

20

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**ANALYSIS**

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## IN INCLUSIVE EDUCATION IN COLOMBIA: A COMPARATIVE ANALYSIS

### RETOS Y AVANCES EN EDUCACIÓN INCLUSIVA EN COLOMBIA: UN ANÁLISIS COMPARATIVO

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#### ABSTRACT

The article presents a comparative analysis of the progress and challenges of inclusive education in Colombia in relation to Spain and France, two nations that have stood out for their advances in this field. International agreements and policies were consulted for the analysis, and several categories were taken into account to illustrate the level of progress Colombia has reached in terms of inclusive education. These categories include the conceptual approach, curricular design, responsible staff and beneficiaries, teacher training, educational levels, institutions involved in the process, and legislation. As a result, the authors found that the legislation about inclusive education in Colombia is very similar to the policies used in Spain and France. These policies impose new challenges in order to strengthen inclusion in schools and education institutions. However, there is still a lack of actions intended to foster this inclusion, such as budget investment for teacher training, the improvement of infrastructure in education institutions to provide inclusion, and a change in the conception of inclusion as such.

#### Keywords:

Educational policies, diversity, inclusive education, inclusion, special needs.

#### RESUMEN

El artículo presenta un análisis comparativo de los avances y desafíos de la educación inclusiva en Colombia en relación con España y Francia, dos naciones que se han destacado por sus avances en este campo. Para el análisis se consultaron acuerdos y políticas internacionales y se tomaron en cuenta varias categorías para ilustrar el nivel de avance que ha alcanzado Colombia en materia de educación inclusiva. Estas categorías incluyen el enfoque conceptual, el diseño curricular, los responsables y beneficiarios, la formación docente, los niveles educativos, las instituciones involucradas en el proceso y la legislación. Como resultado, los autores encontraron que la legislación sobre educación inclusiva en Colombia es muy similar a las políticas utilizadas en España y Francia. Estas políticas imponen nuevos desafíos para fortalecer la inclusión en las escuelas e instituciones educativas. Sin embargo, aún faltan acciones destinadas a fomentar esta inclusión, como la inversión presupuestaria para la formación de docentes, la mejora de la infraestructura en las instituciones educativas para brindar inclusión y un cambio en la concepción de la inclusión como tal.

#### Palabras clave:

Educación inclusiva, diversidad, necesidades educativas, políticas educativas.

## INTRODUCTION

Inclusion is a concept that has been gaining relevance during the last decades and has become one of the fundamental principles of the educational system in many countries. It is also a concept that has been controversial, since inclusion involves exclusion at some point (Gutiérrez & Zamorano, 2018), which is why the concept has changed throughout the history of education. Literature refers to inclusion, integration, attention to diversity, and special education needs; regardless of the paradigm shift. Thus, there is a concern to offer better education opportunities to the population with different capacities or problems to access schooling worldwide.

Therefore, inclusive education is considered a movement which main objective is to broaden the scope in relation to education systems, recognizing the undeniable right to education and the value of diversity of students (Brito, et al., 2019). Many countries have explored strategies and passed policies that are closely related to their social and political contexts, especially in Europe and Latin America. Thus, taking the previous statement as bases, the main objective of this article is to present an analysis of inclusive education in Colombia, compared to other countries in the world.

The article presents the advances achieved in Colombia, through the analysis of seven categories that illustrate how inclusion is present in the education systems. In addition, some difficulties are addressed in relation to the training of pre-service and in-service teachers in Colombia, especially of those who teach people with learning disabilities, and special needs.

Colombia is a diverse country with students at risk of vulnerability due to violence, social conflicts and marginalized social groups, as well as physical and cognitive situations that require well-trained teachers who are able to manage these situations in the classroom. There are similar conditions for students with diverse educational needs (due to political, social, cultural, and economic factors) that are widespread and common in some countries; thus, attention to diversity has become a concern worldwide. Despite the efforts made to overcome these issues, there are still aspects which need improvement, essentially from the change of perspective teachers have about having to deal with inclusion in the classroom.

Vallejo & González (2014), affirm that even though teachers show commitment to make improvements in the teaching process, when they manage diverse educational needs, their discourse is still the same, and the students continue to be seen not taking into account their potential, but their deficit. Consequently, teachers focus on what some students are not able to do to be equal to the others, instead of recognizing the student's abilities to achieve an adequate learning process. This article also presents an analysis of the policies existing in Colombia

to address populations with special needs, and compare them to other countries which have successfully implemented strategies in this field such as Spain and France.

Inclusion in education requires to establish the difference between special education needs and Inclusive Education (IE). According to the International Federation of Inclusion, dedicated to the distribution of content on inclusive education in Latin America and the Caribbean, IE should not be confused with education for students with special needs. According to Blanco & Duk (2011), inclusive education is not based on medication to create pedagogical strategies, but on the construction of teaching models that aim to provide tools, develop skills and behaviors necessary to face everyday life situations.

According to United Nations Educational, Scientific, and Cultural Organization (2005), the purpose of IE is to allow teachers and students to feel comfortable about diversity and perceive it not as a problem, but as a challenge and an opportunity to enrich the ways of teaching and learning. From this point of view, inclusion in education covers all aspects related with special needs, vulnerability and diversity.

When reflecting on inclusive education, it is important to bear in mind that this topic should not only be of a government concern, but a commitment of the whole community involved with populations with special needs. A brief analysis of the policies for populations with special needs shows that there are significant advances in inclusive education worldwide, especially in countries such as Spain and France.

Colmenares, et al. (2017), state that during the prehistory era, children that were born with serious deficiencies (physical or mental) did not survive childbirth, and if they did, they were immediately annihilated. Infanticide was a common practice, which did not cause problems of conscience among the population. Over time, education for people with special needs has progressed. According to López (2004), during the nineteenth century the right to education for all citizens was recognized, but only in some specific situations. However, it was not until the 70s of the twentieth century when a significant change started in relation to understanding and specifying the educational attention that people with special needs should receive.

First, special education was linked to disciplines such as Psychology or Pedagogy. Later, "The Warnock Report" (**Her Majesty's Stationery Office, 1978**) in England, changed the conceptualization of special education, focusing on the type of response schools should give to students with educational needs. The expression "special education" was switched for "special educational needs". With the Declaration of Salamanca, the concept of special education needs was confirmed, reinforcing the fact that difficulties students could have during their learning process in different moments of their scholar development,

should be considered normal processes, and should not be understood in a negative way or only for few special students.

Then, it was proclaimed that all students should have access to ordinary schools with pedagogy that satisfy student's needs. In consequence, governments were required to adopt laws or policies as principles to be integrated in educational inclusion (United Nations Educational, Scientific, and Cultural Organization, 1994), with a special impact on the development of the pedagogical practicum.

According to United Nations Educational, Scientific, and Cultural Organization (2009) IE is a process of strengthening the capacity of the education system to attend all learners; it could be understood as a key endeavor that must be achieved. As an overall principle, IE should guide all education policies and practices, starting from the fact that education is a basic human right and the foundation for a more just and equal society.

Other authors, such as Ainscow (2001); Arnaiz (2003); and Moriña (2004), have their own concepts about IE. From their point of view, IE could be understood as a process aimed at responding to the diverse characteristics and needs of all students moving towards quality in education for all, as a positive value of equity (Murillo & Hernández, 2011). Teaching must be adapted to benefit all students and attend their own needs, instead of only helping those with special educational needs (Parra, 2010), in other words, all students need attention despite their particular characteristics.

There are different terms worldwide to refer to IE. In Colombia it is called special education needs, whilst in Spain and France it is known as attention to diversity; suggesting a first change in paradigm. Despite the difference in terms, there have been important advances in inclusive education, but it is still an issue that poses challenges for the governments to guarantee high quality in education with equity.

Each country has made efforts affording schools, and implementing strategies in response to the particular needs, because laws worldwide demand the right to education for all. Developed and developing countries are aware of this situation; however, some countries show major progress than others. The international encounters held in different parts of the world are evidence of the awareness about education and the commitment to guarantee the right of education.

In addition, the aim of the Convention for the Rights of People with Disabilities by the United Nations is to promote, protect, and ensure the complete and equal enjoyment of all human rights and fundamental freedoms by people with disabilities. Another important aspect is to promote respect for their inherent dignity. Article 24 of the above-mentioned convention recognizes the right of people with disabilities and their free access to education.

In order to ensure the implementation of this right without discrimination, and on the bases of equal opportunities, education systems must provide inclusive education at all levels. Likewise, they should offer complete development of human potential, the sense of dignity and self-esteem, the development of student's personality, talents and creativity, as well as their mental and physical abilities, and the effective participation in a free society.

In Colombia, the Political Constitution in 1991 required to protect citizens who show disadvantages due to their economic, physical or mental condition. In this same sense, it is expected that the State advance with policies of foresight, rehabilitation, and social integration for people with physical, sensory or psychological disabilities, and provide the specialized attention required (General Education Law, Article 46).

In Spain, the Organic Law 8/2013, adopted on December 9th, includes the improvement of educational quality. In this law, the attention to diversity is established as a fundamental principle that should govern all basic education, with the objective of providing all students appropriate educative processes according their characteristics and needs.

In France, this concept appeared for the first time in the second article of the law 2013-595 passed on July 8, 2013. This law included an orientation and programming to reorganize the educational system that mentions education as a proprietary service in the country. According to this law, education is a public service that should contribute to equal opportunities for all the populations without any distinction, and against social inequalities to get school success.

As mentioned before, all the three countries have clear policies that favor the educative processes in inclusion. However, the fact that laws exist is not enough to ensure real actions to help and support population with special needs. So there was a need to conduct this study.

## METHODOLOGY

This study was developed based on the paradigm of qualitative research, aiming at investigating and finding similarities and differences in three countries through a comparative study. To compare the advances in Special Education Needs in Colombia, it was necessary to inquire about international policies submitted by United Nations Educational, Scientific, and Cultural Organization in the World Declaration on Education for all, adopted in Jomtien (Thailand) in 1990, which defines Special Education from a universal view of access to education for all children, young, and adults; within equity principles.

This implies to determine the obstacles people face to access educational opportunities, and the resources needed to overcome possible obstacles. Achievements and challenges in Colombia have been determined through a

comparative analysis among policies and strategies in the field of special education in Colombia, Spain and France.

In order to compare the advances in inclusive education, the authors used some categories to analyze the educational systems in the three countries: 1) conceptual approach, 2) curricular design; 3) responsible staff and beneficiaries; 4) teacher training; 5) educational levels; 6) institutions involved in the process, 7) evaluation of the Educational System and 8) Legislation.

## DEVELOPMENT

After analyzing the characteristics of the categories used for the comparative analysis, this section presents the main findings.

The first category used was the conceptual approach. In relation to this, the Constitution of 1791 in France (which is based on the Declaration of the Human and Citizens Rights) included three pillars: freedom, equality, and the fraternity. The right to equality was conceived in terms of legal and formal equality, from the ontological point of view of the human being.

There is a formal recognition of equality: the law must be the same for all (Gavari, 2005). The concept of inclusion first appeared in the second article of the law No 2013-595 of July 8. According to this, education is considered the first national priority in the country. The public service of education is conceived and organized according to students' needs. Education must contribute to equal opportunities, and reduce social inequalities to guarantee success in the educative processes. It must be recognized that all children share the ability to learn and progress. This service ensures the school inclusion of all children, without any distinction.

The reform of the law made in 2013 (Law of re-foundation of the school of July 8), establishes as a priority the idea that the system (understood as school, infrastructure, pedagogical material, teachers, educational process collaborators, parents and other students) can be adapted, and provide a positive environment during the learning process that corresponds to the needs of children. In France, like in Spain, the term Inclusive Education has been shifted for attention to diversity. Both countries have adopted principles of inclusion for attention to diversity.

According to the legislation in Spain, it is expected that students enjoy an adequate education that responds to their needs and particular characteristics. The Royal Decree 696/1995, states that schooling in special education centers is dedicated to students with mental, sensory or motor disabilities; serious developmental disorders or multiple deficiencies that require significant curricular adaptations throughout their schooling in practically all the areas of the curriculum; or the provision of personal and material means that are not common in the ordinary centers.

In the order of July 30, 2014, it is stated that diversity is a natural fact to the human being. It must be addressed by the educational system and, specifically, by the educational centers. Therefore, attention to diversity must be present in every decision and will be approached from the logic of heterogeneity, developing pedagogical strategies adapted to the differences from an inclusive approach.

In Colombia, Special Education Needs is understood as a plural concept that is related to the implementation of inclusive policies in the educational process as a tool that allows promoting and valuing diversity through respect for difference, and facilitating the participation of the community within an intercultural structure. In the Colombian educational system, it is considered as an effective alternative to understand the performance in learning and offer educational and social services as well.

According to the Ministry of Education, the term student with a disability is used by someone who has a deficit that is clearly identified in the limitations of their performance within the school context, which represents a clear disadvantage compared to others, due to physical, environmental, cultural, communicational, linguistic and social factors found in such an environment (Colombia. Ministerio de Educación Nacional, 2017).

On the other hand, the Ministry of Education in the District Educational Forum held in 2018 in Bogotá D.C, defines inclusive education as the elimination of barriers to learning and effective participation of all students in the school context, regardless their characteristics and conditions. This definition is based on the one defined by United Nations Educational, Scientific, and Cultural Organization (2006), which states that inclusion is seen as the process of identifying and responding to the diversity of the needs of all students through greater participation in the learning process.

The second category of analysis is the Curricular Design. In France, the law passed on the 11th February, 2005 has established as a priority that all children in France have the right to education in spite of their condition; and for those with special needs a set of strategies were disposed to achieve and advance in their schooling. Consequently, important advances have been made. The French education policies during the last decades are characterized for its concern in response to diversity. From 1995, the education system established three pedagogical cycles to attend the diversity.

- Cycle for adaptation (6è) which constitutes a moment to integration and adaptation.
- Central cycle (5è, y 4è) in which likes, interests, and aptitudes are recognized.
- Orientation cycle (3è) which constitutes a preparation for the first choice.

According to article 7 of Law No. 2013-595 of July 8, it is established that children and adolescents who have disabilities or a disabling health problem can be taught in kindergartens and primary schools, called “collèges” and «Lycées», if necessary, with adapted devices, as long as this type of schooling responds to their needs. Parents are involved in the orientation process and decision; they are helped by a person to make a decision. The decision is taken by the Commission on the Rights and Autonomy of Disabled Persons (CDAPH, by its acronym in Spanish) with the agreement of the family or the legal representative. In any case and as long as their needs justify it, students can benefit from supplementary aids and supports necessary.

In Spain, there is a classification of the type of educational centers that has been established very clearly. In this classification there are three groups of educational centers:

**Ordinary full-time centers** in which students are taught in an ordinary classroom on a permanent basis. The curricular project and the classroom programming are developed according to the level of education in which the group of students is located.

**Ordinary centers with specific classrooms** to assist students who require specific personalized attention that implies a degree of partial integration into the ordinary classroom; The curricular project and the group classroom programming have a significant degree of adaptation according to the requirements.

**Special education centers** assist students with disabilities according to psycho pedagogical evaluation and the corresponding opinion of the psycho pedagogical teams of the sector, curricular adaptations in extreme degree, with respect to the curriculum that would be developed in an ordinary center

Regarding the curricular design in Colombia, advances have been made so that relevant curricula can be offered to the population with special needs. Thus, in the article 17 of Decree 2082 of 1996, it is established that educational institutions that offer educational services to population with limitations must adapt an Institutional Educational Project, and include an integration plan for all students of the institution, approved by the Secretary of corresponding Education. This implies curricular adjustments which involve pedagogical strategies, adaptation of physical, technological resources, pedagogical material, and teacher training. In 2013, the Ministry of Education designed the Higher Education Policy Guidelines for inclusive education, where the education process is described and the strategies and actions focused on the population groups are previously defined.

As for the responsible staff and beneficiaries, in France this is based on the law of refoundation of the school of July 8, which establishes as a priority the idea that the system has to provide and adapt an ideal environment

to generate a positive environment during the learning process that corresponds to the needs of the children. Therefore, the “*Projet Personnalisé de scolarisation*” (PPS) evaluated by the “*Commission des Droits et de l’Autonomie des Personnes Handicapées*” defines and establishes the schooling scenario of each child and is responsible for its execution and control. In other words, once the analysis is made by the professional associations all the measures are offered by the psychologist, therapist, speech therapist, neurologist, etc.

In Spain, the educational administration is in charge of the autonomous communities as entities responsible for guaranteeing the necessary resources for all students to achieve optimal personal, intellectual, social and emotional development, in a manner that complies with current legislation and own normativity. The main beneficiaries are:

1. Students with special educational needs that require certain support and specific educational attention derived from disability or serious behavior disorders.
2. Students with high intellectual abilities.
3. Students with late integration into the Spanish educational system, including the immigrant population.

On the other hand, Decree 366 passed in Colombia (Colombia. Ministerio de Educación Nacional, 2009, establishes the following people in charge:

- A pedagogical support person per educational establishment with ten to fifty students with cognitive disabilities (Down syndrome or other conditions that generate intellectual disability).
- A linguistic and cultural model by educational establishment with registration of ten to twenty-five (deaf student’s users of the Colombian sign language, in preschool, basic and middle). A Colombian sign language interpreter in each grade with enrollment of at least ten deaf students (sign language users) at secondary and middle school levels.
- An itinerant pedagogical support person for those educational establishments located in urban and rural areas of the municipalities. A person for pedagogical support for each student with blindness.

The departments and the certified territorial entities are in charge of assigning educators, professionals in special education, psychologists, speech therapists, occupational therapists, social worker, Colombian sign language interpreters, linguistic models, etc. according to article 4 of the Resolution 2565 passed on October 24 of 2003. The beneficiaries in all cases are people who are victims of the conflict, people with low economic resources, and the ethnic population.

Teacher training is another category analyzed in this study. In France, the training to become a teacher for a special community consists of a preparation in order to certificate professional aptitudes for inclusive education. Training

for the Certificate of Professional Competence in Inclusive Education Practices is organized for teachers in the first and second levels of public education who are holders of a contract. Basically, it refers to a teaching practice in a school or institution, or service for students with special educational needs related to a disability, major academic difficulty or illness, or in a school under the jurisdiction of Ministry of Justice.

In Spain, this training is a responsibility of the autonomous communities. University professors for teacher training establish agreements with educational institutions of higher education, specialized centers, and associations. Among the most prominent are the Teacher Centers, which are specialized institutions for teacher training. These centers are financed with resources from public administrations and promote professional meetings of teachers in a framework of participation and collaboration.

The National Ministry of Education in Colombia formulated the program for Inclusive Education with Quality in 2006. In this plan, an educational reform is proposed so that the institutions can make changes in their methodological structures. These guidelines have been adapted to the needs of each region and institution. To carry out this proposal, a team of trainers was created at the national level, one at the territorial level and one last territorial management team. A working methodology was created under the model of cascade training that serves as a guide to territorial entities and educational institutions for the inclusion process based on the premise of inclusion and recognition of diversity. To give continuity to these processes, the national government instructs the territorial entities to develop the training of teachers and other professionals in education to promote the inclusion of students with disabilities or exceptional talents in formal education, through Decree 366 of 2009.

In France, educational levels aim to contribute to equal opportunity where each student has the chance and the environment to develop their personality, integrate socially and exercise their citizenship. According to the 2005 Education Act, mandatory schooling must guarantee that kids have the necessary means to acquire a common core of knowledge and skills that are crucial for the successful completion of schooling and the development of a personal and professional identity. That is the reason why the education system promotes inclusion of all the students, offering them the tools and mechanisms to be part of the society.

Accordingly, the Spanish Organic Law of 2006, states that educational processes of inclusion and provision of the educational service are regulated at the non-university levels, where the curricular principles such as flexibility, equity and quality are highlighted. In 2007, the Organic Law established principles of equal opportunities, non-discrimination and access of all students to university environments. The inclusion in the curricula and

the principles of universal accessibility and respect for all, as well as the incorporation of personalized help, support and adaptation in the teaching regime are also established (Moriña, 2004).

In the Colombian context, inclusive education is present at all levels of schooling. In this sense, the Ministry of National Education (MEN), created the Guide to Inclusive Education that primarily guides the institutions of basic and secondary education as an initial measure. Later, in 2013, the MEN created the Policy Guidelines for Inclusive Higher Education, where strategies and processes of inclusive education were established for previously defined population groups.

Another aspect of comparison are the institutions involved in the process. In many countries, there are special institutions devoted to attend people with special needs, such as deaf children, people with physical disability or at risk of vulnerability. In France, for example, it is worth mentioning that all students will be accepted in a school. However, once a student is diagnosed, the school must provide all the measures and strategies that allow the student to have a normal and integrated development. Besides, during the reform of the law in 2013, the French government has also established as a priority the training for teachers. This training intends to get teachers more involved, and provide to generate an enable adequate learning environment for students.

Some centers are devoted to work with specific population, such as:

- Services d' éducation spécialisée et de soins à domicile (SESSAD) The Special Education and Home Care Services (SESSAD) provide specialized support to children and who are kept in their ordinary environment of life and education. These services are established according to the age and needs of the children intellectual disability, pervasive developmental disorders, multi-handicapped "polyhandicap", hearing or sensory loss, behavior and driving disorders, among others.
- SAFEP: family support and early education service (sensory deficiency from 0 to 3 years old).
- SSEFIS: family support, education and school integration (hearing impairment after 3 years).
- SAAAIS: support service for the acquisition of autonomy and school integration (visually impaired).

Some of the institutions involved in the teaching of IE in Spain are:

- The National Organization of the Spanish Blind (ONCE): a non-profit organization whose mission is to facilitate and support, through these specialized social services, personal autonomy and full educational, social and employment integration of people with blindness and visual impairment. To expand the coverage of care, the ONCE Foundation was created.

- Red incluD-ed for inclusive education and disability. The aim of this network is to identify exchange and disseminate best practices in inclusive education for people with disabilities across Europe with the ultimate goal of promoting employment opportunities and employment inclusion.

In Colombia, some of the institutions are:

- National Institute for the Blind (INCI, for its acronym in Spanish): a public institution which proposes policies, plans and programs that improve the quality of life of the blind and low vision population, within the framework of respect for difference and equal opportunities.
- The National Institute for the Deaf (INSOR, for its acronym in Spanish): a public institution with legal status, administrative autonomy and independent patrimony, attached to the Ministry of National Education by Decree 1823/72, and restructured with Decree 2009 of August 14 of 1997.

Article 134 of Law 1448 of 2011, specifies that the National Government, through the Administrative Unit for Comprehensive Attention and Reparation for Victims, conducts an Accompaniment Program to ensure adequate investment of resources that the victim receives as administrative compensation. There are also non-profit organizations that promote respect and fulfillment of fundamental rights in conditions of equity of vulnerable groups, such as the Saldarriaga Foundation, the National Association of Displaced Afro-descendants, and the National Syndrome Association Down (Asdown), among others, representing population groups at risk of exclusion.

As for the evaluation of the educational systems in France, professionals provide reports monthly in order to define the student's progress. Thus, at least once a year, the school monitors the implementations and resources related to the students' needs and the measures taken, so that the necessary adjustments are made to ensure the continuity of the training course. In Spain, annual reports made by the Ministry of Education, Culture and Sport contain national statistics of students with specific needs for educational support, specific support needs and type of funding. As well, the index for inclusion is referred to, as one of the guiding documents for the self-evaluation of the institutions.

In Colombia, the Ministry of National Education created the Index of Educational Inclusion in 2008, which is a self-assessment tool for the analysis of the strengths and opportunities for improvement, and thus qualify the conditions of learning, participation and coexistence of the community.

Finally, every country has their own legislation in terms of IE. In France, according to United Nations Educational, Scientific, and Cultural Organization (2009), IE is legislated in Article 1 of Law No. 75-534 of 30th June 1975, which states that handicap should be prevented; that the education, care, professional training and orientation,

right to work, the guarantee to minimum resources, and the access to sports and leisure activities for disabled persons, constitutes a national obligation. Furthermore, Article 5 of the same law states that disabled children will be admitted into regular classes or educational establishments under the jurisdiction of the Ministry of Education or Agriculture. These institutions are free of charge; all students are to be admitted despite their handicap.

The law of 11th February, 2005 in France established as a priority that all children in that country has the right to education no matter the condition they have, and the reform of the law made in 2013 (Law of refoundation of the school of July 8,) established as a priority and mandatory aspect the inclusion and participation of students with disabilities in "ordinary" schools. Additionally, Order EDU/865/2009, of April 16 in Spain regulates the evaluation of students with special educational needs in the second cycle of early childhood education and in the stages of primary education, compulsory secondary education and baccalaureate, in the Community of Castilla and León. The Organic Law 2/2006, Title II, of May 3, of Education integrates equity in education, while the Decree 135/2014, of July 29 regulated the conditions for school success and excellence of all students of the Autonomous Community of Aragon from an inclusive approach.

As for legislation on education and inclusion in Colombia, the following laws and decrees are the legal basis:

- The Political Constitution of Colombia in articles 13-6, 1991 establishes the protection of the state to all persons and the rights, opportunities and freedom without discrimination based on sex, race, origin, language, religion, etc.
- Law 115: General education law, articles 46-47-48-49, 1994 regulates that pedagogical support programs will be incorporated into development plans to cover educational attention for people with limitations (Colombia. Congreso de la República, 1994).
- Decree 804 passed on May 18, 1995 regulates the educational attention for ethnic groups.
- Resolution 2565 of October 24, 2003 establishes the parameters and criteria for the provision of the educational service to the population with special educational needs.
- Decree 1006 of 2004 establishes the organization, planning and execution of policies aimed at obtaining rehabilitation, educational, labor and social integration of the people who have vision limitations, their social and cultural welfare, and the prevention of blindness.
- Decree 366 February 9, 2009 regulates the organization of the pedagogical support service for the attention of students with disabilities or with exceptional talents, within the framework of inclusive education.
- Law 1385, 2010 articles 7, 8, 10 and 70 of the Political Constitution are developed, and articles 4, 5 and 28 of Law 21 of 1991 states the recognition, promotion,

protection, use, preservation and strengthening of the languages of the ethnic groups of Colombia and the linguistic rights of the language speakers.

- Decree No. 4807 of December 20, 2011 establishes the conditions for the application of free education for preschool, primary, secondary and middle school students of state educational institutions, and other provisions for its implementation.
- Article 134 of Law 1448 of 2011 stipulates that the National Government, through the Administrative Unit for Comprehensive Care and Reparation for Victims, conducts an Accompaniment Program to ensure adequate investment of the resources that the victim receives. Administrative indemnity title.
- Statutory Law 1618 of 2013. February 27 states the provisions to guarantee the full exercise of the rights of people with disabilities.
- Decree 1421 August 29, 2017 regulates the framework for inclusive educational care for people with disabilities.

## CONCLUSIONS

After analyzing and comparing the relevance of inclusion in the educational systems of France, Spain and Colombia, it is observed that Colombia has advanced significantly in this field. The first steps have been taken, as the recognition of inclusion is defined as a fundamental factor to reduce the gap of social inequality. The educational process in Colombia is guided by the Ministry of National Education, which has advanced in the policies for concern and awareness of diversity in the society.

In terms of policies, it is shown that Colombia is not distant from countries such as Spain and France. Legislation in Colombia recognizes the principle of inclusion. There are advances in the participation of the society and community in the constant seek for alternatives to benefit the less favored people of the society. It constitutes an inclusive commitment that is a significant contribution to the development of processes with vulnerable populations in disadvantaged contexts.

IE has provoked a general interest in education, making of this a priority to attend in the country. There are important organizations that are disposed to service and help people with disabilities, at risk of vulnerability or victims of the social conflicts. However, it is necessary to strengthen non-profit organizations that defend the rights of vulnerable populations, these should give more support to schools and institutions that attend population with special needs, since the knowledge and experiences they have could fulfill the requirements and needs of the population groups with different conditions.

Even though policies has been already created, the main challenge is the implementation of the proposed policies that should start from the awareness of the whole society, since stigmatization is a situation that has not been

overcome. Policies have been addressed to the education field, but it could not be of exclusive responsibility to it, because there are other fields in which barriers impede the access to better equitable education opportunities. In this sense, it is observed that there are barriers and predisposition to offer job opportunities to people with different capacities. Nowadays, in Colombia there are immigrants coming from Venezuela, victims of the conflict, this situation requires a strengthening of the policies and society in general needs to be more conscious about the difference.

On the other hand, it is necessary that the national government invest more economic resources to train teachers and people who deal with the population with special needs. According to a report by DANE (National Administrative Department of Statistics) in 2004, the census reported that the population with blindness was 34.47%; deafness 24.85% mental retardation 16.92%; loss of lower extremities 9%, and muteness 6% of the population. This statistic requires professional experts, investment in teacher training and institutions with the required resources that let successful attention to this population.

Another important aspect that requires reflection is the concept of inclusion, as previously stated in this paper, inclusion implies exclusion. Diversity needs to be seen not taking as starting points the disabilities, but the competencies and capacities of students, bearing in mind that each human being has qualities, skills and potentialities that were given as part of its personality. Although, during the last years some people have included the term people with different capacities instead of special education needs, it is necessary to reinforce this conception and a possible paradigm change in education.

Last but not least, a rigorous evaluation and accompaniment system is required, which gives reports about the progress of the policies and plans designed to implement strategies. Despite the policies existing to regulate the education systems and evaluate the quality of education from preschool to high education, there is a lack of a regulation to evaluate the way in with schools and universities attend and respond to the requirements of population with special education needs. Finally, it is also important to evaluate the results of the investment and resources gave to some institutions devoted to deal with people with disabilities.

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