support schools by hiring additional non-teaching staff and implement educational projects relevant to their context. In addition, the decentralisation process gives municipalities more flexibility, including a less heavy bureaucracy in the use of their resources. They can also directly apply to European funds to support learning and inclusion in schools. This dynamic, while presenting some strengths described above, can also be problematic or at least two reasons: First, representatives from municipalities during the visit mentioned that education was

not always a priority at this level of governance. Second, although Portugal has reduced socio-economic inequalities between regions and is among OECD countries where they are relatively low (OECD, 2020[50]).The National Observatory for the fight against poverty (Observatório Nacional de Luta Contra a Pobreza, 2021[51]) recently highlighted that there are still significant socio-economic disparities across Portugal, both between regions and between municipalities within regions. This can lead to highly unequal support to schools across the country. In addition, during the visit, the review team gained the impression that parishes receive different amounts of resources, which depend on the central administration and even more on the municipality. This can further contribute to create considerable variation in terms of functions and funding.

Liebowitz et al. (2018[14]) already noted that "[t]he decentralisation processes in education may lead to undesired effects with respect to equity in education as a result of different capacity levels in schools across the country, if not accompanied by structures to support and monitor the process". In spite of these considerations, there is still a lack of comprehensive funding mechanism for equity and inclusion, as well as of accountability and monitoring structures. The review team heard about the lack of monitoring and evaluation culture in Portugal, which can create challenges to evaluate whether mechanisms and resources for inclusive education are effective (UNESCO, 2020[27]). The review team also gained the impression that there is lack of clarity at the local level about responsibilities for coordinating and monitoring what happens in schools. This makes it rather impossible to clearly establish resources and support allocated to the school being used to promote the inclusion and success of all students. It can also weaken governance, monitoring and accountability mechanisms and hinder the development of coordinated policies and a streamlined system. Stakeholders often demand more resources at the local level, but substantive evaluation and intervention strategies are often missing.

Short-term policy recommendations

Improve the governance of inclusive education through better synergies and accountability mechanisms between the different levels of the education system

Until recently Portugal has had a very high degree of centralisation though there has been a process of decentralisation underway which is meant to be completed by end of 2022. In this process, more responsibilities are delegated to municipalities and parishes. These responsibilities, which covered pre-primary and basic education, are now being extended to secondary education (Ministry of Education, 2022[3]), However, the responsibility for key matters such as hiring, placement and pay of teachers, responsibility for the curriculum (though some flexibility exists at the school level), national examination, selection and tracking policies and planning of the clusters remains under the jurisdiction of the central government (Liebowitz et al., 2018[14]). Overall, municipalities do not intervene on matters related to instruction or pedagogies. Even though the decentralisation process facilitates the hiring of non-teaching staff to provide more adapted responses to local needs, its scope is rather limited.

Furthermore, as the decentralisation process is still underway, there remains considerable variation in the extent of responsibilities but also capacities and funding across municipalities. This could reinforce existing inequity in education. A comprehensive strategy could help align all governance structures and balance responsiveness to local diversity with national goals (Liebowitz et al., 2018[14]; Burns and Cerna, 2016[52]). While Portugal has a strong central level with an increasing decentralisation to municipalities, support structures are lacking to connect and coordinate between the different levels of the education system. However, according to Decree Law No. 21/2019, which establishes the final framework for the transfer of responsibilities from central education authorities to municipalities and inter-municipal education entities, a national Commission to follow-up on and monitor the decentralisation process must be created. Specifically, the Commission is required to: (1) be well connected to local authorities and monitor the development of the transferred responsibilities; and (2) suggest measures to reach the objective of

decentralisation. It is composed of central educational authority representatives and school leaders. Nonetheless, the review team did not gain the impression that such a Commission was in place.

More broadly, support structures around schools could help schools implement inclusion initiatives (see Chapter 4). These might provide a link between the central level and the clusters of schools. Although some intermediate support structures are in place, the review team formed the impression that these are not efficiently acting to inform local actors, monitor the decentralisation process and support the implementation of inclusive education in schools.

In Portugal, there are AFC regional teams in place but stakeholders might not be aware of them and their impact might be still limited. Other regional teams from the MoE focus on monitoring TEIP programme or PNPSE programmes; they support and provide close contact with schools to help them make the necessary adjustments to their commitments and methodologies to improve school achievement. There also regional teams from DGEstE who focus on administrative matters, supporting school as well as municipalities. Portugal might consider increasing the awareness of AFC regional teams among stakeholders, expanding their function and increasing their numbers to cover inclusive education more broadly. The Inspectorate (IGEC) could also be instrumental in supporting schools to implement inclusion policies and initiatives. The review team heard during interviews that a central role of IGEC is to identify good practices that need to be generalised to the whole system, while keeping in mind the need for diverse approaches depending on the school context. As such, it seems that IGEC adopts an improvement-orientated approach. However, during the visit, the review team gained the impression that the Inspectorate tends to focus on legal and bureaucratic matters. Therefore, there might be room to strengthen the role of the Inspectorate to support schools in the implementation of inclusive education. By adapting its evaluation framework and embracing concepts of equity and inclusion, IGEC offers a great potential to become an intermediate support structure connecting central authorities to municipalities and schools. Finally, school clusters in Portugal can play a key role in providing support structures to schools.

A related point to autonomy and system coherence is the accountability system which is important for effective education governance and for nurturing innovation in education. It requires taking risks and depends on a culture of evaluation and improvement (Blanchenay and Burns, 2016[53]). To foster such a culture, an adequate understanding of the intended policy and ownership among all involved stakeholders is needed. With reforms increasing municipal autonomy, it is essential that there is a clear understanding of new responsibilities and roles played by local stakeholders. In addition, municipalities need to change their processes that they are able to compare between themselves (also in terms of data) and are able to conduct internal evaluations and react to local demands (Burns, Köster and Fuster, 2016[54]). Moreover, for the implementation of the new legal and policy framework on inclusive education to be effective, there is a need for consistent accountability and evaluation mechanisms.

As an intermediate support structure, the Inspectorate could also play an important role in increasing accountability. As mentioned, it recently modified its reference framework for evaluation by adding indicators to assess how the management of the school promotes the development of an inclusive education culture (OECD, 2020[55]). By taking a stronger improvement-based approach, IGEC could both identify good practices to inform the whole system and ensure accountability between the different levels of the education system. In other words, besides evaluating how schools are managing inclusion, it should ensure that (1) schools have the necessary support to comply with the inclusive education legal and policy framework and (2) school clusters and individual schools collaborate and share positive experiences in terms of equity and inclusion. The Inspectorate plays a supporting role for equity and inclusion in a number of education systems (see Box 2.4) which could provide an example for Portugal. Overall, Portugal might consider developing a culture of evaluation and fostering stronger accountability at the local level and between the different levels of government (more in Chapter 4). This will require promoting the understanding of new responsibilities of local stakeholders in the process of decentralisation, changing processes that enable conducting internal evaluations and strengthening the synergies between the different levels of the education system.

> ### Box 2.4. Supporting schools through inspection: An example from the Czech Republic
>
> In the Czech Republic, inclusive education is an ongoing priority of the Ministry of Education Youth and Sports (OECD, 2020[56]). The system allows for a high degree of school autonomy, and local level autonomy (OECD, 2018[57]) with steering from the central government through key policy documents and frameworks (OECD, 2020[56]). The Czech education system faces significant challenges in terms of equity and inclusion and is characterised by below-average levels of academic inclusion as measured by PISA 2018 (OECD, 2019[58]).
>
> A key equity challenge of the education system is addressing issues of performance related to characteristics such as student and school socio-economic background. In order to address current equity and inclusion issues, the Czech School Inspectorate launched the Complex System of Evaluation (*Komplexní systém hodnocení*, 2017-22) project for the evaluation of the quality of education services and facilities. One goal of this project is to develop new tools that can support schools, such as sharing examples of good practice that are linked to inspection evaluation criteria, thereby building stronger ties between external and internal school evaluations. There is also the intent of better understanding the schools' socio-economic profile. Upon completion of the project, the Inspectorate will use the newly developed instruments both to validate learning outcomes, and as a means of ensuring that socio-economic and territorial considerations do not have a negative effect on school conditions, or on students' educational outcomes or access to educational pathways (OECD, 2019[59]).
>
> In the Portuguese context, schools have a much lower degree of autonomy than Czech schools. Nonetheless, the Portuguese Inspectorate could adopt a similar approach to evaluation than the Czech Inspectorate. The new evaluation framework developed by IGEC, which includes several equity and inclusion indicators, could be part of a broader and more comprehensive system of evaluation which, among other objectives, would aim to develop new tools. These tools would be based on experience-sharing and support school clusters and individual schools in better understanding and implementing national policies as well as collaborating with each other.
>
> Sources: OECD (2020[56]), *Education Policy Outlook: Czech Republic,* http://www.oecd.org/education/policy-outlook/country-profile-Czech-Republic-2020.pdf; OECD (2018[57]), "How decentralised are education systems, and what does it mean for schools?, https://dx.doi.org/10.1787/e14575d5-en; OECD (2019[58]), "*PISA 2018 Results (Volume I): What Students Know and Can Do",* https://dx.doi.org/10.1787/5f07c754-en; OECD (2019[59]), "*Education Policy Outlook 2019: Working Together to Help Students Achieve their Potential",* https://dx.doi.org/10.1787/2b8ad56e-en (accessed on 21 December 2021).

Sustain collaboration and consultation strategy efforts to broaden the understanding of inclusive education

Effective governance works through building capacity (see Chapter 3), open dialogue and stakeholder engagement (Burns and Cerna, 2016[52]). In the area of inclusive education, Portugal has been engaging with a variety of stakeholders through different collaboration and consultation strategies and these participatory governance mechanisms could be strengthened. This requires working with less active or less confident stakeholders to build capacity and empowerment to take part in the process (Burns and Cerna, 2016[52]; OECD, 2015[60]). It is also important to move beyond consultation to a higher level of engagement through collaboration or partnerships (OECD, 2015[61]) between MoE and other institutions. Such partnerships can help provide the necessary support and mechanisms to implement inclusive policies in schools.

For example, a number of entities and organisations (such as ACM and Roma associations) promote the inclusion of ethnic minorities (particularly Roma communities) and students with an immigrant background.

However, collaboration between MoE and some of these actors seem limited, for example in terms of consultation of legislative proposals such as the aforementioned Decree Law No. 54/2018 as well as partnerships between the entities. Consulting relevant stakeholders and collaborating with given institutions can increase buy-in in policy changes and build trust in the system for reforms and legislative changes in inclusive education (Burns and Cerna, 2016[52]; Ainscow, 2020[62]). There are already some examples of collaboration between the DGE and other entities, such as the aforementioned REEI and extended guidelines on how to implement inclusive education, including guidelines directed to the inclusion of some specific student groups such those from Roma communities (see Box 2.5).

Box 2.5. DGE Guidelines for schools to promote the inclusion of Portuguese Roma students

To help schools, ministries of education in partnership with academics and civil society can elaborate guidelines on how to design an inclusive school project, with a part focusing on Roma students. For instance, in Portugal, the DGE released in April 2020 an extended guide for schools to "promote the inclusion and educational success of Roma communities."

This guide gives detailed directives on:

- the welcoming of children, youths and adults

- the school network and the distribution of students

- educational modalities

- professional learning of teachers and other school staff

- the creation of an inclusive school atmosphere

- designing of an inclusive curriculum and orientation on pedagogical practices

- relations with the communities and the different stakeholders

- the use of intercultural mediators and "youth technicians"

- the monitoring and evaluation process.

Source: DGE (2019[63]), Pro*mover a inclusão e o sucesso educativo das comunidades ciganas - Guião para as Escolas [Promote the inclusion and school success of Roma communities – A Guide for Schools]*, http://www.dge.mec.pt/sites/default/files/ECidadania/Educacao_Intercultural/documentos/guiao_comunidades_ciganas.pdf (accessed on 23 November 2021).

Therefore, Portugal might consider going beyond guidelines and strengthening its collaboration and consultation strategies with a wider range of stakeholders and organisations (especially with Roma associations and associations supporting immigrants and refugees) to broaden the understanding of inclusive education and ensure that all students are sufficiently supported. This is also related to the need to build the capacity of stakeholders to assume their roles and deliver on their responsibilities so that policies and laws can be implemented effectively in schools and classrooms (Burns and Cerna, 2016[52]) (see also Box 2.6 and Chapter 3).

Box 2.6. Collaboration for Inclusion: an example from Pennsylvania (United States)

In the United States, the federal Department of Education passed the Every Student Succeeds Act (ESSA) in 2015 to expand equity for all students, including those from diverse groups such as ethnic minorities, non-English speakers, students with SEN, and students from a low socio-economic background. As part of this act, which maintained flexibility at the state and local level, each state created a State Plan that was required to include stakeholder input in the process of developing the plan. For example, the state of Pennsylvania fulfilled the ESSA requirement to collaborate and consult with stakeholders that were representative of the geographic diversity of the state, Indigenous groups, educators, educational leaders, parents and families, civil society groups, civil rights organisations serving diverse student groups, and the public (among others). Furthermore, the ESSA outlined guidelines for formatting communications, mandating that information be understandable, consistent, written or orally translated in a language understood by all parents, and provided in alternative formats for parents as required under the Americans with Disabilities Act.

The Pennsylvania Department of Education created a Stakeholder Engagement webpage with resources and data to support transparency around the process of creating the state plan. To engage a multitude of stakeholders from across the geographically large and diverse area, a database of stakeholder contact information was compiled. The initial draft of the state plan was posted in English and Spanish, and notice was sent to the press and across social media platforms, in addition to individually notifying stakeholders. Additional resources were also shared to help understand the plan. Multiple webinars and working groups were conducted, as well as online surveys. The working groups were also followed by a "Listening Tour", in which town hall meetings were held across the state to encourage public participation and feedback. Furthermore, consultations were made with research and policy experts for an understanding of best evidence-based practices. The feedback from consultations was collected, analysed, and published. In addition, the changes made to the state plan as a result of stakeholder input were posted on the Stakeholder Engagement Webpage.

While the stakeholder engagement for the creation of the state plan was conducted over six weeks, ongoing collaboration is ensured through the Community Schools Initiative, which, among other functions such as integrating health and social services, "Requires schools and partners to work together on data-driven planning, building relational trust, and sharing ownership for results with a focus on equity for all students" (p. 4). The Community Schools Initiative consists of the Pennsylvania Department of Education overseeing and facilitating efforts with the Pennsylvania Community Schools Coalition to ensure best practices in stakeholder participation and communications. Coupled with ongoing meaningful engagement with stakeholder groups, data transparency is necessary by providing disaggregated data on specific student groups and resources at the local and school levels. The understanding is that stakeholder input is intrinsically tied to accurate and up to date information. While these efforts focus primarily on equity, the structure and practices can still hold relevance for Portugal.

Source: Pennsylvania Department of Education (2019[64]), *Every Student Succeeds Act: Pennsylvania Consolidated State Plan*, https://www.education.pa.gov/Documents/K-12/ESSA/PennsylvaniaConsolidatedStatePlan.pdf (accessed on 15 November 2021).

Long-term policy recommendations

Improve the management of resources for inclusive education and continue efforts to build a coherent funding system to support equity and inclusion

There has been an increase in the total state budget dedicated to education, although the number of students is decreasing. The funding dedicated to some key measures for equity and inclusion (e.g. TEIP programme, psychology services, specialised teachers and technicians) has increased over the past five years. Also, the system for funding inclusive education is being adapted in order to increasingly enable stakeholders at local and school levels to design and implement their own inclusive initiatives, although within a limited scope. The process of transforming the funding system of inclusive education should nonetheless be strengthened.

Many funding sources exist for inclusive education at the national and European Union levels. However, there might be scope for greater co-ordination between the sources and clarity about the differences in accessing the funding and applying the two different funding formula. This would ensure that funding is equitably distributed and reaches schools and students that require support.

While the current resource allocation mechanisms give some potential for autonomy and flexibility for school clusters, they may still foster the labelling of students, hampered by a prevailing input approach based on students' individual difficulties. The multi-level approach Portugal is adopting to shift away from labels and support "students in needs of support measures" (universal, selective and additional) does not seem to be well-reflected in the funding system. The support provided by Resource Centres for Inclusion and special education teachers is primarily connected to the needs of individual students rather than aiming at building the capacities of mainstream teachers and the whole school. In this sense, some current mechanisms may be still inadequate to enable school clusters and teachers to assume responsibility for inclusive educational practices.

A related point is that there is a need for greater autonomy at community and school levels as well as flexibility within school budgets. This would enable a dynamic approach to the identification of learners' needs and the provision of adequate support measures. For learners with specific education needs, this is already in place to some extent, but it should be developed further and opened to all educational diversities. There are plans to give more responsibilities and competencies in the field of education to local agents (such as municipalities, schools and CRIs) in order to support a more inclusive system through a higher level of local autonomy in decision-making. Decisions regarding the implementation of educational support measures and funding allocation will be made through partnerships involving municipalities, schools, CRIs and other local organisations. They will also cover EU funding available to municipalities and metropolitan areas to support inclusive education (Ministry of Education, 2022[3]). Moreover, considering the key role of EMAEI in the identification of students in needs of additional measures and in the implementation of these measures, the funding allocated to these teams (e.g. extra credit hours, extra temporary or permanent staff) could be strengthened based on needs. This would imply the implementation of a continuous and consistent monitoring and evaluation strategy, which would involve education stakeholders at different levels of the system to assess school clusters and individual schools' needs as well as the efficient and transparent use of targeted funding.

However, greater autonomy granted to municipalities and school clusters in terms of funding could lead to greater variation between schools and municipalities. It is important that it goes hand in hand with strong co-ordination and accountability measures to ensure an equitable and inclusive education system.

Strengthen the management of system-level monitoring and evaluation of inclusive education

Monitoring and evaluation in Portugal is key for assessing the inclusiveness in the education system. Establishing system-level monitoring and evaluation frameworks to monitor the access, participation, achievement and well-being of all learners is fundamental to evaluate the progress of education systems towards reaching inclusion and equity goals and subsequently inform policies in these areas. This implies the design and consistent use of equity and inclusion education indicators and, as far as possible, monitoring student performance across specific groups (e.g. by gender, migrant status, special education needs, socio-economic or ethnic background) as well as across localities and regions authorities (Ainscow, 2020[62]; Cerna et al., 2021[4]). As required by Decree Law No. 54/2018, Portugal is currently making efforts towards the design and implementation of a comprehensive monitoring and evaluation strategy at the school level. The MoE is working with the European Agency for Special Needs and Inclusive Education on designing this strategy. Also, DGEEC is piloting new equity and inclusion indicators in some schools and will publish initial results in 2022.

It is challenging in Portugal to monitor student outcomes of diverse groups of students because of the limits regarding the collection of certain kinds of demographic data in the Constitution. Moreover, Portugal is moving away from labelling students, which has significant implications in terms of data collection (see Box 1.1.). Instead of data on students' background, DGEEC will collect data on students receiving support measures within schools. This suggest that school clusters and individual schools, in particular EMAEI and self-evaluation teams, will have a predominant role in the data collection process. They will also have to adapt their internal evaluation and data collection strategy. While it is still early to formulate clear guidance due to the new nature and specificity of the approach Portugal is adopting, the review team already suggests that DGEEC formulates clear guidance and provides support to relevant staff in schools. It should also continue its efforts to make data available to all and intelligible, as it is currently doing through, for example, online platforms.

In spite of these recent changes, as the OECD School Resources Review of Portugal previously recommended, *ad hoc* processes with the authorisation of the National Data Protection Commission could be explored to receive special permission to conduct analyses of outcomes for diverse groups. This could take the form of voluntary surveys, sophisticated sampling and imputation methodologies. Such an effort was undertaken to conduct the *Questionnaire within the Framework of the National Strategy for the Integration of Roma Communities* and similar efforts could be pursued for other groups (Liebowitz et al., 2018, p. 119[14]). Moreover, such initiatives could rely on the support of specialised national and local associations, who often have close relationship with the community, as well as researchers. For example, the review team noticed that several Portuguese universities have comprehensive projects on the inclusion of individuals with an immigrant background, often with a focus on education. While the MoE works with researchers to conduct, to some extent, programme evaluations, collaboration with research projects focusing on specific student groups might be limited.

Besides information on academic outcomes, Portugal is further encouraged to collect information on broader aspects of education quality, such as student attitudes, motivation and well-being and the overall teaching and learning environment in schools. As part of this effort, there should be consideration on how to best include in the national monitoring system the perceptions of stakeholders regarding the teaching and learning environment and, in particular, the ability of the education system to be inclusive. One option for doing this is to administer a national-level questionnaire to a sample of students, parents, school leaders and teachers in the system to collect views and perspectives about a range of aspects, including academic, psychological, physical, social and material well-being (Cerna et al., 2021[4]). Some punctual initiatives, such as the 2020/2021 monitoring of the PDPSC (part of the PNPSE) (Verdasca, J.; et al., 2020[19]), include socio-emotional and student behaviour indicators in certain schools. However, such indicators should be designed and used to monitor and evaluate education policies and initiatives at the system level.

Additionally, Portugal might consider systematically evaluating education programmes targeted at improving equity and inclusion in education (see Box 2.7). To facilitate the evaluation of programme effectiveness and impact on equity and inclusion in education, it is important that all new programmes have an evaluation component in their original design, including elements such as similar targets and baseline equity and inclusion indicators. Results should then be used to make strategic decisions about specific programmes, including discontinuation, adjustments, re-design and improvements to implementation (Cerna et al., 2021[4]). At present, the evaluation of policies and practices is not common in Portugal, where an evaluation culture might be missing so far. However, there are a number of promising practices in municipalities and schools across Portugal but most have not been evaluated. Evaluating such practices would help to assess whether they are effective and could be scaled up and adapted also in other municipalities and schools.

Box 2.7. Monitoring for inclusion: lessons from Ontario (Canada)

In Canada, the province of Ontario, as part of the Education Equity Plan, committed to regular evaluation of student outcomes disaggregated by diversity groupings, including immigration background, heritage language, ethnicity, special education needs, sexual orientation and gender identity (Ontario, 2017[65]). The approach to data collection is that student information is voluntarily provided, and the larger regional education department supports the collection process by local schools. In addition, data collection on representative diversity of teachers and staff is collected. The development of indicators was done in collaboration with local parents, students, staff and community groups, including special attention to relationships with Indigenous groups. Disaggregated data is to be reported by local school boards annually (Ibid). Furthermore, Ontario has designated an agency, the Education Quality and Accountability Office, to oversee data collection, assessments and reporting (EQAO, 2020[66]). Its own actions as an agency are monitored through policy performance targets, measures and analysis, which are included in an annual report that is published publicly. The results of the performance targets for the government agency were also published alongside a financial audit of the agencies' financial statements (Ibid). While equity is the main goal, the process of data collection and reporting can still be relevant to more inclusive systems.

Source: Ontario (2017[65]), *Ontario's Education Equity Action Plan*, http://www.edu.gov.on.ca/eng/about/education_equity_plan_en.pdf (accessed on 20 December 2021); EQAO (2020[66]), *Education Quality and Accountability Office*, http://www.eqao.com (accessed on 20 December 2021).

Such a significant cultural change will require building capacity in the Portuguese education system to use outcome-based approaches to guide the work (see Chapter 3). Following up on a previous OECD recommendation, Portugal could continue expanding partnerships with external researchers to deepen the empirical knowledge base on the Portuguese education system and its inclusiveness (Liebowitz et al., 2018[14]).

At the national level, the law of inclusive education specifies that a regular evaluation is required. As mentioned before, the MoE is currently working with the European Agency for Special Needs and Inclusive Education on developing indicators to monitor levels of inclusivity and success in implementing the current policy framework. This is an important step forward and could be accompanied also by the development of indicators at the school level. For example, it might be helpful for Portugal to consider documents such as the Index for Inclusion (Booth and Ainscow, 2011[67]) and the Guide for Ensuring Inclusion and Equity in Education (UNESCO, 2017[68]), which provide useful tools for developing monitoring systems that take into account the voices of stakeholders involved (including teachers and students) (Alves, Campos Pinto and Janela Pinto, 2020[29]). The Inspectorate could play an important role here too (see Chapter 4).

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17 December 2021).

Annex 2.A. Funding system of teaching and specialised staff

Resources	Funding source	Notes/criteria/reference
Teachers	State budget	Applications are submitted by schools to the Directorate-General for School Administration (DGAE) online platform. They must be validated by Directorate-General for Schools (DGEstE) and the subsequent placement is made by DGAE. Specific cases covered by the legal framework: Replacement due to retirement or illness. Application of article 79 of the Teaching Career Statute. Completion of the teaching staff established and published by DGAE. Increase in the number of students and their difficulties and potential. Expansion of the skills of the Learning Support Centre. Each school cluster/school has a table with the number of teachers defined for each recruitment group and published by the DGAE. A network for hiring special education teachers is authorised annually. The network is based on data from monitoring carried out by the Directorate-General for Education and Science Statistics (DGEEC). Applications are analysed on a case-by-case basis considering the resources that already exist in the school clusters/schools and the reasons given for the reinforcement of their specialised staff.
Specialised technicians	State budget Human Capital Operational Programme (POCH/FSE): Of the total number of psychologists placed in schools, 300 are financed by the FSE because of an application submitted by the DGEstE to the POCH (see Annex 2.B).	The request for resources to be allocated to the school clusters/schools is annually submitted by schools and is analysed by the regional and central services of DGEstE. In its decision, DGEstE takes into account DGEEC data, the reasons presented by schools and data gathered through its continuous outreach work carried out with schools. Networks for the renewal/hiring of specialised technicians are authorised annually. The approval is subject to the following criteria: number of students (DGEEC data) number of technicians already placed in the school requests for mobility, retirements, contract terminations, etc. school clusters with high performance support units agricultural Professional Schools schools located in areas not covered by Resource Centres for Inclusion (CRIs) reference schools for Bilingual Education and for low vision

Resources	Funding source	Notes/criteria/reference
		case-by-case analysis of requests for reinforcement.
		In addition to the aforementioned networks, the schools have technicians who are already part of the framework, for example, through the old regional liaison boards (psychologists) and PREVPAP (programme for the extraordinary regularisation of precarious ties in the Public Administration). They can also contract through hourly credits as provided for in Normative Dispatch No. 10-B/2018, of 6th July and/or through application to the Personal, Social and Community Development Plans.
		During the 2019/2020 school year, under the PREVPAP, technicians who met the requirements provided for in the law were integrated into the school staff.
		In this way, many schools now have their own staff, and therefore permanently, specialised technicians.
Specialised technicians who are part of Personal, Social and Community Development Plans (PDPSC)	POCH/FSE	Notice published for submission of application with reference to the criteria for attribution
Operational assistants	State budget	Criteria established by Ordinance No. 272-A/2017, of 13th September, amended by Ordinance No. 245-A/2020, of 16th October and by Ordinance No. 73-A/2021, of 30th March:
		Number of students;
		School spaces/facilities;
		Educational/training offer;
		Operating regime;
		Students with reduced mobility and severe limitations in terms of personal autonomy that imply the mobilisation of specific resources, duly substantiated by the respective Multidisciplinary Support Teams for Inclusive Education, except for those supported by the Learning Support Centre within the scope of support services specialised and structured teaching, are accounted for at 2.5 in all teaching cycles, including pre-school education, for the purposes of calculating the total number of students, per educational establishment;
		In pre-school education, the needs for additional support to mobilise specific health care and to promote levels of participation in different learning contexts are analysed, on a case-by-case basis, at the beginning of each school year, by joint order of the members of the Government responsible for finance and education;
		Two operational assistants if the Learning Support Centre supports structured teaching;
		Two operational assistants if the Learning Support Centre welcomes the specialised support valence;
		Reference schools in the field of vision and reference schools for bilingual education have an additional operational assistant for each of these educational responses;
		In clusters of non-grouped schools or schools that are part of educational territories of priority intervention, there are two operational assistants at the main school.
Resource Centres for Inclusion (CRIs)	State budget	The accreditation process is independent of the funding process, although it its mandatory.
		The global amount is stipulated by a Resolution of the Council of Ministers and the financing is based on the terms provided for in the respective Ordinance.
		Schools establish partnerships with CRIs by drawing up action plans based on the support they identify as necessary and the specificities that each one offers.

Resources	Funding source	Notes/criteria/reference
		The financing aims to support the support recommended in the action plans.
Education and Training Integrated Programme (PIEF)	State budget	A network of local intervention technicians (TIL) is centrally annually authorised. These technicians are assigned to all school groups that have PIEF classes and do not have this resource in their framework. The allocation does not require a request by the schools.
Specialised technicians outside the school.	State budget	Special education allowance awarded to families by Social Security. The subsidy is awarded upon presentation of a medical document and when support does not exist in the school the student is enrolled in (all requests are supported by data from DGEstE).

Source: Ministry of Education (2022[3]), *OECD Review of Inclusive Education: Country Background Report*.

Annex 2.B. The Human Capital Operational Programme (POCH)

The Human Capital Operational Programme *(Programa Operacional Capital Humano*, POCH) was the main funding instrument of Portugal 2020 in the area of human capital. The Programme was aligned to the priorities of the 2020 European Strategy (Intelligent and Sustainable Growth) and to those of the Portuguese National Reform Programme. POCH, which started in 2018 and are still ongoing aims to contribute to strengthening the qualifications and employability of Portuguese people. It is co-funded by the European Social Fund (ESF) and the National Public Counterpart (*contrapartida pública nacional*). The Programme covers the primary, secondary and tertiary levels, and targets the regions of Portugal Mainland that have the lowest level of development (i.e. North, Centre and Alentejo). The Directorate-General for Schools (DGEstE) is the Beneficiary Responsible for the Execution of the National Public Policies. As such, it is the entity that submits applications and manages the POCH/FSE funds. It is responsible for the implementation and for follow-up and monitoring in order to respond to the requirements established by the POCH and by audits.

POCH has five priority areas: (1) the promotion of school success, fight against school dropouts and absenteeism, and strengthening of young people's skills for their employability; (2) the strengthening of higher education and advanced training; (3) lifelong learning and skills, and strengthening of employability; (4) quality and innovation of the education and training system; and (5) technical assistance. The main strategy adopted to tackle the challenges of the first programme's area of priorities mentioned above is the strengthening of the network of school psychologists. This aims to establish diagnoses of difficulties that affect learning to be able to act on time, analyse reasons for school failure and implement appropriate measures to promote school success, including adequate educational and professional guidance. Psychologists perform their functions in selected schools under the General Law on Labour in Public Functions, approved by Law No. 35/2014, 20 June, and Decree Law No. 132/2012, 27 June, with the changes introduced by Decree Law No. 83-A/2014, 23 May. However, under the terms provided for in the Guidance Document - Monitoring and Evaluation of European Cohesion Policy - European Social Fund, the students do not directly benefit from the operation. Since support is provided for the reinforcement of the services provided by psychologists at the service of schools, this service is directed to the generality of the students who attend the same.

Annex Table 2.B.1 shows that, as of December 2019, the total POCH funding was EUR 3.6 million. The first priority area had the highest share of total funding (55%), total approved eligible investment (63%), total validated spending (63%) and payment (63%).

Annex Table 2.B.1. Total funding, total eligible investment, total validated spending, payment, by POCH priority areas (2019)

Areas	Designation areas	Total funding (M EUR)	Total approved eligible investment	Total validated spending	Payment
1	Promotion of school success, fight against school dropouts and absenteeism, and strengthening of young people's skills for their employability	2 004 706	2 153 292	1 392 757	1 486 164
2	Strengthening of higher education and advanced training	614 118	668 633	570 301	582 986
3	Lifelong learning and skills, and strengthening of employability	845 882	448 058	250 723	232 219
4	Quality and innovation of the education and training system	117 647	89 973	47 759	53 439
5	Technical Assistance	59 802	32 514	18 210	19 331

Source: CNE (2020[18]), *Estado da Educação 2019*, https://www.cnedu.pt/pt/publicacoes/estado-da-educacao/1615-estado-da-educacao-2020 (accessed on 9 November 2021).

Notes

[1] See: https://dre.pt/pesquisa/-/search/403296/details/maximized (accessed on 14 December 2021).

[2] See:https://www.portugal.gov.pt/download-ficheiros/ficheiro.aspx?v=%3d%3dBAAAAB%2bLCAAAAAAABACzsDA1AQB5jSa9BAAAAA%3d%3d (accessed on 16 November 2021).

[3] See: https://cidadania.dge.mec.pt/sites/default/files/pdfs/national-strategy-citizenship-education.pdf (accessed on 17 November 2021).

[4] In 2015, all United Nations Member States adopted the 2030 Agenda for Sustainable Development, which contains 17 goals, The Sustainable Development Goals (SDGs). The SDGs are common goals to be reached by 2030 that "recognise that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth – all while tackling climate change and working to preserve our oceans and forests." See: https://sdgs.un.org/goals.

[5] See: https://www.dge.mec.pt/aprendizagens-essenciais (accessed on 05 September 2021).

[6] See: https://www.dge.mec.pt/programa-integrado-de-educacao-e-formacao (accessed on 17 November 2021).

[7] See: https://www.dge.mec.pt/ensino-distancia (accessed on 17 November 2021).

[8] According to the International Bureau of Education of the United Nations Educational and Scientific Organisation (UNESCO), b-learning (blended learning) corresponds to "structured opportunities to learn which use more than on teaching or training method, inside or outside the classroom, through which at least part of the content is delivered online. (…) More commonly, blended learning refers to a combination

of face-to-face teaching and technologies. (…)". See: http://www.ibe.unesco.org/en/glossary-curriculum-terminology/b/blended-learning (accessed on 17 December 2021).

[9] See: https://www.dge.mec.pt/percursos-curriculares-alternativos (accessed 17 November 2021).

[10] Cf. Article 12 of Ministerial Implementing Order No. 223-A / 2018, of 3rd August, https://dre.pt/application/file/a/115879412 (accessed on 14 December 2021); Article 11 of Ministerial Implementing Order No. 226-A / 2018, of 7th August, https://dre.pt/application/file/a/115941797 (accessed on 14 December 2021); and Ministerial Implementing Order No. 235-A / 2018, of 23rd August, https://dre.pt/application/file/a/116154435 (accessed on 14 December 2021).

[11] Article 73, par. 2 of the 1976 Constitution of the Portuguese Republic:https://www.parlamento.pt/Legislacao/Paginas/ConstituicaoRepublicaPortuguesa.aspx (accessed on 3 September 2021).

[12] The division of Portugal Mainland in five statistical continental regions is referred to as Statistical Territorial Units Nomenclature (*Nomenclatura das Unidades Territorias Estatísticas*, NUTS). To learn more about NUTS, see (in Portuguese): https://www.dirportugal.com/regioes-de-portugal/ (accessed on 17 December 2021).

[13] See: http://www.programaescolhas.pt/apresentacao (accessed on 14 December 2021).

[14] https://pnpse.min-educ.pt/ (accessed on 14 December 2021).

[15] https://www.pna.gov.pt/ (accessed on 14 December 2021).

[16] See: https://www.dge.mec.pt/pcdd/docsreferencia.html (accessed on 7 September 2021).

[17] Liebowitz et al. (2018[14]) differentiate between current expenditures and capital expenditures. Current expenditures refer to the costs of running the day-to-day operations of schools and the education system at its different levels of governance. It includes costs incurred by teaching and learning activities, teachers' and other educational staff's salaries and other operating costs. Operating costs refer to expenses associated with the maintenance and administration of a school (e.g. heating, electricity, small repairs, perishable instructional materials, equipment that lasts for less than one year, etc.).

Funding for capital expenditures covers spending on assets that last longer than one year. It includes funds for construction, renovation or major repairs to buildings as well as new or replacement instructional and non-instructional equipment.

[18] See: https://dre.pt/web/guest/legislacao-consolidada/-/lc/117105579/view?p_p_state=maximized (accessed on 10 September 2021).
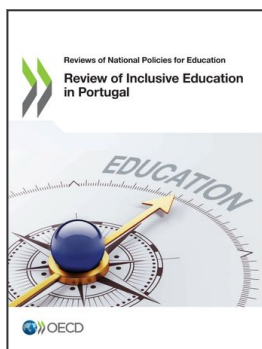
[19] The Educational Charter is a municipal instrument that established the local strategy for education. The Educational charter programs, for a ten-year time horizon (with interim reviews, whenever justified), the educational supply networks of pre-school education, primary and secondary education, including special modalities of education and extracurricular education. This Charter reflects the municipal strategies adopted to reduce early school leaving and promote the school success of all students.

[20] Article 79 of the Statute of the Career of Early Childhood Educators and Teachers of Basic and Secondary Education, ECD (Law n°. 14-B/90) establishes the conditions for the reduction of teacher's working hours in the 2nd and 3rd cycles, secondary education and special education. For example,

paragraph a) indicates that the weekly teaching time of a teacher can be reduced by two hours if the said teacher has reached 50 and 15 years of teaching service.

21 See: https://dre.pt/home/-/dre/166569087/details/maximized (accessed on 10 September 2021).

22 The International Bureau of Education defines an inclusive curriculum as one that "takes into consideration and caters for the diverse needs, previous experiences, interests and personal characteristics of all learners. It attempts to ensure that all students are part of the shared learning experiences of the classroom and that equal opportunities are provided regardless of learner differences" (IBE, 2008[31]).