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Inclusive education and the historical constitution of the right to schooling for people with disabilities in Brazil.

Inclusive Education and the Historical Constitution of the Right to Schooling for Persons with Disabilities in Brazil

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Summary

This article analyzes the historical constitution of the right to education for people with disabilities in Brazil, highlighting the political, legal, and pedagogical transformations that underpin the contemporary understanding of inclusive education. Using a bibliographic and documentary approach, the study revisits national and international milestones—from the first segregating institutional models to the consolidation of rights-based perspectives that recognize diversity as the foundation of democratic education. Brazilian legal instruments are examined, such as the 1988 Federal Constitution, the Law of Guidelines and Bases of National Education (1996), the National Policy on Special Education from the Perspective of Inclusive Education (2008), and the Brazilian Law on the Inclusion of People with Disabilities (2015), in conjunction with international documents such as the Salamanca Declaration (1994) and the UN Convention on the Rights of Persons with Disabilities (2006). The results indicate that, although there have been significant normative advances, the implementation of inclusive education still faces structural challenges, accessibility barriers, and limitations in teacher training. It is concluded that consolidating the right to education for people with disabilities requires not only consistent public policies, but also cultural and institutional changes that reaffirm inclusion as an essential principle of education.

Keywords: People with disabilities. History of education. Educational rights. Public policies. Inclusive education. Schooling.

Abstract

This article examines the historical constitution of the right to school for persons with disabilities in Brazil, highlighting the political, legal, and pedagogical transformations that shaped contemporary understandings of inclusive education. Through a bibliographic and documentary approach, the study revisits key national and international milestones – ranging from early segregated institutional models to the emergence of rights-based frameworks that affirm diversity as a cornerstone of democratic education. Brazilian legal markers such as the 1988 Federal Constitution, the Law of Guidelines and Bases of Education (1996), the National Policy on Special Education in the Perspective of Inclusive Education (2008), and the Brazilian Law for the Inclusion of Persons with Disabilities (2015) are analyzed in dialogue with international documents, including the Salamanca Statement (1994) and the United Nations Convention on the Rights of Persons with Disabilities (2006). The findings reveal that, despite significant legal progress, the effective realization of inclusive education remains challenged by structural inequalities, barriers to accessibility, and limitations in teacher preparation.

The article concludes that consolidating the right to schooling for persons with disabilities requires not only robust public policies but also cultural and institutional shifts that recognize inclusion as a fundamental educational principle.

Keywords: Persons with disabilities. History of education. Educational rights. Public policies. Including education. Schooling.

1. Introduction

In recent decades, inclusive education has established itself as one of the main pillars of debate in the educational field, highlighting a paradigmatic shift in the way society



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It encompasses disability and the rights of people with disabilities (Mantoan, 2003). In Brazil, this...

The transformation did not occur in a linear fashion; on the contrary, it was the result of a historical process.

complex, marked by tensions between segregating practices, welfare initiatives and advances

regulations that have progressively broadened the recognition of education as a right for all.

(Amaral, 2004). In this context, understanding the historical constitution of the right to education of

Including people with disabilities becomes fundamental to analyzing the current scenario and identifying the challenges.

who still persist in making a truly inclusive education a reality.

Historically, the schooling of this population has been associated with specialized institutions.

guided by medical perspectives and the idea of disability as an individual limitation to be overcome.

Corrected. With the advancement of international discussions on human rights and with the strengthening

From social movements in the country, conceptions based on the social model gradually emerged, the

which shift the focus from individual limitations to the barriers imposed by society.

(Angelucci, 2009). This movement decisively influenced the formulation of public policies.

Brazilians, especially since the 1988 Federal Constitution, which established education as

social right, and the National Education Guidelines and Bases Law of 1996, which reaffirmed access

education for all, including Specialized Educational Services as support.

complementary.

Additionally, international documents such as the Salamanca Declaration (1994) and the

The UN Convention on the Rights of Persons with Disabilities (2006) contributed to the

Consolidation of the inclusion paradigm, guiding the formulation of educational policies and practices.

based on respect for diversity. In Brazil, the National Policy for Special Education in

Perspective on Inclusive Education (2008) and the Brazilian Law on the Inclusion of Persons with Disabilities

(2015) reinforced the commitment to eliminating architectural, communicational barriers,

pedagogical and attitudinal, highlighting the need to guarantee equitable conditions of access,

participation and learning.

Despite these advances, the effective implementation of inclusive education still faces challenges.

significant challenges related to teacher training, curriculum organization, and structure

The physical nature of schools and the persistence of prejudices and exclusionary practices. Thus, investigating how the

The right to education for people with disabilities has been historically established and allows

to understand the complexity of the process and identify the elements that support or hinder it.

Consolidation of democratic and inclusive educational environments (Mantoan, 2003).

Given this scenario, this article aims to analyze the historical constitution of

The right to education for people with disabilities in Brazil, considering its legal frameworks, its

theoretical foundations and their contemporary challenges. To this end, a bibliographical approach is adopted and

documentary, articulating legislation, public policies and theoretical frameworks that underpin the



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Inclusive education. It is hoped that this will contribute to deepening the scientific debate and to the construction of educational practices that recognize diversity as a constitutive element of quality and social justice in education.

2. Theoretical Framework / Results

2.1 Conceptions of disability throughout history

Understanding disability has undergone profound transformations over time, reflecting cultural, social, and political changes. Initially, the medical model predominated, in which the disability was perceived as an individual problem, associated with biological incapacity or psychological state of the individual, requiring therapeutic intervention or correction. This perspective guided segregating educational practices, aimed at adapting the individual to the environment, without questioning existing social barriers. In this regard, Skliar (1994, p. 06) points out that:

If the criterion for affirming the educational uniqueness of these individuals is an exclusionary characterization based on their disability, then we are not talking about education, but about a hermeneutical intervention; if it is believed that the disability, in itself, is the axis that defines and dominates the entire personal and social life of the individuals, then a true educational process will not be constructed, but a vulgar clinical process.

Skliar (1994) criticizes the historical tendency to associate the education of people with disabilities only to their individual limitations, warning that this perspective reduces the educational process to an intervention of a purely clinical or corrective nature. According to the author, when considering Disability is presented as the central axis that defines the subject's uniqueness, ignoring the complexity of their... social, cultural, and emotional life, transforming the school into a space of "interpretation" or correction. The focus is on disability, not on learning, participation, and holistic development. This view reinforces the medical model of disability, centered on the individual's limitations, contributes to school exclusion because it treats the student as an object of intervention, and not as a subject of rights and experiences. educational.

In the context of inclusive education, Skliar's (1994) reflection highlights the need for Shifting the focus from disability to diversity and the social participation of students. A true The educational process should consider individuals in their entirety, promoting learning. Significant autonomy and inclusion, regardless of individual limitations. To challenge the reductionist view of disability, the author theoretically grounds the social model that guides inclusive pedagogical practices and educational policies that value difference as an enriching element of the school, and not a factor that restricts access or defines the identity of student.

Botur and Manzoli (2007) tackled the challenge faced by people with disabilities being labeled as ill, which manifested itself through discrimination, prejudice and



Exclusion. According to the authors:

People with disabilities are understood as ill people who need medical care and have the right to appropriate physical rehabilitation procedures. In this way, medicine begins to gain significant ground, and people with disabilities come to be seen as objects and clients of study, with the medical model being used for a better understanding of disabilities (Botur; Manzoli, 2007, p. 67).

The aforementioned authors describe the medical model of disability, which historically characterized people with disabilities as sick individuals whose condition required intervention. In this paradigm, disability is seen as an intrinsic problem to the individual. The focus is on the subject's body or mind, centering on the "correction" or adaptation of the individual to limitations that possesses. As a result, the person with a disability comes to be understood primarily as an object of study and clientele of health services, instead of a subject of social and educational rights, with medicine being the central axis for its understanding and "treatment".

In an educational context, this perspective has negative implications for inclusion. When disability is the defining criterion of an individual, the school tends to reproduce segregating and therapeutic practices, instead of promoting meaningful learning, full participation and valuing diversity.

The medical model restricts educational potential to addressing physical limitations or cognitive, disregarding social, cultural, and pedagogical factors that influence the experience. Therefore, authors such as Mantoan (2003) and Sasaki (2007) advocate the transition to the social model. A social approach to disability, in which education is designed to overcome social barriers and guarantee rights, recognizing the person with a disability as an active and participating subject in school life and community.

Starting in 1940, what became known as the integration paradigm began. Specialized services emerged in the early 1940s with the creation of public services aimed at physical and vocational rehabilitation. Influenced by the Universal Declaration of Human Rights (1948), associations with a welfare focus also emerged. According to Sasaki (2012), this model is characterized by the provision of specialized services and by acting in defense of inclusion, seeking to prevent the total segregation of people with special needs, often mediated by the participation of parents and family members.

In this way, the integration of people with disabilities began to be promoted: after receiving training, qualification, or rehabilitation in specialized institutions, they were referred to regular schools with the goal of participating in mainstream education. In this sense, it can be said that:

[...] there is a process of educating/teaching so-called "normal" children alongside children "with disabilities," in which students with disabilities must adapt to the reality of schools, while these schools remain with their conditions unchanged to accommodate them. to those children (MARTINS *et al.* 2007, p.110).

Martins *et al.* (2007) highlight a central aspect of inclusive education traditionally

In practice, the inclusion of students with disabilities in mainstream schools is often conceived as a unilateral adaptation process. In this model, children with disabilities are expected to...

They adapt to the norms, routines, and methods already established by the school, without any changes occurring.

significant in pedagogical practices, in the organization of physical space, or in school culture. This

This approach reflects the historical logic of the medical model of disability, in which the problem is viewed as belonging to the individual, reinforcing the idea that the school does not need to transform itself to accommodate diversity.

Furthermore, it is evident that inclusion, in this context, is often superficial and

It is limited because it does not effectively promote the full participation of students with disabilities. By maintaining

With school conditions unchanged, the education system reproduces attitudinal and structural barriers.

which compromise the learning and development of these students. As a result, the

The educational process ceases to be truly inclusive and democratic, transforming itself into a mere...

The student's adaptation to the institution, rather than the school's commitment to diversity and to...

The right to education for all.

From a critical and theoretical perspective, this model reinforces the need to move forward to approaches centered on the social and biopsychosocial model of disability, in which inclusion requires

Pedagogical, curricular, and cultural transformations in schools. In this sense, true education

Inclusive education is not limited to placing students with disabilities in regular classrooms; it involves rethinking teaching practices, teaching strategies, and the school organization itself, ensuring that diversity

that it be valued and that all students can learn and participate fully. Thus, the reflection of

Martins *et al.* (2007) warns of the difference between physical presence and effective participation, reinforcing the

There is an urgent need for policies and practices that effectively transform schools into inclusive spaces.

According to Sasaki (1997), the concept of social integration is still based on a model

Disability medicine, in which individuals with disabilities are viewed as needing

treatment and rehabilitation so they can fully participate in society. In this context, the

Integration emerged as a reaction to the exclusion paradigm, in which people with disabilities...

They were subjected to segregation processes. However, the great challenge of this model is that it was up to...

It is up to the individual to adapt to the new school reality, being included in regular classes without

that there be preparation or training for education professionals to welcome him and guide his

The learning process should be carried out appropriately. In this sense



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In school integration situations, not all students with disabilities fit into regular classes, as there is a prior selection of those who are suitable for inclusion. For these cases, individualization of school programs, adapted curricula, and reduction of educational objectives are indicated to compensate for learning difficulties. In short: the school does not change as a whole, but the students have to change to adapt to its demands (Mantoan, 2006, p.18).

Mantoan (2006) highlights an important limitation of the traditional integration model.

school. Although the discourse of inclusion emphasizes the participation of all, in practice, there is a selection process of students with disabilities considered "fit" to attend regular classes. This demonstrates that the school continues to be structured according to conventional patterns, without rethinking its organization or Pedagogical methods to address diversity. By indicating individualized adaptations, curricula With differentiated approaches and reduced objectives, the school transfers the responsibility of adapting to the student reinforcing the idea that disability is an individual problem, not a systemic challenge. educational.

Furthermore, this perspective reveals a central contradiction: inclusion is promoted, but It is not fully effective. By requiring the student to conform to the institution's demands, the school It maintains structural barriers that limit learning and participation. The focus is on piecemeal adjustments. For the student, instead of systemic changes, it prevents education from truly becoming... democratic and accessible to all. Thus, Mantoan's (2006) critical approach reminds us that the Inclusion is not limited to the student's physical presence in the classroom, but depends on transformations. profound changes in curricula, pedagogical practices, and the training of education professionals.

In school integration contexts, not all students with disabilities are able to be included in regular classes, as there is usually a prior selection of those considered capable. to keep up with conventional teaching. In these cases, individualized adaptation of the programs, curriculum modifications, and reductions in learning objectives to compensate the difficulties faced. Therefore, the responsibility of adapting to the demands of the school. The burden falls on the student, while the institution remains virtually unchanged (Mantoan, 2006, p.18).

Following the integration paradigm, the inclusion paradigm or social model of inclusion emerged. disability, which shifts the focus from the individual to society, highlighting that limitations are These are mainly configured as a function of structural, attitudinal, and pedagogical barriers. This model It underpins contemporary inclusive education by considering diversity as a natural element. and enriching the school, and recognizing the need to adapt the environment and practices Educational principles to guarantee access and full participation for all students. Being based on Important for the new biopsychosocial dimension, it has integrated aspects of the medical and social models. recognizing the interaction between biological, psychological, and social factors in the experience of disability, consolidating a broader and more complex approach to policy formulation and inclusive educational practices.



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According to Matos and Mendes (2014), the inclusion movement originated in the United States.

United, based on reflections on how people with disabilities were cared for, aiming to

To promote an educational system that would guarantee quality education for all.

Starting in 1994, in Spain, more than 300 representatives from 88 governments and 25 organizations...

International groups met to draft the "Salamanca Declaration," a document that established...

principles, policies and practices for special education (CARVALHO, 2007). Through this

In that statement, the concept of special educational needs was broadened, advocating for inclusion.

of all children in regular schools and offering guidance for the implementation of policies

inclusive.

A fundamental principle of inclusive education is that all children should learn together, whenever possible, regardless of any difficulties or differences they may have. Inclusive schools must recognize and respond to the diverse needs of their students, accommodating both learning styles and paces and ensuring quality education for all through an appropriate curriculum, organizational arrangements, teaching strategies, resource use, and partnerships with communities. In fact, there should be a continuum of services and support proportional to the continuum of special needs found within the school (BRAZIL, 1994, p. 5).

The aforementioned considerations highlight the essence of inclusive education: to promote

Joint learning for all children, regardless of their differences or difficulties.

This principle challenges the traditional teaching model, which often separates students with...

special needs, and emphasizes that diversity should be welcomed as part of the process.

Educational. The proposal for inclusive schools is not limited to the physical presence of students in classrooms.

regular, but it involves adapting curricula, teaching strategies, resources, and arrangements.

organizational structures, in order to cater to different learning styles and paces.

The importance of continuous support, proportionate to the students' needs, is highlighted.

indicating that effective inclusion depends on an articulated system of services and resources within the

school. Inclusive education, therefore, goes beyond simple integration; it requires planning and training.

Teacher training, community partnerships, and pedagogical flexibility ensure that all students...

have access to a quality education. This approach highlights a paradigm shift:

The school should adapt to differences, not the other way around.

2.2 Special education and inclusive education: distinctions and convergences

Historically, special education developed from a segregating logic, in

that students with disabilities were served in specific, often isolated, institutions.

from the regular education system. This approach had as its main objectives the enabling or

student rehabilitation, preparation for work, and social assistance, reflecting a conception

limited schooling and social participation (Mantoan, 2003).

Inclusive education, in turn, represents a paradigmatic advance, aimed at...

Full integration of all students in common educational environments. Its premise is that the school



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It must adapt to the needs of each student, promoting accessibility and a flexible curriculum.

Differentiated pedagogical strategies and valuing diversity. Authors such as Mantoan (2003), Michels (2006) and Sasaki (2007) emphasize that inclusion is not just a policy or a technique.

It is not just educational, but a human right that requires a change in attitudes and specific teacher training and institutional commitment.

Michels (2017) points out the fragility of the teacher training process aimed at inclusion, pointing to the logic that has involved the educational system throughout history and in contemporary times. It is important to highlight the fragility of teacher training policies, which in most cases... Sometimes they focus only on specialized spaces, which hinders the effectiveness of practices. inclusive pedagogical approaches.

Even with all the setbacks that may arise in the inclusion process, especially with regard to guaranteeing the right to inclusion for students with disabilities. Thus, Even with these differences, it is possible to identify [the differences] in the teacher training process. convergences between the two models, mainly in the recognition that certain students They may require specialized support.

Thus, even in the face of the changes taking place within the paradigms of inclusive education... (integration and inclusion), there are common points that remain, such as the need for care. specialized for some students, which is significant for the student's development with deficiency. It should be noted, however, that the central difference between the two paradigms mentioned lies in the context. Regarding care: while traditional special education isolated the student, the inclusive perspective... seeks to guarantee their full participation in the common school context, strengthening social justice and right to education.

2.3 Historical and legal milestones in the education of people with disabilities in Brazil

The establishment of the right to education for people with disabilities in Brazil is... directly linked to legal and historical milestones that reflect cultural and social changes. Initially, schooling was limited to philanthropic and special institutions, focused on assistance and professional training.

Since the 1988 Federal Constitution, education has been recognized as a right of everyone, including people with disabilities. The Law of Guidelines and Bases of National Education (LDB/1996) consolidated specialized educational services, albeit in a complementary way, guaranteeing pedagogical support within the regular school.

International documents, such as the Salamanca Declaration (1994) and the Convention The UN Convention on the Rights of Persons with Disabilities (2006) strongly influenced policies. national initiatives, promoting the adoption of inclusive educational practices and the elimination of barriers. physical, pedagogical, and attitudinal.



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Subsequently, the National Policy on Special Education from an Educational Perspective Inclusive (2008) and the Brazilian Law for the Inclusion of Persons with Disabilities (2015) reinforced the State's commitment to ensuring access, retention, and quality learning for all students, consolidating inclusion as a structuring principle of Brazilian education.

This historical overview demonstrates that school inclusion is not just a goal, not only pedagogical, but also a social, legal, and political right, the realization of which demands coordination between Public policies, pedagogical practices, and cultural transformations in the school environment.

2. Materials and Methods

This article is characterized as bibliographic and documentary research, of a nature... qualitative, based on the analysis of theoretical, legal, and normative sources related to education. inclusiveness and the right to education for people with disabilities. The bibliographic research allowed to systematize the knowledge produced by specialized authors, while documentary research made it possible to examine legislation, public policies, and international documents that underpin Educational inclusion in Brazil.

Data collection was carried out through bibliographic research and document analysis. In the literature review, books, scientific articles, dissertations, and theses were selected. National and international publications, published between 1990 and 2023, addressing inclusive education and policies. Educational issues, the rights of people with disabilities, and the history of schooling. To ensure For comprehensiveness and relevance, the sources were obtained from recognized databases, such as SciELO, Google Scholar, CAPES Journals, and ERIC.

In parallel, the documentary research focused on legislation and official documents. National and international guidelines for inclusive education. Among the national documents, Key examples include the 1988 Federal Constitution and the Law of Guidelines and Bases of National Education. (LDB/1996), the National Policy on Special Education from the Perspective of Inclusive Education (2008) and the Brazilian Law for the Inclusion of Persons with Disabilities (2015). As for international documents... The analyses include the Salamanca Declaration (1994), the UN Convention on the Rights of Children People with Disabilities (2006) and the Universal Declaration of Human Rights (1948).

The data analysis was conducted in a qualitative manner, employing critical reading, Interpretation and systematization of the information obtained. The texts and documents were organized in thematic categories, including conceptions of disability, evolution of special education for Inclusive education, national and international legal frameworks, and contemporary challenges. This The organization made it possible to understand the historical constitution of people's right to education with disabilities, highlighting paradigm shifts, legislative advances, and gaps in implementation. inclusive education.



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The choice of this methodological procedure is justified by the need to analyze the historical, legal, and conceptual dimension of inclusive education based on secondary evidence. The historical, legal, and conceptual dimension of inclusive education based on secondary evidence. reliable, allowing the articulation of legal norms, international documents, and scientific production for to support reflections on educational policies and inclusive pedagogical practices.

3. Results and Discussion

Bibliographical and documentary analysis revealed that the historical constitution of the right to The education of people with disabilities in Brazil is marked by a paradigmatic transition that This reflects the theoretical debate on disability, inclusion, and social justice.

3.1 Conceptions of disability and implications for education

Historically, the schooling of people with disabilities was anchored in the model medical, in which disability was understood as an individual limitation to be "corrected" or "enabled" (Mantoan, 2003). This model guided segregating educational practices, such as care provided in specialized institutions, which reinforced social and educational exclusion. The documents analyzed show that this approach persisted until the 1990s, highlighting the The normalization of social and attitudinal barriers in the school context.

Based on the influence of the social model of disability, consolidated in debates internationally and within the human rights movement, the perspective on inclusion has shifted to to recognize that exclusion results from barriers imposed by society and the school environment, and not only of individual characteristics (Sasaki, 2007).

This theoretical shift finds support in Brazilian legal frameworks, such as the The 1988 Federal Constitution, which establishes education as a right for all, and the LDB/1996, which It foresees Specialized Educational Assistance as complementary support. Thus, the analysis reveals that the advancement of inclusion in Brazil is directly associated with the incorporation of concepts from the model social changes that redefine the role of the school and the educator.

The biopsychosocial model offers a more integrated perspective, allowing for a better understanding. The interaction between individual, social, and educational factors in the experience of disability.

When analyzing international documents, such as the UN Convention (2006), it becomes clear that This approach has guided policies and practices that value diversity, reinforcing that... Inclusion is both a right and a necessary pedagogical practice for building schools. democratic.

4.2. Special education and inclusive education: a critical analysis

The theoretical framework highlighted the distinction between special education and inclusive education. pointing out that the first is characterized by segregation and limited support within the school context,



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while the second seeks full participation in common educational environments (Michels, 2006; 2017; Mantoan, 2003).

The documents analyzed confirm this transition: policies such as the National Policy of Special Education from the Perspective of Inclusive Education (2008) and the Brazilian Inclusion Law (2015) They represent an attempt to operationalize the inclusive paradigm, promoting support. Individualized pedagogical support without separating the student from the regular school context.

However, critical analysis shows that this conceptual transformation still faces challenges. Practical barriers: teacher training often remains inadequate, the school curriculum is not fully adapted, yet the physical infrastructure of the schools still limits effective access. This suggests that, Although the legislation is aligned with the social model of disability, the implementation of inclusion It still depends on a cultural and institutional change (Sassaki, 2007; Mantoan, 2003).

4.3 Legal frameworks and contemporary challenges

The documentary study reinforces that legal frameworks constitute normative references. These are fundamental, but do not, by themselves, guarantee the realization of inclusion. Critical analysis demonstrates that Advances such as the LDB/1996, the Salamanca Declaration (1994) and the UN Convention (2006) They established principles of equality, accessibility, and participation, but barriers persist. Attitudinal, pedagogical, and structural factors highlight the gap between theory and practice.

The discussion, in light of the theoretical framework, shows that the consolidation of the right to The education of people with disabilities requires coordination between legislation, public policies, and... Pedagogical practices, in addition to adequate teacher training and cultural changes. Without these... Under these conditions, the inclusive paradigm risks remaining merely formally envisioned, but insufficiently implemented, perpetuating elements of the old segregating model.

The analysis, integrating the theoretical concepts and the documents analyzed, allows us to conclude... that the transition from the medical model to the social and biopsychosocial model is central to understanding The evolution of inclusive education in Brazil.

The results show that, although national and international legislation provides a Despite a solid normative basis, practical implementation still faces structural, pedagogical, and other obstacles. cultural factors that compromise the full realization of the right to education for people with deficiency.

Effective inclusion, therefore, is not limited to the existence of rules, but requires transformations. institutional and pedagogical changes, as well as cultural changes that ensure full participation and equitable for all students.

Therefore, inclusive education should be understood as a human right and a an ongoing process, whose success depends on the permanent dialogue between theory, public policies and concrete school practices, articulating legal principles, theoretical foundations and experiences.

Educational initiatives to consolidate inclusion as an effective and democratic practice.

Final Considerations

This study analyzed the historical constitution of the right to education for people with disabilities in Brazil, highlighting the trajectory of conceptual, legal and pedagogical principles that underpin contemporary inclusive education. Based on the articulation between Bibliographic and documentary research made it possible to identify that the advancement of school inclusion is... closely related to the transition from the medical model to the social and biopsychosocial models of disabilities, which redefine the role of the school, the educator, and society in promoting participation. full participation of all students.

A critical analysis of national and international legal frameworks revealed that, although there are robust normative instruments, such as the 1988 Federal Constitution, the LDB/1996, the Policy National Law on Special Education from the Perspective of Inclusive Education (2008), the Brazilian Law of Inclusion (2015), the Salamanca Declaration (1994) and the UN Convention (2006), its Effective implementation still faces significant challenges. Among these challenges, the following stand out: Insufficient teacher training, physical and pedagogical barriers in schools, poorly developed curricula. Adapted and exclusionary attitudes compromise the realization of the right to inclusive education.

Therefore, it can be concluded that the consolidation of the right to education for people with Disability requires not only the existence of public policies and legislation, but also changes. Cultural, pedagogical, and institutional measures that promote inclusion as a structuring principle of Brazilian education are essential. It is fundamental that the school transforms itself into an accessible environment. Democratic and sensitive to diversity, where each student can participate and learn fully. and equitable.

Finally, this study reinforces the importance of linking theory, policy, and practice. educational to overcome historical gaps of exclusion and strengthen inclusive education as A human right and a vector of social justice, contributing to the construction of fairer schools. equitable and inclusive.

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