

Disability Concept Review From Inclusive Educational Policies For The Deaf Population

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Abstract

The population with disabilities has fought great battles in the Colombian context, among them, the Deaf population, who from the vindication of their rights have stood against the exclusion and marginalization to which they have been subjected for centuries. This article focused its objective in making an exhaustive review of the concept of disability, taking as a reference the main regulations towards the Deaf population, using the hermeneutic-interpretative perspective, under a rigorous analysis of the regulations and the scope of the concept of disability until today, reaching the conclusion that in order to open the way towards the conception of a real and inclusive participatory education, it is required that Deaf students and their families have a voice, empowering themselves in the policies and the spaces that these provide them, both in the educational context and in the labor and social context, in short, as beings with full rights.

Keywords: Disability, educational policies, inclusive education, educational, deaf population, educational participation.

INTRODUCTION

The inclusion of Persons with Disabilities (PSD) has become one of the most recurrent issues on the agendas of all countries. At least in Colombia it has become in recent years a central point of interest in fields such as education, work, culture, sports, among others. One of the greatest openings has occurred in the promulgation of regulations and policies to promote strategic lines and work oriented towards the recognition, participation, organization and rights of PWD. However, the existence of regulations or policies does not ensure that true inclusion is carried out (Hernández, 2014) and that the development of PSD in society has the effectiveness in participation without exclusions, in many cases policies do not always coincide with the practices of recognition of identity, as is the case of linguistics in the Deaf (UNESCO, 2020), which leads to the perpetuation of actions that tend to exclude people with disabilities, violating any right to interaction and recognition as a social being.

The analysis of the Inclusive Education category proposes the deep reading of three fundamental elements: practices, policies and culture. From the policy perspective, the review delves into the main regulations that have governed the population with disabilities in

Colombia, including the Deaf population, opening a dialogue between the existing reality and the treatment that has been given over the years in the Colombian educational context. The revision of the broad regulations begins with the careful reading of the regulations and then establishes a timeline or chronological line that would allow a dialogue between the current conditions of the situation of persons with disabilities, the treatment that has been given to their conception and the various changes that this conception has had for their educational development. social and cultural.

This exhaustive reading located from the political component was crossed with the categories transition and educational participation, contemplating transversal issues between the theoretical positions and the existing regulations of the Deaf. From this framework arises a constant reflection on the transcendence of the regulations both in the educational levels in which the PSD transit and the participation they acquire in these scenarios, to then raise the proposal of the need for a territorialized inclusive education. In line with Cotán Fernández (2017) and Mora and Núñez (2016), the research argues that there is a prevailing need for the regulations to be in accordance with the needs of the PSD, in the case of the educational context, it requires a hoarding from the rights, and from this perspective allow an opening to the access, permanence and graduation of students in situations of disability until the social and labor development in their contexts.

The review of the legal basis revealed that Colombia is covered by a broad regulation on PSD, including the Deaf, but as I had already explained (Hernández, 2014), the mere existence of the legal basis does not ensure that there is real educational inclusion, since efforts should focus more on meaningful actions than on writing it.

A wide range of disability regulations

Inclusive education has broad political support that promulgates it as an effective right to education, at least in Colombia, there is a large legal repertoire in which significant advances are based in terms of treatment, coverage, evolution and respect for difference, diversity, among others, contained in the Political Constitution of Colombia of 1991 and Laws 115 of 1994, 324 of 1996, 361 of 1997, 762 of 2002, 982 of 2005, 1898 of 2006, 1145 of 2007, 1346 of 2009, 1618 of 2013, 2216 of 2022 and Decrees 2082 of 1996, 3020 of 2002, 366 of 2009 and 1421 of 2017, in addition to the Conpes documents (80 of 2004 and 166 of 2013) and the guidelines of the inclusive education policy

issued by the Ministry of National Education (MEN, 2013), as well as Public Policies – PP – national, departmental and local.

This broad norm is supported by the international legal framework, which has been transcending along with global demands, among which stand out the Universal Declaration of Human Rights of 1948, the UNESCO Convention of 1960, the Declaration of the Rights of the Child of 1989, the World Declaration on Education for All of 1990, the 1993 United Nations Standard Rules on Equality of Persons with Disabilities, the 1994 Salamanca Declaration and the Treatment of Special Educational Needs, the 2000 Dakar World Education Forum and Millennium Development Goals, the EFA flagship programme: Towards UNESCO 2001 inclusion, the 2006 United Nations Convention on the Rights of Persons with Disabilities and the 2008 United Nations International Conference on Education: "Inclusive Education, the Way to the Future"; which have sought from a historical position to vindicate the rights of those who have been dispossessed, minorities (especially in a situation of disability), especially in the field of education.

The Universal Declaration of Human Rights makes it clear that education is an inalienable right; in its Article 26 it states that "1. Everyone has the right to education. 2. Education shall have as its object the full development of the human personality and the strengthening of respect for human rights and fundamental freedoms" (UN, 1948, p.54). From this position, it is understood that absolutely no one can be deprived of the fundamental right of education. This premise is ratified in the Convention against Discrimination in Education (UNESCO, 1960), which makes it explicit that education is not a luxury, but a fundamental, free and compulsory human right. In this context, children are given great preponderance and it is through the Declaration of the Rights of the Child in its articles 28, 29 and 30, the right to an equal education, that is, without any discrimination (Unicef, 1989). This same position continues to be guaranteed in the World Declaration on Education for All "Basic education must be provided to all children, youth and adults. To this end, quality education services should be increased and coherent measures taken to reduce inequalities" (UNESCO, 1990, p.5.).

In 1993 the United Nations through the Standard Rules on the Equality of Persons with Disabilities opened the way to think about an education with integrated environments and under a common framework at the global level, in this regard, provide for the

"achievement of equal opportunities" (UN, 1993, p.6). Then, the Declaration of Salamanca introduces the term Special Educational Needs – SEN, attending to the problem of integrating people with disabilities into particular environments and thus providing an education more in line with particular needs; in the framework of action, paragraphs 2 and 3, the right to education is promulgated under the principle that all "schools must welcome all children, regardless of their physical, intellectual, social, emotional, linguistic or other conditions" (UN, 1994, p. 5-6). The breadth of this view opens to the regulations promulgated between 2000 and 2008, in the world forums on education and millennium goals, as well as in the Convention on the Rights of Persons with Disabilities, which reaffirms the guarantees that people with disabilities have on the full exercise of their rights and without any discrimination (UN, 2006) and the International Conference on Education: "Inclusive education, the way to the future", where a social and democratic look at disability is launched, pointing out that "an inclusive education is not a utopia or an abstraction and that it is achievable in everyday practice" (UN, 2008, p.12).

This perspective of law has been the main guarantor of the construction of policies in Colombia, since since the Political Constitution of Colombia of 1991, in its article 67 it is established that "Education is a right of the person and a public service that has a social function" (Political Constitution of Colombia, 1991, p.11), Likewise, article 68 refers to the eradication of illiteracy and the right to education for people with limitations and exceptional talents. From this proclamation, a normative journey begins that has focused its efforts on directing the equitable and equal treatment of education, with a view to establishing it as a guarantor of society and that everyone can have access to it. Decree 1421 of August 29, 2017, is perhaps the best example that progress has been made in this regulatory consolidation, since since 1994, when the proclamation of education as a right is made in Law 115, efforts have not ceased so that it belongs to all and for all.

One of the greatest feats of the Colombian teachers corresponds to Law 115, which was consolidated from the union struggle of Colombian teachers (Dimaté, 2018); its first article states that "Education is a right and a process of permanent, personal, cultural and social formation that is based on an integral conception of the human person, of their dignity, their rights and their duties" (Education Law, Law 115 of 1994, p.1) and in Title III, Article 46,

highlights the educational attention of people with disabilities and exceptional talents, stating that "Educational establishments will organize directly or through agreement, pedagogical and therapeutic actions that allow the process of academic and social integration of said students". (Law 115 of 1994, p.12); conceived in this way, education is presented as a social whole, in which the human being is an integral participant in it, that is, it transcends all social spheres and is located in an inalienable position of law (Tegiri, 2014). This same perspective continues to be consolidated in Law 361 of 1997, which focuses on the care of persons with limitations from their attendance to their protection, highlighting in Chapter II, the responsibilities of the State with regard to educational processes and integration, which is oriented from non-discrimination and equality (Law on Social Integration, Law 361 of 1997).

Law 324 of 1996 accounts for the above, since the definition, guidance and support provided to the deaf community is done from a clinical position, where the deaf "Is that person who presents a hearing loss greater than ninety Decibels (90) that prevents him from acquiring and using oral language in an appropriate way" (Law of norms in favor of the deaf population, Law 324 of 1996, p.1), and which requires precisely an adequate rehabilitation process, leaving aside the recognition of their linguistic difference. These norms in favor of the deaf population constitute an important step for the recognition of this community, but they continue to place it from the shortcomings, at least, in Decree 2082 of 1996, it is conceived as a person with limitations, precisely, it points out that "The education of people with limitations either of physical order, sensory, psychic, cognitive or emotional and for people with exceptional abilities or talents, it is part of the public educational service ..." (Decree on educational care for persons with limitations or exceptional talents, Decree 2082 of 1996, p. 1).

The previous segregating position, will be transfigured a little in the following regulations, this is how Law 762 of 2002 constitutes one of the following steps to the rupture of this medical position, since by enacting the Elimination of all Forms of Discrimination against Persons with Disabilities, it makes it possible through the PSD convention to assume that "Persons with disabilities have the same human rights and freedoms fundamental than other people; and that these rights, including the right not to be subjected to discrimination based on disability, derive from the dignity and equality inherent in every human being" (Act on the Inter-American Convention on the

Elimination of All Forms of Discrimination against Persons with Disabilities, Law 762 of 2002, p.1).. In the same vein, Decree 3020 of 2002 provides for adequate care for the disabled population, articulating the support of counsellors and professionals to support the educational service (Decree on the teaching and administrative staff of the educational service, Decree 3020 of 2002) in line with the elimination of the aforementioned forms of discrimination.

Proof of the above is the formulation of the National Public Policy on Disability expressed in the document of the National Council of Economic and Social Policy Republic of Colombia National Planning Department - Conpes Social 80 of 2004 where clarity is given on the advances of the concept of disability and is assumed from the socio-cultural, beyond a physical or medical condition of the human being.(National Council for Economic and Social Policy [Conpes], 2004). This differentiating look begins to establish a dialogue with the differences and to put another type of treatment towards the Deaf/deaf population, at least from more inclusive perspectives, an aspect that will be reinforced in Law 982 of 2005, where the conceptualization of the Deaf community begins to contemplate more strongly and the detailed specification among the Deaf is provided (signs, speakers, bilingual, semi-lingual, monolingual and bilingual), in addition, the need for the integration of the interpreter and hearing aids to the regular classroom is reinforced, having as its main tool the Colombian Sign Language (LSC) and respect for the communication of the Deaf, which indicates the Law, must be based on a bilingual education that responds to the needs of the community (Law of equal opportunities for deaf and deafblind people, Law 982 of 2005).

The socio-cultural perspective marks a historical milestone in the conception of disability, since it not only implies a change in the terminology or nomination of this specific group, but a leap towards the change of attitudes, the treatment and vindication of rights from an inclusive perspective (Ainscow, 2003). As can be seen in the regulations, the context is alluded to, however, territoriality is absent as a proposal and construction that allows the subject to be placed at least in the dynamics of culture, politics and education from their needs, priorities, experiences and experiences as a diverse social being.

A sociocultural look at disability

Article 36 of Law 1098 or the Code of Children and Adolescents takes up the concept of disability, indicating that "it is understood as a

physical, cognitive, mental, sensory or any other temporary or permanent limitation of the person to exercise one or more essential activities of daily life." (Law on the Code of Children and Adolescents, Law 1098 of 2006a, p.6)). This conception takes up the perspective from the limitation, shows the little coherence that exists between the position of the convention of persons with disabilities, focused on the social perspective to place it in the context of the barriers that limit participation, on the one hand it wants to assume as a socio-cultural condition but the regulations continue to ratify the limitation of the person for his development in society; Although it is important to note that the Code on Children and Adolescents makes an interesting opening towards respect for differences and active participation in the community, from this point of view, it is indicated that children and adolescents with disabilities have the right to enjoy a full life, in addition to developing their potential and conditions of equality with other people.

Transcendental issues such as the socio-cultural look towards the recognition of differences, begin to configure in the following policies or regulations of the PSD, Law 1145 of 2007 is proof of this, since in its formulation not only changes the concept of disability, but highlights the process of participation and autonomy of people with this situation, In addition, the concept of disability situation is coined, understood as the "Set of environmental, physical, biological, cultural and social conditions that can affect the autonomy and participation of the person" (Law of the National Disability System, Law 1145 of 2007, p.2). This perspective gives way to the creation in 2009 of Law 1346, which establishes in an exhaustive way the obligation of the State to comply with and implement the agreements made in the Convention on the Rights of Persons with Disabilities (García, 2020), especially in the recognition as a person who takes precedence over disability. The right to education of PSDs is strongly taken up and provisions are made towards access, permanence and a dignified life for this population, indicating, explicitly in art. 24, that "States Parties shall ensure an inclusive education system at all levels, as well as lifelong learning" (Convention on the Rights of Persons with Disabilities Act, Law 1346 of 2009, p.1).

In accordance with the above, the MEN issues Decree 366 of 2009. Through these regulations, what is sought is to consolidate the previous Law exposed and to clarify the process of inclusion in the Colombian educational system. This Decree regulates the pedagogical support service for the offer of inclusive education, highlighting the

responsibilities of the certified territorial entities, the organization of the provision of the educational service, the contracting of the pedagogical support service and reiterates the need for teacher training (Decree pedagogical support service for students with disabilities, Decree, 366 of 2009). Pedagogical support for Deaf students is regulated in this Decree, indicating the need to hire at least one linguistic and cultural model and one interpreter per enrollment report of at least 10 students per institution, in addition, Art. 5 defines the functions of such support. This regulation places special emphasis on reasonable accommodations, which are based on the DUA (Universal Right to Learning) and are complemented by the PIAR (Individual Reasonable Accommodation Plan), later expressed in Decree 1421 of 2017, as fundamental elements of an inclusive and quality education. It evokes a responsibility on the part of the institutions, which would henceforth ensure reasonable accommodation to each situation of disability existing in the context.

Statutory Law 1618 of 2013 ratifies the above, since it is issued to guarantee the effective exercise of the rights of the PSD, in addition to promoting the elimination of all types of discrimination and providing reasonable accommodation and other inclusion measures. This Law, expressed from the rights opens a broad perspective of recognition of people with disabilities, in addition, through its guidelines are given to the MEN to incorporate inclusion criteria at the level of higher education (Statute of the Right of Persons with Disabilities, Law 1618 of 2013). In the same way, clarifications are given to the Ministry of Labor and the National Learning Service – SENA so that they develop plans and programs that allow the inclusion of PsD to social life and ensure training and training to work, taking into account the labor supply of the country. In the case of deaf/deaf people (Skliar, 2003), the interpretation service of the LSC or interpreting guides is inherent, as well as technological aids or specific supports that allow them to function properly in the labor and social field.

In accordance with the above, the document Conpes (2013) highlights the enormous gap that exists in the labor field for PSDs, the report reveals that a high percentage of this population does not access the labor market and have very few opportunities to be employed. These high figures are at odds with what the Law confers, and shows that once again the regulations point to some efforts, but the reality is combined in other evident. This problem has been the object of study and regulation by the competent entities, including, in 2009, it was sought to counteract with the issuance of Decree 4904 of

2009, where the guidelines for the organization, supply and operation of the provision of the educational service for work and human development (ETDH) and the articulation with secondary education in the event that students of the tenth grades were dictated and eleventh wish to develop specific competences (Decree offering and operating educational services for work and human development, Decree 4904 of 2009).

It could be said that Decree 4904 of 2009 is designed in a technical way so that institutions that offer courses or technical careers can direct their services through attention, curricular proposal, resources, certification, among others, which had already been addressed through Law 1064 of 2006, where the change of denomination of non-formal education to ETDH (Law for the strengthening of work and work) prevailed. human development, Law 1064 of 2006b). The point is that perhaps the regulations have been striving to change the terminologies and concepts, but little has been directed to follow up on their actions, so that beyond the existence of the same, scenarios of dialogue and participation are built around the rights that are promulgated in it.

Inclusive education as a right

The broad discussion to which inclusion is subjected continues to gain strength in the Colombian context and as has been evidenced, not only in the national context, but has transcended to the local. In this way, regulations and policies begin to be configured as guarantors of a discourse towards inclusion focused on rights, opportunities and participation (Arizabaleta & Ochoa, 2016). This is reflected again in the Ten-Year National Education Plan 2016 – 2026, through a monitoring strategy, specifying the country's position on the inclusion of PSD from a rights-based and equity approach, since "the quality of education in the country is unequal and there are deep gaps between rural and urban areas" (MEN, 2019, p.18), also highlighting the commitment to the sustainable development goals in paragraph 4, "Leave no one behind" from ensuring an inclusive, equitable quality education that promotes lifelong learning opportunities for all.

The efforts focused on inclusive and quality education from the perspective of law are taken up by the MEN, the INCI (National Institute for the Blind) and INSOR (National Institute for the Deaf), in the proposed regulation of Article 11 of Law 1618 of 2013; in this same year; the Conpes document is redesigned in its version 166 of the National PP of Disability and Social Inclusion and the MEN creates the

Guidelines of the Inclusive Higher Education Policy; which lay their foundations in the social, indicating that the problem of disability focuses on society and not on the individual (Conpes, 2013); in the same way, the approaches from the law, the differential and the human development are proposed, highlighting issues such as the participation and free development of the PSD. All this joint effort, coupled with a conception focused on law, results in the issuance of Decree 1421 of 2017; two fundamental elements are inserted within the inclusive discourse, the implementation of the DUA (Universal Design for Learning) and the PIAR (Individual Plans according to Reasonable Accommodations) (Maldonado, 2020), both as a proposal in which the student with disability will not only have equal conditions, but these will be framed in terms of equity, that is, opportunities and participation.

It is important to highlight in this area of recognition and law that the National Government has focused efforts on directing through the regulations the processes that lead to an inclusive education according to and of quality. At least, in the last law issued on June 23, 2022 (Law 2216 of 2022), guidelines continue to be given and spaces opened for care according to the needs of the population with disabilities, in this case, children, adolescents and young people with specific learning disorders. El Art. 7 calls on educational establishments to incorporate in their Institutional Educational Projects strategies that promote inclusive education at different academic levels; and with this call it takes up the commitment of educational establishments to commit to an education that responds to the needs of the contexts and, above all, to the integral attention of their students (Inclusive Education Law, Law 2216 of 2022).

One of the most significant proposals from the contextualized commitment of inclusive education is the formulation of public policies focused on the specific needs of a community. The initiative to create a municipal public disability policy is indispensable when it comes to talking about inclusive processes and claiming rights; but it is perhaps imperative to make them functional in the contexts, put them into practice and that they are configured in action in favor of the most vulnerable. The inefficiency of politics continues to show that, even if there is a real commitment to create it, if it is not put into practice, it will remain a voice on paper. The need to think about an inclusive territorial or context education leads us to think directly that, if public policies are not executed, it will be difficult to speak of a

quality education for all, that is, an education from the law and difference.

It is up to the territories to work on the change from perspective focused on the deficit to that of capacities, to guide the empowerment of people with deafness towards the leadership of social transformations as shown by the dynamics with different groups that have achieved advances in conceptions and the materialization of the tools that bring the norms for the exercise of fundamental rights. In this sense, it is up to education to project new visions that take into account "a cycle of historical situations of exclusion, and others emerging from contemporary subjects, and in the promotion of initiatives designed for the quality of life of citizens" (Correa, 2020, p.23).

Policies and the transition to higher education for the Deaf

With what is stated in the regulations, the inclusive education process continues its course to ensure the educational service from the different levels, sometimes attending to the challenge of an inclusive quality education. The possibility of transition to higher education is a fundamental expectation for the participation processes of Deaf students. At the level of higher education since the enactment of Law 30 of 1992, which establishes that Higher Education is part of a process that "enables the development of the potentialities of the human being in an integral way, is carried out after secondary or secondary education and aims at the full development of students and their academic or professional training "(Law on Public Service of Education Superior, Law 30 of 1992, p.1), actions have been consolidated in which the commitment to ensure a diverse education has been reflected in the various agendas of higher education in Colombia.

One of the main contributions to this diverse view is recorded in the Inclusive Education Policy Guidelines issued by the MEN in 2013. Among the most significant contribution of these guidelines is the direction of strategies and actions to be implemented by HEIs to ensure inclusive education. The strategies presented in this document aim at the fundamental axes of: generating inclusive academic processes, having inclusive teachers, promoting research, art and culture spaces with an inclusive education approach and building an administrative and financial structure that supports inclusive education strategies and actions. From this strategic perspective, the creation of a flexible and relevant curriculum is sought to include PSD,

the diverse training of teachers who teach this population, the expansion of opportunities and resources where they all fit within the framework of law, especially in terms of research, culture, art and sports, and finally, the creation of interdisciplinary teams that regulate the financial and administrative proposal as support mechanisms of the HEIs. Based on the strategies previously planned, the guidelines propose a series of actions, among which stand out, the generation of spaces for dialogue and the exchange of knowledge that tend to the consolidation of administrative and academic alliances in favor of inclusive education and openings in terms of technical-operational capacities that allow identifying specific needs from higher education, Even, emphasizing regional diversity from academic and administrative efficiency.

As a result of the above, the HEIs have been generating opportunities in terms of access to tertiary education, the most recent can be evidenced in Academic Agreement 577 issued by the University of Antioquia on March 25, 2021, which establishes the realization of the admission exam for Deaf students, users of the LSC, with the same level of complexity of the exam that applies to hearing, but with the adaptations and characteristics of the Deaf population (Academic Council University of Antioquia, Agreement 577 of 2021). Highlighting the need for the adjustments required for the offer of university programs in the face of the challenge of training professionals from the perspective of diversity and their relevance to the expectations and life project of the PSD.

The Inclusive Higher Education Policy represents a great step for the PsD that seeks to access university education, since it specifically orients the needs that this level of education presents for people with disabilities, especially since current statistics continue to show the low percentages of entry, permanence and graduation of PsD at this educational level in Colombia. The strategic actions of inclusive education presented in this document of the MEN, reaffirm the commitment to ensure access, permanence, relevance and quality of education for the inclusion of the most vulnerable people; in contrast to the various needs that are still visible in the higher education system, which could be synthesized in the scarce information on the offer of credits and financing mechanisms to access higher education, as well as the use of these, the inadequacy of the admission and State tests according to the needs of the PSD, the gap between the needs of secondary and higher education, the lack of professional, pedagogical, architectural and technological

support, the imbalance of the labour supply compared to the specific needs of the population with disabilities, the lack of differential training of teachers and other actors in the educational community, the absence of adequate pedagogical conditions and the curricular gap according to the training needs of this specific population, among others.

Participation of the Deaf in the context of inclusive education

The wide range of regulations and policies existing in the Colombian context in favor of the population with disabilities places it among the most and best inclusive countries in legislative matters, since it has not only gone through the objectives, approaches, evolution of the terms and conditions of the PSD, but also the but it has transcended that the entire national territory is sheltered under these inclusive premises (Booth & Ainscow, 2011), which would not only allow the term inclusion to be addressed in various contexts, but that its adoption was so integral that from now on the practices, discourses and contexts would constitute the scenarios for implementation, Monitoring and projection.

However, the existence of this accumulation of regulations and policies does not imply that inclusive practices are a reality, at least, in the field of education and job training, existing policies are still inefficient, since in many cases they are ignored or do not have the impact required for the transformation of attitudes and practices that overcome the exclusion to which PWD are subjected in their contexts (Cabrera & Buitrago, 2014). The Global Education Monitoring Report: Inclusion and Education, prepared by UNESCO (2020), revealed that exclusive practices in education are still present in various spheres of society and that policies remain inefficient to overcome them, as well as continue to be at odds with the realities of PSD, "the legitimization of policies in the practical reality of the population with disabilities continues to be predominantly limited to the discourse of existing public policies, rather than to the equalization of opportunities from all sectors" (Ávila & others, 2011, 471) and on the other hand, transcend from paper to action, which implies a real recognition of the processes of inclusion and participation.

By making a transfer to local scenarios, policies show deeper and more worrying realities in access, permanence and graduation. Even with the will that there is a territorial regulation (Municipal Council of Caucasia, Agreement 007 of 2014), the practices have been

remaining on paper, even more when the educational and labor training proposal is framed in the periphery, when it does not ensure quality access, permanence and graduation processes. Regulations begin to be configured as a duty, but in reality PSD continues to be invisible. As Skliar and Téllez (2017) point out, laws are constituted in the school in mandates with characteristics of alienation, that is, they do not come from real needs or have a follow-up that leads to the evaluation of their results, in short, they translate into unfulfilled educational promises.

This real practice can only be visible when the PSD is given the real meaning of its participation (Benítez, 2016), that is, not only when it is summoned to be part of a committee, a work table, or is interviewed or invited to a determined space, but when it contributes to a construction that transforms realities, when it forms a community according to its needs and interests with its peers and above all, when from it emerges the true policy or normative that guides its optimal development in society and in its life project. When majorities stop legislating on minorities, perhaps everything that exists in politics and regulations in the Colombian context will be transferred from paper to practical life.

CONCLUSIONS

The unraveling of the central categories in the revision of the regulations reveals that the evolution of the concept of disability in the Colombian context continues to be a reason for analysis, inclusive education continues to perpetuate itself as a fashionable term that needs to be inserted in all discourses, including educational, but that in many contexts are only perceived on paper, That is, it is written from the needs and realities of a few, but it lacks the true meaning that implies the restoration of the right and the real opportunities for identity construction of any population with disabilities.

The term "disability" continues to make a career in Colombian regulations, its definition has been transfigured in various scenarios seeking a way out towards the recognition of diverse communities and the acceptance of differences, but the roots that make it up are deeper, since they do not manage to overcome the existing referencing towards limitation, difficulties, deficiencies, among others, as shown by the most current regulations. The existence of regulations does not ensure for the population with disabilities, including the Deaf, a real state of inclusion and participation. It seems that listeners still continue to make the most transcendental decisions

on vital issues for this minority population, since, when talking about reasonable accommodations, these continue to be thought from normalization, the majority and hegemonic. The Deaf continue behind the scenes in a scenario that they have won in the great struggles for their rights, but in which they have not been granted a real space to be heard and participate in their real transformation.

The term disability needs to be thought and reconfigured from the realities of the territories. Its transformation towards more diverse and differential perspectives, which definitively detach it from limitations, deficiencies and difficulties must take place in a real scenario of affirmative action, which goes beyond paper and contributes to the real participation of minority communities in Colombia.

It is necessary to think about a more territorialized inclusive education, that is, from the true needs and realities of the Deaf, from their voice and experience, from their feeling and thinking. This territorial perspective will allow this minority population to appropriate the various mechanisms existing in the periphery to then be contextualized and read from the local reality and allow a true vindication of rights in the educational, political, labor and social fields, in accordance with the philosophical, political and cultural foundation of the Deaf population in the Colombian context.

The need to talk about a territorial or territorialized inclusive education undertakes a safe path to think about the needs of the PWD, including the Deaf, that are understood from their contexts or the territories they inhabit, detaching from the centrality and concentrating efforts on the peripheries, that is, recognizing that the regulations emerge from the central but are not applied literally in the territories. For this reason, thinking about it from the place where people with disabilities live is a challenge that is called today, in order to continue thinking about a truly inclusive education, where everyone contributes and actively participates in favor of their needs.

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