



Inclusive Education in Brazil: Between the Normative Ideal and Evidence-Based Practice

Paloma Xavier Kawakami  

Graduate Program in Inclusive Education (PROFEI), Universidade Estadual Paulista “Júlio de Mesquita Filho” (UNESP), São Paulo, São Paulo

Correspondence

Paloma Xavier Kawakami
E-mail: palomaxavier@live.com

Abstract

This article analyzes the National Policy for Special Inclusive Education, established by Decreto nº 12.686/2025, investigating the persistent gap between its robust normative framework and the practical challenges of its implementation in the Brazilian educational system. Through a qualitative approach based on systematic document analysis and a narrative literature review, the study examines the structural tension between legal norms and the everyday reality of public school networks. The results reveal a critical scenario characterized by overcrowded regular classrooms, a chronic shortage of teacher training to meet the growing demand for special education enrollments, and the increasing use of litigation as a reactive mechanism for guaranteeing fundamental rights. The discussion elaborates on the concept of pedagogical exclusion—a phenomenon in which the student is physically present but excluded from learning processes—and analyzes the role of Evidence-Based Practices (EBP) as a central element for achieving qualitative school inclusion. The study also highlights the importance of early intervention and the organization of a continuum of educational services. It concludes that overcoming these challenges requires shifting the focus from the mere production of norms to the qualified implementation of existing policies, ensuring not only the right to access but also the effective right to learn and to develop throughout the student's educational journey.

Keywords:

Inclusive Special Education; Public Policies; Evidence-Based Practices; Teacher Training; Judicialization of Education.

INTRODUCTION

The enactment of Decreto nº 12.686, on October 20, 2025, which establishes the National Policy for Special Inclusive Education, is situated within a historical context marked by significant normative advances in the field of the rights of persons with disabilities in Brazil. Aligned with international benchmarks such as the Salamanca Statement (1994) and the Convention on the Rights of Persons with Disabilities, the decree reaffirms the Brazilian State's commitment to guaranteeing the right to education within an inclusive educational system, recognizing the regular school as the primary space of schooling for students with disabilities, autism spectrum disorder (ASD), and giftedness or high abilities.

From a legal standpoint, the policy consolidates principles already established in the Constituição Federal of 1988, in the Lei de Diretrizes e Bases da Educação Nacional, and in the Lei Brasileira de Inclusão, reinforcing the transversal nature of special education, the removal of barriers to learning and participation, and the responsibility of public authorities to provide educational supports. It is, therefore, a broad, coherent normative framework aligned with the human rights paradigm, which recognizes inclusive education as the rule rather than the exception.

However, the historical experience of special education in Brazil demonstrates that the existence of progressive legislation has not been sufficient to ensure, in practice, the right of students who are the target audience of special education to learn: over the past decades, there has been a proliferation of laws, policies, and guidelines that, although advanced in their content, have resulted in implementation processes that are fragmented, unequal, and heavily dependent on the local conditions of school networks. Data from INEP (2023) reveal that, although enrollments in special education have reached 1.7 million, approximately 94% of basic education teachers lack specific continuing education to meet the demands of this population (MEC, 2022)—a gap that is also reflected in indicators of retention, progression, and school completion, marked by trajectories of cumulative exclusion, especially among students with greater support needs. Classroom overcrowding, the limited availability of specialized resources, and the fragility of intersectoral coordination among education, health, and social assistance further compound this situation, highlighting the distance between the normative framework and the real conditions of schooling (Lacerda, 2022; Liberalesso & Lacerda, 2020)—a distance that remains one of the main challenges of contemporary inclusive education.

In this context, school inclusion runs the risk of being reduced to a predominantly administrative and statistical logic centered on enrollment, without ensuring effective conditions for teaching and learning. Such dynamics have been described in the literature as pedagogical exclusion, a phenomenon in which the student is physically present in the regular school but does not participate in a meaningful way in educational practices. This process most intensely affects students with autism spectrum disorder and other conditions associated with intensive and pervasive support needs, especially when early, intensive, and functionally oriented interventions are not provided.

Another central element of this scenario is the growing judicialization of special education. This pedagogical exclusion is also manifested in the insufficient administrative provision of supports established by law—such as Atendimento Educacional Especializado (AEE), school support professionals, and pedagogical adaptations—leading many families to turn to the Judiciary as a strategy to secure basic educational rights. Although this recourse ensures rights at the individual level, it exposes systemic failures in the implementation of public policies, deepens social inequalities, and shifts onto families the burden of claiming rights that are already guaranteed by law.

In light of these tensions, the contemporary debate on inclusive education demands a shift of focus from the mere guarantee of access to the quality of the educational responses offered. This entails discussing not only where the student is enrolled, but whether the educational context in which they find themselves is capable of promoting learning, development, and participation. Such reflection requires the incorporation of Evidence-Based Practices (EBP), the strengthening of teacher training, the organization of effective pedagogical supports, and the recognition of the heterogeneity of the special education population.

In this sense, the discussion on the need for a continuum of educational services becomes increasingly relevant—one in which the regular school is prioritized, but in which specialized services and schools also coexist for specific cases, especially when the student does not benefit, at a given moment in their trajectory, from schooling exclusively within the regular classroom. The absence of early and intensive pedagogical alternatives may result in the loss of fundamental learning opportunities, particularly in early childhood, a decisive period for overall development.

In view of this scenario, this article aims to critically analyze the National Policy for Special Inclusive Education established by Decreto nº 12.686/2025, examining the structural, pedagogical, and institutional challenges that compromise its realization. It proceeds from the thesis that effective school inclusion depends on conditions that go beyond the production of norms, requiring qualified implementation, evidence-based teacher training, intersectoral coordination, and educational decisions guided by the best interest of the student. By shifting the debate from whether to include to how to include, the study seeks to contribute to the construction of inclusive policies and practices that guarantee not only the right to be in school, but the right to learn throughout the entire educational trajectory.

In this context, the present study proposes the notion of inclusion that is normatively guaranteed yet pedagogically insufficient as an analytical category for understanding the distance between legal discourse and the actual conditions experienced by students in schools who are the target audience of special education in Brazil. This notion makes it possible to show that the universalization of access, although fundamental, does not in itself ensure the learning, participation, and functional development of students, requiring the coordination of public policies, evidence-based pedagogical practices, and adequate structural conditions.

METHODS

This study adopted a qualitative approach, combining document analysis and a narrative literature review. The articulation of these methodological strategies made it possible to examine, in an integrated manner, both the normative content of the analyzed policy and the educational context in which it is embedded.

In addition to the document analysis, the study incorporated a critical analysis of secondary data from official sources, such as the Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira (INEP), the Instituto Brasileiro de Geografia e Estatística (IBGE), and public reports from the Judiciary. These data were used in a descriptive and interpretive manner, with the aim of empirically contextualizing the structural challenges of implementing the inclusive special education policy, without any claim to statistical generalization.

The narrative literature review focused on scientific works published mostly over the last decade (2015-2025), ensuring the timeliness of the debate in light of the Lei Brasileira de Inclusão and the new

regulatory framework of Decreto nº 12.686/2025. The selection of sources considered academic works published primarily between 2015 and 2025, in Portuguese and English, using the following keywords "inclusive education," "special education," "evidence-based practices," "judicialization of education," and "continuum of educational services," and also included normative documents and classic works regarded as references for the field. The systematic procedures included an initial search in databases such as SciELO, Google Scholar, and Periódicos CAPES, with refinement by thematic relevance and academic impact. The inclusion criteria adopted were empirical studies with evidence of pedagogical effectiveness or analysis of public policies; and the exclusion criteria were non-systematic reviews or opinions not grounded in evidence. Works predating the temporal scope were included because they constitute classic theoretical and normative benchmarks of the field.

The document analysis focused on Decreto nº 12.686/2025, whose twenty-two articles were examined systematically. The investigation was extended to normative documents that structure special education in Brazil, including the Constituição Federal (Brasil, 1988), the Lei de Diretrizes e Bases da Educação Nacional (Brasil, 1996), and the Lei Brasileira de Inclusão (Brasil, 2015), with the aim of identifying continuities, advances, and possible normative tensions.

In parallel, a narrative review of the academic literature was carried out, prioritizing national and international works related to EBP, teacher training for inclusion, and pedagogical organization in contexts of diversity. Authors whose work has been influential in the contemporary debate on inclusive education were selected, such as Lacerda (2022), Liberalesso and Lacerda (2020), Pazeto et al. (2017), Quedas (2022), Tardif (2014), Bacich and Moran (2018), and Zabala and Arnau (2010). Statistical data were obtained from official sources, such as the Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira (INEP), the Ministério da Educação (MEC), and the Instituto Brasileiro de Geografia e Estatística (IBGE), enabling triangulation among legal norms, scientific production, and empirical reality.

RESULTS

The integrated analysis of the normative framework and the empirical data made it possible to identify four central axes: the legal consistency of the policy, the structural limitations of school networks, the gaps in the organization of educational services across the life cycle—with emphasis on the relationship between early intervention and specialized schooling—and the intensification of the judicialization of special education.

Decreto nº 12.686/2025 reaffirms special education as a modality transversal to all levels and stages of education, establishing Atendimento Educacional Especializado (AEE) as a service complementary or supplementary to schooling in the regular classroom. The normative text assigns to the State the responsibility for removing barriers, guaranteeing accessibility, providing resources, and training teachers, in line with the previous legal provisions that structure the inclusive education policy in the country.

In contrast with the normative solidity, the educational data reveal a scenario of structural precariousness. Information from the Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira (INEP) indicates high average class sizes, associated with the low proportion of teachers with continuing education in special education. Although enrollments in special education surpassed two million in 2024, approximately 94% of basic education teachers lack specific continuing education to

meet the demands of this population. Added to this picture is the limited coverage of Salas de Recursos Multifuncionais (Multifunctional Resource Rooms), essential for the provision of AEE, which undermines the effectiveness of the educational supports established in the policy.

The integrated analysis of these indicators reveals a structural asymmetry between the expansion of enrollments in special education and the capacity of school networks to offer qualified pedagogical support. While the number of students who are the target audience of special education grows continuously, the proportion of teachers with specific continuing education remains low, which undermines the effectiveness of inclusive practices and increases the risk of school trajectories marked by low learning and dependence on extra-pedagogical mechanisms, such as judicialization.

Table 1 summarizes the main structural indicators of special education in Brazil, highlighting the discrepancy between the expansion of access and the capacity of school networks to offer qualified pedagogical support.

Table 1

Indicator	Most recent data	Source
Special education enrollments (basic education)	> 2 million (2023)	INEP (2023)
Percentage of teachers with specific continuing education in special education	~6%	INEP (2023)
Average number of students per class – early years of elementary education (EF)	21.5 students	INEP (2023)
Average number of students per class – final years of elementary education (EF)	25.7 students	INEP (2023)
Multifunctional Resource Rooms (Salas de Recursos Multifuncionais - SRM)	< 25%	MEC (2023)
Brazilian population with some type of disability	18.6 million	IBGE (2022)
Growth of lawsuits related to special education (SP)	Upward trend	TJSP / Tibyriçá & Mendes (2023)

Note: Data compiled from the Censo da Educação Básica (INEP, 2023), the Instituto Brasileiro de Geografia e Estatística (IBGE, 2022), and studies on the judicialization of special education.

The synthesis presented in Table 1 makes it possible to show that the expansion of access to special education in Brazil has not been accompanied by proportional investments in teacher qualification and in the expansion of specialized support services. The combination of overcrowded classrooms, a low proportion of teachers with specific continuing education, and limited coverage of Multifunctional Resource Rooms undermines the effectiveness of inclusive pedagogical practices and increases the risk of school trajectories marked by pedagogical exclusion, low learning, and growing dependence on extra-pedagogical mechanisms, such as the judicialization of the right to education.

Another set of results concerns the organization of educational services aimed at early intervention and specialized arrangements. The document analysis shows that, although the decree recognizes the importance of intersectoral coordination and educational supports, it does not make explicit clear operational guidelines for the provision of intensive early interventions or for the definition of differentiated educational arrangements, such as the specialized school, in cases in which the student does not benefit from schooling exclusively in the regular classroom. The analysis indicates that most students who are the target audience of special education are placed directly in the regular school, regardless of their level of functional impairment or their need for intensive support.

The data analyzed indicate that, especially in early childhood—a period recognized as critical for development—many students begin their school trajectory in contexts that do not offer systematic, intensive, and functionally oriented interventions. In many cases, the absence of early specialized alternatives results in the student's prolonged placement in the regular school without consistent evidence of academic or adaptive progress. This scenario is particularly observed among students with intensive and pervasive support needs, for whom early specialized intervention could favor significant developmental gains and expand future possibilities of schooling in less restrictive contexts.

Furthermore, the scarcity of specialized services and the absence of clear criteria for the management of places in these settings have led to student transfers and discharges who require ongoing, long-term support. Such dynamics suggest that the lack of a structured policy of early intervention and of organization of the continuum of educational services undermines both the effectiveness of interventions and equity in access to specialized resources.

Finally, another relevant result concerns the judicialization of special education. Tibyriçá and Mendes (2023), in studies that analyzed decisions of the Tribunal de Justiça de São Paulo (TJSP) on lawsuits related to special education in the recent period, show that judicialization is not a phenomenon restricted to certain regions of the country, but is also relevant in the context of the Brazilian Southeast. Research on rulings issued by the TJSP indicates a significant volume of lawsuits in which families seek to guarantee educational rights, focusing on demands for specialized services, support professionals, and pedagogical adaptations, further illustrating the broader phenomenon of judicialization observed in other regions of the country.

DISCUSSION

The results of this study reveal a structural dissonance between the National Policy for Special Inclusive Education, established by Decreto nº 12.686/2025, and the concrete conditions of its implementation in public school networks. Such dissonance is not limited to isolated management failures, but expresses a historical problem of Brazilian special education: the coexistence of a robust normative framework with pedagogical practices weakened by structural, training-related, and organizational limitations.

The enrollment of students with disabilities, autism spectrum disorder, and other conditions in overcrowded regular classrooms, without consistent pedagogical support and without adequate teacher training, may constitute what Lacerda (2022) defines as pedagogical exclusion. In these cases, the student is physically placed within the school environment but does not participate effectively in the teaching and learning process, which undermines the very right to quality education. Inclusion, thus, comes to satisfy a formal and statistical requirement, without producing significant impacts on the academic, functional, and social development of the student.

This scenario is corroborated by population and educational data indicating school trajectories marked by persistent inequalities between people with and without disabilities. Information from the IBGE indicates that a significant portion of the population with disabilities does not complete basic education, and only a small fraction reaches higher education. These data reinforce the understanding that educational exclusion does not occur only at the moment of access to school, but intensifies throughout the school trajectory, especially when there are no pedagogical interventions appropriate to the students' specific needs.

In this context, the centrality of Evidence-Based Practices (EBP) emerges as a fundamental element for the realization of school inclusion. Among the essential EBPs, Structured Teaching, Applied Behavior Analysis (ABA), and Universal Design for Learning (UDL) stand out—tools that allow the personalization of teaching without undermining the inclusive nature of the educational environment. The transition from pedagogical exclusion to qualitative inclusion depends on the adoption of strategies whose effectiveness is scientifically demonstrated. The literature indicates that the implementation of Universal Design for Learning (UDL) and of interventions based on Applied Behavior Analysis (ABA) provides the technical support needed for the student's physical presence in the regular classroom to be converted into measurable academic and functional progress.

Pazeto et al. (2017) emphasize that teacher training for inclusive education cannot be restricted to generic principles or normative discourses, and must be anchored in pedagogical strategies whose effectiveness is supported by scientific evidence. The absence of such training contributes to intuitive, fragmented, and poorly systematized practices, which prove insufficient in the face of the complexity of the demands present in the regular classroom.

In the field of autism spectrum disorder, Liberalesso and Lacerda (2020) emphasize that effective educational interventions require adequate intensity, continuity, and systematic monitoring, as well as intersectoral coordination among education, health, and social assistance. The fragility of this coordination, evidenced in the results of this study, undermines the effectiveness of public policies and reinforces judicialization as a reactive strategy for guaranteeing rights, shifting onto families the burden of ensuring minimum conditions of educational provision.

Another aspect frequently neglected in inclusive policies concerns the motor barriers that directly impact learning and school participation. Quedas (2022) points out that difficulties related to motor coordination and motor planning significantly interfere with access to the curriculum, especially in activities involving writing, spatial organization, functional autonomy, and participation in school routines. The absence of integrated pedagogical and therapeutic interventions increases barriers to learning and undermines the overall development of the student.

The recurrent judicialization of special education, identified in the results, must be understood as a symptom of these structural weaknesses. By turning to the Judiciary to secure a support professional, access to AEE, or pedagogical adaptations, families make it evident that the administrative implementati-

of the policy has been insufficient. This process, although it ensures rights at the individual level, deepens inequalities and keeps the educational system within a reactive logic, rather than a preventive and planned one.

The significant presence of lawsuits related to special education in the State of São Paulo reinforces the understanding that judicialization constitutes a national phenomenon, associated with the insufficiency of administrative responses to the demands imposed by the public policy of inclusive education. Evidence derived from analyses of decisions of the Tribunal de Justiça de São Paulo, such as those presented by Tibyriçá and Mendes (2023), indicates that families repeatedly turn to the Judiciary to secure educational rights already provided for in the legal framework, such as access to Atendimento Educacional Especializado, the provision of support professionals, and the necessary pedagogical adaptations. The significant volume of demands in the Brazilian Southeast does not indicate merely local failures, but serves as a barometer of families' awareness of rights in the face of the State's inability to provide the support established in Atendimento Educacional Especializado (AEE).

These data broaden the understanding that judicialization is not restricted to historically more investigated regions, such as the Center-West, but is also strongly manifested in contexts of large educational scale, such as the Brazilian Southeast. In this scenario, the complexity and heterogeneity of school networks, combined with the high demand for specialized educational services, amplify both the pursuit of rights and the challenges of implementing inclusive policies, revealing judicialization as an indicator of structural and operational weaknesses of the educational system, and not as an episodic or exceptional phenomenon.

Moreover, the analysis requires confronting a central and still immature debate in the field of Brazilian inclusive education: the recognition that not all students benefit, at every stage of their educational trajectory, from schooling exclusively in the regular school, especially when they present very intensive and pervasive support needs. The defense of inclusion as a principle cannot be confused with the adoption of a single, inflexible model of schooling, at the risk of compromising the fundamental right to learning.

The absence of this possibility in the Brazilian model has led, paradoxically, to the remaining for extended periods of students with high support needs in contexts that do not favor their learning. Furthermore, it is observed that students who require intensive and continuous supports, and who would effectively benefit from remaining in specialized services throughout their educational trajectory, end up having their opportunities restricted, including through discharge from these services. Such dynamics occur, in part, due to the need to open places for students who could be served in the regular school had they had early access to specific, intensive, and functionally oriented interventions. This scenario reveals an inefficient use of specialized resources and reinforces the paradoxical nature of the current model, in which students with greater functional impairment lose fundamental educational opportunities, while others remain for long periods in the regular school without showing significant progress, especially during early childhood, a decisive phase for development and learning.

The concept of a continuum of educational services refers to the organization of different pedagogical and institutional arrangements capable of responding to the diversity and complexity of students' educational needs, without breaking with the principle of inclusive education (Hallahan et al., 2019). In the international literature, this concept is understood as a spectrum of possibilities that includes the regular classroom as a priority, but also provides for specialized services, whether temporary or permanent, when necessary for the overall development of the student, as established in normative

frameworks such as the Individuals with Disabilities Education Act (United States Department of Education, 2004). Such an approach does not presuppose segregation, but the adaptation of the educational context to individual needs, considering pedagogical, functional, and developmental criteria, in line with the principles advocated by the Salamanca Statement (UNESCO, 1994). In the Brazilian context, the absence of a qualified debate on the continuum tends to produce a false dichotomy between inclusion and specialization, when, in reality, both can coexist in a coordinated manner, guided by the best interest of the student (Brasil, 2008).

In educational systems that operate with a continuum of services, schooling in specialized contexts can be offered in an early, planned, and coordinated manner, with periodic assessments that allow the student's transition to the regular school whenever there are pedagogical conditions for it. In this model, the specialized school acts as a center of intensive and transitional support, whose ultimate goal remains the development of competencies that allow the student, whenever possible, to return to or remain successfully in the mainstream school.

From this perspective, the specialized school should not be regarded as a permanent destination, but as a space of intensive intervention guided by the best interest of the student. The decision about the most appropriate educational arrangement must be developed collaboratively, involving the family, the intersectoral team, and the professionals who accompany the student, based on functional assessments and scientific evidence, and not on exclusively administrative or ideological criteria.

The specialized literature has reiterated that early intervention, especially in early childhood, constitutes a decisive factor for the cognitive, communicative, and functional development of children with disabilities and neurodevelopmental disorders, considering the sensitive windows of learning and the plasticity of child development (Shonkoff & Phillips, 2000; Brasil, 2016). In certain highly complex cases, the early provision of specialized educational contexts can favor the acquisition of basic skills that subsequently expand the possibilities of participation in less restrictive contexts throughout the school trajectory (Hallahan et al., 2019; Lacerda, 2022).

From this perspective, the specialized school should not be understood as an excluding alternative, but as one of the possible support devices within a flexible educational pathway, developed through intersectoral coordination and in dialogue with the family, as pointed out by studies on evidence-based educational practices and the organization of educational services. The absence of this possibility in the Brazilian model has contributed to educational trajectories marked by prolonged attempts at formal inclusion in contexts that do not promote meaningful learning, especially in critical phases of child development.

Zabala and Arnau (2010) emphasize that the organization of teaching must consider the diversity of learning paces, styles, and needs, while Bacich and Moran (2018) point out that innovative methodologies only produce inclusive effects when accompanied by intentional planning, qualified mediation, and adequate structural conditions. Tardif (2014), in turn, shows that teachers' knowledge is profoundly influenced by the institutional conditions of work, which reinforces the need for public policies that support teachers in their everyday practice. Thus, the teachers' knowledge mobilized in the implementation of Decreto nº 12.686/2025 cannot be seen as mere individual competencies, but as the result of an ecology of work that depends on infrastructure and institutional support.

In this way, the articulation among Decreto nº 12.686/2025, the empirical data, and the evidence-based literature makes it possible to affirm that the main challenge of inclusive special education in Brazil is not normative, but structural, pedagogical, and cultural. The realization of the policy requires consistent

investment, qualified teacher training, the strengthening of Atendimento Educacional Especializado, effective intersectoral coordination, and responsible recognition of the diversity of educational needs. Without these conditions, inclusion runs the risk of remaining a formally correct yet pedagogically insufficient ideal.

Study Limitations

This study presents limitations that must be considered in the interpretation of its results. First, it is a documentary study and a narrative—rather than systematic—review, which entails a source-selection process that is less protocol-driven and subject to a greater degree of subjectivity in the choice of the studies included, even though inclusion and exclusion criteria were adopted. Second, the analysis of secondary data (INEP, IBGE, TJSP) was carried out in a descriptive and interpretive manner, without inferential statistical treatment, so that the relationships indicated among structural indicators, pedagogical exclusion, and judicialization must be understood as plausible associations, and not as proven causal relationships. Third, the data on judicialization were concentrated predominantly on decisions of the Tribunal de Justiça de São Paulo (TJSP), which limits the generalization of the findings to other federative units with distinct socioeconomic and institutional realities. Finally, since it is a recently established policy, Decreto nº 12.686/2025 still lacks medium- and long-term implementation data, which restricts the assessment of its concrete effects on the educational indicators analyzed. Future studies, with a longitudinal design and national sample coverage, are recommended to deepen the relationships discussed here.

CONCLUSION

The analysis of Decreto nº 12.686/2025 shows that Brazil has a broad and consistent legal framework in the field of inclusive special education, aligned with national and international human rights benchmarks. However, the findings of this study indicate that the realization of these rights remains compromised by persistent structural challenges, such as classroom overcrowding, insufficient teacher training, the fragility of intersectoral coordination, and the limited availability of specialized resources in public school networks.

The results and the discussion demonstrate that the gap between the normative ideal and pedagogical practice has produced scenarios of pedagogical exclusion, in which inclusion is restricted to the physical presence of the student in the regular school, without ensuring effective participation and meaningful learning. Such dynamics most markedly affect students with intensive and pervasive support needs, especially when placed in contexts that do not offer interventions compatible with their developmental demands.

The educational and population data reinforce that the school trajectory of people with disabilities in Brazil is marked by cumulative inequalities, showing that exclusion does not occur only at the point of access to school, but intensifies throughout the educational pathway. In this scenario, early childhood plays a central role, as it constitutes a decisive period for the acquisition of cognitive, communicative, motor, and socioemotional skills. The absence of early, intensive, and functionally oriented interventions can have lasting effects on these students' future educational opportunities.

In light of the contributions of the evidence-based literature, this study maintains that the consolidation of inclusive special education requires shifting the focus from the production of norms to the qualified implementation of existing policies. This entails investing continuously in evidence-based teacher training, strengthening Atendimento Educacional Especializado, ensuring adequate working conditions in schools, and promoting effective coordination among the education, health, and social assistance sectors.

In addition, it becomes essential to recognize, in an ethical and responsible manner, the heterogeneity of the special education population. The adoption of a single, inflexible model of schooling may result in keeping students for long periods in contexts that do not favor their learning, characterizing a prolonged testing of inclusion. In this sense, the provision of specialized schools and services for specific cases, especially when carried out in an early, planned, and coordinated manner, does not constitute a regression, but a condition for the realization of the right to education.

The decision about the most appropriate educational arrangement must be built in a shared manner, involving the family, the intersectoral team, and the professionals who work with the student, based on functional assessments and scientific evidence, always guided by the principle of the best interest of the child. Such a perspective broadens the possibilities of transition to the regular school throughout school life or, when necessary, ensures permanence in specialized contexts that guarantee continuous and qualified interventions.

Ultimately, the consolidation of the National Policy for Special Inclusive Education under Decreto nº 12.686/2025 demands that the educational system transcend the binarism between the regular and the specialized school, focusing on the construction of an ecosystem of supports centered on the functional needs of the student. The effectiveness of this policy will not be measured by the volume of norms produced or by the statistical increase in enrollments, but by the capacity to convert the normative ideal into pedagogical practices supported by evidence that guarantee full development. The ethical commitment of the State and of the school must therefore be to ensure that the right to education is not exhausted in physical access, but is realized in the dignity of learning, respecting the pace and the best interest of each student throughout their entire trajectory.

Therefore, this study concludes that the realization of the National Policy for Special Inclusive Education depends less on the creation of new legal provisions and more on the State's capacity to transform the existing normative framework into concrete, systematic, and evidence-based educational practices. Only through this approach will it be possible to overcome the dichotomy between formal inclusion and pedagogical exclusion, ensuring that all students are guaranteed not only the right to be in school, but the right to learn and to develop throughout their entire lives.

Declaration on the Use of Artificial Intelligence

Generative artificial intelligence tools, including Grammarly and ChatGPT, were used exclusively as linguistic and editorial support during the textual revision and formal adjustment of the manuscript. All analyses, interpretations, and scientific decisions remain the sole responsibility of the author.

Declaration of Conflicts of Interest

The author declares that there are no conflicts of interest of a financial, professional, or personal

nature that could have influenced the development or the results of this study.

Funding Declaration

This research did not receive funding from public, commercial, or not-for-profit funding agencies.

REFERENCES

- Bacich, L., & Moran, J. (2018). Metodologias ativas para uma educação inovadora: Uma abordagem teórico-prática. Penso.
- Brasil. (1988). Constituição da República Federativa do Brasil de 1988. Presidência da República. http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm
- Brasil. (1996). Lei nº 9.394, de 20 de dezembro de 1996. Estabelece as diretrizes e bases da educação nacional. Diário Oficial da União. http://www.planalto.gov.br/ccivil_03/leis/19394.htm
- Brasil. (2008). Política nacional de educação especial na perspectiva da educação inclusiva. Ministério da Educação. <http://portal.mec.gov.br/arquivos/pdf/politicaeducspecial.pdf>
- Brasil. (2015). Lei nº 13.146, de 6 de julho de 2015. Institui a Lei Brasileira de Inclusão da Pessoa com Deficiência (Estatuto da Pessoa com Deficiência). Diário Oficial da União. http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2015/lei/13146.htm
- Brasil. (2016). Lei nº 13.257, de 8 de março de 2016. Dispõe sobre as políticas públicas para a primeira infância. Diário Oficial da União. http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2016/lei/13257.htm
- Brasil. (2025). Decreto nº 12.686, de 20 de outubro de 2025. Institui a Política Nacional de Educação Especial Inclusiva. Diário Oficial da União. http://www.planalto.gov.br/ccivil_03/_ato2023-2026/2025/decreto/D12686.htm
- Hallahan, D. P., Kauffman, J. M., & Pullen, P. C. (2019). Exceptional learners: An introduction to special education (13th ed.). Pearson.
- Instituto Brasileiro de Geografia e Estatística. (2022). Pessoas com deficiência e as desigualdades sociais no Brasil. IBGE. <https://www.ibge.gov.br/estatisticas/sociais/saude/9221-pessoas-com-deficiencia.html?=&t=o-que-e>
- Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira. (2023). Censo da Educação Básica. INEP. <https://www.gov.br/inep/pt-br/areas-de-atuacao/pesquisas-estatisticas-e-indicadores/censo-escolar>
- Lacerda, L. (2022). Ciência e pseudociência no autismo. Memnon.
- Liberalesso, P., & Lacerda, L. (2020). Autismo: compreensão e práticas baseadas em evidências. Movimento Capricha na Inclusão.
- Pazeto, T. C. B., Leon, C. B. R., & Seabra, A. G. (2017). Avaliação de habilidades preliminares de leitura e escrita no início da alfabetização. *Psicopedagogia*, 34(104), 137–147. https://pepsic.bvsalud.org/scielo.php?pid=S0103-84862017000200004&script=sci_abstract
- Quedas, C. (2022). Avaliação e estratégias de intervenção motora no TEA. Editora dos Autores.
- Shonkoff, J. P., & Phillips, D. A. (2000). From neurons to neighborhoods: The science of early childhood development. National Academy Press.
- Tardif, M. (2014). Saberes docentes e formação profissional (17ª ed.). Vozes.
- Tibyriçá, R. F., & Mendes, E. G. (2023). O modelo social da deficiência e as decisões do TJ/SP: Análise a partir de demandas por profissional de apoio. *Revista Brasileira de Educação Especial*, 29, e0052. <https://doi.org/10.1590/1980-54702023v29e0052>
- UNESCO. (1994). The Salamanca statement and framework for action on special needs education. UNESCO. https://unesdoc.unesco.org/ark:/48223/pf0000098427_por