


AUTISM SPECTRUM DISORDER (ASD) LAW IN CHILE

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Jose Manuel Salum Tome¹

ABSTRACT

The TEA Law ensures the right to equal opportunities and safeguards the social inclusion of children, adolescents and adults with ASD, eliminating any form of discrimination. It promotes a comprehensive approach in the social, health and education areas, and raises awareness in society on this issue. The law is based on fundamental principles such as dignified treatment, progressive autonomy, gender perspective, intersectorality, participation and social dialogue, early detection, continuous monitoring, and neurodiversity.

Keywords: ASD. Inclusion. Diversity. Neurodiversity.

¹ PhD in Education
Catholic University of Temuco
E-mail: josesalum@gmail.com
ORCID: <https://orcid.org/0000-0002-2894-5538>

INTRODUCTION

Law 21,545, known as the Autism Spectrum Disorder (ASD) Law, has come into force in Chile, marking a significant advance in the inclusion and protection of the rights of people with ASD. This law, enacted by President Gabriel Boric on March 2, 2023 and published in the Official Gazette on March 10 of the same year, is the result of intense legislative work initiated in 2019 by the Autism Federation of Southern Chile (Fedausch) and the Interregional Roundtable on Autism Law (MILA).

The TEA Law aims to ensure the right to equal opportunities and safeguard the social inclusion of children, adolescents and adults with ASD, eliminating any form of discrimination. It promotes a comprehensive approach in the social, health and education areas, and raises awareness in society on this issue. The law is based on principles such as dignified treatment, progressive autonomy, gender perspective, intersectorality, participation and social dialogue, early detection, continuous monitoring, and neurodiversity.

DEVELOPMENT

In the educational field, the law ensures the exercise of the rights of people with ASD under equal conditions. The necessary conditions are promoted for the access, participation, permanence and progress of autistic children, young people and adults in educational establishments, both public and private. Educational establishments must develop inclusive educational communities, make adjustments to their internal regulations and procedures, and provide adequate social and emotional support to autistic students. The law allows adjustments to the school day, such as longer breaks or rest time, and the reduction of the school day for a certain period, always in agreement with the family and formalized in the Individual Curricular Adjustment Plan (PACI) or Individual Support Plan (PAI).

In terms of health, the law mandates the Ministry of Health (Minsal) to implement rooms for specialized care of ASD in each of the Health Services. The Minsal must incorporate ASD in the design of the first National Study of Child Health (ENSI), which will allow estimating the prevalence of the disorder in the population aged 0 to 14 years, 11 months and 29 days. Early detection and continuous monitoring are essential to ensure comprehensive care.

The law recognises the importance of caregivers of children with ASD and establishes measures to support them. Workers can go to the educational establishments

where their children attend in case of emergencies regarding their safety, without this affecting their working hours. This is established in the amendment to the Labour Code.

The State undertakes to promote the necessary actions to ensure the educational and social inclusion of autistic people, promoting the gradual elimination of barriers to learning, participation and socialisation. The different Ministries must report annually to the National Congress on the progress made in the implementation of the law. The law will be financed through the budget allocated to this regulation and what is contemplated annually in the budget law.

The enrollment of autistic students in the School Integration Program (PIE) has grown significantly, from 3,751 students in 2015 to more than 43,428 in 2023. This increase reflects greater awareness and detection of ASD, but also poses new challenges in terms of resources and support for these students. Training centers and technical-vocational education institutes are adapting spaces, teaching materials and pedagogical guides to ensure more inclusive and accessible education.

The story of Alejandro Wasiliew , a primary school teacher diagnosed with autism at the age of 33, is an inspiring example of the importance of early diagnosis and ongoing support for autistic people. His experience highlights the importance of neurodiversity and the need for a more inclusive and respectful society towards people with ASD.

The law was signed into law by President Gabriel Boric at a ceremony held in the Plaza de la Constitución on March 2, 2023, marking its entry into force and the duty of all Chileans to respect and fully comply with it. During the ceremony, President Boric stressed the importance of integrating autistic society, stating that "it is the whole society that has to integrate... Today we open the arms of the institutionality and we say what should have always been: welcome, you are part of it, we are proud of you."

The TEA Law is a significant step towards inclusion and respect for the rights of people with ASD in Chile. With its entry into force, the country is moving towards a more inclusive society, where the right to equal opportunities is guaranteed and any form of discrimination is eliminated. Although there are still challenges to overcome, such as training more professionals and adapting resources, the path towards quality and accessible education for all is clear and promising. Chilean society is committed to respecting and complying with this regulation, ensuring a more inclusive and equitable future for all people with ASD.

Autism in Chile: Advances and Challenges in Education and Inclusion* Autism in Chile has become increasingly relevant in recent years, prompting a reflection on the integration and support needed for people living with this condition. In the first image, Alejandro Wasiliew, a primary school teacher and diagnosed with autism at the age of 33, shares his personal experience. Alejandro, who is also a student of educational psychology, explains that upon receiving his diagnosis, he understood many of his past experiences. Since then, he has worked for the Wazz Foundation, focused on the autistic community, and on the basic education team of the same foundation. Alejandro's story reflects a constant struggle to break down stigmas and work towards a more inclusive society. His story highlights how, after his diagnosis, he felt relief at better understanding his behaviors, which led him to advocate for the rights of autistic people. Her experience is a reminder that late diagnosis can be liberating, but it also represents a challenge in terms of adjustments and supports for the adults who receive it. On the other hand, recent data shows a significant increase in the enrollment of autistic students in the School Integration Program (PIE). In the second image, a report reveals that between 2015 and 2023, the enrollment of autistic students in the PIE grew by more than 1,000%, from 3,751 students to more than 43,428. This increase is a reflection of both population growth and greater awareness and detection of Autism Spectrum Disorders (ASD). However, this increase also poses new challenges in terms of resources and support for these students. Educational institutions face a growing demand for specialized programs and trained professionals who can provide the necessary supports to autistic students. Finally, the third image addresses how training centers and technical-professional education institutes in Chile are embracing inclusion, not only of autistic students, but also of those with other disabilities. The importance of implementing strategies that consider special educational needs is highlighted. To this end, spaces, teaching materials, and pedagogical guides are being adapted with the aim of ensuring a more inclusive and accessible education. The article underlines the importance of having support programs that can guide both students and teachers, ensuring that inclusion is not just a theoretical principle, but a reality in Chilean classrooms. --- In summary, Chile is moving towards greater inclusion and support for people with autism, especially in the educational field. Life stories such as that of Alejandro Wasiliew and the growth in the enrollment of autistic students in the PIE are examples of these advances, although there are still challenges to overcome, such as the training of more professionals and the adaptation of resources.

A STEP TOWARDS INCLUSION

The Autism Spectrum Law in Chile is an important step towards inclusion and respect for the rights of people with ASD. It recognizes the value of neurodivergence and seeks to promote comprehensive inclusion and protection of the rights of people with ASD in the social, health and education spheres.

A SHARED CHALLENGE

The implementation of this law is a shared challenge between the government, civil society and families of people with ASD. It requires a joint effort to ensure that people with ASD have access to the support and resources necessary for their full development.

AN INCLUSIVE FUTURE

The Autism Spectrum Law in Chile is a step towards a more inclusive and diversity-respectful future. We hope that this legislation will be a starting point for greater awareness and support for people with ASD, and that it will contribute to creating a more just and equitable society for all.

CONCLUSION

The TEA Law is a significant step towards inclusion and respect for the rights of people with ASD in Chile. With its entry into force, the country is moving towards a more inclusive society, where the right to equal opportunities is guaranteed and any form of discrimination is eliminated. Although there are still challenges to overcome, such as training more professionals and adapting resources, the path towards quality and accessible education for all is clear and promising. Chilean society is committed to respecting and complying with this regulation, ensuring a more inclusive and equitable future for all people with ASD.

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