

Autism Spectrum Disorder (ASD) Law in Chile

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ABSTRACT

The TEA Law guarantees the right to equal opportunities and safeguards the social inclusion of children, adolescents, and adults with ASD, eliminating all forms of discrimination. It promotes a comprehensive approach in the social, health, and educational spheres and raises awareness about this issue. The law is based on fundamental principles such as dignified treatment, progressive autonomy, a gender perspective, intersectionality, participation and social dialogue, early detection, ongoing monitoring, and neurodiversity.

Keywords: ASD, Inclusion, Diversity, Neurodiversity.

INTRODUCTION

Law 21,545, known as the Autism Spectrum Disorder (ASD) Law, has entered into force in Chile, marking significant progress 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 Autism Law Roundtable (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 all forms of discrimination. It promotes a comprehensive approach in the social, health, and educational spheres and raises awareness about this issue. The law is based on principles such as dignified treatment, progressive autonomy, a gender perspective, intersectionality, participation and social dialogue, early detection, ongoing monitoring, and neurodiversity.

DEVELOPMENT

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

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

The law recognizes the importance of caregivers for those with ASD and establishes measures to support them. Workers can attend emergencies related to their well-being at the educational establishments where their children attend, without affecting their work schedule. This is established in the amendment to the Labor Code.

The State is committed to promoting the necessary actions to ensure the educational and social inclusion of autistic individuals, promoting the gradual elimination of barriers to learning, participation, and socialization. The various Ministries must report annually to the National Congress on progress in implementing the law. The law will be funded through the budget allocated for this legislation and the annual budget provisions.

The enrollment of autistic students in the School Integration Program (PIE) has grown significantly, rising 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 and autistic person diagnosed at age 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 toward people with ASD.

The law was signed into law by President Gabriel Boric at a ceremony held in Constitution Square 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, the President Boric emphasized the importance of integrating the autistic community, stating that "it is the entire society that must integrate... Today we open the arms of institutions and say what should always have been said: welcome, you are part of it, we are proud of you."

The ASD Law is a significant step toward inclusion and respect for the rights of people with ASD in Chile. With its entry into force, the country is moving toward a more inclusive society, where the right to equal opportunities is guaranteed and all forms of discrimination are eliminated. Although challenges remain, such as training more professionals and ensuring adequate resources, the path toward quality education accessible to all is clear and promising. Chilean society is committed to respecting and complying with this legislation, 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 gained increasing relevance in recent years, prompting reflection on integration and the necessary support for people living with this condition. In the first image, Alejandro Wasiliew,

a primary school teacher and autistic person diagnosed at age 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 stigmas and work toward 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, although it also represents a challenge in terms of adjustments and support for the adults who receive it. On the other hand, recent data show 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%, going from 3,751 students to more than 43,428. This increase reflects 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 support to autistic students. Finally, the third image addresses how training centers and technical-vocational education institutes in Chile are embracing inclusion, not only for autistic students but also for those with other disabilities. It highlights the importance of implementing strategies that consider special educational needs. To this end, spaces, teaching materials, and pedagogical guides are being adapted to ensure a more inclusive and accessible education. The article underscores the importance of having support programs that can guide both students and teachers, ensuring that inclusion is not merely a theoretical principle, but a reality in Chilean classrooms. --- In short, Chile is moving toward greater inclusion and support for people with autism, especially in education. Life stories like Alejandro Wasiliew 's and the growth in enrollment of autistic students in the PIE are examples of these advances, although challenges remain to be overcome, such as training more professionals and adapting resources.

A STEP TOWARDS INCLUSION

The Autism Spectrum Disorder Law in Chile is an important step toward inclusion and respect for the rights of people with ASD. It recognizes the value of neutrality and seeks to promote the comprehensive inclusion and protection of the rights of people with ASD in the social, health, and educational 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 to fully develop.

AN INCLUSIVE FUTURE

The Autism Spectrum Disorder Law in Chile is a step toward a more inclusive future that respects diversity. We hope this legislation will serve as 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 ASD Law is a significant step toward inclusion and respect for the rights of people with ASD in Chile. With its entry into force, the country is moving toward a more inclusive society, where the right to equal opportunities is guaranteed and all forms of discrimination are eliminated. Although challenges remain, such as training more professionals and ensuring adequate resources, the path toward quality education accessible to all is clear and promising. Chilean society is committed to respecting and complying with this legislation, ensuring a more inclusive and equitable future for all people with ASD.

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Conflict of Interest

The authors declare no conflicts of interest.

Authors' Contribution

Put the authors' initials: they must fill in one sentence the contribution that each one made to the article.

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