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Amanda da Silva
Head Organizer

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PRESENTATION

Education, at its core, should be an instrument of transformation, equity, and belonging. However, ensuring full and meaningful access to learning for all continues to be one of the greatest challenges faced by educators and administrators around the world.

In an increasingly diverse and complex social scenario, reflecting on inclusion becomes not only necessary, but urgent. *Education and Inclusion, Contemporary Challenges* is essential reading for teachers, undergraduate students, pedagogues, pedagogical coordinators, and other professionals in the educational field. The work invites critical reflection on practices, policies, and possible paths to make the educational environment more welcoming, fair, and accessible to all.

This book is recommended as a valuable resource for those seeking to expand their theoretical and practical repertoire in the face of contemporary dilemmas of inclusion, contributing to a more sensitive, democratic, and transformative education.

SUMMARY

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SCHOOL INCLUSION IN THE FRAMEWORK OF THE NEW LEGAL REGULATIONS IN
CHILE
[José Manuel Salum Tomé](#)
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CHAPTER 1

SCHOOL INCLUSION IN THE FRAMEWORK OF THE NEW LEGAL REGULATIONS IN CHILE

José Manuel Salum Tomé

Doctor of Education

Institution: Universidad Autónoma de Madrid

Address: Temuco, Cautin, Araucanía, Chile

E-mail: josesalum@gmail.com

Orcid: <https://orcid.org/0000-0002-2894-5538>

ABSTRACT: Nowadays, the link between concepts of education and diversity are very far away in schools in Chile, and even more so in the educational policies of the country, which only interests the concept of inclusion as a concept more segregating than inclusive. Three years after it was signed into law by President Michelle Bachelet, on Tuesday, March 1 of this year, the School Inclusion Law officially begins to apply. Doubts, criticisms and marked differences persist from different sectors towards the new regulation that in principle aims to end *profit, selection and co-payment* in subsidized private education establishments and not to the integration and inclusion of students with SEN as the main focus.

KEYWORDS: inclusion, normative, school, legal.

RESUMEN: Hoy en día, la vinculación entre conceptos de educación y diversidad están muy lejos en las escuelas de Chile, y aún más en las políticas educativas del país, que solo interesa el concepto de inclusión como un concepto más segregador que inclusivo. Ya a tres años de que fuera promulgada por la Presidenta Michelle Bachelet, el martes 1 de marzo del presente año, comienza a aplicarse oficialmente la Ley de Inclusión Escolar. Dudas, críticas y marcadas diferencias persisten desde distintos sectores hacia la nueva normativa que en principio se propone terminar con el *lucro, la selección y el copago* en los establecimientos de educación particular subvencionada y no a la integración e inclusión de los alumnos con NEE como foco principal.

PALABRAS CLAVE: inclusión, normativa, escolar, legal.

1. INTRODUCTION

UNESCO (2010) defines inclusive education in its concept paper as follows: “Inclusion is seen as the process of identifying and responding to the diversity of the needs of all students through greater participation in learning, cultures and communities, and reducing exclusion in education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision that includes all children of the appropriate age range and the conviction that it is the responsibility of the regular system, to educate all children”,

It is based on the principle that each child has different characteristics, interests, abilities and learning needs and it should be the educational systems that are designed, and the educational programs implemented, taking into account the wide diversity of these characteristics and needs. It is responsible for providing relevant responses to the whole range of educational needs in school and extracurricular pedagogical contexts.

Far from being a marginal issue about how some students can be integrated into the mainstream, it is a method of reflecting on how to transform education systems to respond to student diversity.

1.1 EDUCATION IS A RIGHT, NOT A PRIVILEGE

Inclusive education is a strategic approach designed to facilitate successful learning for all children and young people. It refers to common goals to decrease and overcome all types of exclusion from a human right perspective to an education; it has to do with access, participation and successful learning Part of the defense of equal opportunities for all children. It is about removing all barriers to learning, and facilitating the participation of all students vulnerable to exclusion and marginalization.

It means that all students receive the supports they require to have the opportunity to participate as members of a regular class or classroom, with peers their own age, and to contribute to their neighborhood schools. Inclusion means enabling all students to participate fully in life and work within communities, regardless of their needs. It is the process of greater student participation in the school and reducing exclusion from the cultures, curriculum and community of local schools.

Inclusion is seen more as an approach to education than as a set of educational techniques. Dyson, J. (2018), highlights that inclusion simply denotes a number of broad principles of social justice, educational equity and school response. Inclusive *education* means that all children and young people, with and without disabilities or difficulties, learn together in the various regular educational institutions (preschool, school/school, post-secondary and universities) with an appropriate support area. More than the type of educational institution that the children attend, it has to do with the quality of the experience; with the way to support their learning, their achievements and their total participation in the life of the institution.

In recent times, the concept of "inclusion" has burst into the Chilean school system. We observe how the adjectives "inclusive" multiply to refer to schools, teachers, curricula, among others, trying to respond to a social demand for greater access and opportunities for all children. Simultaneously, the Inclusion Law that came into force in March 2016 calls upon schools, especially subsidized private schools, to review their admission and selection systems and, with it, their disciplinary regulations and their pedagogical and professional practices.

This law regulates three structural principles of the Chilean educational market. First, it prohibits the profiting of private providers that receive state subsidies through a change in the legal conditions of their ownership and school administration; second, it gradually eliminates the co-payment in private subsidized schools; and third, it prohibits the selection of students at all levels of education. The inclusion law has been defined as a first step to generate administrative and regulatory conditions to partially weaken the segregating dynamics of the educational market.

However, the notion of inclusion was already installed in many schools since the implementation of Decree 170 and the Educational Integration Program (PIE). The educational policy that regulates the Integration Programs in Chile has been in place for 10 years (Decree S No 170/09). This decree aims to regulate the diagnosis and care of students with special educational needs (SEN) of a transitory and permanent nature, direct beneficiaries of the special education subsidy. It also regulates the evaluation procedures and instruments, specifies the qualified professionals required to diagnose SEN and establishes a regulatory framework for the operation of the School Integration Programs.

Thus, at least two approaches to regulate the processes of inclusion and integration coexist in Chilean schools today. The first, rooted in the explicit and implicit conceptions of Decree 170, the second, incipiently, in the postulates of the inclusion law that forces schools to rethink their admission processes and disciplinary regulations.

In this scenario of new regulations and civil society demands for inclusive schools, it is necessary to pause to analyze what is understood by school inclusion. There is a tradition from special or differential education that has sustained a debate on the scope of the notion of inclusion that has a lot of strength in the school system. On the other hand, there are studies from other social sciences, from critical and post-critical theories in particular, that offer definitions of inclusion that include cultural and political elements and that transcend the school space. The objective of this article is to show different ways of understanding the notion of school inclusion gathered from the specialized literature, to define criteria and guidelines for curricular adaptation that allow planning quality educational proposals for students in kindergarten and elementary education levels that require it. The provisions and guidelines defined and developed in this document are addressed to regular education establishments, with or without school integration programs, and to special schools.

I believe that studies and policies on inclusion in schools should bear in mind from what perspective they will understand it and how this will impact on the ways of understanding equity and justice in schools. We conclude by proposing a definition of "social inclusion" as a comprehensive framework for studying schools and the school system.

2. INCLUSION IN CHILE?

Already 2 years after the Inclusion Law was enacted by former President Michelle Bachelet, on Tuesday, March 1, 2017, the School Inclusion Law officially begins to be applied throughout Chile. In Decree No170/2009 of Education, in response to this mandate, defines criteria and guidelines for diagnosing students with special educational needs, regulating the diagnostic evaluation procedures for the identification of special educational needs in students, as well as the competent and suitable professionals to

perform them. This decree also states that such evaluation must be comprehensive and interdisciplinary and consider the psycho-educational and health areas.

For its application, the national curriculum must be taken as a reference, that is, the General Objectives described in Article 28 of the General Education Law for children in kindergarten education, and in Article 29 for children in general basic education, including the adult modality, and the knowledge, skills and attitudes stipulated in the corresponding Curricular Bases.

Doubts, criticisms and marked differences persist from different sectors towards the new regulation that in principle aims to end **profit, selection and co-payment** in subsidized private education establishments and not to the integration and inclusion of students with **Special Educational Needs (SEN) as a main focus**.

That there has been a debate in our country about problematizing the possibility of installing the issue of inclusion in education is in itself questionable. From international organizations, such as UNESCO, the right to education implies the right to inclusion. It's something that can't be separated. And it is a debate to the extent that education in Chile is tremendously privatized, both at the secondary and higher levels.

The approach of the academic by Juan González (2015), researcher at the Chilean Observatory of Educational Policies (OPECH) of the University of Chile, in conversation with the Special Press Program, points precisely to the complexity of this new legislation, adding: "A study by Unicef determined some years ago that in the Metropolitan Region, Santiago de Chile, 50 percent of the internal regulations of educational centers have articles that go against international law." So, it is in Chile that we are making this debate. Elsewhere in the world, this is no longer a topic of discussion.

In this sense, it is necessary to reflect on the discordance that exists in the Law "inclusion, which has to do with the term of profit in education, remains enshrined in higher education. We as teachers understand that the issue of education is unique, where the state must have certain powers that they allow him to direct what is necessary to put at the service of all the inhabitants of the country. Education is a social right and not a market good.

3. THE INCLUSION ACT DOES NOT ENSURE THIS

And while the Chilean Ministry of Education warns that it will be necessary to “apply common sense,” as stated by Minister Adriana Delpiano, organizations of private schools assure that this is an absolutely ideologized measure.

All this is that Chile does appear as one of the countries of the Organization for Economic Co-operation and Development (OECD) with more segregation, and it is thought that with this law there will be equality and equity in education.

That 16 years after the last reform, the same issues continue to be discussed, without developing a profound reform of public education, has to make us increasingly skeptical about the willingness of the political and business class to make changes, it is essential that social movements do not fall into the conjunctural discussion. The minimum is to demand the strengthening of social rights, such as inclusion in all areas of education.

The School Inclusion Law, a law that must necessarily be considered according to others that are also part of the great Educational Reform announced by the Government. A rule that adds to bills that are still being discussed in Congress, as well as others. The Inclusive Educational Reform seeks to provide learning opportunities and integral development to all children, young people and adults without distinction. In this framework, the School Integration Programs (hereinafter PIE), regulated by Supreme Decree (Ed.) No. 170/2009, constitute a fundamental tool to provide opportunities for quality education to all people who wish to start, continue or complete their studies, including those who present greater needs for support (NEE).

In this scenario, the PIE is a strategy that favors the creation of conditions in educational establishments and in the classroom, to respond to the individual differences of students, thus ensuring their progress in the school curriculum. For this, it requires a collaborative and planned work, which benefits all students of the level, improving the general conditions in which the learning process is developed. To facilitate the implementation of the PIE, it should be borne in mind that it provides material and human resources that allow the establishment to have specialized supports in the context of the common classroom, with hours to plan and evaluate the teaching, and to work collaboratively. This also constitutes an effective opportunity to strengthen the management and technical teams of the establishments with other

professionals, such as special education teachers, psychologists, speech therapists, occupational therapists, psychopedagogists, social assistants, kinesiologists, sign language interpreters, among others, which allows the educational center to strengthen pedagogical practices, providing a relevant, relevant and meaningful education to these students. Considering that one of the purposes of the educational reform is to ensure all students the right to a quality and relevant education, the School Integration Program (PIE) is a very important element that the Ministry of Education makes available to establishments that offer those who wish to start or complete their studies an effective opportunity of care according to their needs and characteristics.

The School Inclusion Law provides the **conditions for children, youth and adults attending colleges and universities, which receive state subsidies, to receive a quality education**. But what about students from other education systems?

The school inclusion law provides the conditions for children and young people to receive a quality and free education. This law began on Tuesday, March 1, 2016, and does not contain concrete contributions to ensure the real inclusion of students with disabilities. This is the opinion of the author of this column (Educar magazine, 2019), who believes that the new rule is nothing more than a cluster of administrative actions aimed at unifying the operating rules of all the establishments that receive subsidies. And he wonders, “When will we know of a real and effective inclusion law for the great universe of students with Special Educational Needs that is not only confusing and weak intentions on the part of the ministerial authorities and the government?”

The law in question leaves out what is referred to as the long-awaited “quality in education”, subunderstanding that the measures of this new norm, by means of resonance, will be a real contribution to improving learning. Apparently, little is understood of quality in the government leadership and its ministries, which confuse the contents of this law. Without detracting from some fair measures, such as ending profit – an indisputable abuse of the system – it is clearly a limited law that represents a cluster of measures to unify the operating rules of state-subsidized establishments and does not deserve the term “inclusion.”

It is enough to read the decalogue that describes the central points of this so-called Inclusion Law to realize that nothing points to inclusive processes for children and young people in conditions of disability, only makes underhanded mention of non-

discrimination, a point that may well be contained in regulations emanating from Mineduc and that are supervised by internal entities, such as the Superintendency of Education. Law No. 20,845 is a bad make-up for education that, today, we maintain in our country.

The new law states, only as a suggestion: “The system **will enable** educational establishments to be a meeting place for students of different socioeconomic, cultural, ethnic, gender, nationality or religion conditions.” In another section, he points out, as a reference: “It is the duty of the State to guarantee all people an inclusive quality education. Likewise, it is the duty of the State to **promote** that the necessary conditions are generated for the access and permanence of students with special educational needs in establishments of regular or special education, according to the best interest of the child or pupil”.

As can be seen, it is up to the holder to make changes or not and, most importantly, to their will in the selection of students. Now, the most important thing is that there is no mention of the educational inclusion -without discrimination- of students with Special Educational Needs (SEN) and the adaptations that this means.

In consideration of this false intention of “educational inclusion” through the law, it does not hurt to reiterate the commitments made by our country, both nationally and internationally. Namely:

- The **Law N°20.422**, which establishes the Rules on Equal Opportunities and Social Inclusion of Persons with Disabilities, and which indicates that the State will be “responsible for promoting the creation of curricula for students with Special Educational Needs, as well as the equalization of opportunities in access through services and resources for regular and special schools.”
- The **United Nations International Convention on the Human Rights of Persons with Disabilities**, which states that “States Parties recognize the right of persons with disabilities to education,” should ensure that “persons with disabilities may access inclusive, quality and free primary and secondary education on an equal basis with others in the community in which they live.”

We can continue to mention many validated documents and bodies that have dealt with the issue from which clear and precise recommendations emanate to reverse the discriminatory situation suffered by children and young people in conditions of disability in our country, especially in education.

That said, the questions are obvious: Will we continue to listen to many public figures and personalities misusing and abusing the concept of inclusion, which embodies the educational process itself? When will graduation and slow transit discourse end in disability-inclusive measures for the school population? Will we have to wait for the outcome of the Second National Survey, which does not yet provide results on children and young people between 2 and 17 years of age with disabilities?

It is true that in order to achieve social inclusion, it is not enough to have speeches and laws that ultimately do not translate into concrete actions for the benefit of people in conditions of disability. It will once be understood that the important thing is that we are all people, without surnames, and that they should not label us, because from our differences creativity and learning are born, because we have both skills and disabilities and we transit in human communities, with greater or lesser difficulties to achieve the maximum possible well-being. It is overwhelming and time to say enough to the dirty and misguided play that is maintained with and towards children and young people with disabilities, even more so in school, with laws and declarations that only lead to deception, confusion and the transgression of the commitments made.

It is difficult to understand that after so many decades it is not understood and acted on what the social and globalized vision of “disability and inclusion” points out. Already knowing the basic conceptualizations and eradicating the medico-rehabilitative vision, and without continuing to search in the already declared international conventions and national laws, there is no doubt that we are still behind in terms of the vision currently understood by the majority of Chileans. It must be understood, once and for all, that physical rehabilitation is only a means of achieving functional levels of independence, without diminishing its contribution to the personal self-esteem that the “rehabilitated” person acquires. However, this is not enough, it has been shown that there are few examples of people who are included in the most important areas, such as regular education, at all levels, and work on an equal basis.

Ordinary citizens are used to validating their actions in relation to people with disabilities through charity and excuses for what we call “positive discrimination” and fail to internalize that we all have multiple needs, only that some people require specific supports to function in life in a more independent, effective, productive and autonomous way. We continue to “do our duty” to the school-age child and youth population. So when will we know of a real and effective inclusion law for the large

universe of students with Special Educational Needs that is not only confusing and weak intentions on the part of the ministerial authorities and the government?

Finally, a quote that is a good message for everyone:

“The ethics of diversity and inclusion combat homogeneity and privilege heterogeneous environments by celebrating any and all differences between the people in the group. It is, therefore, the basis for forming alliances in favor of inclusive and sustainable development in which each partner contributes with its experience and its own resources for the benefit of all.” (Claudia Werneck, 2004).

Based on the promise contained in the education reform to end the selection of students, the author of this column (Educar 2019 magazine) wonders how this will be made effective for the thousands of children and young people with disabilities:

“Having eliminated the selection process, can a blind child or young person be educated without obstacles in any school, lyceum or university in the country? Can a child or young person with intellectual disability, deafness, cerebral palsy or autism, enter regular education without further formalities or academic requirements?” Is now the time for **inclusiveness** in the Chilean education system?

Education reform makes us think so. The permanent and widespread exclusion of the current education system, which is poorly based on supply and demand premises, should be affected by the structural changes proposed by the government. When we say inclusion, we refer to **the most accurate and noteworthy conceptualization presented by UNESCO (2008)**: *“Process of addressing and responding to the diversity of needs of all students through greater participation in learning, cultures and communities, and the reduction of exclusion within and from education (...). Inclusion concerns issues of gender, ethnicity, class, social conditions, health, human rights, among others. This means that inclusion policies must ensure that all citizens, regardless of their social or economic conditions, have opportunities to access knowledge as widely and freely as possible at school and in society as a whole, to participate fully, to achieve the highest standard and to enjoy a high quality of life.”*

Keeping this definition in mind allows focusing attention on one of the essential axes of the reform, such as “segregation and inclusion”, which implies – among its main objectives – eliminating **“selection for admission to schools and universities”**. This is an urgent and necessary intention, as well as well-founded, in a

society that boasts of advancing in the democratization of the essential spaces of citizen coexistence.

How to move forward? That's the question. From the perspective of students in conditions of disability, the first need that arises is to have a situational diagnosis of those affected. Unfortunately, we don't have an up-to-date statistic. It is therefore urgent to know where, how many and under what conditions people with disabilities are in the country. We can only mention the National Disability Survey (ENDISC) carried out by the National Institute of Statistics and the National Disability Fund (Fonadis) in 2004, which indicates that around access to education, only 8.48% study and 91.52% do not, nor have they had the opportunity to reach the classroom. These figures reflect a population of 2,068,072 people with disabilities and a national universe of 15,998,873 Chileans. There is no doubt that more than a decade later the census must be updated as soon as possible, if the intention is to formulate an inclusive, focused, timely and with the seriousness that Chilean society deserves and demands.

That the educational reform, in its chapters, ends with the eminently academic selection, can generate unexpected and very positive changes in thousands of students, who are still in special schools, without any north at the time of their graduation, thus becoming hopeless young people and historically abandoned by the State of Chile. That said, the questions are many: by eliminating the selection process for admission, can a blind child or young person be educated unhindered at any school, lyceum, or university in the country? Can a child or young person with intellectual disability, deafness, cerebral palsy or autism, enter regular education without further formalities or academic requirements? How long is it estimated to achieve educational inclusion, at all levels of education, for people with disabilities?

Gradually, we must answer these questions that now make sense because education reform is a country's looming project. How do we transcend the boundaries of ignorance and mediocrity to move towards a culture of educational inclusion? What should we do and what institutional tools do we have to make educational inclusion effective, for all students in the country? Thus, many questions arise which at some point should be confronted with reality and the shift towards an education as an inalienable right that tends to equal conditions for future generations.

Finally, the issue of disability in Chile must be addressed transversely, in health, education, housing, access to the environment, communication. In short, like any

citizen, it goes without saying that we all have the same needs, only that some require specific support to make their development more independent and effective. That is an inclusive look and act, not more segregation or positive discrimination, which we are so unaccustomed to.

The challenge for those involved in education reform is to fully accommodate people with disabilities, an inescapable responsibility of social movements to incorporate the “different” and make their silenced voices heard once and for all. For its part, the current political institutions have a historic opportunity in this forgotten area and it is not new to point out that if addressed it will be a task that will bear fruit after several decades.

Many Chileans who have contributed with our professional work in the education of children and young people with “different skills” advocate a real positioning of inclusiveness in basic, middle and higher education, while proposing that this constitutes a new paradigm for Chilean society. If we consider that the value of a good education is to be an indispensable means of personal development and collective progress, then the educational model has the obligation to open the doors to people with different abilities giving a clear sign of wanting to scare definitively from the classroom individualism, exoticism, ultra-competitive among other modern ills. This will be the only way to make education a participatory, democratic space for everyone, including the “different” and “different”.

Just days away from the “24 hours of love” to raise funds for the rehabilitation of children and young people of the Telethon Foundation, Gina Basso (2019), a specialist in Differential Education, suggests that there is an even greater challenge for which the authorities have not taken responsibility: the post-rehabilitation process of young people. While the National Disability Service says it does not have any registry of state-funded workshops for people with disabilities, as it also states that this problem is not solved with “pure heart,” but requires public policies and a continuous labor training system that welcomes young people who graduate from differential education.

Humberto Maturana (2017), related to the emotional and reasonable in coexistence. Unfortunately, for these young people whose reality is to “confine” them to their homes, the chances of having a pleasant life at their young age are clearly diminished. On the contrary, they will not only be prevented from growing personally, but their emotionality will also be diminished by not having opportunities in the socio-labor

environment according to their age. We are talking about young people, who are not respected in their fundamental rights, those that are proclaimed daily in political spokespeople and are topics of multiple national and international meetings that fail to coincide with this undeniable reality that young people and families of our country live in.

We do not need more cold and quantitative information from SENADIS or MINEDUC. The problem that must be solved is another, and concerns the lack of an intersectoral public policy for young people who continue and will be “cloistered” in their homes again. This is a serious call to the authorities, who are responsible for enforcing the mandate of a law and many international treaties to which Chile has acceded in order to have a true approach to the reality of young people with different types and degrees of disability, those who have historically been left adrift.

At the same time, the citizenry, more than ever, must realize that the problem raised is not solved “with the heart”, since, once again, we will see millions of Chileans donating to the Teletón Foundation, the characters of the show business gladly jumping on the benevolence bandwagon and many citizens attentive and eager to meet the great goal. Well, unfortunately there is NOT evident the painful reality post rehabilitation as one of the social problems that for years is hidden and that still not solution.

But is the Inclusion Act a contribution to the country?

On March 1, 2017, the School Inclusion Law came into force. Chileans should be proud and satisfied with this important step towards building quality education, in line with the needs of this 21st century.

The School Inclusion Law seeks to improve comprehensively, and this was explicitly provided by legislators, student training and coexistence within a school and universities. The school is a space of rules, training and discipline, but also of dialog and resolution of conflicts between all and all, it is the privileged space for the construction of society. If it is inclusive, inclusive and open to innovation, it will deliver better education, quality education. In addition, if the entire school community engages in the process, admitting its diversity and creativity, education will be further improved. To this end, parents and guardians must ensure compliance with educational purposes, participate in the generation of School Councils together with teachers, officials and students; and be attentive to monitor and collaborate with the management of their establishments. (A. Palma. 2016)

The university inclusion program allows more universities to join initiatives to make access to higher education more inclusive every year. Each year more universities are joining the policies of greater access and inclusion. Whether through special quotas, covenants or propaedeutics, many universities seek to give opportunities to talented young people who study in vulnerable contexts or who have been unable to access quality education. These programs are based on the principle that talents are equally distributed in society, regardless of socioeconomic status or where young people have studied.

Below is a list of equity and inclusion programs implemented by universities:

3.1 PROPAEDEUTIC NETWORK

The Unesco Propedeutics network was a pioneer in boosting inclusive access to the university. 2007 began at the University of Santiago, Usach, and there are currently 5 other affiliated universities: Universidad Católica Silva Henríquez, Universidad Alberto Hurtado, UMCE, UTEM, Universidad Católica del Norte.

The initiative is based on the principle that talents are equally distributed between rich and poor, that education is a tool for social mobility, that middle school grades are a good predictor of academic performance and that PSU replicates the conditions of social inequality and exclusion in society

The project aims to help integrate talented students from vulnerable backgrounds into the university. It is aimed at students of 4th medium who have obtained an average between 1st medium and the first semester of 4th medium between the 10% best performance of each course.

3.2 UNIVERSITY OF CHILE

A couple of years ago, the University of Chile implemented the Educational Equity Priority Income System (SIPEE), aimed at good students from municipal schools who do not achieve the necessary score to enter in the traditional way.

To apply, the socio-economic situation must be proven. Applications open from Monday, September 30 to Tuesday, October 15.

3.3 CATHOLIC UNIVERSITY

UC's Talent + Inclusion Program aims to ensure access and retention of talented students. The program includes special admission, funding, leveling and academic support. In addition, the program includes special vacancies for outstanding students from municipal and subsidized schools.

3.4 DIEGO PORTALES UNIVERSITY

Last year the UDP created its Equity Program which, through special admission, seeks to incorporate talented students with socio-economic disadvantages. This year there are 59 slots in all daytime races.

The initiative is aimed at students from municipal schools and subsidized individuals who, if selected, have the opportunity to study for free (in addition, receive scholarships for food, transport and photocopies).

3.5 UNIVERSITY OF CONCEPCIÓN

The University of Concepción has the Propedeutic Training Program aimed at outstanding third and fourth-year students from schools belonging to the Network of Linkage with the Environment of the University of Concepción. The objective of the program is to develop academic skills according to the university formation that students seek to follow. Students who pass this program will be able to access, through the special admission process, a career of this university.

3.6 CATHOLIC UNIVERSITY OF THE HOLY CONCEPTION

The UCSC Propaedeutic Program calls on fourth and middle-year students that places them in the top 10% of their course ranking. To participate in the Program, students must attend classes at UCSC during the second academic semester, between August and December, while they are in their fourth year and a half. During 2013 Propedéutico UCSC works with students from 6 communes (Quillón, Hualqui, Chiguayante, Penco, Talcahuano, Hualpén) of 11 establishments in the Biobío region.

4. INCLUSION LAW: A NEW WAY TO DISCRIMINATE

Inclusion Law, a fact highlighted by the press and the authorities, and which ends all discrimination against students. Good news if we think about the right to education and the best interests of all children in our country. Unfortunately, this is not the case in practice. We could sit a whole generation of students together and not fulfill inclusion, if we don't add quality education to them.

With schools performing poorly, the worst of inclusions occurs: that of knowledge. The fundamental and undisputed objective of any educational reform is to improve learning, the acquisition of knowledge and the development of values, cognitive and social skills. Maintaining important differences in performance between educational institutions or students results in an important social, economic and cultural division, which begins with the school, but expands and strengthens strongly once the school stage is finished.

The Inclusion Law does not address this type of discrimination, which is the root of the problem, and puts its strength into ending selection, but without any concern for what children will find once inside. Little or nothing will be achieved if the standards of learning expected by families and society are not met. That is why FIDE's oft-repeated approach to policymakers, not only during its congressional debate, but throughout the reform process, is increasingly taking hold: the most important goal of education reform is to improve the quality of education.

This exclusion of knowledge is the most common and the worst of all, as it is covert discrimination. In a society like ours, one of the most unequal and segregated in the world, we want to have an inclusive and equal education for all, based on legislation and insufficient resources. The application of this Law of Inclusion in an unequal society without deadlines or graduality according to the requirements, imposes an enormous task on directors and teachers. And besides, it imposes it under very adverse conditions. This is not a challenge, as those who have never taken classes in a school have raised it; in a disappointing way, given the economic and professional resources that schools have. Aspiring to an egalitarian education in a deeply unequal society is a paradigmatic change of the school system. Full inclusion is not achieved by decree.

The same school that was created for an unequal education system must successfully navigate this insurmountable barrier under the current conditions. The most urgent for families, especially the poorest. It is important that your children have a quality education, as it is the only tool they have to get out of poverty. In the face of these urgent needs for improvement in our education system, the debate about whether education should be public or private is completely irrelevant. To include all kinds of students in schools that are not prepared to receive a very diverse contingent of young people is truly irresponsible, with potential unintended effects.

Universities continue to prepare teachers to perform in homogeneous classrooms, and this lack of skills will have to be taken over by principals, who are overburdened with duties, legally unprotected, without professional support or adequate funding. The tasks of higher education institutions should be done by schools.

5. CONCLUSIONS

Building an inclusive educational model is an essential measure to minimize social discrimination in an environment that is key to providing equal opportunity for children and young people in the 21st century. Especially those students who are permanently discriminated against and considered different from the majority.

Educational inclusion is a highly complex issue and there are no serious intentions yet to address this process in regard to what we call students with “**Special Educational Needs**” (SEN). In the logic of a visionary and responsible policy, the implementation of the Educational Reform must lay its foundations in preschool education, it is there where the projective and preventive acquire meaning by intervening early in the country's infants. And it is at that moment that a child in conditions of “disability” requires more attention.

The conflicting complexity of the phenomenon of inclusion does not accept a simplistic view that refers to opening the doors of school and bringing children together. However, the legislator assumed that prohibiting profit, copayment and selection would automatically produce integrated coexistence – with students from various socio-cultural sectors, with NEE or with serious problems of behavior and socialization – and thus we would finally have inclusive classrooms with better learning. It was only enough to ban, but the ban only prevents, does not produce. Achieving inclusion is about much more

than removing some of the barriers to pupil entry into schools. The legislator on simplifying the problem of inclusion, sinned of naiveté or of a deep ignorance of the low capacity of the reforms to process the real problems of the school; its internal dynamics; the school environments; and the scopes that has the differential pedagogy to attend to the diversity in these moments. He assumed that it was enough to gather children simply from a wide cultural diversity, and he hoped that from this stacking of students radically different cultural differences would be overcome; that integration, friendship and learning for all would flourish; that deep-rooted social prejudices in our society would be overcome; and that healthy cross-cultural coexistence would spring up.

The neoliberal economic-social system produces inequality as a normal product of its functioning, and legislators assumed that the school should erase this inequality with the single law of inclusion, placing this responsibility on teachers. The most immediate achievements of this law are teachers with high levels of stress and depression; with low levels of authority; with great anxiety about not knowing how to perform with all types of students; with unresolved pedagogical problems; unprotected from guarantee legislation for students and proxies; threatened by punitive external evaluations; assaulted by students and violent proxies; and with the doubt of losing the job due to the closure of their schools if they achieve low SIMCE scores during three consecutive evaluations, in overcrowded schools, with high percentages of children with SEN or with serious cognitive and behavioral problems. This law should have remained with its original name: “No to copayment, no to profit and no to selection.” This name describes very precisely the only thing he did: ban. Because it is designed for nothing less than inclusion. Today we have a law, misnamed, of inclusion that achieved the creation of diverse classrooms, but we do not have inclusive classrooms.

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