

Educating without exclusion: Advances and challenges in inclusion and equity in Chile's higher education system

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Abstract

Multiple regulatory reforms aimed at improving equity and inclusion in Chile's higher education system have yielded mixed results to date. This study critically examined the coherence, scope and underlying tensions within public policies, laws and institutional programmes that promote inclusion in higher education, focusing particularly on how these initiatives are coordinated across multiple levels. A qualitative study based on documentary analysis was conducted, employing an analytical model centred on the dimensions of structural context, regulatory framework, public policies, institutional implementation, student experience and outcomes. The corpus consisted of laws, state programmes, ministerial guidelines and institutional documents. The analytical procedure involved four phases: open coding, axial coding, thematic synthesis, and theoretical triangulation. The results show considerable progress in terms of regulations and access, but weak systemic coherence and the persistence of marked inequalities regarding student retention, academic support, accessibility, and governance. The effectiveness of inclusive policies depends heavily on institutional capacity, and differences in institutional capacity create disparities among students based on socioeconomic background, ethnicity, and disability status. In short, inclusion in Chilean higher education is more rhetorical than substantive. To address these shortcomings, the following measures are required: comprehensive policies; dedicated financing; mandatory standards; and evaluation mechanisms. All of these measures must coherently integrate the macro, meso, and micro levels of the system.

Keywords

Higher Education, Inclusion in Higher Education, Equity in Higher Education, Equity and Inclusion.

Résumé

Les multiples réformes réglementaires visant à améliorer l'équité et l'inclusion dans le système d'enseignement supérieur chilien ont jusqu'à présent donné des résultats mitigés. Cette étude avait pour objectif d'analyser de manière critique la cohérence, la portée et les tensions inhérentes aux politiques publiques, aux lois et aux programmes institutionnels favorisant l'inclusion dans l'enseignement supérieur, tout en prenant en compte leur coordination à plusieurs niveaux. Une étude qualitative basée sur l'analyse documentaire a été menée à l'aide d'un modèle analytique articulé autour des dimensions suivantes : contexte structurel, cadre réglementaire, politiques publiques, mise en œuvre institutionnelle,

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expérience des étudiants et résultats. Le corpus était composé de lois, de programmes publics, de directives ministérielles et de documents institutionnels. La procédure analytique comprenait quatre phases : codage ouvert, codage axial, synthèse thématique et triangulation théorique. Les résultats montrent des progrès importants en matière de réglementation et d'accès, mais une faible cohérence systémique ainsi que des inégalités marquées en ce qui concerne la rétention des étudiants, le soutien scolaire, l'accessibilité et la gouvernance. Les politiques d'inclusion dépendent largement des capacités institutionnelles, ce qui génère des disparités entre les étudiants en fonction de leur milieu socio-économique, de leur origine ethnique ou de leur handicap. En résumé, l'inclusion dans l'enseignement supérieur chilien est davantage rhétorique que réelle. Pour remédier à ces lacunes, il est nécessaire de mettre en place des politiques globales, des financements spécifiques, des normes obligatoires et des mécanismes d'évaluation articulant de manière cohérente les niveaux macro, méso et micro du système.

Mots – clés

Enseignement supérieur, Inclusion dans l'enseignement supérieur, Équité dans l'enseignement supérieur, Équité et inclusion.

Introduction

Equity and inclusion in higher education (HE) have become guiding principles of contemporary debates on learning in Latin America and globally. International bodies such as the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Organization for Economic Cooperation and Development (OECD), and the World Bank have repeatedly warned that while HE systems have expanded rapidly during the last decades, democratization has not followed, especially in contexts involving structural inequalities. According to the World Inequality Database (2024), Latin America is among the most unequal regions in the world, and extreme levels of inequality have persisted, especially in Mexico, Peru, and Chile.

In Chile, these inequalities manifest in HE access, student retention, and graduation, reproducing gaps associated with socioeconomic background, type of schooling, geographic location, ethnicity, gender, and disability status. Marginson (2016) and Salmi (2022) point out that HE systems can become mechanisms of social mobility, but also spaces that perpetuate stratification if policies aimed at improving equality remain absent.

Chile's education system is highly segregated at the academic and socioeconomic levels, and this segregation influences educational performance, trajectories, access opportunities, and available cultural resources. The transition from secondary to higher education does not always preserve an inclusion focus, affecting especially first-generation students, and the process may introduce a rupture due to a lack of cohesion between educational levels. Duk and Murillo (2024) highlight that millions of children and adolescents in Latin America constantly face complex

situations related to socioeconomic, national, ethnic, cultural, gender or sex or (dis)ability status, limiting their educational opportunities and affecting their present and future conditions. Salmi (2022) emphasizes that the experiences and outcomes that do, and, crucially, those that do not occur throughout a child's preschool, primary, and secondary education largely determine higher education trajectories.

The UNESCO (2023) warns that HE inequalities are cumulative manifestations of social gaps that open in the first years of life. Consequently, pursuing equity must be understood not only as guaranteeing a right, but also as implementing a systemic strategy to compensate for structural inequalities through coherent national policies and institutional mechanisms. Therefore, each country should establish specific frameworks to identify the most disadvantaged students at an early stage and seek to ensure retention and graduation, with support ideally starting at the beginning of the transition into HE.

From a comparative perspective, Chile's system changed from an elitist to a massified one but could not consolidate a democratization process. Trow (2005) distinguishes three phases in the evolution of HE systems: the elitist stage, the mass stage, and the universal stage. Although Chile's system has accommodated a large influx of students, its internal structure remains stratified, generating differentiated circuits of access determined by socioeconomic and cultural backgrounds. In this context, authors such as Brunner (2009) have argued that Chilean education massification obeyed market logic, producing an institutional ecosystem with hierarchies of prestige, quality, and access to financing. This phenomenon is reflected in the coexistence of institutions that are members of the Council of Rectors of Chilean Universities (CRUCH), private universities with differing selectivity processes, and an expansive network of technical-professional institutes. In turn, this institutional architecture directly impacts student access, retention, and graduation.

The academic literature and international organizations agree that HE systems are equitable when they ensure the admission of students and stable conditions fostering participation, well-being, support, and graduation. From this perspective, inclusion has a systemic character; it is articulated at the intersection between national policies, institutional structures, academic cultures, and students' subjective experiences.

Chile has made significant progress in terms of access, particularly thanks to instruments such as selective cost-free education, scholarships, and novel inclusive entry programs. However, structural gaps persist because public policies have focused

mainly on expansion and financing rather than retention and graduation. Having identified this trend, Didou and Chiroleu (2022) warn that Latin American countries have made strides regarding access but have yet to consolidate systemic complementary policies.

Consequently, to promote educational equity and inclusion, higher education institutions (HEIs) should recognize diversity by implementing measures to eliminate or at least reduce disparities faced by the most disadvantaged groups. To this end, it is essential to analyze Chile's HE regulatory framework and gain insights into how its guiding principles translate into effective actions that either promote or constrain inclusion. It is pertinent to discuss Fraser's (2008) social justice approach, since it allows analysis from a critical perspective that encompasses three interdependent dimensions: redistribution (guarantee of material resources and opportunities), recognition (valuation of identities, cultures, diversity), and representation (effective participation in the academic and political spaces). These dimensions guide this study.

1. Equity and inclusion in higher education

From a theoretical perspective, equity in HE is understood as the existence of effective opportunities for all students, regardless of their background. The UNESCO (2022) has established that equity entails guaranteeing access and facilitating retention and academic success. This approach coincides with the perspective of redistributive justice proposed by Fraser (2008), who emphasizes that the correction of historical inequalities requires policies that compensate for structural injustices, and should include affirmative measures, progressive financing, academic leveling, and socio-emotional support.

Likewise, equity entails ensuring that all students-regardless of their social, cultural, geographic, ethnic, or physical conditions-enjoy real and effective opportunities to access, remain in, and graduate from the higher education system (UNESCO, 2022). Recognizing that equal treatment will not suffice, redistribution policies should compensate for basic inequalities. In Chile, Higher Education Law 21.091 (2018) explicitly recognizes equity as the system's guiding principle. However, the literature indicates that the formal adoption of principles does not guarantee their effective implementation if structural academic and psychosocial support is lacking (Didou & Chiroleu, 2022).

The contributions of Booth and Ainscow (2015) have been fundamental to understanding inclusion as a continuous process that involves creating inclusive cultures, translating institutional values that promote diversity into policies, and implementing inclusive practices. Examples include pedagogical strategies, support, and reasonable adjustments. In HE, these dimensions materialize through institutional models that recognize diversity, ease access and participation, and promote pedagogical strategies that facilitate learning.

Creating such models in practical terms involves designing accessible educational environments, adjusting assessments, offering specialized tutoring, and establishing permanent mechanisms for academic and socio-emotional support. These dimensions become essential to ensure successful trajectories. In addition, considering disability, the social model (Oliver, 1990) states that difficulties do not originate with persons but are part of structural barriers in the environment. This observation is reflected in Chilean legislation such as Law 20.422 (2010), which reaffirms the right to equal opportunities for people with disabilities.

General Education Law 20.370 (2009) consolidated the concept of inclusion to guarantee quality access and retention, adapt the system to respond to diverse needs and abilities, eliminate learning barriers, and promote equity and educational justice. Its scope reaches beyond integration and fundamentally transforms institutional structures and cultures to ensure universal and effective participation and educational achievement to enable socio-educational justice, especially for students from historically excluded groups.

However, inclusion and equity in HE must also ensure equal and equitable access that reflects social diversity. From this perspective, higher education must ensure the democratization of the opportunities offered by HEIs, with a focus on the defining frameworks of groups that are more vulnerable, the roles assigned to them, the prevention of stereotypes, and the scope of the measures aimed at supporting them (Didou and Chroleu, 2022). Venegas-Ramos and Sánchez (2024) highlight that HEIs must recognize vulnerable groups in order to move toward the recognition of diversities and avoid classrooms reproducing structural inequalities related to access, retention, and graduation.

2. Higher education as a field of structural inequalities

Marginson (2016) argues that higher education operates within a competitive global paradigm in which institutional stratification generates hierarchies that reproduce social inequalities. Within this framework, admission systems, academic barriers, and the distribution of cultural capital function as selective filters. These mechanisms, rather than measuring only skills, reflect past differences rooted in socioeconomic origin (Bourdieu and Passeron, 1970). In Latin America, the opening up of HE over the last decades has not led to democratization, given that the expansion of access has taken place in a system that is still segmented in terms of quality and prestige and leads to unequal economic returns for graduates entering the workforce (Torche, 2014). It implies that students from low-income backgrounds mainly access less selective institutions or degree programs that generate lower gains downstream, while students from high-income strata enter elite universities more frequently.

Certain Chilean studies (Ghiardo and Dávila, 2020; Mella and Moya, 2024) posit that being a “first-generation university student” is a significant predictor of inequality in academic outcomes, graduation trajectories, and employability. In this way, HE reproduces so-called “accumulated inequality,” that is, gaps that open during preschool, primary, and secondary education and widen during the transition into higher education.

Vivero et al. (2020) obtained similar results, specifying that HE students who participated in the local Public Higher Education Access Program (PACE) felt at a disadvantage compared to their peers who could resort to a wealth of knowledge and social and cultural experiences that ease the transition and facilitate high academic performance. Likewise, some interviewees highlighted that academic insertion had been rough, since their access conditions differed from those for peers who grew up in a rich social and cultural environment. This situation highlights structural inequality expressed in the educational system (Atria, 2014). Students from low-income backgrounds may experience episodes of academic, social, and cultural stress more frequently because they lack the permanent support that facilitates retention and graduation.

3. Public policies, equity and inclusion programs in Chilean higher education

Chilean public policies should be designed as regulatory instruments to address student diversity and avoid exclusion. The state has tried to counteract exclusionary practices and redistribute HE access opportunities by providing targeted economic support. As

part of these efforts, Law 20.422 (2010) “Establishes rules on equal opportunities and social inclusion of persons with disabilities,” Law 19.253 (1993) “Establishes rules for the protection, promotion and development of Indigenous peoples,” and Law 21.151 (2019) “Grants legal recognition to Chilean Afro-descendant tribal people”. These laws, together with General Education Law 20.370 (2009) and Higher Education Law 21.091 (2018), allude to the full visualization, recognition, and presence of diversities in HE, but ignore the financial and non-financial measures that HEIs must offer to render inclusion processes effective.

Still, HEIs are also promoting inclusive access programs, including the UNESCO’s Propaedeutic program, implemented in 2007, which currently involves 18 Chilean institutions. This set of initiatives promotes access and equity, focusing on designing tools to enhance the talents of students from low-income backgrounds and helping with academic preparation and vocational support (Villalobos, 2016). The University of Chile’s Priority Admission System for Educational Equity (Spanish acronym SIPEE), created in 2010, focuses on access and allows special admission for students who excelled in public secondary educational establishments in poor areas but failed to achieve the necessary score in the national PAES admissions test that allows regular entry into a degree program. The University of Chile also considers assistance as key to ensuring the retention and success of students who take advantage of SIPEE.

In the same vein, Pontifical Catholic University (PUC) promotes its own “Talent and Inclusion” program, which, however, differs from SIPEE in the sense that prospective candidates must be among the top 10% of secondary education graduates. Moreno et al. (2015) specify that these programs favor institutions in terms of increasing enrollment of students from public establishments in low-income areas and help improve academic performance. In 2015, the University of the Andes created a University Inclusion Program (Spanish acronym PIU) as part of its educational inclusion model. Under PIU, students with physical, hearing, or visual impairments, autism, and other conditions receive assistance in the form of academic adjustments and tailored support to guarantee participation on equal terms. Besides, PIU is aimed at raising awareness of and educating the university community about inclusive culture.

Currently, the University of Chile is creating its Higher Education Inclusion Model (Spanish acronym MIES), whose objective is to change the focus of the theoretical-methodological framework by eliminating the focus on a deficit or difficulty. MIES seeks to open up the institution, eliminating structural barriers instead of focusing

on individual deficiencies. It considers three dimensions: effective access (support during the transition into higher education), participation in the definition of identities, and influence in the political, cultural, social, and other spheres. The model is based on the principles of comprehensive training, recognition of diversities, and intercultural education. It seeks to consolidate strategies to educate about diversity and adds to existing initiatives such as the Student Equity and Inclusion Policy (2014), the Sexual Harassment Prevention Policy (2017), Social Co-responsibility Policy (2018), which is aimed at students who are parents, a 2020 policy to advance the incorporation of Indigenous peoples, cultures and languages, the Gender Equality Policy (2022), and the Sexual Gender Diversity and Dissidence Policy (2023).

It is also essential to recognize the equity efforts advanced by the state through public policies and by HEIs through their own programs. Additionally, the Ministry of Education and the National Board of School Assistance and Scholarships (JUNAEB)³ are offering scholarships to help with HE access and financing (see Table 1).

Table 1: *Scholarships and public policy support to boost inclusive access to higher education in Chile*

Focus	National Board of School Assistance and Scholarships (JUNAEB)	Ministry of Education (MINEDUC)
Socioeconomic level	President of the Republic Scholarship (BPR), Teacher Vocation Scholarship (BVP), Higher Education Retention Scholarship (BMES), Food Scholarship for Higher Education (BAES), Fire Victim Scholarship (BINC).	Bicentennial Scholarship (BB), New Millennium Scholarship (BNM), Juan Gómez Millas Scholarship (BJGM), Academic Excellence Scholarship (BEA), Technical Excellence Scholarship (BET), Scholarship for Children of Education Professionals (BHP), State-Guaranteed Credit (CAE), University Credit Solidarity Fund (FSCU), Teacher Vocation Scholarship (BVP-three versions), Scholarship for Distinctive Educational Trajectories (DTE), Articulation Scholarship (BAR), University Credit Solidarity Fund (FSCU), Higher Education Financing (FES)

³ Part of the Ministry of Education, JUNAEB oversees assistance programs and provides goods and services to low-income students to guarantee access, retention, and success in the education system, covering preschool through higher education. Key instruments include food programs, scholarships, and provision of school supplies.

Location	Polymetals Scholarship (BPOL), Territorial Integration Scholarship (BIT), Aysén Scholarship (BA), Patagonia- Aysén Scholarship (BPA), Magallanes and Chilean Antarctic Scholarship (BMA)	Juan Gómez Millas Scholarship for Foreign Students (BJGME)
Ethnic-cultural background	Indigenous Scholarship (BI), Indigenous Residence Scholarship	Scholarship for Distinctive Educational Trajectories (DTE)
Disability		Scholarship for Distinctive Educational Trajectories (DTE), Scholarship for Students with Disabilities (BSD), Bicentennial Scholarship (BB), New Millennium Scholarship (BNM), Juan Gómez Millas Scholarship for Foreign Students (BJGM)
Human Rights Violations		Reparations Grant - Valech

Note: Table based on Venegas-Ramos and Sánchez's (2024) research using JUNAEB's benefits portal, accessible here <https://portal.beneficiosestudiantiles.cl/>, with figures from 2023 and own updates.

Both the public policies of the government of the day and the actions and programs adopted by HEIs place strong emphasis on access to and financing of higher education, but only MIES and PACE represent a true shift in the paradigm of how inclusion is implemented. HEIs are making clear progress in recognizing the importance of equal access opportunities, adequate financing, and, above all, responding to individual needs.

The focus should also be on supporting retention and graduation, in order to avoid an approach that overly emphasizes individual deficits and reinforces stereotypes that students perceive as barriers to entry. Venegas (2019) highlights that many students who benefit from inclusive public policies assume that educational failure is rooted to a large extent in academic gaps linked to their socioeconomic background. The idea that the responsibility of adapting to HE lies solely with students should be abandoned.

Hence, this study critically examines the gap between normative discourse and the actual implementation of public policies, identifying key areas of progress, as well as persistent tensions and challenges. The guiding research question is: What advances have been made, and what tensions and challenges does Chilean higher education currently face regarding equity and inclusion?

The following section outlines the qualitative methodology used for this analysis, which draws on a multilevel analytical approach and includes a comprehensive review of laws, decrees, programs, and institutional policies. This framework allows generating insights on equity and inclusion from multidimensional, intersectional, and social-justice-oriented perspectives.

4. Methodology

This study employs a qualitative, interpretive approach aimed at critically analyzing public policies related to equity and inclusion in Chilean higher education. This methodological framework enables an in-depth understanding of official documents, including their underlying normative assumptions, conceptual tensions, and implicit meanings (Díaz, 2018).

Documentary analysis is the primary research strategy used, defined as a methodological approach that enables the reconstruction of the historical, political, and educational contexts in which policies emerge. Following Bowen (2009) and Prior (2011), this form of analysis entails examining texts as social artifacts, interpreting their ideological orientations, internal coherence, and potential effects on actors within the education system. In this study, documentary analysis was applied to laws, decrees, programs, ministerial guidelines, and institutional policies in order to provide a detailed account of the advances and persistent challenges that HE faces in relation to inclusion and equity.

4.1 Documentary analysis of data

The documentary analysis developed in this study was structured around a multilevel analytical model encompassing macro (political), meso (institutions) and micro (interactions) structures, in order to identify links between them (Braun and Clarke, 2022). This model made it possible to examine public policies from a comprehensive perspective, considering their structural, normative, programmatic, institutional, and experiential dimensions, which are shown in Table 2.

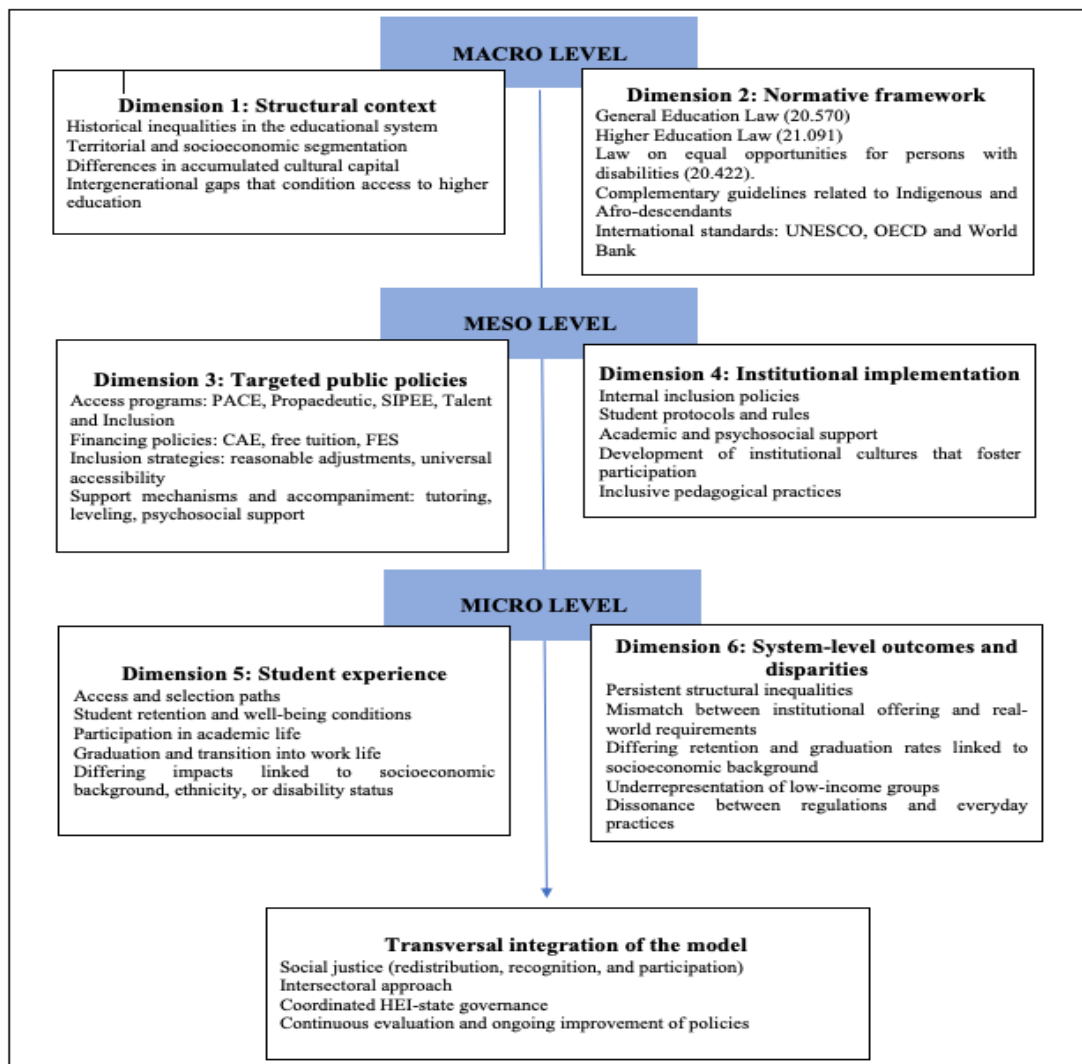
The approach recognizes that inclusion in HE does not stem from isolated state or institutional actions, but from the complex interplay of policies, organizational cultures, academic practices, and broader social conditions. The model also made it possible to analyze public policies with a relational understanding, highlighting that

inclusion can only be adequately evaluated when its transversal functioning and internal coherence between macro, meso, and micro levels are studied. Figure 1 shows the multilevel analytical model that guided the analysis.

Table 2: *Public policies and structural dimensions*

National higher education laws and regulations	National equity and access programs	Funding policies	Institutional documents
Higher Education Law 21.091 (2018)	Access to Higher Education Program PACE (2014-2025)	CAE (2005) and its regulatory regime established in 2012	Institutional inclusion policies
Equal Opportunities and Social Inclusion of Persons with Disabilities Law 20.422 (2010)	UNESCO Propaedeutic program	Free HE (2018-2025)	Institutional models of support
General Education Law 20.370 (2009)	Priority Admission System for Educational Equity (SIPEE)	Higher Education Financing (FES) initiative 2024-2025	MIES (2024)
Recognition of Afro-descendant Tribal People Law 21.151 (2019)	Talent and Inclusion (Pontifical Catholic University)		
Development and Protection of Indigenous Peoples Law 19.253 (1993)	University Inclusion Program (PIU)		

Note: CAE = State-backed credit; MIES = University of Chile's Higher Education Inclusion Model.

Figure 1: Multilevel analytical model of inclusion and equity

Note: Figure 1 presents the conceptual structure used to analyze equity and inclusion policies, organized into six dimensions at the macro, meso, and micro levels, plus the outcomes, along with a cross-cutting component based on social justice, intersectionality, state-institution governance, and continuous evaluation.

4.1.1. Criteria for documentary inclusion

- Thematic relevance: documents had to focus on equity, inclusion, access, financing, or educational trajectories
- Validity: regulations had to be in force at time of study
- Normative and political level: laws, decrees, ministerial guidelines, institutional policies
- Official or validated status: issued by the state, accredited institutions, or recognized university associations.

4.1.2. Analytical procedure

The analysis was carried out in four complementary phases.

4.1.3. Phase 1: Open coding

The documents were examined to identify key concepts, operational definitions, problems addressed, equity and inclusion approaches, recognized priority groups, action mechanisms, financing, and indicators of access/retention/graduation. Atlas.ti 23 software was used, which allowed the open coding of the entire documentary corpus. This process produced 78 initial codes that were later grouped into axial categories linked to the six dimensions of the multilevel analytical model, as shown in Table 3.

Table 3: Codes by categories generated with Atlas.ti 23

Analytical category	Resulting codes (n = 78)
Structural context	Territorial inequality; School segregation; Socioeconomic gaps; Cultural capital; Previous trajectories; Structural vulnerability; Historical exclusion; Limited social mobility; Barriers to access; Educational continuity
Regulatory framework	Rights-based approach; Educational inclusion; Equal opportunities; Disability (social model); Universal accessibility; Reasonable accommodations; Indigenous regulations; Afro-descendant regulations; Law 20.370; Law 21.091; Law 20.422; Institutional obligations; Non-discrimination; Responsibility of the state
Specific public policies	PACE; Propaedeutic; SIPEE; Talent and Inclusion; CAE; free education; FES; Vocational scholarships; Reparation grants; Leveling; Tutorials; Psychosocial support; Targeted programs; Initial accompaniment; Alternative selection; Special admission
Institutional implementation	Internal policies; Protocols; Accessibility services; Diversity units; Inclusion offices; Professional accompaniment; Teacher training; Administrative barriers; Organizational cultures; Internal governance; Institutional management; Institutional resources; Responsiveness; Continuity of programs
Student experience	Real access; Interrupted trajectories; Retention; Emotional well-being; Academic support; Participation; Institutional climate; Belonging; First generation; Cultural diversity; Indigenous students; Afro-descendant students; Students with disabilities; Graduation; Job transition; Pedagogical barriers
Results and gaps	Retention gap; Degree gap; Institutional segregation; Representation; Supply-needs mismatch; Unequal impacts; Insufficient evaluation; Normative-practical gap

4.1.4. Phase 2: Axial coding

The codes were grouped into six major dimensions: access, academic retention, graduation and career path, inclusion and diversity, financing and resources, governance and institutional alignment.

4.1.5. Phase 3: Thematic synthesis

Interpretive categories were constructed in relation to the dimensions, which allowed the identification of advances, remaining gaps, and tensions.

4.1.6. Phase 4: Information triangulation

Chile's reality, created through laws and regulations, was triangulated in contrast to the findings and recommendations made in the literature mentioned in the introduction.

5. Results

The documentary analysis of public policies on equity and inclusion in Chilean higher education was organized around six key dimensions identified in the methodology section. Each dimension synthesizes advances, tensions, and systematic gaps in public policies, and was triangulated with international standards and the literature mentioned above.

5.1 Access dimension: expansion advances, stratification persists

During the last three decades, Chile has substantially improved HE access, changing the elitist system of the 1980s into one that is open to all social groups. According to Ministry of Education (MINEDUC, 2025) data, total enrollment in 2025 increased by 3.9% over 2024, reaching 1,327,344 students. At first glance, these figures suggest significant democratization, but the analysis exposes structural tensions, including:

5.1.1 Stratification of access paths

Access to HE continues to be determined by type of initial educational establishment (public or private), socioeconomic background, cultural capital and family expectations, locality, and PAES results, which are strongly associated with past inequalities. This phenomenon aligns with findings of international studies that warned that massification will not eliminate institutional hierarchies (Marginson, 2016; Trow, 2005).

5.1.2 Financing mechanisms

State-backed credit CAE (2005) and selective cost-free education, in force since 2018, have helped boost access, especially for people from low-income backgrounds. However, CAE also generated long-term indebtedness that consolidated inequities (Mella and Mora, 2024). For its part, selective cost-free education has functioned as a subsidy, which sparked a shift toward private HEIs that are not members of CRUCH

and have lower admission score requirements. Although the new Higher Education Financing (FES) measure proposed by President Gabriel Boric Font seeks to correct these distortions, there is no evaluation of its impact. This educational market behavior coincides with Salmi's (2022) analysis of financing and stratification in higher education.

5.1.3 Access programs help enrollment but offer low real coverage

PACE, according to Bravo and Herrera (2020), covers less than 1% of national enrollment. Likewise, admission via the inclusive route is still marginal compared to the regular PAES route. In addition, many students are unaware of how programs such as PACE work. The analysis coincides with UNESCO (2023) findings stipulating that access without related support produces incomplete inclusion.

5.2 Retention: the weakest link in the system

Unlike access policies, retention policies have been fragmented and, in many cases, dependent on institutional rather than state decisions.

5.2.1 Academic and cultural gaps

The findings show that first-generation students or students from low-income sectors face difficulties in leveling basic skills; they maintain a sense of cultural maladjustment at selective universities, and grapple with academic and socio-emotional stress (Vivero et al., 2020). They participate less in extracurricular activities that strengthen social capital (Villalobos et al., 2022). Bourdieu (1970) also mentioned these barriers as part of his approach to habitus and cultural capital.

5.2.2 Unequal institutional support

Public policies do not establish minimum standards of support, which is why each HEI defines its own type of tutoring, psychosocial assistance, leveling programs, and retention strategies. This fragmented approach generates inequalities within the system, as some institutions strive to create equity and inclusion programs, but others do not. For example, the University of Chile believes that MIES, which represents a paradigm shift because it focuses on structural barriers and not on individuals' deficits, integrates intercultural, diversity, and legal approaches, in addition to offering comprehensive support for students when it comes to access, participation, and advocacy. National policies that require HEIs to adopt models equivalent to MIES are still lacking, which limits knowledge creation about the program's potential systemic impact.

5.3 Inclusion and diversity dimension: robust regulation, weak implementation

5.3.1 Regulatory advances

Chile has a lot of legislation in force and advanced. Examples include **Law 20.422 (2010)** on equal opportunities for people with disabilities, **Law 21.151 (2019)** on the recognition of Afro-descendant tribal people, **Law 19.253 (1993)** on the protection of Indigenous peoples, and **Law 21.091 (2018)** on non-discrimination in higher education. However, the analysis shows that these laws do not include mandatory methodological guidelines for HEIs.

5.3.2 Inclusion of people with disabilities (PwD)

Despite the legal mandate, MINEDUC (2025) figures show that only 1.16% of HE students identify as PwD, while many hide their situation for fear of stigmatization. This is in line with Booth and Ainscow's (2015) findings that inclusion does not occur without structural changes, considering culture, policies, and institutional practices.

5.3.3 Inclusion of indigenous peoples and Afro-descendants

Although there are scholarships and support, curriculums do not reflect cultural relevance, while institutional protocols to ensure intercultural support are absent, and representation in scientific or highly selective careers remains low.

5.4 Financing dimension: from debt to redistributive justice

Financing has been key to expanding access, but it has also reproduced inequities.

5.4.1 CAE – overcrowding and indebtedness

The documentary analysis confirms that state-backed loan CAE has caused accumulated indebtedness, regressive financial burdens, and differential effects depending on the type of HEI.

5.4.2 Selective cost-free education

Redistributive progress has been made, but with distortions. Although the free education program represents a notable advance, it does not cover all costs associated with studying and benefits students who enter lower-prestige institutions, perpetuating the vicious cycle of low social mobility.

5.4.3 FES – promise of transformation

FES seeks to replace CAE and correct biases, but there is still no impact assessment. The initiative depends on political continuity, and its design could reproduce inequalities if not complemented by retention policies.

5.5 Governance dimension: fragmentation, lack of multisectoral coordination

The analysis shows that the governance of the system, i.e., coordination between the Ministry of Education, the undersecretariat, the Department of Evaluation, Measurement and Educational Registration, and HEIs and their programs, is fragmented, which makes it difficult to build integrated trajectories, impact evaluation, continue policies across government terms, and standardize inclusion criteria. Relatedly, the literature indicates that equitable systems require coherence and multilevel governance (OECD, 2019).

5.6 Results dimension: persistent gaps

Despite legislative progress toward equitable and inclusive higher education, differences in access to elite HEIs persist; gaps regarding retention and graduation according to socioeconomic level remain wide; Indigenous and Afro-descendant students are facing specific hurdles; people with disabilities are underrepresented; and intergenerational inequalities are high. These findings coincide with Ghiardo and Dávila's (2020) results and confirm UNESCO (2023) research that found inequalities in higher education represent an extension of past disparities. Lastly, the results confirm that despite significant progress, structural gaps persist, and that improvements require profound transformations in governance, financing, and support. Table 4 summarizes analytically the laws, decrees, and programs related to equity and inclusion in HE in Chile.

Table 4:

Analytical synthesis of laws, decrees and programs related to equity and inclusion in HE

Instrument	Year developed	Approach	Beneficiaries	Scope	Shortcoming
Law 20.370 (GEL)	2009	Equitable access	All students	Defines quality education, guarantees access	Does not specify specific mechanisms for HE
Law 21.091 (HE)	2018	Non-discrimination and inclusion	Diverse students	Regulates HE system, principle of equity	Does not define criteria for retention or

Instrument	Year developed	Approach	Beneficiaries	Scope	Shortcoming
Law 20.422 (PwD)	2010	Equal opportunities	People with disabilities	Recognizes accessibility rights	support Does not establish mandatory funding for HEIs
Law 19.253 (Indigenous)	1993	Cultural diversity	Indigenous peoples	Scholarships, cultural recognition	Lack of curricular relevance in HE
Law 21.151 (Afrodesc.)	2019	Ethnic inclusion	Afro-descendant people	Legal recognition	No specific HE programs
PACE	2014	Access	Low-income students	Quotas and support	Low national coverage
UNESCO Propaedeutic	2007	Leveling	High-achieving students in public schools	Alternative access	Variability according to HEI
SIPEE	2010	Access based on excellence	Low-income students	Special admission	Not a state policy
Talent and Inclusion (PUC)	2013	Equity and talents	High-performing students	Access and support	Limited to one institution
PIU (University of the Andes)	2015	PwD inclusion	PwD	Reasonable accommodations, support	Reliant on institutional resources
CAE	2005	Financing	All students	Expanded access	Structural indebtedness
Cost-free education	2018	Redistribution	Low deciles	Debt-free access	Distorts HEI choice
FES	2024-25	Financing with justice	All students	No formal debt	No impact assessment

Discussion and conclusion

The objective of this study was to critically analyze the coherence, scope, and inherent tensions within public policies, regulations, and institutional programs related to equity and inclusion in Chilean higher education (HE), considering their multilevel integration and alignment with international social justice standards. Drawing on an in-depth documentary analysis guided by a six-dimensional analytical model, the findings reveal important advances at the normative and programmatic levels, but also persistent systemic gaps that hinder effective inclusion, particularly for students from low-income

backgrounds, first-generation university students, Indigenous peoples, the Afro-descendant community, and people with disabilities.

First, the findings on **access** confirm that, despite the system having been opened up to all social classes, patterns of stratification persist that reproduce historical inequalities in the school system. This finding coincides with studies which indicate that expansion is not equivalent to democratization (Marginson, 2016; Trow, 2005). Access continues to be highly conditioned by the type of basic educational establishment attended, cultural capital, location, and private socioeconomic resources. Mechanisms such as state-backed CAE loans, selective free higher education, and inclusive admission systems have expanded formal opportunities, but they have not altered the selective logics that help place students with significant cultural capital in prestigious institutions that offer potentially higher economic returns. The tension between expansion and stratification means that the system does not guarantee equal access to quality institutions, despite improved admission rates.

Second, the dimension of **retention** emerges as the weakest link in the system. Documentary evidence indicates that public policies have fostered privileged access and financing at the expense of academic, psychosocial, and vocational support strategies necessary to sustain complex university trajectories. The findings show that retention depends to a large extent on voluntary initiatives by institutions, generating deep asymmetries between universities. While some HEIs have developed robust models—such as MIES of the University of Chile—others maintain fragmented or student-centered support and ignore structural barriers, reproducing so-called individual responsibility for failure (Booth and Ainscow, 2015; Vivero et al., 2020). The lack of minimum national retention standards is a key public policy shortcoming.

In relation to **inclusion and diversity**, the results reveal a paradox: Chile has advanced progressive regulatory frameworks—Law 20.422, Law 21.151, Law 19.253, Law 21.091—but implementation is uneven and, in many cases, not backed by methodological guidelines, specific funding, or mandatory requirements aimed at HEIs. The low identification rate of students with disabilities, limited intercultural assistance, and the limited representation of Indigenous and Afro-descendant populations confirm that inclusion does not advance solely based on laws, but requires the transformation of cultures, policies, and institutional practices (Booth and Ainscow, 2015). The study shows that without organizational change strategies, inclusion remains a hollow concept.

Advances have been registered in the financing dimension, especially regarding free education as a redistributive mechanism, but tensions remain. State-backed credit CAE generated structural indebtedness and differentially affected students at less selective HEIs. Selective cost-free education has improved access, but it does not cover the real costs of studying, nor does it resolve the root causes of inequalities. In addition, it fuels movement toward lower-quality private institutions. The recent Higher Education Financing (FES) initiative represents an opportunity for transformation, although its impact will depend on complementary support and retention policies, which are currently absent.

The findings on **governance** confirm that Chilean higher education is characterized by fragmented coordination, making it difficult to sustain policies beyond individual government terms, evaluate the impact of programs, and standardize inclusion criteria. The international literature indicates that equitable systems require coherent multilevel governance (OECD, 2019), something that Chile has not yet managed to consolidate.

Finally, the results dimension shows that initial inequalities persist and even deepen at university. Gaps in retention, qualifications, employability, and labor trajectories mainly affect low-income, Indigenous, Afro-descendant, and disabled students. UNESCO (2023) warns that inequalities in higher education represent the cumulative effect of earlier disparities across other educational levels, underscoring the need for comprehensive policies that address the entire educational cycle.

In conclusion, Chile's HE system has improved in terms of access and financing, but still lacks a comprehensive and sustainable inclusion model. Advanced regulatory frameworks do not guarantee rights in the absence of specific funding, mandatory minimum standards, systematic evaluation, and profound institutional transformations. Tensions persist between formal equity and real-world inequality, especially in terms of retention, academic support, cultural relevance, and student participation.

Consequently, in order to advance toward a truly inclusive higher education system grounded in social justice, Chile must strengthen integration of national policies and institutional practices, ensure sustainable funding for inclusion initiatives, establish minimum standards for academic and psychosocial support, and promote coherent governance that overcomes the current fragmentation of the system. Only through the implementation of comprehensive, sustainable, and multilevel strategies will it be possible to guarantee complete and equitable educational trajectories for all students.

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