RESEARCH /INVESTIGACIÓN

ATTENTION TO DIVERSITY DURING COVID-19: LEGISLATIVE REVIEW OF MEASURES ACCORDING TO LOMCE

La atención a la diversidad durante la COVID-19: revisión legislativa de las medidas según LOMCE

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ABSTRACT

Following the establishment of the state of alarm caused by COVID-19 and the consequent closure of schools nationwide, formal education has moved from a presential learning context to virtual learning environments in a matter of hours. We present a review of the Spanish educational regulations on attention to students' diversity and the measures to be implemented in extraordinary learning contexts, such as the one we live worldwide. For its realization, we have conducted an analysis of the content embodied in the national organic legislation and in the guidelines of the Education and Vocational Training Ministry, focused on the measures for attention to diversity. The educational policy, and administrations in charge, are not prepared for a change in the methodology of attention to students that can reduce inequalities among students and provide an equitable access to learning, since the compensatory role of the school (as institution) cannot be supplied through the virtualization of teaching. In this regard, teachers and the autonomy of the centers represent an added value in equal opportunities, which is diminished in virtual educational environments due to the socioeconomic conditions of students, further increasing educational inequality.

KEY WORDS: Attention to diversity – Inclusive education – Educational attention – Educative legislation – COVID-19 – Educational necessities – Inclusion – Inclusive School –

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RESUMEN

Tras el establecimiento del estado de alarma provocado por la COVID-19 y, el consiguiente cierre de los centros educativos a nivel nacional, la educación formal se ha trasladado de un contexto de enseñanza presencial a entornos virtuales de aprendizaje en cuestión de horas. En este trabajo, presentamos una revisión de la normativa educativa española sobre la atención a la diversidad del alumnado y de las medidas a aplicar en contextos extraordinarios de aprendizaje, como el que vivimos a nivel mundial. Para su realización, hemos realizado un análisis de los contenidos, centrado en las medidas de atención a la diversidad existentes en la legislación orgánica nacional y en las directrices de aplicación del Ministerio de Educación y Formación Profesional. Las políticas educativas, y las administraciones responsables, no se encuentran preparadas para un cambio en la metodología de atención al alumnado, que incida en la disminución de las desigualdades del alumnado y proporcione un acceso equitativo al aprendizaje, ya que el rol compensador de la escuela (como institución) no puede suplirse a través de la virtualización de la enseñanza. En este aspecto, los docentes y la autonomía de los centros suponen un valor añadido en la igualdad de oportunidades, el cual se ve disminuido en entornos virtuales educativos por las condiciones socioeconómicas del alumnado, aumentando la desigualdad educativa

PALABRAS CLAVE: Atención a la diversidad – Educación inclusiva – Atención educativa – Legislación educativa – COVID-19 – Necesidades educativas – Inclusión – Escuela Inclusiva –

A ATENÇÃO A DIVERSIDADE DURANTE A COVID-19: REVISÃO LEGISLATIVA DAS MEDIDAS DE ACORDO A LOMCE

RESUMO

Depois do estabelecimento do estado de alarme provocado pela COVID-19 e, o consequente fechamento dos centros educativos a nível nacional, a educação formal foi transformada de um contexto de ensino presencial para entornos virtuais de aprendizado em questão de horas. Neste trabalho, apresentamos uma revisão da normativa educativa espanhola sobre a atenção à diversidade dos estudantes e das medidas a serem aplicadas em contextos extraordinários de aprendizagem, como este que vivemos a nível mundial. Para sua realização, fizemos uma análise dos conteúdos, focando nas medidas de atenção à diversidade existentes na legislação orgânica nacional e nas diretrizes de aplicação do Ministério de Educação e Formação Profissional. As políticas educativas, e os entes responsáveis, não estão preparadas para uma mudança na metodologia de atenção aos alunos, que implique a diminuição das desigualdades dos alunos e proporcione um acceso equitativo ao aprendizado, já que o papel compensador da escola (como instituição) não pode ser fornecido através da virtualização do ensino. Nesse aspecto, os professores e a autonomia dos centros têm um valor adicionado na igualdade das oportunidades, o

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que se vê diminuído em entornos virtuais educativos pelas condições socioeconómicas dos alunos, aumentando a desigualdade educativa.

PALAVRAS CHAVE

Atenção a diversidade – Educação inclusiva – Atenção educativa – Legislação educativa – COVID-19 – Necessidades educativas – Inclusão – Escola Inclusiva

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1. INTRODUCTION

The Spanish educational sphere is currently immersed in an exceptional context due to the international crisis caused by COVID-19. On March 13, 2020, the closure of schools was announced and the Spanish population was placed on lockdown (BOE, 2020a; EFE, 2020).

Schools are facing an unforeseen situation for which no educational center was prepared: the virtualization of teaching due to the closure of schools for an indefinite period (although it was first established to last fifteen days).

At that time, educational administrations (both regional and central) began a race against time to establish the operating rules of the centers during lockdown in Spain, as well as the processes for monitoring the classes via schools' means and devices (BOE, 2020b). Teachers were forced to substitute their classrooms for spaces in their homes, turned into improvised classrooms to continue teaching the content of a practically finished second term (whose examinations were already completed) and hoping to return to presential classes after the Easter festive period.

A myriad of educational platforms (Juste, 2020) made their resources available to the educational community (for free in most cases) and teachers had to deploy their digital competences for the sake of an educational transformation for which no one was prepared (despite the digital transformation attempt of most schools, which was already underway, in its initial or middle stages, or about to begin).

Since we are in the face of a solid educational community, teachers and families learned how to digitalize their concept of education and began to establish educational channels and platforms through which students could monitor their

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classes, submit homework, and have direct communication with teachers. All this, in addition to the individual availability of technological resources of teachers (Cueto, 2020) and families, which may entail the establishment of a new categorization of students based on their resources for educational access and monitoring, during the lockdown and de-escalation of this social and educational crisis caused by the SARS-CoV-2.

This new educational context, characterized by diverse social and professional opinions about the education model and the rushed digitalization of teaching, and without the proper training of the educational community (Martín & Rogero, 2020), focuses its efforts on the continuation of education for the majority of students and on transforming the presential educational planning model, putting the attention to students' diversity into an impasse due to the urgency of moving the presential school activity into virtual learning environments.

1.1. Attention to the diversity of students

This unexpected current situation makes us reassess the context through which attention to students' diversity is going and what measures have to be implemented, based on what is established in the national regulations. Before we begin to analyze the measures for attention to diversity proposed by the Spanish educational legislation, it is necessary to define the concept under analysis. Understanding attention to diversity as the set of educational actions that meet school students' needs and that require a specific type of action from personal or social factors (Rodríguez & Gómez, 2018); it is necessary to adapt the education environment to the special educational needs through new professional practices that entail creating activities focused on the full development of the person and their personal and social needs.

To this end, and alluding to the concept of inclusive school, specific educational programs, that take into account the diversity, characteristics, and needs of students, have to be created, allowing students' integration in the educational community and providing them with a participatory and preponderant role in their learning and inclusion process, as well as enhancing their social participation within the peer group in which they are (Espinosa, Reyes & Rodríguez, 2015).

This educational inclusion must be achieved through the creation of common participatory tools and spaces for all students (regardless of their personal characteristics) and must aim to diminish all the processes that entail excluding students (Barton, 2009), by participating and actively taking part in the school life, since they are the very heart of education.

Education aims to promote the development and socialization of all students, without exceptions, and as comprehensively and deeply as possible, since attention to diversity is not optional, but an unavoidable part that needs to be accomplished in all its aspects, giving meaning to the educational activity itself. Students, in their

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entirety, have an enormous learning potential, since their heterogeneity represents an added value for attention to diversity due to their different abilities, cultures, and needs.

The school, and its compensatory function, breaks the family and social inequalities of students, since it takes every student into consideration while building common aspects and it allows the equitable development of their competences, abilities, and skills, especially from the perspective of developing students' emotional, physical, and personal well-being (Díez & Gajardo, 2020).

The aforementioned conceptions are collected in the preamble of the Organic Law 2/2006, of May 3, on Education, modified by the unique article of the Organic Law 8/2013, of December 9, for the Improvement of Educational Quality (hereinafter, LOMCE). This preamble states that education entails facilitating personal development and social integration, determining the lifelong trajectory goals and expectations, and the set of knowledge, resources, and learning tools that enable a person to successfully fulfill their objectives. This has to be guaranteed through the principles of the educational system, since education must guarantee quality, equity, equal rights and opportunities, non-discrimination, educational inclusion, flexibilization, and personalization of education for all students, as well as educational and professional guidance, among others (BOE, 2010).

Attention to diversity in education must be governed by the principles of normalization and inclusion, guaranteeing the non-discrimination and effective equality in access to and permanence in the educational system, as well as paying special attention to inequalities derived from any type of disability. Educational administrations must have the necessary means to assist students who require educational support for specific needs (By supplying specialized professionals, means and materials, organizational flexibilization in schools, or developing precise adjustments and diversifications, among others).

If we delve into the Spanish educational legislation, students with educational needs are defined as those who, based on their personal, family, environmental, and social characteristics, require a certain type of educational attention different from the ordinary one, and it classifies them into different categories, according to their characteristics and needs.

Article 71 of the LOMCE states the necessity of enhancing students' personal, intellectual, social, and emotional development at their most, by supplying resources to provide educational attention to these types of students. To this end, measures for attention to diversity have to be included in the school organization, making precise curricular adjustments and diversifications that facilitate the acquisition and consolidation of the corresponding lessons.

Among the measures embodied in the LOMCE, there are two concretion levels regarding educational attention to students: general measures for all students and

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specific measures according to students' characteristics and the educational support they require.

At general level for students, the LOMCE establishes principles, such as the aforementioned, that serve as a compensatory element for inequalities, as well as values of solidarity, tolerance, equality, and respect to overcome discrimination. It also presents the necessity of adapting education to the diversity of students' aptitudes, interests, expectations, and needs.

To this end, throughout the articles of the different sections, the need to adapt the teaching and learning processes to students' work rhythms is emphasized, as well as to develop their affective abilities in all areas, their relationships with others, and educating about non-violence. This approach is based on the necessity of defining learning as a common element for students, without their personal characteristics constituting a discriminatory element for their equal access to opportunities. Legislative development places special attention on the Universal Design for Learning (UDL) as an element that allows the adaptation of teaching for all students, through greater flexibilization of the curriculum and the educational means and materials (Alba, 2016).

Teaching flexibilization and adaptation strategies are established as measures for attention to diversity among all students, such as curricular adjustment, integration of subjects into fields, flexible groupings, splitting into groups, the creation of reinforcement programs or personalized programs for students who require educational support for specific needs (ACNEAE). These measures, mainly aimed at students belonging to the Compulsory Secondary Education stage, are arranged based on the pedagogical autonomy of schools according to their organization and adoption of measures for attention to diversity.

This educational approach focuses on the acquisition of key competences as an indispensable condition for students to achieve their full personal, social, and professional development through the competence-based approach. It presents the possibility of schools being able to elaborate their curricular proposal by adapting the official curriculum to the differentiating educational needs of students, thus guaranteeing the fulfillment of their needs and the promotion of their autonomy.

In a complementary way, the LOMCE establishes a categorization of students with special educational needs (which we will clarify in the specific attention measures for students). If we bear in mind the importance of the principles of educational inclusion, universal accessibility design, and quality of education for all students (defined in Article 1 of the LOMCE), we can envision a myriad of educational responses to students' diversity that, based on national regulations, entail the general establishment of methodological and pedagogical principles that must be defined within the regional framework and that follow the approaches of international guidelines regarding educational attention to students, such as the Incheon Declaration (2015) or the Children's rights (1989).

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Regarding the specific attention measures for students with special educational needs, Article 71 of the LOMCE categorizes students into educational attention groups based on their personal needs (students with special educational needs derived from disability or serious behavior disorders, students with attention deficit disorder with/without hyperactivity (ADHD), higher competence levels, late incorporation, and personal conditions or academic record).

The main measures established go through early identification and assessment of their learning necessities based on the aforementioned educational principles. Broadly speaking, provision of educational attention resources and the establishment of procedures and resources to identify their needs and guarantee their schooling and family participation are established for these types of students, as well as the adoption of measures that entail specialized counseling.

More specifically, we can find measures at the schooling level (in special education centers or entities for students with special educational needs), flexibilization of the school syllabus through curricular adaptations (for students with special educational needs, with ADHD and/or students with specific learning difficulties), plans and programs for curricular enrichment, as well as flexibilization measures to change the educational stages duration (for students who exhibit higher competence levels), schooling based on their circumstances, knowledge, age, and academic record, as well as specific programs at a linguistic level and to reinforce basic competences or knowledge (for students with late entry into the Spanish education system), and specific compensatory education programs (for the students who are in unfavorable situations derived from personal, social, economic, cultural, geographical, ethnic or other types of factors).

These specific measures for attention to diversity (LOMCE, 2013) are defined at a regional level in accordance with the transference of educational and attention to diversity competences to the Autonomous Communities, although all these regional measures have to be based on and respect the principles and goals of attention to diversity established in the national educational regulations.

As already mentioned, the situation that the education system is currently facing has entailed the definition of specific instructions to continue educating in virtual learning environments. To this end, the Education and Vocational Training Ministry has issued an action and guidelines framework for the third term of the 2019-2020 academic year and the beginning of the next year, in the face of the social and educational crisis caused by COVID-19 (BOE, 2020b).

The general guidelines established in this Order are divided into seven main axes. Regarding the care for people, it is considered a fundamental principle due to this unexpected situation and it establishes the support for students and their families to make the execution of their tasks and functions possible, always based on the precept

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and fulfillment of the rights defined in the United Nations Convention on the Rights of the Child.

Regarding the school year, the adaptation of academic activities for students with the aim to keep them engaged to the continuous learning process based on their age, characteristics, and any exceptional situation they may be experiencing, constitute a general guideline to follow. During the academic term, education is complemented with reinforcement activities in the summer period, coordinated by entities of the educational community (local entities, associations, or organizations).

There will be specific measures and plans to restore the link with school, and reinforcement measures to ensure reintegration into the educational activity for students who, due to their personal or any unexpected situation, are disconnected or cannot be reached. Additionally, emphasis is placed on the identification of students' technological and digital deficiencies and encouraging students to make use of them by supplying these resources.

A paramount aspect is the attention to students who require educational support for specific needs. It also states the necessity of arranging the support resources of schools to promote access to the curriculum by adapting the instruments, times, and assistance measures.

Education focuses on the indispensable lessons and competences of the stage, through the flexibilization of working plans and the implementation of remedial, review, reinforcement, and expansion activities of the content already studied, based on a globalizing and interdisciplinary design, promoting cooperative work among the teachers who educate within the same group-class of students.

The examination has to be adapted to students' situation, not hindering them in their training process given the extraordinary characteristics of the situation, and highlighting the diagnostic and formative assessment of students (to elaborate the necessary reinforcement and remedial plans). Students' promotion is considered the general norm, being repetition an extraordinary measure to be implemented, as long as the student has neither reached the stage objectives nor adequately developed the established competences.

The measures for attention to individual or group diversities that fulfill students' specific educational needs and the attainment of the learning results linked to indispensable knowledge will be the starting point for the configuration of the 2020-2021 academic year.

These guidelines established by the Education and Vocational Training Ministry represent the starting point for the Autonomous Communities and schools, in accordance with their competences established in the LOMCE regarding the educational planning and organization. As we have previously mentioned, it alludes to the autonomy of schools to define their educational planning during this

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exceptional academic term, and the mechanisms to alleviate the current situation are established.

If we take into consideration the general and specific action measures regarding students who require educational support for specific needs and the guidelines defined by the *Orden EFP/365/2020* (EN: Education and Vocational Training Order), we can note that attention to students' diversity in exceptional educational situations is considered an aspect to take into account, but ultimately schools have to establish the appropriate mechanisms so that students can receive the necessary support.

3. METHODOLOGY

3.1. Objectives.

The study's main objective is to analyze the measures for attention to diversity embodied in the current national educational legislation and their implementation during this particular learning situation that we have been experiencing since the closure schools caused by COVID-19. To achieve this goal, we have set the following objectives:
1. To clarify the profound concept of attention to diversity according to the LOMCE.
2. To delve into the educational attention measures of the *Orden EFP/365/2020* and its consistency with current legislation.
3. To analyze the implementation of the measures for attention to diversity established in the current educational legislation, within the present configuration of the educational system (digitalization of education, virtualization of educational spaces, etc.).

3.2. Contextualization

Due to this work's nature, state of the art, scientific literature (Cáceres, 2020; Casanova, 2020; Díez-Gutiérrez & Gajardo-Espinoza, 2020; Feito, 2020; Moreno, 2020; Sainz & Sanz, 2020) and objectives, the methodology (qualitative) was organized based on the search, analysis, selection, and referencing of fundamental documents and sources regarding attention to diversity of students and teaching during the COVID-19 pandemic. The selected documents and sources fall into three main categories:

Table 1: Categories of the selected documents and sources

Documents and information from private institutions	Official publications	Scientific literature
Blog of private research centers	*Boletín Oficial del Estado* [EN: Official State Gazette]	See References section
Fundación COTEC	Organization for	

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	Economic Co-operation and Development	
UNICEF	Education and Vocational Training Ministry (MEFP)	

Source: authors' own creation

National and international databases were used to select the literature in question, with which we had some difficulties to obtain relevant results. A total of 10 databases were used to obtain bibliographical results, related to the subject of study and this work's objectives.

Table 2: Literature search results

Database	Term "*Educación COVID*"	Term "*Atención diversidad* COVID"	Term "*Educación inclusiva COVID*"
Metasearch engine of the University of Castilla-La Mancha (PLINIO)	7614 results 17 relevant 5 selected	44 results 8 relevant 1 selected	10 results 3 relevant 0 selected
REBIUN	0 results 0 relevant 0 selected	0 results 0 relevant 0 selected	0 results 0 relevant 0 selected
DIALNET	322 results 12 relevant 0 selected	54 results 10 relevant 0 selected	19 results 5 relevant 0 selected
EBSCHOHOST	57 results 1 relevant 1 selected	0 results 0 relevant 0 selected	365 results 28 relevant 1 selected
WORLDCAT	18 results 5 relevant 3 selected	0 results 0 relevant 0 selected	0 results 0 relevant 0 selected
SCHOOLAR GOOGLE	1440 results 75 relevant 9 selected	441 results 35 relevant 2 selected	177 results 24 relevant 3 selected
PROQUEST	85 results 3 relevant 1 selected	0 results 0 relevant 0 selected	35 results 8 relevant 1 selected
PUBPSYCH	0 results 0 relevant 0 selected	0 results 0 relevant 0 selected	0 results 0 relevant 0 selected
WEB OF SCIENCE	56 results 3 relevant 0 selected	0 results 0 relevant 0 selected	0 results 0 relevant 0 selected
SCOPUS	208 results 9 relevant 3 selected	0 results 0 relevant 0 selected	0 results 0 relevant 0 selected

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Source: authors' own creation

3.3. Instrument

Out of the 30 works chosen to carry out this project, only 10 have been used, since we have discovered that there is no previous documentation associated to the thematic line here presented. The conclusions were drawn by analyzing the current educational legislation, by reviewing the conceptualization of attention to diversity and its measures for educational attention, and the results obtained from the literature review process.

The working method used is based on content analysis, meaning that this research consisted in collecting, evaluating, selecting, and summarizing the implicit and explicit messages contained in a series of documents (Dulzaides & Molina, 2004). Thus, the description and interpretation of the texts under study became the main thrust of this investigation (Bardin, 2002). Regarding the case under examination and according to this work's objective, we have taken into account as unit of analysis:

1. Attention to diversity:
    a. Conceptualization
    b. Legislative measures
    c. Educational implications
2. Educational model:
    a. Resources and strategies
    b. Types of educational attention
    c. Current educational model
    d. Students' characteristics

3.4. Procedure

The working method used is based on content analysis. After considering our interests, the nature of the subject, and emergence of evidence, we decided that working with documentary sources was the best way to attain new knowledge of the subject in question. The working procedure consisted in interrogating the different documents with implicit questions, namely, according to Ruiz and Ispizua (1989), using the reading as an interview/observation combination, with the possibility of implementing any of them. The phases of the methodology were:

1. To define the universe of the documentary material. In order to determine the universe of the documentary material, we selected the categories of the documents and the sources chosen throughout fifteen days.
2. To select a sample. Given the topic being addressed in this work, we decided to conduct an extensive literature search through different sources, to specify the subject under study, for twenty days.
3. To define the basic units of analysis to be collected (words, phrases, paragraphs, full texts, images). The selection of the literature corresponds to

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the subject being addressed in this work, establishing a selection process by publication date and the direct relationship with the subject of study. This process lasted ten days.

4. <u>To codify conceptual categories</u>. For the codification of the conceptual categories, we began with the analysis of the legislative sources, which set the codification pattern of the literature resources. This process lasted twenty days.

5. <u>To conduct a pretest of the codification performed</u>. This phase, which lasted ten days, allowed choosing correctly the literature used and establishing the elements of the analysis.

6. <u>To carry out the analysis</u>. The analysis of the bibliographical documentation was thoroughly conducted, corroborating hypotheses proposed in the objectives section. This final process lasted twenty days.

4. DISCUSSION

The construction of the new educational setting in which the school community is immersed depends on two main factors: schools' autonomy to establish the necessary educational measures and families' media-information literacy (Trujillo, 2020).

When establishing measures, it is necessary to consider different factors such as: Internet access in the home, families' competence levels (both digital and cultural), and students' personal and family situation. The neediest families do not possess the necessary material, cultural, pedagogical, educational, and even emotional conditions to be able to face the personal and family situation derived from a socio-economic paralysis.

Diez and Gajardo (2020) state that the social and socio-economic gap, experienced by a large portion of society, has been exacerbated by this crisis situation and lockdown. In addition to this social gap, there is the digital and technological divide, further increasing inequalities. Despite the efforts made by the Educational Administrations and school centers to provide technological resources, digital illiteracy entails reassessing the current teaching and learning processes, for the sake of searching for methodologies that promote learning and that take into consideration students' autonomy and development levels (Moreno, 2020).

The current educational situation will have an uneven impact among students, since academic supports, technological resources, non-cognitive skills, and families' cultural level constitute a handicap for the most disadvantaged students, which is difficult to remediate through virtual learning.

Despite establishing curricular adaptations or compensatory measures for those students who may be in a situation of technological disconnection or who, due to their personal conditions, could need personalized teaching, virtual teaching requires students to have the willpower and qualitative family support for its correct implementation (Feito, 2020).

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As we have already noted, the current educational legislation does not establish measures for attention to students during social or educational emergency situations in its articles; instead, these articles only present generic situations or circumstances for attention to students, which ought to be specified according to the social and educational contexts in which their implementation is proposed.

The current educational model focuses on the acquisition of key competences, as aforementioned, through a competence-based approach which leads to school changes to ensure students accomplish their full development (BOE, 2015). The integration of competences in the educational system entails changing the focus of education towards students and their learning possibilities, trying to maximize the development of their abilities and their learning process (Rodríguez, 2010).

The educational approaches during social lockdown can be divided into two main strands (Díez & Gajardo, 2020): an approach oriented towards the development of basic competences based on mentoring, and an approach focused on the continuation of the teaching and learning process as established in the didactic programming adapted to the current virtual learning context. Both approaches must be analyzed from the socio-economic and cultural context of schools, assessing students' technological and personal possibilities.

The policy implementation establishes prioritizing the development of students' competences, with a categorization, designed by the teachers, of the competences to be worked upon. Additionally, the cooperative work of the family-school tandem is essential to achieve the learning objectives (Cáceres, 2020). This exceptional situation is testing the strength of our educational system, and, above all, of our response to address our students' learning needs.

Teaching activities via technological means have to ensure students' competence development and promote learning of intrapersonal and social values, necessary to face extraordinary social situations. They must be based on a design accessible to all students (regardless of their access possibilities to the virtual environment) and must fulfill any competence deficiency students may exhibit (such as those seen after returning from long-term summer periods, such as summer vacations), since a setback in students' learning process would signify an increase in repetition and non-promotion rates (Sainz & Sanz, 2020).

Alluding to the necessary coordination and cooperation between the educational community and schools, Saldaña, Álvarez, Aguilera, Moreno, Moreno, and de los Reyes (2008) state that it is necessary to include external support entities (such as entities that support people with disabilities) in the educational organization, since they allow meeting the requirements that personalized teaching entails and have a positive impact on the educational system by remediating the professional deficiencies in it, offer specialized and personalized information on the educational

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needs of the students who are being supported, and supply personnel and material resources to schools.

Additionally, the principle of family collaboration requires coordinated work between teachers and students' educational cores. Exceptional situations, such as the current one, signify an increase in the time spent with family (both in quantitative and qualitative terms) resulting in a better individualized attention of families toward their children. To that end, and aiming to give continuity to the learning process, it becomes essential to create effective communication channels between teachers and families, in which emotional health, intrapersonal and interpersonal skills, and peaceful coexistence are prioritized (placing the monitoring of academic content in a second tier).

5. CONCLUSION

The current exceptional situation represents a unique opportunity for improvement by transforming the school (Feito, 2020). We have theoretical approaches, macro-level investigations addressing how didactic implementation must be, a myriad of resources and strategies with multiple names… Endless amount of material being implemented in schools daily, but not prepared for exceptional conditions, just as teachers are not prepared either for a change in the educational model.

At this point, it is important to note that our educational system (as many others around the world) does not have planned scenarios to deal with exceptional social situations and that its approaches to attention to diversity are focused on theoretical proposals that are difficult to implement during this social situation caused by COVID-19. We are facing a circumstance in education in which it is necessary to focus efforts on accompanying and mentoring students over and above the continuation of teachers' planning, in which examinations and assessments correspond to an emotional monitoring of our students and the most effective educational tools are empathy and personal closeness.

Meirieu (2020) argues that what is important is to "make the classroom" in order to "make the school", in which students can feel part of a whole and inequalities cease to exist for the benefit of their personal development. The forced digitalization derived from this social situation leads us to reassess the necessity of rearranging virtual education for the sake of students making use of it, since the basic principles of the educational system are not being respected due to the inequalities caused by the digital divide.

Using daily experiences of the family environment to elaborate learning activities based on the development of competences, reorganizing the educational curriculum, or implementing personalized family counseling, are measures that must be taken into account when defining teachers' planning in exceptional situations for learning.

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Education and schools are a place to provide protection and reduce social inequalities, in which students find normality, stability, and hope (UNICEF, 2020). The educational system, as we have seen, offers a presential protection system for all students, but inclusive principles and measures for attention to diversity are being relegated to a second tier during exceptional social emergency situations (such as the one caused by COVID-19).

Making use of institutions' autonomy and the mentoring function of teachers to create specific tools and plans for educational protection, in addition to the sudden adaptation toward a new and unstructured educational system, entail omitting the personalized educational attention given to students, since the urgency of this context and the general accessibility to education in its entirety represent the set of current efforts.

Our educational system is at a social crossroad, in which all that has been established is not being implement, which increases the social gap and establishes a new categorization of students based on their resources and digital competences. The measures for attention to diversity enacted so far do not allow remediating the learning deficiencies that students disconnected from the educational system endure, since the emphasis is placed on the continuation or not of academic programs and students' promotion, ignoring the negative impacts that this situation has at a social and educational level.

As stated by Casanova (2020), inclusive approaches structuring our main educational regulations can be implemented since they only require making the best decisions with the existing resources to adjust the educational model to students' priorities.

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