UNESCO – Report of the 9th consultation
On the implementation of the Convention and Recommendation against Discrimination in Education
2012-2015
# Technical Information

**Title**

UNESCO – Report of the 9th consultation on the implementation of the Convention and Recommendation against Discrimination in Education

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1. Presentation

Under Article VIII of UNESCO’s Constitution, Member States are under the obligation to submit, every four years, reports on the measures (legislative or other) taken to implement the Convention and Recommendation against Discrimination in Education. In the Recommendation, the term “discrimination” is defined as “any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education”.

Within this conceptual framework, a “Convention Against Discrimination in Education” was drawn up and adopted, reflecting the several instruments of the Recommendation and following one of the constitutional objectives of UNESCO: instituting collaboration among the nations to advance the ideal of equality of educational opportunity without regard to race, sex or any distinctions, economic or social.

The Convention is seen as a powerful tool in the service of the implementation of the Education 2030 agenda, which also includes “Education for All” (EFA). The purpose of the Convention is the adoption of concrete measures aimed at promoting equal opportunities, and is binding for all its Member States. The main recitals of this Convention are reproduced in various United Nations instruments dealing with provisions on the right to education. Mention should be made, for example, to the resolutions adopted by the Human Rights Council which systematically refer to the principles set out in the Convention.

Portugal signed the Convention in 1981 and has responded to the different requests for consultation, except for the 8th consultation, which covered the time span between 2006-2011. Having said that, Portugal is bound to comply with the provisions set by the Convention.

UNESCO instituted a “Conciliation and Good Offices Commission”, hereinafter referred to as “the Commission”, responsible for seeking the amicable settlement of any dispute which might arise between States Parties to the Convention against Discrimination in Education. This Commission has 11 Members, including a representative from Portugal.

Also regarding “Education for All” (the Education for All initiative - EFA - a global commitment to provide quality basic education for all children, youth and adults), Portugal submitted and sent a report to UNESCO, in January 2015, highlighting the different measures implemented to ensure the quality of education and non-discrimination.
We are now facing a further consultation, the 9th national report on the implementation of the legal documents under consideration, covering the years 2012 to 2015. This report was prepared by the General Secretariat of Education and Science, in collaboration with other institutions dealing with issues related to the right to education. The working methodology corresponded to the intended objective: it involved the competent institutions in different areas which, in a joint and participatory manner, forwarded the results corresponding the different parts.

The presentation of the contents / contributions follows, step by step, the order of the Draft Guidelines for the Preparation of Reports by Member States on the Application of the 1960 Convention and Recommendation Against Discrimination in Education proposed by UNESCO.

2. National legal framework and strategic guidelines

The education system in Portugal is founded in the guarantee of treatment according to the principles of equality of all citizens and of non-discrimination set in the Constitution of the Portuguese Republic (CPR)\(^1\), Articles 2\(^{nd}\), 3\(^{rd}\) and 9\(^{th}\), which enshrine the Portuguese Republic as a democratic state based on the rule of law and, especially, Article 13\(^{th}\), which states:

«1. All citizens possess the same social dignity and are equal before the law.
2. No one may be privileged, favoured, prejudiced, deprived of any right or exempted from any duty for reasons of ancestry, sex, race, language, territory of origin, religion, political or ideological beliefs, education, economic situation, social circumstances or sexual orientation.».

The basic tenets of Education are enshrined within the Constitution of the Portuguese Republic (CPR), Articles 43\(^{rd}\), 70\(^{th}\) and 73\(^{rd}\) to 77\(^{th}\), and are as follows: (1) The state must promote the democratisation of education, and it may not programme education and culture in accordance with any philosophical, aesthetic, political, ideological or religious directives; (2) Public education must not be linked to a religious belief; and (3) Everyone has the right to education, with the guarantee of the right to equal opportunities in access to and success in schooling, and the right to create private and cooperative schools is guaranteed.

Article 73\(^{rd}\) of CPR states that «Everyone has the right to education and culture», and «The state shall promote the democratisation of education and the other conditions needed for an education conducted at school and via other means of training to contribute to equal opportunities, the overcoming of economic, social and cultural inequalities, the development of

\(^1\) 7\(^{th}\) Constitutional Review and Constitutional Law no. 1/2005, of 12th August
the personality and the spirit of tolerance, mutual understanding, solidarity and responsibility, to social progress and to democratic participation in collective life.».

At the same time, article 76 of the CRP states that the regime governing access to university and the other higher education institutions guarantees equal opportunities in and the democratisation of the education system.

In accordance with the principles of the CPR, the Comprehensive Law on the Education System² (CLES) states that «The right of all Portuguese citizens to education and culture is enshrined in the Constitution» and that «The State has a special responsibility in promoting the democratisation of education, guaranteeing the right to fair and effective equal opportunities for access to education and for success».

The CLES sets out the organizational principles that determine the purposes of the education system; regulates the organization of the Education System, providing for pre-school and school education (1st, 2nd, 3rd cycles of basic education, secondary education and higher education) and special education and training modalities. Subsequently, resulting from its various alterations, compulsory schooling was set at the 12th grade³ (or 18 years of age, whichever reached first), the universality of pre-school education for Children from 4 years of age was consecrated⁴ (awaiting regulation), the functioning and organization of special education was defined and the general principles governing higher education were established⁵.

The implementation of the Convention Against Discrimination in Education also involves the Right to Education and the equitable access to Education. Portugal, in the context of the 7th plenary meeting of the National Commission for Human Rights (CNDH), held in 2012, decided to develop a pilot project on Human Rights indicators, in the framework of the guidelines from the United Nations and requests from civil society.

In this context, a Working Group was established within the CNDH, including representatives of various Ministries and national bodies, with the mission of building indicators on the Right to Education. This Working Group presented to the CNDH the indicators it considered most relevant within the scope of the Right to Education.

The indicators, which are divided into four areas - "Universal and Compulsory Education", "Access to Secondary and Higher Education", "Curriculum and Educational Resources" and "Educational Opportunities and Freedom" - reflecting structural, processual and outcomes realities, may be segmented according to various criteria and include data series starting in

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² Art. 2nd of Law no. 46/1986, of 14th October, as set by Law no. 49/2005, of 30th August.
³ Law no. 85/2009, of 27th August
⁴ Law no. 65/2015, of 3rd July
⁵ Law no. 49/2005, of 30th August.

In 2007 Portugal reinforced the focus on the articulation between education, vocational training and employment, through Decree-Law n. 396/2007 of December 31, which regulates the National Qualifications System (NQS), conferring coherence to the whole system of education and training and integrates a set of structures and instruments that ensure the relevance of training and learning for personal development and for the modernization of companies and the economy, such as:

- The National Qualifications Catalogue (NQC), a dynamic tool for the strategic management of non-tertiary qualifications, integrating a set of qualifications that are organized according to a vertical dimension, which structures qualifications by qualification levels, and a horizontal dimension, which organises the Catalogue into areas of education and training corresponding to sectors of economic activity. Currently contemplating 40 education and training areas, the NQC integrates a professional profile, a training reference and a benchmark for the recognition, validation and certification of competences (both educational and vocational) for each qualification. Since its inception, the NQC has been updated according to needs identified by stakeholders. Therefore, in 2013 it started to provide short-term training units (STTU) for the development of entrepreneurship skills and, in 2014, STTU for the development of employability skills.

The NQC also offers qualifications adapted to people with handicaps and/or disabilities, a Portuguese programme providing Portuguese language learning for Speakers of Other Languages (Ordinance nº 1262/2009, of October 15th) and a training program in Basic Skills (Ordinance nº 1100/2010, of October 22nd).

- The National Qualifications Framework (NQF) approved by Ordinance No. 782/2009, of July 23, which defines the structure of qualification levels, including access requirements and corresponding school qualification, and aims at integrating national qualification and training subsystems. Improve access, progress and quality of qualifications in relation to the labor market and civil society.

In view of the tiered structure of the European Qualifications Framework for Lifelong Learning, allowing the comparison of the qualification levels of the different systems of
the Member States, the National Qualifications Framework adopts the principles of the European framework concerning the description of national qualifications in terms of learning outcomes, according to the descriptors associated with each qualification level. NQF levels are as follows:

<table>
<thead>
<tr>
<th>Levels</th>
<th>Qualifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2nd Cycle of basic education</td>
</tr>
<tr>
<td>2</td>
<td>3rd cycle of basic education, completed in general education or in double certification pathways</td>
</tr>
<tr>
<td>3</td>
<td>Secondary education, aimed at pursuing higher education studies</td>
</tr>
<tr>
<td>4</td>
<td>Secondary education obtained by dual certification courses or secondary education aimed at pursuing higher education studies plus a professional internship - minimum of six months.</td>
</tr>
<tr>
<td>5</td>
<td>Qualification of post-secondary non higher education level, with credits for the pursuit of higher education studies.</td>
</tr>
<tr>
<td>6</td>
<td>1st Cycle (Licence) degree</td>
</tr>
<tr>
<td>7</td>
<td>2nd Cycle (Masters) Degree</td>
</tr>
<tr>
<td>8</td>
<td>3rd Cycle (Doctorate) Degree</td>
</tr>
</tbody>
</table>

- The **Individual Carnet of Competences**, a personal electronic document, non-transferable and optional, which includes the skills acquired and training carried out by the citizen throughout life, referenced to the National Qualifications Catalogue. It also includes all professional training not included in the National Qualifications Catalogue.

In line with the purpose of the Convention Against Discrimination in Education, the following National Plans and Strategies are highlighted:

- II Plan for the Integration of Immigrants, 2010-2013 (Resolution of the Council of Ministers no. 74/2010, of 17th September);
- Strategic Plan for Migrations, 2015-2020 (Resolution of the Council of Ministers no. 12-B/2015, of 20th March);
- IV National Plan for Equality, Gender, Citizenship and Non-Discrimination, 2011-2013 (Resolution of the Council of Ministers no. 5/2011, of 18th January);
- V National Plan for Gender Equality, Citizenship and Non-Discrimination, 2014-2017 (Resolution of the Council of Ministers no. 103/2013, of 31st December);
- IV National Plan against Domestic Violence, 2011-2013 (Resolution of the Council of Ministers no. 100/2010, of 17th December);
- V National Plan for the Prevention and Combat against Domestic and Gender-based Violence, 2014-2017 (Resolution of the Council of Ministers No. 102/2013, of 31st December);
- III National Plan for the Prevention and Combat of Trafficking in Human Beings, 2014-2017 (Resolution of the Council of Ministers no. 101/2013, of 31st December);
- National Strategy for Education for Development, 2010-2015 (Order no. 25931/2009, of 26th November);
- National Strategy for the Integration of Roma Communities, 2013-2020 (Resolution of the Council of Ministers no. 25/2013, of 17th April) – This plan set a number of priorities such as: "Ensuring access to pre-school education", "Promoting furthering of secondary education and encouraging higher education", "Preventing early school leaving", "Ensuring access to lifelong learning". Those priorities are not, however, unique to the Roma community, as they apply to all children and young people in vulnerable settings.

Also underway is the **Programme for Health Promotion and Health Education**, which aims to promote health literacy and attitudes and values leading to healthy behaviours, highlight behaviours that lead to healthy lifestyles, create environmental conditions for a Health Promoting School and make available universal access to health education in schools.

Note that Portugal has, over the last years, made efforts to:
- Generalise secondary education as the minimum level of qualifications of the population;
- **Strengthen lifelong learning opportunities** for all and at all levels and types of learning;
- Value the processes of recognition, validation and certification of competences (RVCC);
- **Invest in double certification** because of its strong contribution to increasing the qualification of the Portuguese population;
- **Ensure a smooth transition between education and training and employment**, by strengthening cooperation between public services, enterprises and training providers;
- Anticipate and identify qualification needs for the future;
- **Develop adequate guidance systems** with mechanisms for insuring quality and proximity.

Currently, competences and human capital are the motor of economic growth, social inclusion and sustainable employment, and the priorities of the XXI Government of Portugal are reflected into policies that seek to guarantee equal access for all children to the public school, promote educational success for all and overcome the qualifications deficit of the Portuguese population.
3. Measures

3.1. Non-discrimination in the field of Education

In the Statute of the Student and School Ethics, the principle of non-discrimination is enshrined as a right and a duty, and differences in treatment are prohibited:

"The pupil has the right to be treated with respect and correction by any member of the educational community and cannot, under any circumstances, be discriminated against on the basis of ethnic origin, health, gender, sexual orientation, age, gender identity, economic, cultural or social condition or political, ideological, philosophical or religious beliefs" (Article 7th, paragraph 1. a) of Law no. 51/2012, of 5th September).

On the other hand, the student has the duty to "Treat with respect and correction any member of the educational community, being under no circumstances discriminated against on the basis of ethnic origin, health, gender, sexual orientation, age, gender identity, economic, cultural or social condition or political, ideological, philosophical or religious beliefs" (Article 10th, paragraph d)).

Within the scope of the Teaching Career Statute (ECD), teachers have, towards pupils, the specific duty of: "Respect the personal dignity and cultural differences of students by valuing different knowledges and cultures, preventing exclusion and discrimination" (Article 10th of the ECD – as set by Law no. 41/2012, of 21st February).

At the same time, some higher education institutions also laid down Codes of Ethics which include, for example, the duty of impartiality, the promotion of equal opportunities and non-discrimination, Social Responsibility Management Systems, Regulations towards supporting Students with Special Education Needs, Regulations concerning the Statute applicable to students with disabilities, in order to meet the specific needs of these students, or even guarantee in some courses, in the selection and recruitment process, equal opportunity of access by gender, allocating half the places in each of these courses to each gender, and then applying ordering criteria.

Regarding resident foreign citizens\(^6\), Portugal has had Portuguese language courses for foreigners for several years, since it considers the right to learn the host country’s language to be a priority.

Moreover, with the approval of the legal system of the National Qualifications System by Decree-Law no. 396/2007, of December 31st, Portuguese language courses for Speakers

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\(^6\) In Portugal 83.5% of the resident foreigners are part of the potentially active population (preponderance of the 20-39 age group, composed predominantly by women: 53.0%).
(adult) of Other Languages were created (Ordinance No. 1262 / 2009, of October 15), integrated in the National Qualifications Catalogue and promoted by public schools and by the training centres of the Institute for Employment and Vocational Training, (IEFP, IP).

The achievement of the A2 linguistic proficiency level attests the user knowledge of the Portuguese language, as required by Decree-Law no. 237-A/2006, of December 14th, which approves the Regulation of Portuguese Nationality, and by Regulatory Decree no. 84/2007 of 5th November, which regulates the legal regime for entry, stay, departure and removal of foreigners from the national territory.

In Higher Education, Decree-Law 204/2009, of August 31st, extended the scope of application of the system of direct and indirect Social Action support, allowing the elimination of any type of barriers or nationality-based discrimination, and extend the scope of social support in the context of the current economic crisis.

At present, in addition to national citizens, the following also benefit from Social Action support in Higher Education: (i) citizens who are nationals of European Union Member States who are permanent residents in Portugal, and their families; (ii) third-country nationals who are holders of a permanent residence permit or who are long-term residents; (iii) stateless persons and beneficiaries of political refugee status.

In order to facilitate the mobility of students and graduates, Decree-Law no. 341/2007, of 12th October, was adopted which, in conjunction with Decree-Law no. 283/83 of 21st June, introduced an innovative regime for the automatic recognition of foreign academic degrees, allowing foreign degree holders to benefit from the full rights of the Portuguese License, Masters and Doctorate degrees.

In view of the current migratory crisis and the growing number of refugees, a number of measures are under way with a view to their reception and inclusion:

- Extraordinary educational measures for the integration of refugee children and young people in Portuguese schools. In addition to the specific guidelines for the granting of equivalence of foreign qualifications, a progressive integration into the Portuguese curriculum is foreseen, along with a reinforcement of Portuguese language learning. In the application of these measures, a priority is given to the rapid integration of students in the entire curriculum of their schooling grade;

- The “Not Just Numbers“ Project, which seeks to foster knowledge about migration and asylum in the European Union, promote informed knowledge and stimulate debate and discussion with teachers and educators as well as students (aged 12 to 18). The revision
and adaptation of the Portuguese version of the educational materials are available at http://www.dge.mec.pt/agenda-europeia-para-migracoes#5_Recursos;

- Conclusion of a cooperation protocol between the National Agency for Qualifications and Vocational Education\(^7\) (ANQEP) and the Platform for Support to Refugees.

Within the framework of this protocol, it is the responsibility of the network of Centres to ensure all necessary procedures for the information, guidance and referral, to the available qualification paths, of the refugees that Portugal welcomes.

To this end, the Agency facilitated information sessions with the coordinators/representatives of the promoters of these Centres and produced a leaflet for refugees. The purpose of these sessions was the preparation of the teams for an adequate referral of refugees, taking into account aspects such as the culture of migrants, their qualifications, skills obtained in an informal and non-formal way, and the geographical proximity of existing qualifications solutions and the hosting entities.

3.2. Equal opportunities in Education

In the recent past, Portugal has developed a set of measures to ensure equal access to all, in all levels of education, through measures of positive discrimination related to, for example, gender equality, educational needs of the most disadvantaged and/or vulnerable groups, migrants, and others, thus ensuring inclusive education.

Educational Territories for Priority Intervention Programme (ETPIP)

This measure implemented in Portugal since 1996, has grown and has been adapted to the needs of learners and schools in disadvantaged contexts.

The third generation of the ETPIP (ETPIP 3), launched in 2012 by Executive Order no. 20/2012, of October 3rd, sets the following objectives: (i) improving the quality of learning as reflected in the students’ educational success; (ii) tackling school leaving and early leaving from the education system; (iii) creating conditions that enable educational guidance and the transition from school to active life by obtaining a professional qualification; and (iv) progressively articulating school action with the action of the stakeholders from the educational territories for priority intervention.

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\(^7\) ANQEP, I.P.: Entity that, in Portugal, has competences in the coordination of the implementation of the policies of education and vocational training of young people and adults, and also in the development and management of the system of recognition, validation and certification of competences, operated by the national network of existing Centres for Qualification and Vocational Education
Currently this measure supports 17% of Portuguese schools implanted in socio-economic and cultural contexts markedly disadvantaged. As of 2010, these schools are characterized by:

- more than 10% of students not having Portuguese as their mother tongue;
- less than 5% of mothers having attained 12th grade or a higher education degree;
- more than 10% of the total number of ethnically gypsy/Roma students;
- systematic enrolment and exit of students throughout the year, where more than 10% are in a transfer situation;
- a very significant percentage of students benefiting from support from School Social Action (ASE) - in half of the ETPIP Schools Clusters/ Schools it is equal to or greater than 50%.

Schools within ETPIP develop and implement a Multiannual Improvement Plan (MIP) spanning three school years, with interventions in four axes:

1) Improvement of teaching and learning (focused on the diversification of classroom strategies);
2) Prevention of school leaving, absenteeism and indiscipline;
3) School management and organisation;
4) Relationship between school, family and community.

At the same time, schools can also develop actions to support the full inclusion of immigrants, such as "host classes" or "alpha year", in order to facilitate the acquisition of the fundamentals of Portuguese language, and a basic knowledge about Portuguese history and geography, among other topics.

For children who experience difficulties in school and social inclusion (for example, children from gypsy/Roma communities), "glass walled rooms" (Salas de vidro) may be established. This activity involves the development of neighbourhood activities with children and families, in order to develop language, personal and social skills and competences, and to promote the access and inclusion in pre-school and school education.

**Choices Programme (Programa Escolhas)**

This programme, established in 2001, is promoted by the Presidency of the Council of Ministers and is integrated in the High Commission for Migrations (ACM, I.P.) with the financial support of the Ministry of Education and the Institute of Social Security.

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8 137 school clusters / schools not integrated in clusters.
The purpose of this Programme is the promotion of the social inclusion of children and young people from the most socio-economically vulnerable contexts, particularly children of some ethnic or migrant backgrounds.

The 6th generation of the Choices Program will run until December 31st 2018, and will finance about 90 projects9, covering 54 municipalities and mobilizing more than 840 partners including municipalities, school clusters and the commissions for the protection of children and young people at risk, among others.

Mediators for School Success

This initiative has been promoted by the Association of Entrepreneurs for Social Inclusion (EPIS) since 2007 and is aimed at combating school failure and early school leaving, through a training model for school success addressed to young people at risk who attend the 1st, 2nd and 3rd cycles of Basic Education (Primary and Lower Secondary Education - 6 to 15 years old).

The methodology includes student flagging and the definition of an individual intervention plan focused on the development of non-cognitive skills, considered a prerequisite for school success.

This initiative is currently being implemented (in close cooperation between the Ministry of Education, local authorities, schools and local businesses) in 179 schools involving 3729 students and a team of 167 Mediators with specialized training.

Alternative Curriculum Pathways (ACP) (Decree-Law no. 139/2012 and Executive Order no. 6/2014, of 26th May)

ACPs are a temporary and exceptional measure addressed to students who are in a situation of repeated school failure and present problems of integration in the school community, at risk of marginalisation, social exclusion or school drop-out.

ACP classes, in Basic Education, are attended by pupils up to 18 years of age, with a minimum age of 13 in the 2nd cycle of Basic Education or 15 in the 3rd cycle, and are in the following situations:

a) Repeated school failure;

b) Presence of integration problems in the school community;

c) Threat of risk of marginalisation, social exclusion or school drop-out;

d) Difficulties conditioning learning, namely: strong demotivation, high level of absenteeism, low self-esteem and / or lack of expectations regarding learning and the future, as well as the mismatch between the school culture and its culture of origin.

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9 88 in Portugal and 2 international experiences in Luxembourg and the United Kingdom.
Even more exceptionally, students aged 12 or older, who have not completed 4th grade and are at risk of dropping out and/or social exclusion can join ACP classes. In the 2015/16 school year, 309 ACP classes were in operation, distributed by 149 schools clusters or schools not integrated in clusters.

Integrated Programme for Education and Training (IPET) (Decree-Law no. 139/2012)
This socio-educational and training measure, temporary and with an exceptional character, targets young people aged 15 or more in a school dropout situation, and at least under one of the following situations: at least three years older than the age cohort of the pupils in the same school level; at risk or in danger in accordance to article 2 of Law no. 147/99 of 1st September; under educational tutelary or criminal proceedings.
This training offer constitutes an alternative to the general education offer, and it is an integrated response involving interinstitutional cooperation, comprising the Ministry of Education, the Institute of Employment and Vocational Training and the Social Security Institute. It aims at the reintegration of students in the education system, the compliance with compulsory schooling and/or legal integration in the labour market, through the development of an Individualized Education and Training Plan.
In the 2015/16 school year, 145 IPET classes were operating, distributed by 193 schools clusters/ schools not integrated in clusters, and involving 1540 students.

Teaching for travellers
This measure seeks to combat the social exclusion of pupils who are the children of occupational travellers who, because of the travelling nature of their parents' professional activity, are subject to frequent displacements from their residence and therefore attend a number of schools throughout the school year.
The follow-up and monitoring of the educational pathway of these students, from pre-school to the end of the compulsory education, aims, on one hand, to provide a more adequate response to these families given the characteristics of their itinerant professions, and, on the other hand, to contribute to the school success of these students, guaranteeing the sequence and continuity of their educational pathways, in order to prevent early school leaving.
Through the data base of the children of occupational travellers, mechanisms for collecting information about student learning, necessary to ensure summative assessment at the end of each term, are made available to the enrolment schools, contributing to the school success of these students.

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10 Circus workers, regional markets vendors, itinerant amusement providers, seasonal workers, street vendors, etc.
Distance Learning (DL) (Ordinance no. 85/2014 of 15th April)
An educational/ formative offer for the 2nd and 3rd cycles of Basic Education and Upper Secondary Education, aimed at students who cannot attend in-class teaching and that seeks to find answers that allow access to education, knowledge and capacities development, through the completion of compulsory schooling.

Measures that facilitate the integration of children and young people with different educational needs (Decree-Law no. 3/2008 of 7th January)
Decree-Law no. 3/2008 establishes the right of children and young people with special educational needs to non-discrimination in access to and attendance at regular schools, from pre-school to secondary levels, and the active participation of parents in decision-making throughout the educational process of their children. Among several aspects, it includes:

- Educational measures that integrate the adequacy of the teaching and learning process;
- Specific modalities of education, a specialized educational response developed in schools clusters and secondary schools of the public school network;
- The penalties to be applied if schools do not respect the right of pupils with special educational needs to priority in enrolment, as well as the right to attend kindergarten or school under the same terms of other children;
- The obligation for students who do not follow the common curriculum, drawing up an Individual Transition Plan (ITP), three years before the age limit of compulsory schooling (18 years old).

In 2015, with the publication of the Ordinance no. 201-C/2015, of July 10th, the curricular matrix framing the planning of the individual curricula of these students was defined.

At the same time, the following measures were developed:

- Accreditation of 90 Resource Centres for Inclusion (CRI) that provide special support in the schools regular network, aimed to SEN students and children and young people with disabilities, to teachers and families in partnership with community structures, facilitating access to education, training, work, leisure, social participation and life autonomy, promoting the full potential of each individual.
- Creation of a national network of 25 ICT Resource Centres for Special Needs Education, aimed at assessing students' needs for assistive technologies and provide information / training for teachers and other professionals, as well as families, on the problems associated with different areas of disability or incapacity.
- Recognition of the ICT Resource Centres as prescribing centres (Order No. 5291/2015, May 21th), with reinforced funding for technologies to support students;
Allocation of special needs education teachers and other technicians in regular schools.

Early Childhood Intervention (ECI) (Decree-Law no. 281/2009, of October 6th)
Support for children from 0 to 6 years is ruled by Decree-Law no. 281/2009, of 6th October, which establishes the National System of Early Childhood Intervention (NSECI). This system consists of a set of organized institutional entities to ensure conditions for the development of children with body functions or structures that limit their personal and social participation in typical activities for their age, as well as children with serious risk of developmental delay. The SNIPI works on a coordinated action of the Ministries of Labour, Solidarity and Social Security, Health and Education, with the involvement of NGOs and families. In order to ensure national coverage and universal access to Early Childhood Intervention services, the Ministry of Education has created a network of reference school clusters for the National System of Early Childhood Intervention, as set in Decree-Law no. 3/2008, of January 7th. These School Clusters provide early childhood educators for the constitution of Local Intervention Teams.

Gender equality - Strategies and actions

In the scope of the actions foreseen in the above plans, the following stand out:

- The evaluation, certification and adoption of school textbooks in accordance with the constitutional values, including non-discrimination and gender equality, according to paragraph 2 of article 11 of Law no.47/2006, of August 28th;
- Five Awareness Sessions against Homophobia and Transphobia (2014/2015) involving three thematic areas of Education for Citizenship (Education for Health and

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11 Occupational therapists, speech therapists, physiotherapists, psychologists, Portuguese Sign Language interpreters and teachers, etc.
Sexuality, Education for Gender Equality and Education for Human Rights). About 30 students were involved in each of these activities that also promoted "Dislike Homophobic Bullying Campaign", ran by the Commission for Citizenship and Equality;
- The **Days of Health Promotion and Education**. In 2015, 7 seminars were held with the participation of 390 teachers and technicians and 95 students;
- The realisation of a Workshop in *Póvoa do Lanhoso* (Northern Portugal), under the theme of gender equality and the prevention of gender violence, involving about 150 secondary school students.

### 3.3. Universal primary education and secondary education

In Portugal the right to education of all citizens is enshrined in Article 74th of the Constitution of the Portuguese Republic, as referred to in Chapter I. As a result of this principle, the Comprehensive Law of the Educational System (Law No. 46/86, of October 14th), in paragraph 2 of Article 1st of its current version, establishes that "the educational system is all the means used to provide the right to education, embodied in guaranteed continuous training geared to foster the overall development of personality, social progress and the democratisation of society."

With the publication of the Comprehensive Law of the Educational System in 1986, compulsory education was extended from 6 to 9 years of schooling (or age 16, whichever reached first) and with Law 85/2009, of August 27, compulsory schooling was extended from 16 years to 18 years of age (or the 12th grade, whichever reached first), also foreseeing the universality of pre-school education for children from the age of five.

Law 85/2009, of August 27th, establishes that, in the scope of compulsory education, education is universal and free (Article 3rd, paragraph 1). The gratuitousness covers tuition fees, taxes and emoluments related to enrolment, school attendance and certification of attainment, also providing Social Action to students according to the applicable law (Article 3rd, paragraph 2).

The Framework Law on Pre-school Education (Law No. 5/97, of February 10th) sets Pre-School Education as the first stage of basic education in the process of lifelong learning, and is complementary to the families’ educational action, with which it closely cooperates. The attendance of pre-school education is optional, recognizing the family's primal role in the education of their children.

The recent Law no. 65/2015, of July 3rd (the first amendment to Law no. 85/2009, of August 27th) foresees the universality of pre-school education for all children from the year they reach the age of 4, and establishes the mechanisms for assessing the possibility of extending universality to children from age 3.
Diversity of the training offer

The diversity of the training offer is also conducive to Education for All, increasing equal opportunities. The existing offerings are intended to provide students with appropriate and diversified options adapted to different pathways, such as the orientation for the attendance of higher education or obtaining a professional qualification, taking into account the integral training of students and their inclusion in the labour market (Decree-Law no. 139/2012, of July 5th, in its current version).

In this context, basic education aims at ensuring a general education common to all citizens, providing the acquisition of basic set of knowledge that allows the continuation of studies and which comprises:

a) General basic education;

b) Specialized artistic education courses (SAEC);

c) Vocational education courses;

d) Basic education as recurrent education.

In addition to the aforementioned offers, there are also:

i. Alternative curriculum pathways (previously described);

ii. Integrated education and training program (previously described);

iii. Dual-level basic level courses, namely education and training courses (ETC);

iv. Adult education and training courses (AET courses), oriented towards adult education and training, which aim to raise their qualification levels.

In this way, the possibility of attendance and success was created for all students within general basic education. At the same time, effective equality of opportunities was assured, providing adequate avenues and the necessary support to students in need, aiming at improving their performance levels, reconciling the quality of education with equity in their provision, through the offers mentioned above.

Secondary education aims to provide diversified training and learning and comprises:

a) Scientific-humanistic courses, aimed at the pursuit of higher education;

b) Custom courses, offered by specific schools that adapt their offer to the schools context and local business offers;

c) Specialized artistic courses that, according to the artistic area, aim for the pursuit of studies or for insertion in the labour market;

d) Professional courses, aimed at the professional qualification of the students, privileging the insertion in the labour market, but allowing for the continuation of studies;
e) Secondary education as recurrent education;

f) Vocational education courses;

g) Adult education and training courses (AET), oriented towards education and training for adults who want to raise their qualification levels.

**Vocational Courses at the basic**\(^{12}\) **and secondary**\(^{13}\) **levels** are mainly intended for students over 13 and 16 years of age, respectively, particularly those who have two retentions in the same cycle or three retentions in different cycles, as well as those who, upon completion of basic education, require a more technical offer, especially those who are at risk of dropping out of school. Vocational courses provide qualifications at level 1, level 2 (entry level vocational courses) or level 4 (secondary level vocational courses) of the National Qualifications Framework which, besides a level 4 professional certification, also confer a 12\(^{th}\) grade school diploma and seek to meet the required vocation learning outcomes for the desired profession.

The **Education and Training Courses for Young People** (ETC) were created with the objective of allowing for completing basic or secondary education and at the same time obtaining a professional certification, and target, preferably, young people aged 15 years and over, at risk of dropping out of school or who have already dropped out of the education system before completing secondary education, as well as those who, after completing the 12\(^{th}\) grade, do not have a vocational qualification and intend to acquire it to access the labour market, without prejudice to the possibility of furthering their studies.

These courses are developed by the network of public, private, cooperative and vocational schools, and direct or participative management centres of the Institute of Employment and Vocational Training (IEFP) or other training entities certified by the Directorate-General for Employment and Labour Relations (DGERT), in cooperation with local entities (eg local authorities, companies or business organizations, local or regional associations).

ETCs are flexible training paths of modular structure and variable duration, organized in a sequence of training stages (type 1 to type 7) and adjusted to the interests of the candidates and the needs of the local labour market, the completion of which confers certification of 6\(^{th}\), 9\(^{th}\) or 12\(^{th}\) grades, and a qualification of level 1, 2 or 4 in the National Qualifications Framework. Regardless of the typology, all courses integrate components of socio-cultural, scientific, technological and practical training, the latter corresponding to an internship in a work context, whose objectives are identical to those of their respective counterparts in Vocational Courses.

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12 Ordinance no. 292-A/2012, of 26\(^{th}\) September and Order no. 4653/2013, of 3\(^{rd}\) April.
13 Ordinance no. 276/2013, of 23\(^{rd}\) August and Order no. 5945/2014, of 7\(^{th}\) May.
Professional Courses aim at the development of human resources directly contributing to the economic and social development of the country. These courses are developed in professional schools, school clusters and non-clustered public schools, have a duration of three years, confer a level 4 NQF qualification and are intended for young people who have completed basic education (9th grade) or equivalent and want adequate training to prepare them for entry into the labour market. These courses integrate a training component in a work context that aims at the acquisition and/or development of technical, relational and organizational skills essential to the required performance profile.

Apprenticeship Courses function mainly in direct and participative management centres of the Institute of Employment and Vocational Training and they are established as initial vocational alternance training courses (a regime that promotes the interaction between theoretical learning and practical training and the contexts in which they occur). These courses confer a level 4 NQF qualification.

Specialised Artistic Education Courses are taught in public, private and cooperative education establishments and constitute a subsystem of education in the general framework of the Portuguese educational system, oriented in the double perspective of insertion in the labour market and pursuit of studies.

Thus, with those various training offers, the universality, the gratuitousness and the obligation of those under 18 years of age to attend secondary education, as a minimum level of qualification, are guaranteed. There was a progressive increase in the provision of alternatives more in keeping with the vocational and professional interests of the students and, at the same time, a vocational and professional guidance allowing young people to receive adequate counselling. It should be noted that the provision of training for adults, such as recurrent education and adult education and training courses, has been developed and diversified as a means of certifying and qualifying adults who have not completed their education and training at the adequate school age.

In order to ensure equality of opportunities for school access and success for all children attending pre-school education and pupils in primary and secondary education, Portugal has established a set of measures, implemented through the School Social Action of the Ministry of Education, aimed at promoting measures of socio-educational support for students of...
households whose economic situation mandates the need for financial contributions. Universal support arrangements include food aid, housing, school transportation and school insurance. The annual publication of regulations concerning school social action, of which the latest was Order No. 8452-A/2015, of July 31st, updates the amount of monetary support and regulates the measures, namely the school textbook exchange created in each school or school cluster, as stated in Order No. 11886-A/2012, of September 6th.

In the context of the expansion of compulsory education, the significant diversification of the provision of education and training is contributing to a very positive development in the educational levels of the young population, both in terms of access and quality and in terms of equity concerning the proportion of males and females (see annex). Schooling of the young population at the level of basic education (age group from 6/7 to 14 years old) is practically universal. However, in secondary education the values are still low, due to the fact that only in 2009 compulsory education was extended to 18 years of age or the 12th grade. Likewise, the figure for early school leaving was still high (20.5%) in 2012. A huge effort ensued, resulting in a value of 13.7% in 2015, a recovery of 24.8% referred to 2006. (see annex).

3.4. Higher education
In Portugal, access to public higher education (University and Polytechnic) is free and carried out through a national public competition in which the candidates apply under the same circumstances, according to the following conditions:

- They must be a holder of a secondary education diploma, or legally equivalent qualification;
- To having passed, in the application year or at the previous two years, the national exams corresponding to the entrance subjects required for the different courses and institutions they apply for, or having passed foreign national final exams that may substitute for the mentioned entrance exams;
- Determine the prerequisites if required by the institution for the course to which it will apply.

At the same time, within the competence and autonomy of Higher Education Institutions, there may be:
- Special access competitions, for example: for those aged 23 and older, holders of a diploma of professional higher technician; Holders of a diploma of technological specialization; Holders of
other higher education courses; of the Licence degree holders applying for enrolment in Medicine courses; International students.
- Institutional competitions for access to private higher education.

Under the autonomy regime granted to Higher Education Institutions, the possibility of providing specific support to students with physical or sensory disabilities may be regulated.

3.5. Adult Education and Lifelong Learning

In the context of adult education, the National Qualifications System, adopted in 2007, provides the following qualification modalities:

- **Adult Education and Training Courses** (AETC), intended for people aged 18 years or older at the time of the beginning of the training, and without adequate qualification for entry or progression in the labour market and without having completed Basic or Secondary education.

  The curricular design of these courses is based on key competences referentials - **Key Competence Framework - Adult Education and Training** (Basic and Secondary Education Levels), structured in autonomous modular units of competences. They are developed through double certification courses, with school and professional certification, or through flexible training pathways.

  These courses confer a qualification of level 1, level 2 (AETC Basic Education Level Courses), level 3 or level 4 (AETC Secondary Education Level Courses) of the National Qualifications Framework (NQF). Basic level AETC courses may also grant a 4th grade school certificate, inexistent within the NQF.

- **The National System of Recognition, Validation and Certification of Competences** (RVCC System), created in 2001 (Ordinance no. 1082-A/2001, of 5th September). The school and professional RVCC processes are developed in centres, promoted by entities of a diversified institutional nature and are based on the Key Competence Frameworks - Adult Education and Training (school RVCC- Basic and Secondary Education level), and professional skills references (professional RVCC), available in the National Qualification Catalogue.

  These processes confer a qualification of level 1, level 2 (Basic Education/professional RVCC), level 3 or level 4 (Secondary Education/professional RVCC) of the National Qualifications Framework. The RVCC can also grant a school 4th grade certification that does not correspond to the levels of qualification of the NQF.
The recurrent education modality in Secondary Education scientific-humanistic courses is established in Decree-Law no. 139/2012 and in Ordinance no. 242/2012, of August 10th. This training offer, aimed at those who intend to pursue studies in higher education, promotes lifelong learning and targets adults who did not complete Secondary education, also enabling attendance of students at a lower age, providing that, having reached the age of 16, they intend to attend a modular system in accordance with Article 7 (3) of Decree-Law no. 176/2012 of 2nd August.

With regard to the lifelong learning attendance rate, there was a significant improvement; in 2015, at 9.7%, Portugal stands very close to the average participation in the European Union. The right to alphabetization is guaranteed in Article 23rd of the Comprehensive Law of the Educational System, Law no. 46/86, of October 14th.

In 2001, Portugal had an illiteracy rate of 9%, with a higher incidence rate in women and in the age group of 65 years or older. In 2011, the illiteracy rate decreased to 5.2%, the female population still being the most affected.

In 2010, a basic competences training programme was approved (Ordinance No. 1100/2010, of October 22nd), in order to allow individuals to access qualification offers (AETC Courses, RVCC and Modular Courses) contributing to the social integration of these populations and consequently increase their levels of employability. This training, structured in short-term training units and integrated in the National Qualification Catalogue, aims to promote the acquisition of basic reading, writing and arithmetic competences and an awareness of skills and competences for the use of ICT.

Portugal also implemented the European Agenda for Adult Education (2012-2014), which set as a priority target adults in a situation or at risk of social exclusion, adults with disabilities and the elderly, promoting in 2013/14 a project aimed at raising awareness and involving civil society (training entities, social partners, employers, municipalities, non-governmental organizations, etc.) in the collective effort to improve the level of motivation and participation of this population in lifelong learning activities, and consequently increasing their qualifications.

Five regional workshops were held, with the participation of stakeholders and experts in the area of adult education. A telephone survey of the target audience was carried out and a national seminar was held, where diverse practices and perspectives were presented in the field of adult education and training, creating spaces for reflection and debate.

Continuing the implementation of the European Agenda for Adult Education in 2014-2015, the programme already existing in the National Qualifications Catalogue for the acquisition of basic competences in reading, writing, arithmetic and use of ICT was adapted to a distance learning
format, in order to facilitate the access of a larger number of adults with a deficit in basic competences and thus combat functional illiteracy.

3.6. Quality education

In Portugal there are several educational regulations with the aim of improving the quality of education and training offers, tailoring them to the needs of the target publics.

Within the scope of the Educational Territories for Priority Intervention Programme (previously described in section 3.2), there are actions defined in the Multiannual Improvement Plan (MIP) that focus on how the group is organized, the way teachers work together and learning strategies using active and innovative methodologies. Within the scope of this programme, additional resources are allocated to schools, which may include the hiring of teaching staff and specialized technicians such as psychologists, social service technicians, socio-cultural animators and mediators. In addition, the TEIP Programme provides funding for the training of teachers and non-teaching staff, for the hiring of an external expert (or friendly critic) and for food aid (breakfast, lunch) of needy students. In 2015/16, TEIP schools hired, under the programme, 443 teachers and 275 specialized technicians to meet the challenges and implement their MIPs.

In 2009, the More School Success Programme (MSSP) was launched as one of the alternative pedagogical strategies to deal with school failure in basic education, characterised by the innovation and pedagogical reorganisation of the internal groups of students and teaching teams, the autonomy of schools and their organisational structure, the improvement of school organisational conditions of teaching and learning, the study cycle as a unit of analysis, development of intra and inter-school coordination and regulation mechanisms, and improvement of school results without any requirement. This program is applied through one of three intervention typologies: TurmaMais (MoreClass), Fénix (Phoenix) or Híbrida (Hybrid).

The "Fénix" typology consists of the creation of Phoenix Groups - nests - in which students are temporarily integrated, those who need supplementary support in order to recover their learning, allowing for a more individualized teaching, with respect for different learning rhythms. Nests work in the same school schedule of the origin group. When the expected level of performance is reached, the students return to their original class. At the same time, nests are also created for students with high success rates in order to allow the development of excellence.

The "TurmaMais" typology consists of creating a class without fixed students, temporarily aggregating students from different classes of the same grade, with identical difficulties in a
particular subject. In this kind of ‘turntable’, each group of students is subject to a work schedule similar to that of their original class, with the same workload and the same teacher per discipline.

In the "Hibrida" typology, schools seek to meet the challenge of improving the quality of learning and the success of their students through their own organisational designs. In general, schools support groups of students with different learning rhythms, through changes in teaching practices, fostering more intense student activity, and more diverse classroom communication processes. In many situations a more individualised teaching is promoted, allowing for their learning recovery. Practices of collaborative work among teachers are also promoted, particularly in the disciplines intervened in each school, as well as in the dynamics of the of teachers/class board.


As part of measures to facilitate the integration of children and young people with different educational needs, the Ministry of Education annually ensures the adaptation and distribution of textbooks in accessible formats, both at basic and secondary education levels, and the preparation of materials to support teaching practice.

Under the theme of Gender Equality Education the following initiatives were created:

  Production of teaching materials and guidelines with the aim of integrating the theme of Gender Equality as one of the axes in the guidelines for pre-school education, basic and secondary education. This non-prescriptive document intends to be a supporting instrument, as a framework for the practices to be developed by schools regarding the issues of Gender Equality.

- **"Education, Gender and Citizenship" Training workshop for teachers**
  This workshop, with a duration of 50 hours, had as main objectives the dissemination and implementation of Education, Gender and Citizenship Guidelines, raising awareness of gender stereotypes and integrating this dimension into education. Ten classes were developed at the national level in the 2014/2015 school year, certifying 130 teachers, and another 10 classes in the academic year 2015/2016, certifying 150 teachers.
The theme of Education for Citizenship includes the design and implementation of accredited in-service training actions for teachers in articulation with the Education Reference Frameworks that are being produced. These actions include the promotion of multiple initiatives (Seminars, Conferences, Awareness Actions for teachers and students) in various thematic areas of Education for Citizenship.

Regarding the mechanisms that ensure pupils and students a safe and secure environment, Law No. 51/2012 of September 5th (the Statute of the Student and School Ethics) was published, establishing the rights and duties of the student in Basic and Secondary education and the commitment of parents or guardians and other members of the educational community to their education and training, including the management and prevention of disciplinary occurrences in Portuguese schools.

Under the Educational Territories for Priority Intervention Programme, actions have been carried out to prevent indiscipline and to improve the school environment in the classroom and in the remaining parts of the school, including the development of personal and social competences, the improvement of the management of the pedagogical relationship in the classroom and individual intermediations, with the class group and with teachers, developed by student and family support offices.

The education and training offers described in chapter 3.2 include a strand that aims to promote discipline and adopting good personal and social behaviour, through the adaptation of the curriculum to the students and a close monitoring by the class council, which may also include the recruitment of a Local Intervention Technician (usually a psychologist or social service technician). The practical and professional aspects of vocational courses and of the Education and Training courses have also been an asset for adjusting social behaviour and for the promotion of a school environment suitable for the development of quality learning.

At the Higher Education level, the objective is to ensure the maximum quality of the spaces available to their users. This quality standard applies to the dimensioning of spaces and capacity regulation, as well as to compliance with the rules that proceed from the relevant legislation concerning thermal and acoustic comfort, health conditions, accessibility and safety.

The degree of intervention in public and private higher education buildings is distinct, as the assessment procedure comprises different phases:

1. Thus, in buildings affected to Public Higher Education, the process starts at the analysis of the proposed Preliminary Programme for a particular project. A second stage regards the appraisal of the Execution Project concerning this same initiative.
In the Preliminary Programme the qualitative analysis focuses essentially on the typologies of the proposed spaces, their functionality and interrelationship between them, as well as their capacities and dimensioning, which are measured according to the benchmarks set by the Directorate-General of Higher Education (DGES).

In the analysis of the Execution Project, compliance with the Preliminary Programme, as already approved by the relevant authorities, is assessed, essentially regarding the areas, and the project budget is analysed according to the reference values established by the DGES (permanently updated at current market values).

2. With regard to **Private Higher Education** buildings, the process starts with an application for Authorization of Facilities, where the educational institution intends to perform teaching activities for students enrolled in its study cycles, several documents having to be sent previously, and followed by a final report.

### 3.7. Teaching Staff

Concerning human resources, particularly with regard to teaching staff, we should note the legislation in the field of teachers’ placement (legal framework of placement's competition) and the qualification of the teaching staff in order to ensure the quality of teaching (Statute of the Teaching Career, qualifications for teaching, Teachers’ Performance Assessment and Training).

Decree-Law no. 132/2012, as amended by Decree-Law no. 83-A/2014, of May 23rd, establishes the new regime for the recruitment and mobility of teaching staff in Basic and Secondary education, of trainers and specialised technicians. In this legal document, the management and organisation of human resources are seen as strategic priorities in the operating of the organisational units’ network, allowing the development of school autonomy and the capacity to sustain educational projects, as well as strengthening the valuing of teachers’ work (Duration of the labour contract, mechanisms that promote greater use of the teachers’ capacities).

Decree-Law no. 41/2012, of 21st February, amended the **Statute of the Teaching Career**, particularly in matters pertaining to the establishment of an environment of stability and confidence within schools, the reduction of bureaucracy in working methods and the assessment of administrative practices and processes as applied to the management of Education. That document also defined the main guidelines of the new regime for the assessment of teaching performance. It also aims at encouraging professional development, recognising and rewarding merit and good practices, essential conditions for dignifying the
teaching profession and strengthening teachers' motivation. Subsequently, Law No. 80/2013, of November 28th, constituted the twelfth amendment to the Statute of the Career of Childhood Educators and Teachers of Basic and Secondary Education.

Decree-Law no. 79/2014, of May 14th, as amended by Decree-Law no. 176/2014, of December 12th, established the legal regime governing the professional qualification for teaching in pre-school Education and at Basic and Secondary education.

The Regulatory Decree no. 26/2012, of February 21st, regulated the system for the performance assessment of teaching staff in Pre-school education and Basic and Secondary education.

Decree-Law No. 22/2014, of February 11th, set the current legal regime of in-service teacher training.

3.8. Respect for human rights and fundamental freedoms

With regard to the full development of the human personality and strengthening fundamental rights and freedoms through education, we must mention two of the organisational principles of the Portuguese educational system, as enshrined in the Comprehensive Law on the Educational System (CLES): “Contribute to the pupil’s fulfilment through complete development of personality, character formation and citizenship (…)” and “Contribute to developing democratic spirit and practice by adopting participatory structures and processes for defining education policy, administering and running the school system and daily pedagogical experience (…)” – respectively paragraphs b) and l) of Article 3rd of the CLES.

Consequently, as regards Education for Citizenship, understood as an integral part of the right to education, the current curricular framework (Decree-Law no. 139/2012, in its current version) reinforces the transversal nature of education for citizenship, as belonging in all components of the curriculum/subject matters, from pre-school to secondary education, and establishes guidelines for contents as well as programmatic orientations, which were then set in the document Education for Citizenship – Guidelines, published in December 2012 and updated in November 2013, including 15 dimensions of citizenship. Several Reference documents have also been published, or are being written, on subjects such as Road Safety Education, Financial Education, Education for Risk Taking, Media Education, Education for Safety, Defence and Peace, Intercultural Education, Human Rights Education, Gender Equality Education, European Dimension of Education, Education for Development, etc.
While Education for Citizenship is not a mandatory separate subject, schools are allowed to decide to offer it as an independent subject within the curriculum of the 1st, 2nd and 3rd cycles of Basic education.

The curricular approach of Education for Citizenship may also take on different forms, depending on the dynamics adopted by schools in the context of their autonomy, including through the development of projects and activities of their own initiative, working together with families and entities that are stakeholders in this context, within the framework of the relationship between the school and its community.

Several initiatives have been undertaken, such as:

- Awareness-raising activities on human rights, in particular on Children’s Rights and on the role, powers and means of access to the Ombudsman. Since 2012, 8 activities were carried out for students, in a partnership between the Ministry of Education (Directorate General of Education - GDE) and the Ombudsman;

- Participation at the Council of Europe’s campaign "No Hate Speech Movement - Youth against online hate speech", that aims to combat all forms of hate speech online, including those that most affect young people, such as cyber-bullying and cyber hate. This European campaign, coordinated by the Portuguese Institute for Sports and Youth and ran by a national committee that includes several public bodies, including the Ministry of Education, and civil society organisations, was launched in 2012 and will continue until 2017.

- The "Intercultural School Label" Competition, that every year awards a digital label to schools that were recognised for good practices regarding the promotion of diversity as an opportunity and a way for learning to all students. It is a joint initiative of the Ministry of Education and the High Commission for Migrations, I.P., in partnership with the Aga Khan Portugal Foundation having, in all three editions, presented the award to 44 schools;

The right of pupils to participate in school life is visible through the representation of students in the General Council and in the Class Councils. The students’ right to participate in school life and have a voice on the issues that affect them is also exercised through their class “delegates” (elected by the students), the Council of Class Delegates and the Students’ Assemblies, in accordance to the respective School Internal Regulation (written with the participation of the students), as well as through Students’ Associations.
The student's right to participate in the school life is effectively in practice, and does not end in the mechanisms of representation provided for by the relevant legal instruments (namely, the Regulation of Autonomy, Administration and Management of Public Establishments of Pre-School, Basic and Secondary Education - Decree-Law no. 137/2012, of July 2\textsuperscript{nd} - and in the Statute of the Student and School Ethics - Law no. 51/2012, of September 5\textsuperscript{th}).

3.9. Private Education

Law No. 9/79, of March 19\textsuperscript{th}, marked the beginning of the process of Private and Cooperative Education. The Statute of Private and Cooperative non-higher Education, approved by Decree-Law no. 553/80, of November 21\textsuperscript{st}, was subject to successive amendments and was revoked by Decree-Law no. 152/2013, of 4\textsuperscript{th} November, with a view to updating and regulating the reality of the universe of private education, allowing for greater openness between private schools and the Ministry of Education.

The Directorate General for School Management (DGAE), within the scope of its competences and in accordance with Article 5 of Order no. 30/2013, of January 29\textsuperscript{th} has, among other attributions, the promotion, management and monitoring of the execution of simple, development and association contracts celebrated with private and cooperative schools. Law 9/79 of 19\textsuperscript{th} March and Decree-Law no. 152/2013 of 4\textsuperscript{th} November provide the framework of the following types of contracts:

- **The purpose of the Simple Contracts** is to support economically disadvantaged families who, when exercising their right to choose their children's educational process, opt for their inclusion in private and cooperative schools. These contracts are regulated by the Decree-Law no. 152/2013 of November 4\textsuperscript{th}, and by Order no. 6514/2009 of February 27\textsuperscript{th}, in conjunction with Order no. 269/2014 of December 19\textsuperscript{th}, and may all cycles (from the 1\textsuperscript{st} cycle of Basic Education to Secondary education).

- **Development Contracts** are regulated by Decree-Law no. 152/2013 of 4\textsuperscript{th} November and Decree-Law 147/97 of 11\textsuperscript{th} June, which established the legal regime for the development and expansion of Pre-school education and regulated the respective system of organisation and financing, and are intended to support families, in particular the economically disadvantaged ones.

- **Programme Contracts**, regulated by Decree-Law no. 173/95, of July 20\textsuperscript{th}, co-finance Pre-school education, but in this case the financing budget is attributed per classroom. They exist only in the Central Portugal, Alentejo and Algarve regions, and their financial amount, as well as the number of students who benefit from this type of contract, is residual, being gradually replaced by Development Contracts.
• Association Contracts, governed by Decree-Law No. 152/2013 of 4th November, and by Order No. 172-A / 2015, of 5th June, are designed to enable the frequency of private and cooperative schools under the same conditions of education provided in public schools, while respecting the specificity of the respective educational project, in areas where public schools do not exist or are unable to cater for all prospective students. The granting of financial support is formalised through a contract between the Directorate General for School Management and the beneficiary. The amount of financial support, to be granted under these contracts, is fixed per classroom. Actually the cost of the classroom/year is € 80,500.00. These contracts only finance classrooms of 2nd and 3rd cycles of Basic education and Secondary education.

3.10. Rights of national minorities and language teaching and learning

As a starting point, it should be mentioned that in Portugal there are no establishments run by minorities or for minorities. The official languages are Portuguese, “Mirandês” and Portuguese Sign Language, although the only official language for schooling is Portuguese. In the Land of Miranda14, “Mirandês” is studied in schools, within the scope of the School offer or as a complementary offer.

With regard to foreign languages, the study of English as a subject is compulsory from 3rd grade, following Article 1st of the Decree-Law no. 176/2014, of December 12th, which sets the second amendment to Decree-Law no. 139/2012, of July 5th, and extends English language learning until the end of the 3rd cycle of Basic education. The learning of a second foreign language is compulsory in the 3rd cycle of Basic education. Schools, according to their existing human resources, may provide the offer of the following foreign languages: German, Spanish and French.

In Secondary education, students may continue to study the first or second foreign language, or begin the study of a third foreign language. Some projects in the field of Mandarin Chinese language learning have been implemented, both in primary and secondary education. In the case of secondary education, this constitutes a pilot project, but integrates the curricular offer as ‘Foreign Language II or III’.

14 Historical name of the territory, in Northern Portugal, inhabited by speakers of “Mirandês”, comprising an area of about 500 Km2
Measures to integrate students of mother language other than Portuguese

Within the framework of the various educational policy guidelines aimed at promoting equity in access to the basic education (from ages 6 to 15) and secondary education (from ages 16 to 18) curricula, set forth in articles 20th and 21st of Decree-Law no. 139/2012, of July 5th, in its current version, and in article 4th and in article 5th of Decree-Law no. 176/2012, of August 2nd, several measures targeting migrant students newly arrived to the education system were set up.

In order to improve the educational success of immigrant children, the Ministry of Education and Science implemented educational policies regarding the acquisition of the Portuguese language, as an object of study and as a language of schooling, through the offer of the school subject Portuguese as a second language (Português Língua Não Materna - PLNM). The intention is therefore to ensure that all children that are non-native Portuguese speakers have equal conditions to follow the school curriculum and achieve educational success, no matter what their mother language, culture, social background, origin and age.

The subject of Portuguese as a second language (PLNM), is offered from the 1st cycle of Basic education to the end of secondary education, in order to provide a rapid and effective systemic answer to the pressing needs of these students, who are in a disadvantaged situation compared to students who are native speakers of Portuguese and have been following the national curriculum.

Immigrant children placed in the A1, A2 and B1 language levels, according to the Common European Framework of Reference for Languages, can also benefit from specific assessment criteria as well as final exams in the Portuguese language subject adequate to their language level.

This educational measure aims to promote, directly or indirectly, the social integration of the immigrant children and their family in the community.

Seeking to overcome some difficulties in the provision of specific activities, a series of distance-learning courses were established for pupils of the 1st, 2nd and 3rd cycles of Basic education as part of PLNM, in conjunction with the Ciberdúvidas da Língua Portuguesa/Ciberescola portal and some school clusters.

Aiming at improving the educational provision in this area, a study evaluating the impact of PLNM and its prospective measures was carried out, finding that the success rate for PLNM students at the basic and secondary levels during the 2011-2012 school year was around 80%.

3.11. The Convention and Recommendation

The “Education for All” report has listed many of the aspects / programmes / activities related to non-discrimination and the creation of equal opportunities, included in this report.
The dissemination of international reference documents in the field of education is an integral part of the initiatives promoted in Portugal, through various education bodies:

- Directorate General of Education (Direção-Geral da Educação):
  http://www.dge.mec.pt/educacao-para-a-cidadania/documentos-de-referencia;
- Directorate General of Higher Education (Direção Geral do Ensino Superior);
- National Council for Education (Conselho Nacional de Educação);
- National Agency for Qualification and Vocational Education (Agência Nacional para a Qualificação e o Ensino Profissional);
- Directorate General for School Management (Direção Geral da Administração Escolar):
  http://www.dgae.mec.pt/_main/
Abbreviations:

CPR – Constitution of the Portuguese Republic http://www.en.parlamento.pt
CLES – Comprehensive Law on the Education System
ETPIP - Educational Territories for Priority Intervention Programme
MIP – Multiannual Improvement Plan
ACM – High Commission for Migration http://www.acm.gov.pt/inicio
EPIS – Entrepreneurs for social inclusion http://www.epis.pt/homepage
ACP - Alternative Curriculum Pathways
IPET - Integrated Programme for Education and Training
ECI - Early Childhood Intervention
ETC – Education and training courses
AET – Adult education and training
SPCE – Statute of Private and Cooperative non-higher Education
PLNM – Portuguese as a foreign language (Português Língua Não Materna)
Characterization of the foreign population with resident status in Portugal

In Portugal, according to the latest data released by the National Statistics Institute (NSI), in 2014 there were 390,113 foreign residents, with a trend towards a decrease in the number of foreigners residing in Portugal (-1.5%).

By gender, the trend towards parity that was evident in recent years has seen an inflection with an increase of about 3.0% of the difference between the number of female (51.5%) and males (48.5%).

<table>
<thead>
<tr>
<th>Reference date</th>
<th>M/W</th>
<th>M</th>
<th>Y</th>
<th>N.º</th>
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<td>414610</td>
<td>205385</td>
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Source: NSI
Characterization of the population in primary and secondary education
Distribution of students enrolled by gender and level of education in Portugal (2013/14)

Schooling of the population aged 3 to 17 in Portugal (2000/01 and 2013/14); Percentage of population schooled (by level of education) and unschooled by age

Early school leavers (18-24 years), by gender, in Portugal (%) (2002 to 2015)

Source: Directorate-General for Statistics in Education and Science (DGEEC)
Source: Eurostat (2002-2010); NSI (2011-2015)
Adult education

As regards the attendance of lifelong learning, that is, the percentage of working-age adults who attended training actions in the last year, there was a significant improvement, Portugal currently being very close to the European Union average for this indicator (EU average in 2015: 10.7%).

![Lifelong learning (Series 2011 -%) Annual](image)

**Illiteracy rate, total and by gender**

<table>
<thead>
<tr>
<th>Years</th>
<th>Total (Nº)</th>
<th>Total (%)</th>
<th>M (Nº)</th>
<th>M (%)</th>
<th>Y (Nº)</th>
<th>Y (%)</th>
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<tr>
<td>2001</td>
<td>838 140</td>
<td>9.0</td>
<td>281 889</td>
<td>6.3</td>
<td>556 251</td>
<td>11.5</td>
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<tr>
<td>2011</td>
<td>499 936</td>
<td>5.2</td>
<td>159 705</td>
<td>3.5</td>
<td>340 231</td>
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Source: NSI, Labour Force Survey

Source: Census 2001; 2011
### Statistical Data on Private and Cooperative Education - Continent

<table>
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<tr>
<th>REGION</th>
<th>Contract Type</th>
<th>Nº of Establishments with simple and development contracts</th>
<th>Nº of Establishments with association contracts</th>
<th>Nº of Establishments with Programme Contracts</th>
<th>Number of Students per Contract Type</th>
<th>Total students by Region</th>
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Source: DGAE/DSEPC, in 17-05-2016
Secretaria-Geral da Educação e Ciência