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Inclusive education in Colombia and Latin America: from regulations to the reality of the school

Educación inclusiva en Colombia y América Latina: de la normativa a la realidad de la escuela

Angela Isabel Rodríguez Velazco
angela.rodriguezv2024@uted.us
https://orcid.org/0009-0003-1020-4963
University of Technology and Education, Florida, United States

Marcela Angelina Aravena Domich
domich2@yahoo.com
https://orcid.org/0000-0002-6951-0960
University of Technology and Education, Florida. United States

Abstract

This study examines inclusive education in Latin America and the Caribbean, highlighting its fundamental role in human progress and social transformation toward equity. It emphasizes that access to education is a universal right, which includes persons with disabilities, who must have equal educational opportunities, as established by the Convention on the Rights of Persons with Disabilities (2006). The analysis focuses on the challenges of implementing inclusive education, particularly the lack of teacher training to serve students with disabilities, which can lead to segregation. It argues that teacher training in inclusive education is essential, not only to provide pedagogical tools, but also to foster an ethical and empathetic approach. The main objective of this article is to conceptualize inclusive education in the region, highlighting its importance for the educational development of children and as a fundamental human right. Topics such as the context of inclusive education in Latin America and the Caribbean, its development in Colombia, inclusive policies, and the crucial role of teachers are explored. Finally, conclusions are presented on the challenges, opportunities, and challenges for achieving effective educational inclusion at the general and school levels.

Keywords: Inclusive education; Disability; Teacher training; Universal rights; Equity

Resumen

Este estudio examina la educación inclusiva en América Latina y el Caribe, destacando su papel fundamental en el progreso humano y la transformación social hacia la equidad. Se enfatiza que el acceso a la educación es un derecho universal, que incluye a las personas con discapacidad, quienes deben tener igualdad de oportunidades educativas, tal como lo establece la Convención de los Derechos de las Personas con Discapacidad (2006).El análisis se centra en los desafíos de la implementación de la educación inclusiva, particularmente en la falta de capacitación docente para atender a estudiantes con discapacidad, lo cual puede llevar a la segregación. Se argumenta que la formación docente en educación inclusiva es esencial, no solo para proporcionar herramientas pedagógicas, sino también para fomentar un enfoque ético y empático.El objetivo principal de este artículo es conceptualizar la educación inclusiva en la región, resaltando su importancia para el desarrollo educativo de los niños y como un derecho humano fundamental. Se exploran temas como el contexto de la educación inclusiva en América Latina y el Caribe, su desarrollo en Colombia, las políticas inclusivas y el papel crucial de la docencia. Finalmente, se presentan conclusiones sobre los desafíos, oportunidades y retos para lograr una inclusión educativa efectiva a nivel general y escolar.

Palabras clave: Educación inclusiva; Discapacidad; Formación docente; Derecho universal; Equidad

INTRODUCTION

Education is a means for human progress, as Gimeno (2013) points out. Education not only impacts the development of individuals but also plays a fundamental role in the transformation of society, driving processes toward equity and social justice. Education should foster critical understanding that allows students to adapt to their environment and actively participate in its transformation, promoting a more just and respectful coexistence.

Access to education is a fundamental and universal right, without discrimination for individuals with disabilities. The Convention on the Rights of Persons with Disabilities (2006) establishes that all children with disabilities must have full access to education on an equal basis with their peers. This requires not only an inclusive education system but also classrooms that adapt to needs. In Colombia, despite regulations promoting inclusion, such as Decree 1421 of 2017, significant challenges persist in their implementation, highlighting the gap between regulations and everyday classroom reality.

One of the main obstacles lies in the lack of training and education for teachers to serve students with disabilities. It is a reality that teachers, unfamiliar with pedagogical strategies for this population, feel frustrated and incompetent. This can lead to the segregation of students with disabilities in the classroom. This situation not only hinders children's learning but also affects their social integration with their peers.

Therefore, it is essential for teachers to have solid training in inclusive education, which not only provides them with pedagogical tools but also fosters an ethical and empathetic approach to diversity. Inclusive education should be seen as an opportunity to improve the quality of life of students with disabilities and also aims to transform social attitudes toward them. Furthermore, the integration of these students in an inclusive environment benefits the entire educational community, promoting mutual respect and understanding of differences.

This article aims to address and conceptualize inclusive education in Latin America and the Caribbean, thereby placing the importance of children's educational development and education

as a fundamental human right at the forefront.

The concept of inclusion guarantees the rights of people with disabilities, allowing them to fully participate in all aspects of society. This requires ensuring that people with disabilities have equal opportunities to access education as a guaranteed right (Dussan, 2010). Educational exclusion goes beyond simple school attendance. It involves the lack of opportunities to develop the thinking skills necessary to understand, interact, and navigate a complex world. Currently, inclusion and exclusion do not only refer to the allocation of spaces in educational institutions; the law emphasizes ensuring that all students learn, eliminating any type of discrimination (Aguerrondo, 2008).

This essay will address the context of inclusive education in Latin America and the Caribbean, the development of inclusive education in Colombia, inclusive policies, and the importance of teaching in inclusive education. Finally, relevant conclusions are presented regarding the challenges, opportunities, and challenges for inclusive education at the general level and at the school level.

Development

1. Context of Inclusive Education

Effectively addressing the disabled population in the education system is one of the greatest challenges facing inclusive education. Education, as a fundamental human right, must be guaranteed to all students, regardless of their physical, mental, or cognitive characteristics. Despite current legislation promoting inclusion, significant gaps persist in access, quality, and equity in education for students with disabilities.

Decree 1421, issued by the Colombian Ministry of Education (2007), establishes a clear commitment to gradually eliminate the barriers that prevent students with disabilities from participating in the educational system. According to this Decree, the development of children and adolescents and learning on equal terms with other students must be promoted. However, the implementation of this principle faces several challenges in the classroom, which have implications at the pedagogical, social, and community levels.

On the other hand, Pérez et al. (2024) mention that one of the crucial factors that influences the inclusion of students with disabilities is the perception and feelings of teachers. These

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individuals are a key participant in the educational process. Training teachers to address diversity in the classroom, especially when it comes to students with disabilities, is essential to achieving truly inclusive education.

For Ainscow (2005), it is not enough for teachers to be aware of the legislation; they must have the necessary tools to integrate these students effectively, considering the pedagogical aspects and also the social, human and legal approaches. These barriers to their work can be structural in nature, lack of resources, insufficient training, stigmas and/or prejudices about disability.

At a comprehensive level, the Incheon Declaration (UNESCO, 2015) establishes that all teachers must be trained in inclusion by 2030. This goal emphasizes the importance of addressing teacher training as a key element in ensuring that inclusive education is developed at all educational levels.

According to the World Health Organization (WHO, 2023), the population is currently considered diverse. An estimated 1.3 billion people, equivalent to 16% of the world's population, face a significant disability. People with disabilities make up a highly diverse group, and their experiences and needs are also related to relevant factors such as sex, age, gender identity, sexual orientation, religion, race, ethnicity, economic status, among others. Furthermore, people with disabilities tend to have a shorter life expectancy, face worse health conditions, and experience more limitations in their daily activities compared to the rest of the population (WHO, 2023). This leads, pedagogically, to the need to strengthen the quality of the approach to educational processes with this population, as well as to train teachers to create an educational space designed with quality and equity in the inclusion process.

Disabilities, whether physical, mental, or intellectual, can generate all kinds of reactions at the social and academic levels. Consequently, phenomena such as exclusion, marginalization, and stigmatization are observed. Therefore, it is the States, through their social policies, that must guarantee access to education for children and adolescents with disabilities. The purpose of these regulations is to eradicate all forms of discrimination. However, as already noted, teachers will be responsible for implementing these policies (Vélez and Manjarrés, 2020).

Similarly, children and adolescents with disabilities have low enrollment rates in early childhood education. Even when they attend school, they run the risk of dropping out early, without completing their academic training (UNESCO 2021). According to UNESCO (2017), children with disabilities are at greater risk of experiencing school violence and bullying, limiting their right to remain in the classroom. Bourdieu and Passeron (1970) point out that social and cultural structures in the educational system tend to reproduce inequalities, which can increase students' vulnerability to bullying and exclusion. This situation is evident in classrooms in Latin America and the Caribbean, and education for all is still not guaranteed.

It is important to highlight that there are educational limitations for students with disabilities, but teachers also face diverse situations that they are unable to manage. Thus, there are problems with the physical structures of educational institutions, a lack of teacher training, and a community that contributes little to the integration process of people with disabilities. For Cobeñas (2020):

> *These facts reflect the impact of the significant ongoing barriers to education faced by many people with disabilities, which include a lack of accessibility, both in terms of physically inaccessible school buildings and inadequate learning materials; discrimination and prejudice that prevents people with disabilities from accessing education on an equal basis with others; exclusion or segregation from mainstream school settings from substandard education, even in mainstream settings where children with disabilities have been integrated into the existing non-inclusive system.* (p. 15)

UNESCO (2021) considers exclusion a real problem in our society. Educational exclusion is a reality in Latin American destination countries. It not only means children not enrolled in school, but also a lack of social well-being and protection for vulnerable situations. Therefore, the educational system plays an exclusionary role in access to education, enabling obstacles to prevent the

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inclusion of children with disabilities in classrooms, often generating negativity and violence towards this population (Karsz, 2004; Castillo, 2009; Granada, et al. 2013).

2. Inclusive Education

In May 2015, ministers of education from around the world, heads of agencies, delegates from organizations, representatives of teachers and civil society, including youth, the private sector, and others, gathered in Incheon, Korea, for that year's World Education Forum. The central theme of the Forum was to lead and recommend the foundation for education goals as a global initiative, in line with the Sustainable Development Goals (SDGs) outlined by other bodies. The event's vision was based on "transforming lives through education, recognizing the important role that education plays in the development of society and in achieving the other suggested Sustainable Development Goals" (UNESCO 2015, p. 2). This global event exposes the urgency of an agenda in "a unique and renewed education that is comprehensive, ambitious and demanding, leaving no one behind" (p. 2), in this sense; sustainable development goal four (4) is posed as key "Guarantee inclusive, equitable, quality education that promotes lifelong learning opportunities for all (UNESCO 2015, p.2).

UNESCO states that education must be understood within a humanistic framework based on dignity, social justice, inclusion, protection, and cultural, linguistic, and ethnic diversity. Understanding that education "is a public good, a fundamental human right, and the basis for ensuring the realization of other rights" recognizes the importance of establishing scenarios that promote access to and retention in a more equitable education system. (UNESCO 2015, p. 3)

In this regard, the dignitaries set the goal for States to provide quality, equitable, free, and publicly funded education at the primary and secondary levels for at least 12 years, nine of which are compulsory, and adding that there exists one year of compulsory, free, and quality preschool.

As it can be seen, the Declaration advocates for quality, free, and compulsory education, as well as gender equality. In point 7 of the declaration, it emphasizes the following:

Inclusion and equity in education are the cornerstone of a transformative education agenda. Therefore, we commit to addressing all forms of exclusion and marginalization, disparities and inequalities in access, participation, and learning outcomes. No educational goal should be considered achieved unless it has been achieved for all. We therefore commit to making the necessary changes in education policies and focusing our efforts on the most disadvantaged, especially those with disabilities, to ensure that no one is left behind (UNESCO 2015, p. 3).

From a pedagogical perspective, it insists that teachers have the responsibility to challenge the hegemonic discourses and practices that promote exclusion. Uncovering forms of discrimination, such as racism and xenophobia, present in various documents becomes an exercise in political resistance and social commitment (Soler, 2009). Therefore, educators not only transmit knowledge but also play an active role in transforming the social structures that perpetuate inequality in the school environment. Teachers play a central role in education but require state policies and the necessary training for their work.

3. Inclusive Education in Latin America and the Caribbean

Various articles from Latin America and the Caribbean (Arnaiz, 2003; Granada, Pomés, & Sanhueza, 2013; Booth & Ainscow, 2015) state that education must be inclusive, relevant, and intercultural; therefore, they place particular emphasis on teacher training to meet these needs. States must guarantee the training and development of teaching staff, since actions that address diversity must be appropriately developed.

In this context, some states in the region have taken a more active role, promoting clear regulatory frameworks and establishing relevant guidelines for inclusive education for all. These countries have developed policies that seek to regulate and guarantee optimal conditions for equitable education, focused on respect for diversity. However, it is important to emphasize that the state's commitment goes beyond legislation. In this sense, governments must guarantee the ongoing strengthening of teacher training and education,

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recognizing that without a well-trained professional team, it is difficult to implement inclusive processes in the classroom.

Generally, inclusive education is associated with "attention to diversity," although in several countries it is associated with attention to students with exceptional abilities or special educational needs. Addressing diversity requires equal opportunities and non-discrimination, in addition to promoting equity. Some countries offer a more comprehensive view of inclusive education (Argentina, Brazil, Ecuador, Honduras, Paraguay, Peru, Uruguay, and Venezuela), while others, such as Bolivia and Guatemala lack clear ideas on the topic (Rico, 2010).

In Latin America and the Caribbean, according to a UNESCO report, only a quarter of countries have inclusive education laws that cover all students. Among the 194 countries analyzed, only five have inclusive education laws for all students (Chile, Italy, Luxembourg, Paraguay, and Portugal). However, the idea of inclusive education for all children and adolescents is absent from much of the world's legislation (Llorente, 2020).

Fernández (2007) highlights the importance of creating a sense of belonging and active participation within schools for all, particularly students with disabilities. According to the author, inclusive education does not only refer to the adaptation of physical spaces or the curriculum; it implies a profound transformation in school culture, where the equitable participation of all students is promoted, regardless of their differences. This approach implies recognizing that teachers must have and develop pedagogical skills aimed at recognizing and valuing diversity as a fundamental element for learning for all, thus promoting quality education.

For Briceño (2015), one of the main obstacles to the effective implementation of inclusive education in Latin America is insufficient teacher training and the failure of educational structures to adapt to diversity. For the author, inclusive education must go beyond the integration of students with disabilities, working with an approach that considers the diverse learning needs of all students. In this sense, teachers must integrate a flexible pedagogical dynamic that considers students' individual characteristics and promotes

their participation in the educational process. This approach facilitates inclusion and favors the creation of quality education for all students.

In short, although Latin America and the Caribbean have made significant progress in recognizing the right to inclusive education, significant challenges remain related to legislation, teacher training, and the cultural transformation of education systems. For inclusive education to become a visible reality, it is essential that States make a firm commitment to comprehensive policies, adequate resources, and an educational vision that places diversity at the center as a driver of equity and quality.

The social situation in Colombia highlights the urgent need to prioritize one of the key aspects for achieving an inclusive approach in society (Dussan, 2010; Puñales and Fundora, 2017; Chiqui and Ureta, 2019). Currently, one of the challenges facing the country is the persistent stigmatization and deep social gaps that disproportionately affect various vulnerable groups such as indigenous communities, Afro-descendants, people living in poverty, and people with disabilities. These social inequalities act as significant barriers that prevent the equitable participation of all citizens in the social, economic, and political life of the country (Chiqui and Ureta, 2019).

Due to this situation, it is crucial and urgent to focus attention on social diversity and address differences in an inclusive manner. Not only must the diversity of realities and experiences within Colombian society be recognized and respected, but policies and programs that promote equal opportunities and social inclusion must also be implemented. It is essential to promote intercultural dialogue and the participation of all social groups in decisions that impact their lives and communities. Only through an inclusive approach can a truly just, diverse, and cohesive Colombian society be built.

Regarding gaps, the most notable differences in access to education between people with and without disabilities are found at the primary and secondary education levels. According to statistics, 16.2% of people with disabilities have no educational attainment, while only 2.6% of the population without disabilities is in this situation, reflecting a difference of 13.6 percentage points. Regarding primary education, 37.7% of people with

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disabilities have completed it, compared to 26.9% of people without disabilities, creating a gap of 10.8 points. Regarding secondary education, 16.5% of people with disabilities have completed it, a figure 9.2 points lower than the 25.7% of the population without disabilities (DANE, 2023). This situation becomes a national problem that must be addressed by educational policies and the Ministry of Education to reduce the existing gaps.

In relation to higher education, according to statistics, only 14.3% of people with disabilities have reached this level, as opposed to 21.0% of people without disabilities, which implies a contrast of 6.7 percentage points (DANE (2023). The difference continues to be alarming and reflects a problem not only of access, but also of continuity and access to the right to education.

The Colombian Ministry of Education has to implement public policies aimed at inclusive education. As a fundamental right, children, including those with disabilities, are guaranteed support for educational processes and the necessary adaptations (MEN, 2017). Article 10 of Law 361 of 1997 establishes that the Colombian State, through its public education institutions, is responsible for guaranteeing access to education and training for people with disabilities. This law covers primary, secondary, vocational, and technical education levels, ensuring that these individuals can receive comprehensive training tailored to their specific needs. Thus, the State is committed to promoting an inclusive educational environment that addresses the specific characteristics of each individual and provides the most appropriate conditions for their development.

Likewise, Law 1618/2013 aims to effectively guarantee the rights of persons with disabilities and ensure their full exercise in all areas of society. Key provisions of this law include universal accessibility, the elimination of architectural and communication barriers, the promotion of inclusion in both employment and education, and equitable access to health and social welfare services. It also establishes specific protection and support mechanisms for those who need additional assistance to exercise their rights (Minsalud, 2013).

Furthermore, Decree 1421/2017, which regulates the education of persons with disabilities at the preschool, primary, and secondary levels, defines specific guidelines to guarantee inclusive, quality education at all stages of education, laying the foundation for fundamental principles such as equal opportunities, respect for human dignity, universal accessibility, the participation of persons with disabilities, and a human rights approach to education. This Decree provides a clear interpretation of terms related to educational services for persons with disabilities, which facilitates the implementation of the established provisions. Decree 1421 establishes a detailed regulatory framework that sets forth the requirements for persons with disabilities to receive a quality education that responds to their specific needs and promotes their personal and social development.

The legislation is precise and aimed at reducing all forms of exclusion; however, the title of this article indicates that this legislation must be implemented in schools. More work remains to be done to achieve the full right to education.

4. The Teacher and Inclusive Education

The role of teachers is essential in the implementation of inclusive pedagogies, as their classroom experiences enable them to respond to diversity in the teaching and learning processes. These practices foster students' prior knowledge and its application in daily life (Ayala and Aravena, 2022). Critical and conscious teacher training is also key to strengthening and developing educational policies that respect cultural diversity and the vulnerabilities present in communities (Mora, 2018).

It is important to mention that "the disposition and professional preparation of teachers is decisive for the implementation of any educational project, even more so when it has such novel and complex elements compared to traditional educational practices" (Cruz and Mijenes, 2015, p. 121), such as attending to students in the classroom with support needs in the learning process.

Regarding the challenges faced by inclusive pedagogical practices, they recognize that teachers are the ones who best understand the context of inclusion for students with disabilities, but adequate spaces have not been created to discuss the realities they face in their practice. They continually face challenges, fears, and difficulties that affect the implementation of inclusive education. The lack of

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collaboration among teachers, the fear of being evaluated by colleagues, and the lack of trust in the contributions of others hinder the appropriate attention to students with disabilities in the school environment (Muñoz et al. 2015).

Problems and difficulties arise for teachers in inclusive education. Although the idea of inclusion is widely accepted, effective implementation remains a challenge. Although there are laws that guarantee inclusion in theory, limited resources reveal that these laws can be exclusionary in practice. Inclusion laws and policies are often not adequately enforced due to insufficient resources and the need for a comprehensive and collaborative approach between society, schools, governments, and citizens (Muñoz et al., 2015; Ayala and Aravena, 2022).

Due to the contradictions and obstacles, serving a diverse population requires a constant and collaborative effort between teachers and other educational professionals. Continuing teacher training is essential, as inclusive education entails a profound change in the culture and functioning of educational institutions. Evidence shows that isolated teacher training does not generate significant changes in school culture; therefore, developing an inclusive and shared educational project is vital to transform attitudes and educational practices (Blanco, 2006).

Currently, inclusive education is a priority in education systems in various countries, including Colombia. This is due to the implementation of guarantees that all students, regardless of their abilities, have access to quality education. In Colombia, Law 1618/2013 establishes the guidelines for inclusive education, promoting an education that respects diversity and offers equal opportunities to all students.

The Colombian education system faces multiple challenges in implementing inclusive practices. These include a lack of teacher training in addressing students with disabilities, pedagogical practices, a lack of adequate resources, and the resistance of some educational stakeholders to accepting inclusive pedagogical approaches. This creates a complex situation where inclusion does not always translate into effective practices within educational institutions.

It is essential to discuss the role of teachers when implementing inclusive education processes. They are the main actors who must adapt their teaching practices and address diversity within the classroom. Inclusive teaching practices require specific knowledge and an open attitude committed to the principle of educational equity. For this reason, teachers play an essential role in creating accessible learning environments that respect diversity.

However, part of their teaching experiences has generated a history that is either hidden or filtered to avoid exposing what is considered a weakness. Loneliness in pedagogical development is a condition that accompanies teachers when facing the challenges of being immersed in a classroom where they lack the necessary knowledge. It is therefore necessary to thoroughly understand what is going through teachers' mind and what their experiences are, both physically and emotionally. In the classroom, realities experienced by teachers are being woven together that should not be lost.

CONCLUSIONS

Inclusive education in Latin America and the Caribbean is essential to fostering a more equitable and just society. The region has historically been marked by social, cultural, and economic inequalities, which has prompted the creation of public policies that promote inclusive education. These provisions must guarantee access to education for all children and young people without exception. An inclusive approach seeks to include students with disabilities, as well as to include those from ethnic and linguistic minorities, rural areas, and vulnerable backgrounds, recognizing their right to quality education tailored to their needs.

In Colombia, inclusive education is a priority in public policies due to the diverse social problems experienced by the population: forced displacement, inequality, and violence. The education system must guarantee accessibility for all students, without discrimination, fulfilling a right. Inclusive education opens doors to social reconciliation, offering new opportunities to the most vulnerable groups. This approach also promotes social transformation based on respect for diversity, providing equal opportunities for all.

The implementation of inclusive education implies recognizing it as a right, and also as an ethical and social imperative. Effective

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implementation requires a profound change in educational practices and school culture. This requires investment in ongoing teacher training, providing them with pedagogical tools and developing an empathetic approach that values diversity. Therefore, it is necessary to eliminate the current barriers that obstruct the care of students with disabilities. Inclusion should not be viewed as a burden; on the contrary, it should be understood as an opportunity to improve the quality of education for all students.

Although progress has been made in the implementation of inclusive education, several underlying challenges persist, including architectural barriers in schools, a lack of adequate teacher training, and prejudices toward diversity. There are also limitations in resources and school infrastructure, which hinder the effective implementation of inclusive policies. Overcoming these barriers requires a joint effort between public policies, educational institutions, and society as a whole.

Inclusive education is fundamental to the protection of human rights. Therefore, it is essential to ensure that all children and adolescents have access to quality education, enabling significant progress toward building a more equitable society. Although inclusive education benefits students with disabilities, it also strengthens essential values such as equality, tolerance, and respect for diversity, which are pillars of human rights.

From a regulatory perspective, there are challenges in implementing inclusive education, but there are opportunities to think about more just and inclusive societies. This is a fact that, in Latin America and the Caribbean, efforts are already being raised and generated to achieve it. It is known that it is not easy, especially due to the lack of economic and human resources. Ultimately, the challenges for inclusive education, both at the general level and at the school level, will be met to the extent that there is greater awareness of the importance of equal access to education, and that teachers and educational communities are aware of the importance of all voices so that this challenge is addressed collectively and not as an individual task. Even so, teachers have a fundamental role that allows them to lead these processes.

The challenge, of course, lies in bringing inclusive regulations to schools realities. Although there are laws and policies that promote inclusion, true transformation will only be achieved when the structural, social, and cultural barriers that persist in educational institutions are overcome. The process of transformation toward effective inclusive education requires the commitment of all stakeholders, with investment in public policies that address the needs of infrastructure, resources, teacher training, as well as the participation of families and society as a whole. Only in this way the State can guarantee accessible, equitable, and diversity-respecting education, ensuring that no one is left behind.

Finally, support for teachers' work toward inclusion in the classroom must be reinforced, strengthened, and valued. A person who understands his or her pedagogical role will be more likely to contribute to education and the human right it involves.

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