

DILEMMAS OF CLASSIFYING DIFFERENCE: THE PROMISES AND DISRUPTIONS OF INCLUSIVE EDUCATION ACROSS CULTURAL CONTEXTS^{1,2}

DILEMAS DA CLASSIFICAÇÃO DA DIFERENÇA: AS PROMESSAS E AS RUPTURAS DA EDUCAÇÃO INCLUSIVA EM CONTEXTOS CULTURAIS

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ABSTRACT: The call for expanding educational opportunities for all (including the most vulnerable groups) has been both promising and disruptive, particularly as inclusive education policies spread across the globe. Notably, inclusive education embodies a transformative promise for contexts where inequality is ubiquitous. However, different perspectives on the categorization of vulnerable groups are emerging around the globe, which influences the way Inclusive Education is designed and implemented. Thus, in this paper, we reflect on the differences among countries in their approach to implementing Inclusive Education, we discuss the hierarchies of difference that are created, and we set an initial discussion to foster the analysis of categories of difference and their implications for Inclusive Education in future research.

KEYWORDS: Inclusive Education. Difference. Disability.

RESUMO: A chamada pela expansão das oportunidades educativas para todos (incluindo os grupos mais vulneráveis) tem sido ao mesmo tempo promissor e perturbador, especialmente na medida em que as políticas de educação inclusiva se espalham por todo o mundo. Notavelmente, a educação inclusiva incorpora uma promessa transformadora para contextos em que a desigualdade é onnipresente. No entanto, diferentes perspectivas sobre a categorização de grupos vulneráveis estão surgindo em todo o mundo, o que influencia a forma como a Educação Inclusiva é concebida e implementada. Assim sendo, neste artigo, refletimos sobre as diferenças entre os países na sua abordagem à implementação da Educação Inclusiva, discutimos as hierarquias de diferenças que são criadas e estabelecemos uma discussão inicial para promover a análise das categorias de diferença e as suas implicações para a Educação Inclusiva em pesquisas futuras.

PALAVRAS-CHAVE: Educação Inclusiva. Diferença. Deficiência.

1 INTRODUCTION

Schooling is an essential social institution responsible for nurturing human development and contributing to opportunities and advancement in society. Schools are embedded in educational systems organized to educate people of different backgrounds. This means the education system holds the responsibility to ensure that every student matters (United Nations Educational, Scientific and Cultural Organization [UNESCO], 2017). A corollary to this responsibility is that achieving quality education and inclusive learning opportunities for all students, as described in General Comment 4 – United Nations (UN) Committee on the Rights

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of Persons with Disabilities (CRPD) (UN, 2016), implies the recognition of heterogeneity among the student population. implies the recognition of heterogeneity among the student population.

Inclusive Education (IE), understood as “a process to remove barriers for students to have access to education, participate, and achieve learning” (UNESCO, 2017, p. 6), has taken up this responsibility and in doing so, has had disruptive effects on education systems worldwide, from the most advanced to those striving to thrive. These disruptions are related to the paradox of education in human societies. That is, just as education opens opportunities and nurtures well-being in individuals and communities, it can also serve as a tool to create and maintain stratification and marginalization.

IE emerged in part as a response to the detrimental consequences of educational systems’ impulses to marginalize and stratify. Given the ubiquity of global inequality (UNESCO, 2022), it is not surprising that IE has become a global movement. Nevertheless, the spread of IE has been fraught with debates and contradictions. Here are five highlights:

1. The concept of IE continues to be diffuse. Multiple discourses and meanings have been identified over time; thus, contributing to conceptual ambiguities (Artiles & Dyson, 2005). This scholarship first targeted multiple vulnerable groups, then progressively narrowed its focus to students with disabilities, and now there are efforts to broaden again this agenda beyond disabilities. Another instance of conceptual vagueness is the tension between IE as a place (i.e., general education) versus a transformational project to be responsive to student heterogeneity. In other words, the telos of IE should not be to integrate or assimilate excluded students but to design systems for all students to thrive.
2. IE is typically grounded in an individualistic view of social justice that stresses rights and access to resources. A focus on the individual neglects relational and communitarian visions of educational justice (Artiles et al., 2006). Further, the emphasis on the individual obscures that group membership is also a source of exclusion.
3. IE still aspires (at least conceptually) to cover a wide range of differences, including those with permanent disabilities, those facing temporary challenges, and those who have been historically marginalized. Differences defined by race, ethnicity, gender, sexual orientation, language, culture, religion, physical and mental health, class, and migration are also targeted to move under the large tent of IE (Brussino, 2020).
4. The recognition of human heterogeneity has produced categorical architectures that materialize in typologies of professional roles and specializations, student identities (including ability levels), and pedagogical and curricular models. This classification work also produces silos often aligned with spatial arrangements that may ironically subvert inclusive goals (Walton, 2023).
5. Categories of difference change over time and space and may be used to protect or marginalize. Attention to the fluidity of categories of difference highlights the importance of considering power and history when examining their impact on social groups (Artiles, 2011).

Allan (2008) characterized the evolution of IE as spanning territories of failure constituted by resistance, failed inceptions, fractured altercations about concepts and policies, and uncoordinated research activities. “Philosophical, legal, ideological and technical arguments were embroidered in this history” and were most visible in Western nations (Artiles, 2020, p. 290). Moreover, IE has developed along multiple asynchronous trajectories in the global South and North. Researchers are only beginning to examine systematically the ways the promise of IE has traveled across time and national borders with attention to history, context and culture, particularly in the contexts of the Global South⁶ (e.g., Singal & Muthukrishna, 2014). Yet, many questions remain unanswered. For instance, how do historical conditions and contextual demands mediate the crafting of categories of difference? What are the similarities and variations in classifications of differences across cultural contexts? What are their consequences?

We focus in this manuscript on the tensions and dilemmas of naming categories of difference across cultural contexts.⁷ Our goal is not to make evaluative determinations across cases; instead, we use a situated perspective to understand the historical and cultural conditions in which alternative approaches to IE have grappled with dilemmas of difference. We draw from interdisciplinary scholarship on “difference” and “classification” to guide our analysis of IE. We outline next the basic theoretical parameters of our standpoint.

Difference is always a comparative notion against an unstated point of reference (different from what?) and it “is linked to abnormality or stigma” (Artiles, 1998, p. 32). This means difference is often assumed to be an intrinsic trait of individuals, though we argue that differences are often linked to historical practices to stigmatize groups (e.g., immigrants, racialized people). Stated differently, although responses to difference have been historically framed as dilemmas – between equal or differential treatment, accommodating or neutral responses – a prevailing view is that “to be equal one must be the same, [and] to be different is to be unequal or even deviant” (Minow, 1990, p. 50).

IE has been trapped in this quandary. The point of departure for IE is to disrupt categories of difference to counter historical exclusions. There are at least two explanations

⁶ The notions of Global North and South enable us to call attention to “power, resource, epistemological and other differentials, that though not unshiftable, and though not localized, embrace a substantial portion of the world living in a scenario of profound geopolitical asymmetries, poverty and isolation confronting deeply entrenched centers of concentrated wealth and power accumulated historically and perpetuated in times of coloniality” (Grech, 2015, Terminology section, para. 3). We note the heterogeneity and interdependencies of the North and South and find each of these poles inhabiting within one another (Grech, 2015). Analyses of IE should account for distinctive circumstances, such as how colonial legacies—e.g., high poverty rates, reduced social mobility—are entangled with social and legal conditions that maximize inequality (Artiles et al., in press). To illustrate, consider the gap between the wealth of governments and the private sector. The share of wealth held by the public sector around the world is significantly lower compared to the wealth of the private sector. This is particularly pronounced in the Global South, which has major implications for these states’ capacities to allocate resources in social issues (including education) and tackle inequality (Chancel et al., 2022).

⁷ We use the construct of culture in its expansive, instrumental and dynamic conceptualization (Cole, 1996) to circumvent traditional framings. First, we note the idea of culture has played a central role in the construction of differences—e.g., notions like “culturally diverse” are used to index race or ethnicity with the assumption that these populations have monolithic (deficit) cultures and white students are a-cultural. In contrast, we submit culture includes more than group beliefs, values, cognitive and emotional frames, covering also people’s every day and institutional practices. In this sense, culture has ideal (cognitive, emotional) as well as material dimensions (social practices). An important consideration is the cultural nature of human development and learning. This has important implications for the design of interventions that avoid stereotypical and a-historical views of culture. We recognize there is within-group heterogeneity in every group and that members of cultural groups participate in practices both to reproduce and produce cultures.

about the mechanisms that marginalize categories of difference that are not necessarily mutually exclusive; both refute that difference resides in individual traits. A structural view specifies that categories of difference are assumed to embody stigmatized attributes that impose structural barriers to access and opportunities (Jørgensen, 2012). Another perspective states that differences are produced in interactional processes that are immersed in institutional ecologies in which historical deficit conceptions of certain groups are sedimented in school policies and practices (Varenne & McDermott, 1999). An additional complicating factor is that categories of difference are often layered or interlocked, creating complex webs of intersectionalities. These perspectives are represented in alternative ways in the IE literature.

Constructions of difference rest on classification work even though some IE advocates and scholars seemingly assume that only the categorization of individuals count as classification. In contrast, we use a perspective from social studies of science that frames classification as practice. Following Bowker and Star (2002), we envision classification as “situated, collective, and historically specific” (p. 288); and as “material and symbolic” (p. 286). In this perspective, classification is inevitable and ubiquitous in human activities and includes both Aristotelian and prototypical practices. The former “works according to a set of binary characteristics that an object being classified either presents or does not present. At each level of classification, enough binary features are adduced to place any member of a given population into one and only one class” (Bowker & Star, 2002, p. 62). Aristotelian practices decontextualize information, calling attention to information at the boundaries; intra-category heterogeneity becomes invisible (Nguyen, 2024). In contrast, prototypical classificatory practices are enacted in everyday life, grounded in people’s understanding of the category and based on personal experiences that were situated in contexts where diverse understandings circulated about the category in question. “[D]ifferent social groups tend to have quite different prototypes in mind when classifying something as, say, a piece of furniture” (Bowker & Star, 2002, p. 63).

The distinction between these types of classification marks the difference between a category prescribed by diagnostic criteria *v.* the way teachers use student behaviors during classroom events to make classificatory decisions. This framing reminds us that classifications are not neutral and enables us to examine how a category of difference emerges in certain situations or becomes (or is kept) invisible through political and socio-cultural processes. For instance, an educational system might opt to foreground ability differences when classifying learners while making intersections with race/ethnicity invisible. Meanwhile, another system could shift from a classification of disabilities to a categorization of services. In both cases, classification is at work with distinct consequences. Classification systems are also encoded in information infrastructures (e.g., types of services, nursing job classifications, highway permits and zoning decisions) that can be analyzed to trace how classifications shape data collection procedures (thus, impacting [in]visibilities of categories) and how actors made classificatory decisions. Of significance, there is a moral dimension in classifications as categories consistently ascribe value to a point of view and silence another—i.e., categories afford privilege or suffering (Bowker & Star, 2002). Identifying the needs and strengths of students and contextual barriers is central to IE’s equity agenda. These processes generate (in)visible categories to provide educational responses to each learner.

We highlight in the next section issues related to the contours and limits of classification in IE drawing from experiences in the United States (U.S.), Portugal and Guatemala. We discuss features of these national systems with particular attention to the ways in which they have contended with dilemmas of difference. We conclude with research implications for a cultural historical paradigm of IE.

2 IE ACROSS CONTEXTS: GRAPPLING WITH DILEMMAS OF DIFFERENCE

We describe in broad strokes the infrastructures and policy frameworks in these Global North and South nations to make visible how they have grappled with dilemmas of difference.

2.1 REMNANTS OF CATEGORIES IN SYSTEMS THAT ERASE DIFFERENCES: PORTUGAL'S STORY

In the 1970s, Portugal started efforts to provide educational services to people with disabilities and in the 1980s the foundations for creating an IE policy were established. The new Law 46/1986 promoted the integration of students with disabilities into regular schools. In the 1990s, following the transformations promoted by international declarations, such as Salamanca (UNESCO, 1994), Portugal began educational reforms toward achieving IE. Since then, new laws have supported reforms to its education system (Ministry of Education [MoE] of Portugal, 2022). The approval of Decree-Law no. 03/2008 defined specialized services and favored the extinction of special schools and its transformation into Inclusion Resource Centers (CRI) (Pinto et al., 2022). It is relevant to note that the Census of 2021 (Instituto Nacional de Estatística [INE], 2022)⁸ estimated 4.41% of Portugal's population has some type of functional difficulties.⁹ There are still some special schools covering 1.1% of students with disabilities (MoE of Portugal, 2022).

In addition, Decree-Law no. 54/2018 entered in force in 2018 and established an IE model that conceives all students with learning potential if they have the necessary supports (Pinto et al., 2022). The law seeks to ensure that all learners reach the Students' Profile through reasonable accommodations (MoE of Portugal, 2022). The law abandoned the special educational needs category and proposed a broader category of students in need of additional support measures to identify types of measures rather than "individual characteristics" (MoE of Portugal, 2022, p. 18). Three types of measures are proposed to support students: 1) universal measures that support all students (e.g., universal design for learning, differential instruction, curricular accommodations, and/or enrichment, promotion of prosocial behaviors); 2) selective measures that are not addressed by universal strategies (e.g., differentiated curriculum pathways, psycho-pedagogical supports, and tutorial supports); 3) additional measures to support

⁸ The 2021 Census used the Washington Group Extended Set on Functioning (WG-ES) and the United Nations International Children's Emergency Fund [UNICEF]/WG Child Functioning Modules (CFM). The Washington Group on Disability Statistics (WG) developed sets of questions to collect data on disability that is comparable across nations. The sets aim to obtain information on "difficulties a person may have in undertaking basic functioning activities that apply to people in all cultures and societies" (Washington Group on Disability Statistics, 2020a, p.1).

⁹ For the purpose of reporting disability prevalence, the WG recommends to include everyone who reports at least one domain that is coded as "a lot of difficulty" or "cannot do it at all" (Washington Group on Disability Statistics, 2020b). Portugal was an early adopter of the International Classification of Functioning, Children and Youth to identify functional difficulties rather than disability categories (Hunt, 2024, July 13, personal communication).

persistent needs on communication, integration, cognition or learning (e.g., individual transition plans, adapted teaching methodologies, development of personal and social autonomy competencies) (Organisation for Economic Co-operation and Development [OECD], 2022).

Decree Law 55/2018 also established the curriculum for basic and secondary education and guidelines for assessing learning. It included measures to respond to all students, regardless of their personal or family circumstances (MoE of Portugal, 2022). Curricular planning must be flexible, adapted, and contextualized to the characteristics of the students. The Student Profile by Exit of Compulsory Schooling is a reference guide for the whole curriculum that sets out principles, vision and competence areas that students should have developed at the end of compulsory schooling (MoE of Portugal, 2022).

Portugal has initiated major changes at the national, regional, and local levels in its education system. The approval of the new laws favored the creation or transformation of educational programs and policy plans, curricular measures, teacher and staff capacity building and professional development, management of financial resources, support interventions, and monitoring and evaluation actions toward achieving equity and inclusion (MoE of Portugal, 2022). For example, there are support measures for assisting students and teachers at regular schools. Although the MoE (2022) has allocated regular and support teachers to schools since the 1990s, former special education teachers shifted their roles to support staff working with other teachers (Hunt, personal communication, July 13, 2024). The MoE also provides schools monthly subsidies for specialized support. Some schools have multidisciplinary teams to support implementation efforts. Among its main responsibilities are to support teachers for the implementation of inclusive practices, the screening of possible learning difficulties, and to prepare individual education plans. Schools are organized in clusters which include resource centers to support student learning. These resource centers do not have staff; instead, the centers are available for educators to borrow any needed resources. Specialists can be based at particular schools, but tend to be itinerant (Hunt, personal communication, July 13, 2024).

OECD (2022) conducted a country review in which advances and tensions germane to Portugal's IE approach were identified. Portugal has shown substantial improvements in access and attainment in the last 25 years. There is evidence of progress in reading, mathematics, and sciences as reflected in the results of the Programme for International Student Assessment (PISA). Enrollment has increased and the dropout rate has decreased. According to OECD (2022), between 2005 and 2020, the dropout rate decreased by more than five times in basic education and by 4% in secondary. In 2020, 98% of students enrolled in basic education and 92% of students enrolled in secondary education continued to the next grade. According to the MoE of Portugal (2022), 98.9% of students in need of additional school support attends ordinary classes (see also Pinto et al., 2022). Some examples of additional support measures are differentiated curricular paths, tutorial support, curriculum attendance by subject, significant curricular adaptations, individual transportation plan, speech therapy. Pinto et al. (2022) reported that due to the lack of official data, it was not possible to establish the impact of the adopted measures in the school trajectory of students with disabilities.

Less than a decade has passed since the beginning of this IE model. Pedagogic, governance, financing, management, and administrative challenges are still present (OECD, 2022).

Changes require time and buy in from staff across levels of the education system to get consolidated and need ongoing evaluations which have been in place since 2008 (Echeita et al., 2020; Hunt, personal communication, July 13, 2024). A significant challenge for IE in Portugal is the differential performance rates and well-being outcomes for certain groups of students. Students from low-income families and immigrant communities (e.g., Roma) are among the groups facing the most difficulties. For example, reading performance showed a 26-point gap between non-immigrants and immigrant students (OECD, 2022). It is not clear yet what will be the impact of IE policies in these differential performance patterns.

Portugal's pathway toward IE has been distinctive by offering alternative support systems for every student instead of the traditional diagnosis of individuals as a means to accessing services. Yet, the organization of types of support implicitly entails a categorization of differences in student needs—e.g., communication or learning needs require some form of student classification (even if these distinctions are never recorded); the same can be said about providing psycho-pedagogical or tutorial supports. Surely, the ongoing transformation of the education system will capture how the practice of categorizing support measures differs from previous IE categorization practices, and whether unrecognized categorization practices or supposedly irrelevant categories persist in the organization of its education system. More evidence is needed to understand the affordances and implications of Portugal's IE approach. Implementation of this model needs to be documented carefully to illuminate how the interplay of various classification models contribute to IE goals.

2.2 PARADOXES OF EQUITY AND THE VAGARIES OF CLASSIFICATION SYSTEMS IN THE U.S.

The legal framework for inclusion in the U.S. sets the basis of classification. The Individuals with Disabilities Education Act (IDEA) establishes the categories of disabilities entitled to special education services, and guarantees students with disabilities receive free appropriate education, adapted as needed in terms of content, methodology, or delivery of instruction (IDEA, 2004, 34 C.F.R. § 300.39). In turn, the Every Student Succeeds Act (ESSA) safeguards disadvantaged and high-need students. ESSA confers authority to State Education Agencies (SEA) to effect policy changes and submit a State Plan that delineates how they will guarantee the inclusion and incorporation of the perspectives and requirements of students, educators, and community members (Pennsylvania Department of Education, 2019, as cited in OECD, 2022). The act also allows states to use Alternate Assessments Aligned with Alternate Achievement Standards for students with severe cognitive disabilities.

Disability, under the described framework, constitutes an object of protection that provides students entitlements to specific services and accommodations. However, beyond the rights bestowed by identification, there are stigmatizing consequences and inequalities in access to resources and participation in the educational system (e.g., segregation, differential treatment) that affect certain groups. This is a reminder of the dual nature of disability (Artiles et al., 2016). Actors at the local level—e.g. parents and members of the educational community – develop Individualized Education Programs (IEP) for students identified as “eligible” – those that met the diagnostic criteria established in IDEA and were placed in one of thirteen disability

categories.¹⁰ These programs purportedly ensure that every student receives a free appropriate public education (FAPE) in the least restrictive environment (LRE), establishing educational goals based on students' skills and needs (U.S. Department of Education, n.d.). Note, however, that the LRE is interpreted in alternative ways and sometimes used to justify placements outside of general education; others interpret the LRE as a requirement for placement in ordinary classrooms. These views reflect a spatial emphasis on “inclusion” (i.e., a place); that is, a commitment to integration. Although we find a general commitment to the idea of IE, it is fair to say that it co-exists with an emphasis on integration. We also note that IEPs can replicate the deficit thinking that characterizes disability typologies by stressing what students lack with little attention to strengths and assets.

Although the organization of school systems varies among states, the legal framework of special education in the U.S. affords an overarching structure to offer educational services for students with disabilities. The U.S. Department of Education administers multiple programs to help states, districts, and other organizations meet the diverse needs of every student, including those from special populations who are defined as “students that must overcome barriers that may require special consideration and attention to ensure equal opportunity for success and in an educational setting” (Office of Elementary and Secondary Education, 2020).

The U.S. policy framework was created using a special education lens largely grounded in medical and psychological paradigms. Deliberations and debates have ensued intermittently since the 1980s about needed reforms in this system to redefine its connection with the general education system and make it more inclusive (Brantlinger, 1997; Fuchs & Fuchs, 1994), taking into account the ambiguities of disability definitions (Artiles et al., 2016), and acknowledging the complexity of disability intersections (Artiles, 2011). Debates have also covered the need to build non-categorical programs and services (especially across the mild disability categories) with mixed results (Triano, 2000). More recently, Response to Intervention (RTI) and Multi-tiered Systems of Support (MTSS) have gained visibility as alternatives to redefine the general/special education interface and infuse a preventive perspective to ameliorate student difficulties (Artiles et al., 2016). Early in their history, RTI and MTSS promised to reduce racial disparities in special education, though the evidence is inconclusive (Sabins et al., 2019).

In short, advances have been made in the education of learners with disabilities in the U.S. However, stakeholders (researchers, practitioners, policymakers, families) continue to debate fundamental aspects of this system, including how to categorize learners (e.g., debates about the definitions of SLD, ID and ED have ensued for decades), whether and how to re-configure IE systems, and how to address distinctive needs of groups (often implicit in kinds of services) while avoiding the traps of classification work. For instance, the federal government and states have built infrastructures and systems to serve the educational needs of various groups, such as Native American Tribes and organizations, low-income learners, migrant children, agricultural, fishers or seasonal laborers, individuals residing in remote or geographically isolated regions, homeless, neglected or delinquent youth, children in foster care, and multi-

¹⁰ The disability categories in the U.S., established by IDEA, are specific learning disability (SLD), speech or language impairment (SLI), other health impairment (OHI), autism, intellectual disability (ID), emotional disturbance (ED), developmental delay (DD), multiple disabilities, hearing impairment, orthopedic impairment, visual impairment, traumatic brain injury, and deaf-blindness (IDEA, 2004, 34 C.F.R. § 300.39).

lingual learners, among others. However, there is no integrated framework to offer IE options across these systems.

IE models in the U.S. have been largely restricted to learners with disabilities. Nevertheless, there are leaks in the classification blueprint that sustains this infrastructure. One persistent issue is the racialization of disabilities. For over 50 years, the disproportionate identification of students of color in special education has been debated in the U.S. (Donovan & Cross, 2002; Dunn, 1968). At the heart of this debate is how to understand the historical intersections of disability with race. Explanations range from deficit models (e.g., high poverty level among students of color) to structural theories (e.g., racist schools). A similar controversy surrounds the identification of multilingual learners who struggle academically in schools. Do these students have difficulties because of a lack of English proficiency or is it due to a disability? Concerns surrounding this problem include questions about mis-identification and differential experiences in special education compared to White peers with the same diagnosis—e.g., more segregated placements, reduced access to related services, lower quality of curricula (Artiles et al., 2016). These tensions illuminate a unique paradox of justice in which an equity remedy (i.e., special education) engenders new injustices (i.e., segregation, lower educational opportunities) for already marginalized learners (Artiles, 2019). Underlying these predicaments are assumptions that characterize classification systems and categories. One presumption is that categories are independent entities steeped in a unitary logic with no room for intersectional considerations—e.g., Is this student struggling with literacy because of “socioeconomic deprivation” or is it due to poor instruction? In addition, within-group heterogeneity tends to get erased in classification systems with little regard for contexts and complexity. The role of power in categories like disability and race get erased as well as their problematic historical entanglements. These considerations about classification systems have haunted researchers for decades as they struggle to make sense of racial disparities in disability rates.

Finally, the backdrop of the paradoxes of equity and the vagaries of classification in the U.S. that we outlined above is the infrastructure and practices of knowledge production in the U.S. academy. Similar to other disciplines, research on students with disabilities and IE have been largely colorblind.¹¹ To ignore categories of difference in a society stratified along such axes creates major faults in the epistemological landscape of this field. Ironically, these color-neutral practices are embedded in deficit thinking that conceals difference to manifest difference (Bonilla-Silva, 2006). Careful reviews of research covering extended periods of time have documented that samples have minimal representation of students of color or researchers have paid little analytic attention to disaggregate evidence and examine subgroup patterns (Donovan & Cross, 2002; Moore & Klingner, 2012). Studies documenting emic perspectives of students with disabilities and their families are underrepresented in this literature. This is a major barrier in this field considering the growing diversity of the student population in this nation and the persistence of racial and linguistic disparities in disability identification.

¹¹ Colorblindness is “the frame used to ignore, deny, or erase the role, meaning or impact of race [and other difference markers] in a racially stratified society” (Tefera et al., 2023, p. 34). We use “colorblind” and “color-neutral” interchangeably to address the affordances and limits of each term (Tefera et al., 2023).

2.3 GUATEMALA'S STORY: COLONIAL LEGACIES AND THE PROTEAN NATURE OF RIGHTS AND DIFFERENCE

The legal framework in the Guatemalan education sector has followed an almost unchanged path since the 1990s. The National Education Law (Decreto Legislativo no. 12-91, 1991) emphasizes the need for an education system that must respond to the multiethnic, multilingual, and pluricultural nature of the population. The predominant categories of difference for addressing diversity in this nation are ethnicity, language, gender, socioeconomic status, and place of residence (urban/rural regions). This is not surprising considering that about half of the population is indigenous, lives in poverty, and speaks multiple languages. The Special Education Law 58-2007 (Decreto Legislativo no. 58-2007) mandates to eliminate barriers to social, economic, educational and labor opportunities and provide learning opportunities for students with special capabilities who attend public and private schools, or specialized schools. Considering the inequality in the country—in 2019, 44% of children under 5 were affected by stunting, and, in 2023, 55% of the population lived in poverty, while over 70% of the workforce participated in the informal economy (World Bank, 2024a)—, the Ministry of Education implements initiatives, such as school feeding programs to promote food security in the school population.

A key legal basis for attending differences is the Intercultural Bilingual Education Law (Acuerdo Gubernativo no. 22-2004), which establishes bilingualism as a national language policy, and applies to all students. The law prioritizes the use of the student's first language as the primary language of instruction, followed by another national language, and then a third option for a foreign language. Furthermore, the law requires the teaching of interculturalism and multiculturalism to address cultural and ethnic differences. Currently, intercultural bilingual education is provided only to Mayan students and only for preschool and first grade of primary education (Rubio, 2006), but not to all linguistic communities. This differentiation reinforces an *othering* assimilationist ideology and undermines the full potential of intercultural education as envisioned by the law.

Services for children and youth with sensory and physical disabilities have been offered in fragmented ways since at least the mid 20th century. Institutionalization and segregation were the prevalent models for decades. The current IE policy, in effect since 2008, targets students with educational needs, whether associated with disabilities or not (Dirección General de Gestión de Calidad Educativa [DIGECADE], 2008). A recent report identified over 677,000 people that reported “a lot of difficulty” or “cannot do at all” in survey questions related to vision, hearing, mobility, cognition, self-care, or communication skills (Instituto Nacional de Estadística y Geografía [INEGI], 2022). This number represents 4% of the Guatemalan population; we estimate the proportion would increase to 13.8% if participants reporting “ability with some difficulty” were considered. These statistics likely underestimate the size of these populations given the survey limitations.

Guatemala has experienced stable economic growth in recent years (e.g., the Gross Domestic Product [GDP] grew 4.1% in 2022 and 3.5% in 2023). However, the country's poverty and inequality rates are among the highest in Latin America and the Caribbean with a large and underserved population (World Bank, 2024b). Multiple forms of difference coexist alongside colonial legacies in Guatemala, as reflected in inequality indicators associated with

ethnic, linguistic, gender, and socioeconomic markers. The relatively recent policy framework to address ability differences and special educational needs adds to the complexity of demands placed on the educational system. Fractures amidst this constellation of differences have become visible in the recent past. To illustrate: “Tensions emerged between Ministry staff in the Special Education and Bilingual Education Directorates when a proposal to merge these units was entertained. Bilingual Education staff resisted the merger because it would erode resources from their budget and would further stigmatize bilingual learners (most of whom are indigenous) through the association with disabled populations” (Artiles et al., in press).

Moreover, the policy mandates to address special educational needs with and without disabilities engendered resistance from principals and teachers. For instance, some practitioners questioned the meaning and purpose of IE policies in a system in which the entire student population has extensive educational needs given the high levels of school failure and poverty. Research has also documented the ubiquity of a deficit discourse about students and families that highlights the challenges of poverty and significant social threats embedded in communities and families (e.g., domestic violence, drug trafficking, crime) (Artiles & Caballeros, 2020).

These circumstances likely shaped the formation of a hierarchy of needs in which Guatemalan educators and principals would prioritize enrollment of students with certain special educational needs with disabilities while others were denied admission. For instance, learners with emotional/behavioral disabilities had lower priority for some educators. Relatedly, some school leaders shared that class size and students’ inability to keep up with the rest of the group prevented teachers from creating inclusive classrooms (Artiles et al., in press). Notice this argument arguably assumes that students with special needs should learn at the same pace as their peers without any consideration of accommodations that are typically required in inclusive programs. We should also note this premise is aligned with the prevailing teacher-centered pedagogy that is based on recitation and memorization (Werning et al., 2016).

In addition, IE in Guatemala depended on a set of fluid conditions at the local level. Specifically, the national IE policy was grounded in a rights discourse, though principals had significant latitude in determining who could exercise those rights by denying enrollment to certain groups. For example, a school leader applied a rights argument complemented with a hierarchy of needs perspective to deny admission in ordinary schools to students with multiple disabilities: “...students with severe disabilities have the right to attend special schools because they need specialized staff” (Artiles & Caballeros, 2020). On the other hand, access to school was sometimes reported as the result of “spontaneous solutions” forged by teachers, such as creating their own sign language for educating a deaf student (Werning et al., 2016).

To conclude, the Guatemalan IE system must confront colonial legacies that complicate inclusive goals due to deep infrastructural inequities. Therefore, the Guatemalan educational system categorical architecture for responding to heterogeneity (Walton 2023) has limited or no answers for some excluded or unrecognized groups (e.g. students with emotional/mental health needs). In a system in which inequality is ubiquitous, IE takes on an ambiguous meaning – “if IE aims to expand access to groups that are considered different, what do we do if a sizable proportion of the student population suffers from inequalities and is regarded as embodying various forms of difference?”. Framed this way, IE might be perceived as threatening

to thicken the layers of difference with which educators contend under precarious conditions. Aligned with our view of classification work (Bowker & Star, 2002), school staff (re)contextualize IE policies into occasions for local negotiations in which some benefit and others are referred to “specialized” (segregated) institutions while preserving a rights discourse.

3 GRAPPLING WITH DILEMMAS OF DIFFERENCE: IE’S FUTURES

We briefly discuss in this article three experiences in enacting IE. For historical, economic, and cultural reasons, these nations illustrate the asynchronous developments of IE across contexts. Portugal is leading an experiment in IE in which group categories are erased and substituted by categories of services. In this way, Portugal redirects attention to the barriers that education systems must address to ensure their responsiveness. In turn, the U.S. has enforced for about five decades a rights based categorical model that offers services for vulnerable groups defined by ability differences. Guatemala adopted a category system that absorbs an ambiguous bandwidth of differences—i.e., special educational needs with/without disabilities. This IE paradigm aspires to compensate for widespread conditions of inequality and increase access, participation, and academic success. The three nations are invested in the promises of their respective choices, though we also documented disruptions that challenge the implementation of each model.

Equity goals for individuals with disabilities have historically grappled with two interrelated threats, namely distributive and relational injustices (Stanford Encyclopedia of Philosophy, 2019). First, people with disabilities experience injustices as indexed in the limited access to resources that produce disparate outcomes (e.g., health, education, income) “resulting from morally irrelevant factors.” Second, individuals with disabilities suffer injustices through treatment that positions them as inferiors (intellectually, morally, socially) based on morally inconsequential traits. These three nations address these forms of injustice in their own idiosyncratic ways. Because naming differences is not a benign process, it is not surprising that each system is experiencing challenges for the choices they make in the name of equity.

Several themes cut across these three nations. For instance, resistance to IE, lack of attention to disability intersections, and fragmentation or hierarchization in efforts to address the needs of students. These trends animate questions and have implications for building a comparative research program on IE that, instead of becoming a conduit of assimilation, provokes systems to live up to their transformative potential. Opportunities for future studies include:

- Researchers should deploy interdisciplinary theoretical lenses and methodological strategies using a situated research model that illuminates how seemingly common themes may be produced amidst distinct cultural historical circumstances with alternative meanings across cultural contexts. Similarly, it will be necessary to map the consequences of these themes for various groups within each nation.
- IE is charged with opening opportunities for groups that embody categories of difference that marginalize and reconfigure systems to maximize meaningful participation. IE research should be informed by an examination of the historical trajectories of these groups in unique cultural contexts and document how systems of domination are imbued in their educational experiences (Artiles et al., in press).

- Future IE studies must rely on critical lenses to account for the ways governance structures with technologies and indicators to monitor implementation and impact make legible metrics that elicit processes that Nguyen (2024) described as “value capture” (p. 100). That is, institutions “capture” inclusive values only to dilute them – “once we internalize those impersonalized values as our own, we won’t even notice what we’re overlooking” (p. 100). This is observed, for instance, when IE narrows its focus to students with disabilities or operationalizes inclusion as placement in general education.
- In addition to examining how parallel systems to serve different categories of difference are produced and maintained with various types of consequences, future IE research should also document how distinct groups enter and exit the field of vision of inclusive systems. For instance, how new categories of difference enter IE typologies or how they get eliminated, or why certain sizable groups are invisible in education systems (e.g., students repeating the grade or overage learners in Guatemala).
- Some educational systems have a broad offer of specialized programs and support services, while others respond hierarchically according to their possibilities. We ask ourselves whether the former might be unwittingly generating an oversupply of compartmentalized responses while the latter generate partially inclusive alternatives. Future studies need to document the formation and consequences of such permutations of IE models.
- IE researchers must study the relationships between categories of difference (e.g., disabled, multilingual learner), their permeability, strategic self-identification with multiple identities, and their intersectionalities. How are these intersections created? What are the consequences for student educational opportunities?

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