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LAW AND INCLUSIVE EDUCATION

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Abstract: The concept of the family as a social institution and its importance in school support is decisive and relevant to what is being proposed, given that the Education Guidelines and Bases Law expressly states that education should cover all formative processes, promote family life, and therefore determines that people with special educational needs should be included in mainstream schools. Aiming to build a society with better coexistence, linking partnerships, educational and research institutions to organize civilly to manifest through the creation of a Culture of Peace. Education is the right of all and the duty of the State, aimed at the full development of the person, according to the principles of Equality, Dignity of the Human Person.

Keywords: Inclusive education. Legal adaptations. Public policies.

INTRODUCTION

We currently live in a society in which values are forgotten in favor of individualistic interests, but we must not give up on building a prosperous society for generations to come. We have come to clarify that Special Education can and should be understood as a segment of education that serves the community. The creation of public policies that offer qualified labor resources, the use of resources for school adaptation works, as well as specific and unique teaching materials. The preparation of education professionals has been much questioned, as the vast majority of teachers have not had the correct training to know how to deal with children with special needs, overcoming adversity, as well as dealing with and helping different types of students, in addition to showing possible solutions for the realization of Inclusive Special Education, one of the most important issues. In view of the above, it is clear to emphasize that from the perspective of an inclusive school, the school environment must represent, as faithfully as possible,

the diversity of the individuals who make up society. The school reflects society, and only in a plural and heterogeneous school, whether equally represented, with students with disabilities or not, can the school curriculum fulfill its function: to build citizenship and prepare students to live in harmony outside of school, endowed with the skills and competencies that the experience of school and the knowledge built up in it has helped them to develop. School preparing for Reading the World. In this school that excludes no one, in which disability, whatever it may be, should not be a barrier to children staying in school and learning, which has as its fundamental assumption the right of children with disabilities to attend ordinary school and to progress in it, within their limits and possibilities. Within this context, the study lists the inclusive issue, the specific legislation and how public policies are being implemented.

WHAT IS SCHOOL INCLUSION?

In its early days, Inclusive Education had in the Convention of the Organization of American States, the creation of the text Convention of Guatemala, promulgated in Brazil, defined that people with disabilities have the same human rights as other people, clarifying as discrimination based on disability all differentiation to exclusion that may prevent or nullify the exercise of human rights and their fundamental freedoms, therefore, Education Special education has come to be understood as a segment of education that seeks to assist people with mental, physical or sensory disabilities, conduct disorders, etc.

MAPPING THE LEGAL PROVISIONS

Referred to as a Constitutional Right, guaranteed to all citizens, the right to quality education where the school must provide an environment conducive to welcoming individual specificities, which implies acceptance and appreciation of differences, as well as providing an adequate structure for the development of each student's potential, considering their individual characteristics and context, this is a legal framework that presents the national principles and guidelines for the implementation of public policies that enable the provision of quality education. In Article 206, item I, the Constitution establishes equal conditions for access and permanence in school as one of the principles for education and guarantees, as a duty of the State, the provision of specialized educational care, preferably in the regular education network (Article 208). This is a place where not only knowledge is built, but also where people learn to live together in society. The need arises for a new approach that represents equal opportunities and the appreciation of human differences, as well as the need to implement a practice that guarantees not only access, but above all, participation and learning for all.

Enacted in 1989, Law No. 7,853 provides for the support of people with disabilities and their social integration and defines it as a crime to refuse, suspend, postpone, cancel or terminate the enrollment of a student because of their disability, in any course or level of education, whether public or private.

Due to its importance, the Statute of the Child and Adolescent (Law no. 8.069/90) confirms the legal provisions determining that parents or guardians have the obligation to enroll their children or wards in the regular school system.

The Salamanca Declaration (1994) emphasized principles, policies and practices in the area of special educational needs.

The Law of Guidelines and Bases of National Education (LDB)¹ - Law No. 9.394/96, establishes the guidelines of national education and presents, in its Chapter V, considerations regarding Special Education:

Special education is understood as the type of school education offered preferentially in the regular school system, for students with disabilities, global development disorders and high or super abilities.

The National Education Council's Resolution No. 2/2001, with the National Guidelines for Special Education in Basic Education, recommends that education systems should enroll all students, and that schools should organize themselves to assist students with special educational needs (art. 2), which includes Specialized Educational Assistance (AEE) that complements or supplements schooling.

The National Education Plan - PNE, Law No. 10.172, emphasizes that the great advance that the decade of education should produce would be the construction of an inclusive school that guarantees that human diversity is catered for.

The Guatemalan Convention (1999) determined that people with disabilities have the same human rights and fundamental freedoms as everyone else, defining discrimination on the grounds of disability as any differentiation or exclusion that may prevent or nullify the exercise of human rights and fundamental freedoms.

In 2000, the National Curricular Guidelines for the Training of Basic Education Teachers were established, with the advent of National Education Council Resolution No. 1/2002, which defined that higher education institutions should in their curricular organization provide teacher training geared towards at-

1. National Education Guidelines and Bases Law, No. 9.394/96.

Available at: http://www.planalto.gov.br/ccivil_03/leis/19394.htm, accessed on 02/04/2020

tention to diversity and which includes knowledge about the specificities of students with special educational needs.

The Brazilian Sign Language was recognized by Law 10.436/02 as a legal means of communication and expression, as well as the inclusion of the Libras subject as an integral part of the curriculum in teacher training and speech therapy courses.

The Braille System comprises the Braille script project for the Portuguese language and the recommendation for its use throughout the country. In 2002, the Ministry of Education (MEC), through Ordinance No. 2.678/02, approved guidelines and standards for use and teaching.

Law No. 12,764 of 2012 created the National Policy for the Protection of the Rights of People with Autism Spectrum Disorders, regulated by Decree No. 8368/2014. In 2015, the MEC issued Technical Note No. 20, which provides guidelines for education systems to comply with Article 7 of the aforementioned law.

In 2015, the Brazilian Inclusion Law, known as the **Statute of Persons with Disabilities**, was enacted, dealing with various aspects related to the inclusion of people with disabilities. In Chapter IV, the law deals with access to education and brings important advances, such as the ban on schools charging additional fees for implementing accessibility features. The text states that the education system should be inclusive at all levels, but does not explicitly state that the enrollment of students with disabilities should take place in the regular school system rather than in special schools, which is a point of controversy.

The debate on **Special and Inclusive Education in Brazil**, especially the aspect of including everyone in regular educational institutions (i.e. those that mix students with and without disabilities), has been intense in recent years. The MEC is currently revising the current National Policy on Special Education

from the Perspective of Inclusive Education (PNEPEI), which dates back to 2008. The proposed text faces strong opposition from some groups of educators who deal with the subject, for whom the new wording would once again encourage the separation of people with disabilities, going against the social perspective - which points to the elimination of barriers and the promotion of accessibility, and not the separation of students with and without disabilities.

During the drafting of the National Common Curriculum Base (BNCC), the dispute was over the removal from the introductory text of details on Inclusive Education, a section that had been drafted through contributions of organizations and researchers working on the issue. In addition, the document mentions the need for “curricular differentiation”, which is repudiated by experts as a form of discrimination. (Read the full BNCC).

Before that, during the discussion of the National Education Plan (PNE), which outlines 20 goals for the country to meet in ten years, the main controversy was over the possibility of children and young people with disabilities being enrolled in special schools and not compulsorily in the regular school system. In the final wording of the goal, approved in 2014, this option was maintained (read the full PNE). Organizations specializing in the subject claim that the text of the PNE violates international treaties on the subject signed by Brazil.

In addition to the Statute of People with Disabilities, the PNE and the BNCC, there are decrees, ordinances, resolutions, technical notes and laws on the subject. Here are the main texts, in chronological order. It is important to note that some are no longer valid and have been replaced by texts approved later.

BRAZIL

1961 - Law NO. 4.024 The Law of Guidelines and Bases of National Education (LDBEN) laid the foundations for educational assistance for people with disabilities, referred to in the text as “exceptional” (nowadays, this term is at odds with the fundamental rights of people with disabilities). Here is an excerpt: The education of the exceptional must, as far as possible, fit into the general education system, in order to integrate them into the community.

1971 - Law NO. 5.692 Brazil's second educational guidelines and bases law was passed during the military dictatorship (1964-1985) and replaced the previous one. The text states that students with physical or mental disabilities, those who are considerably behind the regular enrollment age and the gifted should receive special treatment. These standards were to be in line with the rules laid down by the Education Councils. In other words, the law did not promote inclusion in education.

The special school was the right destination for these children.

1988 - Constitution Federal Article 208, which deals with compulsory and free basic education from the age of 4 to 17, states that it is the state's duty to guarantee specialized educational care for people with disabilities, preferably in the regular school system. Articles 205 and 206 state, respectively, that education is a right for all, guaranteeing the full development of the person, the exercise of citizenship and qualification for work, and equal conditions of access and permanence at school.

1989 - Law NO. 7.853 The text provides for the social integration of people with disabilities. In the area of education, for example, it requires the inclusion of special schools, both private and public, in the education system and the compulsory and free provision of special education in public schools. It also states that the public authorities must be responsible for compulsory enrollment in regular courses in public and private establishments of people with disabilities who are able to integrate into the regular education system. In other words: it excluded a large proportion of children from the law by suggesting that they are not capable of social interaction and, consequently, of learning. Access to school materials, school meals and scholarships is also guaranteed by the text.

1990 - Law N° 8.069 Better known as the Statute of the Child and Adolescent, Law No. 8.069 guarantees, among other things :²

Specialized educational assistance for children with disabilities, preferably in the regular school system; protected work for adolescents with disabilities and priority in public prevention and protection actions and policies for families with children and adolescents in this condition.

1994 - National Policy on Special Education In terms of school inclusion, the text is considered to be a backward step, as it proposes to called “instructional integration”, a process that allows only children with disabilities who “(...) are able to follow and develop the curricular activities programmed in ordinary education, at the same pace as the so-called ‘normal’ students” (this term is currently at odds with the fundamental rights of people with disabilities) to enter regular education classes. In other words, the policy excluded a large number of students with disabilities from the regular education system, “pushing” them into Special Education.

2. Statute of the Child and Adolescent (Law no. 8.069), available at: http://www.planalto.gov.br/ccivil_03/leis/18069.htm, accessed on 02/04/2020

Teófilo Alves Galvão Filho³ reports on the need for support to ensure that these students learn:

Special Education in the form of ESA is therefore the tool, the indispensable support that makes it possible for these students to attend school in the ordinary school environment. Without adapted resources, strategies and materials to meet their special educational needs, it would be very difficult to guarantee effective participation in the proposed activities, as well as interaction with other students and teachers. Having the role of complementary and no longer substitutive care, it is an innovative pedagogical proposal that aims to understand and meet special educational needs in order to provide the necessary complementary support to guarantee the learning of students with disabilities, TGD or high abilities. In this sense, the reorganization of the educational system, from an inclusive perspective, points to a new school model and, consequently, a new teacher training model that requires a teacher prepared to work in a school based on attention to diversity, to develop their pedagogical practice considering different ways of learning and teaching, contrary to the traditional school culture in force until then, historically exclusionary, selective, based on a homogenizing teaching model. It must therefore ensure differentiated and alternative resources, strategies and services to meet the educational specificities of the students who need ESA.

1996 - Law NO. 9.394 The current Education Guidelines and Bases Law (LDB) has a specific chapter on Special Education. It states that there will be, when necessary, specialized support services in the regular school to meet the peculiarities of the Special Education clientele. It also states that educational assistance will be provided in classes, schools or services specialized, whenever, due to the specific conditions of the

students, it is not possible to integrate them into ordinary regular education classes. In addition, the text deals with teacher training and curricula, methods, techniques and resources to meet the needs of children with disabilities, global development disorders and high abilities or giftedness.

1999 - Decree NO. 3.298 The decree regulates Law No. 7.853/89, which provides for the National Policy for the Integration of People with Disabilities and consolidates protection rules, as well as taking other steps. The main objective is to ensure the full integration of people with disabilities into the country's socio-economic and cultural context. Regarding access to education, the text states that Special Education is a transversal modality to all levels and modalities of education and highlights it as a complement to regular education.

2001 - Law NO. 10.172 The previous National Education Plan (PNE), which was criticized for being too long, had almost 30 goals and objectives for children and young people with disabilities. Among them, it stated that Special Education, as a type of school education, should be promoted at all different levels of education and that guaranteeing places in mainstream education for the various degrees and types of disability was an important measure.

2001 - Resolution CNE/CEB NO. 2 The text from the National Education Council (CNE) establishes National Guidelines for Special Education in Basic Education. Among the main points, it states that education systems must enroll all students, and that schools must organize themselves to provide care for students with special educational needs, ensuring the necessary conditions for quality education for all. However, the document raises the possibility of replacing

3. GALVÃO FILHO, T. A. . Tecnologia Assistiva: favorecendo o desenvolvimento e a aprendizagem em contextos educacionais inclusivos. In: GIROTO, C. R. M.; POKER, R. B.; OMOTE, S. (Org.). As tecnologias nas práticas pedagógicas inclusivas. Marília/SP: Cultura Acadêmica, 2012, p. 12.

regular education with specialized care. It also considers that school care for students with disabilities begins in Early Childhood Education, “ensuring them special education services whenever it becomes evident, through evaluation and interaction with the family and community, the need for specialized educational care”.

2002 - Resolution CNE/CP N°1/2002 The resolution sets out national curricular guidelines for the training of basic education teachers, at higher education level, as a full degree course. On Inclusive Education, it states that training should include “knowledge about children, adolescents, young people and adults, including the specificities of students with special educational needs”.

2002 - Law NO. 10.436/02 It recognizes the Brazilian Sign Language (Libras) as a legal means of communication and expression.

2005 - Decree No. 5.626/05 Regulates Law No. 10.436 of 2002 (previous link).

2006 - National Plan for Human Rights Education Document drawn up by the Ministry of Education (MEC), the Ministry of Justice, Unesco and the Special Secretariat for Human Rights. Among the goals is the inclusion of themes related to people with disabilities in school curricula.

2007 - Education Development Plan (PDE) Within the scope of Inclusive Education, the PDE works on the issue of school infrastructure, addressing the accessibility of school buildings, teacher training and multifunctional resource rooms.

2007 - Decree N° 6.094/07 The text provides for the implementation of the MEC's Commitment to Education for All Goals Plan. By highlighting the special educational needs of students with disabilities, the document reinforces their inclusion in the public education system.

2008 - National Policy on Special Education from the Perspective of Inclusive Education

A document that traces the history of the school inclusion process in Brazil in order to support “public policies that promote quality education for all students”.

2008 - Decree NO. 6.571 Provides for specialized educational assistance (AEE) in Education

It defines it as a set of activities, accessibility and pedagogical resources organized institutionally, provided in a complementary or supplementary way to the training of students in regular education. The decree obliges the federal government to provide technical and financial support to public education systems to offer this modality. In addition, it reinforces that AEE must be integrated into the school's pedagogical project.

2009 - Resolution N° 4 CNE/CEB The focus of this resolution is to guide the establishment of specialized educational assistance (AEE) in Basic Education, which should be carried out in the counter-shift and preferably in the so-called multifunctional resource rooms of regular schools. The CNE resolution serves as a guideline for education systems to comply with Decree N° 6.571.

2011 - Decree NO. 7.611 It repeals Decree No. 6.571 of 2008 and establishes new guidelines for the state's duty to educate people who are the target of special education. Among them, it determines that the education system should be inclusive at all levels, that learning should be lifelong, and prevents exclusion from the general education system on the grounds of disability. It also determines that primary education should be free and compulsory, with reasonable adaptations according to individual needs, that individualized and effective support measures should be adopted, in environments that maximize academic and social development, in accordance with the goal of full inclusion, and says that special education should preferably be offered in the regular school system.

2011 - Decree NO. 7.480 Until 2011, the direction of Special and Inclusive Education was defined by the Ministry of Education's Special Education Secretariat (Seesp). Today, the department is linked to the Secretariat for Continuing Education, Literacy, Diversity and Inclusion (Secadi).

2012 - Law no. 12.764 The law establishes the National Policy for the Protection of the Rights of People with Autism Spectrum Disorders.

2014 - National Education Plan (PNE) The goal that deals with the subject in the current PNE, as explained above, is number 4. It reads: Universalize, for the population aged 4 to 17 with disabilities, global development disorders and high abilities or giftedness, access to basic education and specialized educational care, preferably in the regular school network, with the guarantee of an inclusive educational system, multifunctional resource rooms, classes, schools or specialized services, public or contracted. The obstacle to inclusion is the word "preferentially", which, according to experts, makes room for children with disabilities to remain enrolled only in special schools.

2019 - Decree No. 9.465 It creates the Secretariat for Specialized Education Modalities, abolishing the Secretariat for Continuing Education, Literacy, Diversity and Inclusion (Secadi). The department is made up of three fronts: Directorate for Accessibility, Mobility, Inclusion and Support for People with Disabilities; Directorate for Bilingual Education Policies for the Deaf; and Directorate for Policies for Specialized Modalities of Education and Brazilian Cultural Traditions.

INTERNATIONAL

1990 - World Declaration on Education for All The United Nations Educational, Scientific and Cultural Organization (UNESCO) document states: the basic learning needs of people with disabilities require special attention. Measures must be taken to guarantee equal access to education for people with all types of disabilities, as an integral part of the education system. The text still used the term "bearer", which is no longer used today.

1994 - Declaration of Salamanca The document is a resolution of the United Nations (UN) and was conceived at the World Conference on Special Needs Education in Salamanca (Spain). The text deals with principles, policies and practices for special needs and provides guidelines for action at regional, national and international levels on the structure of action in Special Needs Education. With regard to schools, the document addresses administration, the recruitment of educators and community involvement, among other points.

1999 - Convention of Guatemala The Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities, better known as the Guatemala Convention, resulted in Brazil's Decree No. 3.956/2001. The Brazilian text states that people with disabilities have the same human rights and fundamental freedoms as other people and that these rights, including the right not to be subjected to discrimination on the basis of disability, stem from the dignity and equality that are inherent to every human being.

Again, the text still uses the word "carrier", which is no longer used today.

2009 - Convention on the Rights of Persons with Disabilities The convention was approved by the UN and has Brazil as one of its signatories. It states that countries are responsible for guaranteeing a system of Inclusive Education at all stages of education.

2015 - Declaration of Incheon Brazil took part in the World Education Forum in Incheon, South Korea, and signed its final declaration, committing itself to a joint agenda for quality and inclusive education.

2015 - Sustainable Development Goals Originating from the Incheon Declaration, the UNESCO document contains 17 goals that must be implemented by 2030. In the 4th item, it proposes the objective of ensuring inclusive, equitable and quality education and promoting lifelong learning opportunities for all.

PUBLIC POLICIES AND FINANCIAL RESOURCES

Financial resources following the Education Development Plan

- PDE (2007), allows for architectural accessibility of school buildings, the implementation of multifunctional resource rooms and teacher training for AEE.

Law No. 13.005/2014 establishes the National Education Plan⁴ (PNE), efficiently pointing out:

Universalize access to basic education and ESL for the population aged four to seventeen with disabilities, global development disorders and high abilities or giftedness, preferably in the regular school system, with the guarantee of an inclusive educational system, multifunctional resource rooms, classes, schools or specialized services, public or contracted.

WHAT DO WE SEE IN THE CLASSROOM?

Unprepared and desperate teachers, fulfilling countless duties, with overcrowded classrooms, multiple disorders, lack of adequate and unavailable material, inadequate school environment. Moral Harassment by Management and Family Abandonment. Negligence on the part of public bodies at federal, municipal and state level.

WHAT PROGRESS HAS BEEN MADE UNDER LAW 9394/96?

The Law of Guidelines and Bases of Education (Law 9394/1996) with the advent of the Brazilian Inclusion Law (Law 13146/2015) , The IDP , aims to guide the care of students with special educational needs, making it possible to identify each resource in a timely manner, such as, makes it possible for planning to point to the need for a professional to accompany the student on a daily basis, contributing to understanding their characteristics and eliminating barriers that prevent them from entering school life, thus complementing the work of the educator responsible for the class and/or the work in the Specialized Educational Care room.

HOW SHOULD PUBLIC POLICIES ACT?

Architectural, curricular, attitudinal and financial accessibility is essential, since the specialized technical support required for the inclusion of people with disabilities in school must be provided by the school and the government free of charge.

Theresinha Guimarães Miranda⁵ corroborates:

4. National Education Plan (Law 13.005), available at: http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2014/lei/l13005.htm, accessed 02/04/2020

5. MIRANDA, T. G.; GALVÃO FILHO, T. A. (Org.) O professor e a educação inclusiva: formação, práticas e lugares. Salvador: EDUFBA, 126 e 127 p., 2012.

Situating inclusive education and special educational needs The education of students with special educational needs, which was traditionally based on a segregated model of care, has shifted in the last two decades towards inclusive education. This movement, which began in the 1990s with major international conferences around the world, expands the participation of children with disabilities in the mainstream education system and has gained momentum, especially since the second half of the 1990s, with the dissemination of the Salamanca World Declaration (UNESCO, 1994), which, among other points, proposes access for children and young people with special educational needs to mainstream schools, which must be adapted to them. This paradigm shift that Special Education is undergoing from an inclusive perspective and the increased access of students with special needs to mainstream education have demanded that the educational community, universities and schools foster innovative actions that promote pedagogical practices that take into account the singularities of students in different places/educational spaces. In this new reality, the importance of the teacher's performance and the dynamics of the classroom stand out, represented by teacher training, pedagogical work and the different educational possibilities developed in the school space. One of the milestones in the paradigm shift is the UN Convention on the Rights of Persons with Disabilities, adopted by the UN in December 2006, of which Brazil is a signatory, with the status of a constitutional norm, and which is recognized in our Magna Carta. Article 1 of the Convention states: "Persons with disabilities are those who have physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society with others." This conceptualization brings about a change in conception, as it removes the disability from the person and refers it to the social context. The research process developed by GEINE is characterized by an active understanding of reality and also by a movement that is

based on the theoretical assumptions of the historical-cultural perspective, o prof e a ed inclusiva.indb 126 6/12/2012 14:22:01 o grupo de pesquisa em educação inclusiva e necessidades educacionais especiais do ppgge/ufba | 127 | regarding the social constitution of subjects; cultural studies, relating to the inclusion-exclusion binomial and Bourdieu's ideas, in relation to habitus. The studies and research are based on the hypothesis that the current political proposal for inclusion is based on three axes, namely the school, pedagogical practice and teacher training which, in conjunction with each other, give inclusion a new perspective for dealing with differences in the classroom. Inclusion, which today is seen as a new social and educational paradigm, advocates a fairer and more democratic society, free from the discriminatory and segregationist practices that have negatively marked the history of humanity. Being different no longer means being the opposite of normal, but just being different. From this perspective, since the school is a constituent part of society as a whole, it will reflect the consequences of all the changes that have taken place. In this sense, science and technology have been the main agents in proposing and determining these changes. In this sense, science and technology have been the main agents in proposing and determining these changes.

It needs to be clear that the effective development of inclusive education and quality teaching requires broader actions, involving not only the school and teachers, who are not solely responsible, but also multidisciplinary support groups, through specialized services such as psychologists, speech therapists, doctors, among other partners, such as the family and the community. With regard to interdisciplinary work, involving different segments of education, health, social assistance and justice.

They are essential, public and/or private measures, coercive or voluntary, implemented to promote/integrate individuals and ethno-social groups traditionally discriminated against by a society.

ARE THERE STRUCTURES IN PLACE TO SUPPORT INCLUSIVE EDUCATION?

We can't think about school inclusion without realizing the need for schools with an adequate physical structure, with qualified and valued teachers, with a dynamic curriculum that takes into account the uniqueness of each student, among other factors. The need to reflect on the educational system and the school itself, and the practice of all those involved in the care and education of students with special educational needs, in order to enable an effective change in the way we receive and interact with each student, taking into account their potential, while recognizing their specificities. The efforts made and the achievements made so far through legislation have been fundamental to the inclusive process, however, one cannot fail to reflect on the issues in the day-to-day running of schools, recognizing that it is about a process process complex, wishing to emphasize also the inevitability of the tension resulting from inclusion processes to deconstruct an ideal of harmonization that is installed in the educational scenario, producing suffering for those who experience the difficulties of implementing this ethical-political project.

This point concerns the subjective conditions of inclusion, what goes beyond the legislation and procedures that support inclusive practices.

Teófilo Alves Galvão Filho⁶ goes on to endorse the lack of assistive technology for inclusive education:

CONCLUSION

One of the school's great challenges is to ensure the necessary conditions for quality education, but the problem lies in the implementation of these public policies.

An inclusive school, according to the legal provisions, is not an option for the school; it is first and foremost an obligation. According to the author, it is essential that schools adapt to the most diverse situations in order to welcome everyone. Laws guaranteeing inclusion and education for all exist and could be enough to ensure that any child or young person with a disability can go to school.

It is essential that their activity is completed through the realization of the declared right. The realization of an inclusive school is an action that requires the action of teachers, parents and government officials, in their capacity as agents who generate and manage conditions and resources, and also as protagonists of mentalities that are open to change and to respecting and celebrating human diversity.

Having outlined the legal and institutional structure of Inclusive Education, it is necessary to reflect on its socio-political function, ensuring the common training that is indispensable for the exercise of Citizenship and offering the means for their insertion and progression. This dimension, aimed at introducing children to culture and ensuring their appropriation of basic knowledge, requires practices that take into account their peculiarities. The paradigm of integral development and the functions of National Institutions, as a collective space, is part of the project for a democratic society outlined in the Federal Constitution of 1988 (art. 3, item I) with responsibilities in playing an active role in building a free, fair and supportive society. As such, we must pursue the reduction of social inequalities and the promotion of the

6. GALVÃO FILHO, T. A., GARCIA, J. C. D. Pesquisa Nacional de Tecnologia Assistiva. São Paulo: Instituto de Tecnologia Social - ITS BRASIL e Ministério da Ciência, Tecnologia e Inovação - MCTI/SECIS, 2012, 8 p., ISBN: 978-85-64537-04-0.

good of all. Thus fulfilling the fundamental objectives of the Republic. The continuity of this function means that the state needs to assume its responsibility for education in an integrated and collective manner. In this preamble, it fulfills a socio-political function so that people can enjoy their civil, human and social rights and can express themselves and see those expressions accepted as subjects of rights and desires. Intentionally, we are finally considering new forms of sociability and subjectivities that are committed to Democracy

and Citizenship, to the dignity of the Human Person, and to recognizing the break with the dominations that still mark our society. In view of all this, it is necessary to implement the public policy legislation, which is seen as integral to and deriving from the needs of an evolving society in which the Law must keep pace, being interdependent. Reducing what is currently distant from existing practices. Since we have advanced in the creation of specific regulations regarding Inclusive Education. We need to move forward with this banner.

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