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EVIDENCE OF THE DISPROPORTIONATE REPRESENTATION OF FOREIGN POPULATIONS IN SPECIAL EDUCATION IN SPAIN: AN APPROACH TO STATISTICAL DATA

Javier García Castaño,^I Cristina Goenechea Permisán,^{II} María Rubio Gómez^{III}

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ABSTRACT

Evidence of the Disproportionate Representation of Foreign Populations in Special Education in Spain: An Approach to Statistical Data

For over half a century, there has been a growing awareness of the disproportionate representation of minority students in special education systems around the world. Spain has yet to undertake an in-depth analysis of this issue. This article investigates this situation using a statistical analysis of relevant data to align with international findings. By applying a z-score to the dataset of national and foreign populations, significant differences emerge, particularly among certain nationalities. The conclusions highlight considerations for future research, emphasizing the need for a multi-situated, interdisciplinary approach to address educational inequality.

KEYWORDS: special education, minorities, segregation, Spain, disproportionate representation

IZVLEČEK

Podatki o nesorazmerni zastopanosti tujcev v izobraževanju za otroke s posebnimi potrebami v Španiji: Statistična analiza

V zadnjih petdesetih letih se v svetu povečuje zavedanje o tem, da so v sistemih izobraževanja otrok s posebnimi potrebami nesorazmerno zastopani učenci iz manjšinskih skupin. V Španiji ta problematika še ni bila podrobno analizirana. Avtorji v prispevku proučujejo stanje na tem področju s statistično analizo relevantnih podatkov, s čimer želijo omogočiti primerjavo z mednarodnimi rezultati. Pri uporabi standardne vrednosti (z-vrednosti) za podatke o španski in tujih populacijah se pokažejo pomembne razlike, zlasti med nekaterimi narodnostmi. V zaključku avtorji predstavijo možna izhodišča za nadaljnje raziskave, pri čemer izpostavljajo potrebo po interdisciplinarnem pristopu k vprašanju neenakosti v izobraževanju.

KLJUČNE BESEDE: izobraževanje otrok s posebnimi potrebami, manjšine, segregacija, Španija, nesorazmerna zastopanost

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INTRODUCTION

According to García Castaño et al. (1999), diversity can be understood as a condition, while difference is a socially constructed phenomenon. Based on this principle, an analysis has been conducted of specific school groups composed of individuals from migrant backgrounds. This analysis focuses on how these groups construct their identities in relation to the rhetoric of inclusion and its implications for their outcomes. To gain a deeper understanding of this phenomenon, examining how these differences are constructed within the educational context, particularly concerning the school population categorized as having Special Educational Needs (hereinafter SEN), is important. Additionally, it is essential to explore the relationship between this category and that of foreign students or immigrants.

The concept of SEN represents a significant turning point in the history of special education. The term was first employed in Spain in the Law for the General Regulation of the Educational System (1990). It was introduced in the United Kingdom in 1978 by the Warnock Report of the UK Ministry of Education (Warnock, 1978). Going beyond the concept of disability, it focuses on diversity and the resources the system needs to accommodate it, with the principal objective being to facilitate greater integration (Rodríguez Díaz & Cano Esteban, 2015). This new model proposes that the educational objectives are consistent for all students, given that they all have educational requirements. However, there are cases where students may require special assistance for various reasons, which must be evaluated and determined (Rodríguez Díaz, 2021, p. 7). Inclusive education, which advocates incorporating both equity and equality models (Booth & Ainscow, 2002), represents a further development. The concept of inclusive education is based on recognizing that students originate from a variety of backgrounds and that the educational system must be capable of adapting to each individual and meeting their needs. Despite the progress made by various educational reforms, however, a great deal still needs to be done.

In anticipation of the emergence of inequalities, our focus on the construction of difference situates us within this SEN scenario as a context for understanding and interpreting diversity management. The present study seeks to examine the hypothesis that a disproportionate number of foreign and/or immigrant students are represented within the Special Education resource within the educational system. This assertion has been previously demonstrated in international literature, as shown below.

A critical examination of these devices, which establishes them as potential mechanisms of school segregation, begins with the seminal work of Evelyn Deno (1970), who provides a propositional analysis of what special education (SE) should be, and Lloyd M. Dunn (1968), who was the first to highlight the disproportionate representation of populations of modest origin identified with ethnic minorities in SE in the United States. Nevertheless, despite the age of these analyses and the widespread interest in the issue of students of immigrant origin and SEN (typically

associated with disabilities, but not exclusively), there are no large-scale studies on our continent that analyze this relationship in a systematic and combined manner. The only study of note, published relatively recently, *Multicultural Diversity and Special Needs Education* (Grünberger et al., 2009), was conducted by the European Agency for Special Needs and Inclusive Education and spans 2005 to 2009. As a consequence of this research, it has become evident that a considerable number of European studies have been conducted on students with special educational needs (SEN) (Meijer et al., 2003) or on students from other cultural backgrounds (Eurydice, 2004; OECD, 2006). However, European-level analysis combining these two topics is lacking.

One factor contributing to the complexity inherent in conducting these studies is the intrinsic heterogeneity of the European nations, both in terms of their internal diversity and their disparate characteristics in comparison to one another. In this regard, it is crucial to highlight three factors that could impede the study of the phenomenon under consideration and render reviewing the scientific literature on the subject more challenging.

First and foremost, the wide range of terms used to describe the students identified as immigrants has led to confusion. The students in question are referred to as “migratory origin” students (Cama, 2018), “immigrant students” (Zouganeli & Mastrothanasis, 2019), students with a “migrant background” (Pit-ten Cate & Glock, 2018), and “immigrants” (OECD, 2006). Such terms as “bilingual students,” “minorities” (Council of Europe, 2006), or “cultural and linguistic minorities” (Brandenburg et al., 2016) represent examples of broad categories employed in some works. Others employ the terms “ethnic minority” or “ethnic minority groups” (UNESCO, 1994; Lindsay et al., 2006). A second obstacle is the paucity of studies referencing specific national or ethnic groups.

Secondly, it is crucial to be aware of the discrepancies in the disaggregated data sets available for analysis in each European nation. The statistical data on education in Spain are presented in detail by nationality—on occasion, even by geographic areas—but neither ethnic data nor migratory status is included in any of these classifications (Fay & Kavanagh, 2019). Census data from some countries, such as Germany or the United Kingdom, are disaggregated by ethnic indicators. However, there has been ongoing debate¹ regarding how these categories are constructed.

The third relevant aspect is the disparity between educational policies across Europe. This has resulted in an inability to consistently understand who students with special educational needs (SEN) are and how they came to be (Chieppa &

1 Professor Aron Cohen has introduced this debate (which he often characterizes as French) to the academic community in Spain on several occasions (Cohen, 2003; 2017). However, Professor Pablo Estévez Hernández has further developed this issue and dedicated his doctoral thesis to the question of potential resistance to ethnic classification in the Spanish national census. Further information can be found in Estévez Hernández (2015; 2020).

Sandoval, 2021). Furthermore, the structure of national education systems is also influenced by this heterogeneity.

The findings of international statistics have long confirmed that “migrants and minorities are disproportionately enrolled in certain educational institutions, despite the various translations of the subject in each state” (OECD, 2006, p. 156). As previously highlighted by the European Observatory on Racism and Xenophobia: “An excessive number of students from migrant backgrounds and ethnic minorities attend specific schools in many EU member nations.” It is important to note, however, that as Gentry (2009) remarks, our position does not entail that students with real functional diversity should be denied special treatment. In the same vein, the same author posits that providing an individual educational plan may be both reasonable and necessary. We are concerned about the possibility of a “pathologization” of cultural origin, or, to put it another way, that the diagnosis that causes a minor to be diagnosed with SEN has more to do with the perceived sociocultural distance between the majority population and the minority population than it does with any potential disabilities.

Considering the aforementioned arguments, it is imperative to underscore that the statistical evidence currently under examination provides clear evidence of the disproportionate representation of foreign schoolchildren in SE in Spain. This paper begins by setting out the context of our research and the key methods that we have employed. We then provide a brief overview of the relevant international literature. Next, we present the data we gathered that enabled us to compare the enrolment of Spanish nationals in SE with that of foreign nationals in the same SE. The data from both populations will demonstrate that the differences are statistically significant. In addition, the conclusions will address a few theoretical, political, and methodological considerations that, in our opinion, should be considered in further investigations based on these findings.

THE CURRENT STATE OF KNOWLEDGE REGARDING THE DISPROPORTIONATE REPRESENTATION OF MINORITY GROUPS IN SPECIAL EDUCATION

The issue of disproportionate representation in SE has been discussed in academic circles worldwide, particularly in North America. The explanations, analyses, and target populations vary considerably depending on the context of the investigations. However, for those of us who inquire about the construction of difference at school, the overrepresentation, disproportion, or over-identification of minority group students in SE is presented as a phenomenon that warrants attention.

Coutinho & Oswald (2000) provided a comprehensive overview of the historical context and existing knowledge regarding the disproportionate representation of minorities in SE. They asserted that the issue remained highly contentious and

unresolved. Subsequently, Donovan & Cross (2002) conducted a comprehensive investigation, focusing on two pivotal questions: the underlying causes of the observed disparity and its perceived severity. The report was of significant academic merit and included a comprehensive review of the existing literature in its second section. In their study, Waitoller et al. (2010) examined research on disproportionate representation from 1968 to 2006 to respond to two key inquiries. What causes disproportionate representation, and why is it a problem? In addition, it is pertinent to ask how the studies in question frame the issue. Due to the subject's recent revival, seven reviews or summaries of the available literature have been published in the past six years. In these investigations, two of the papers present novel arguments. The aforementioned studies were conducted by Morgan et al. (2015) and a similar team of researchers two years later, namely Morgan et al. (2018). Both papers examined a substantial corpus of research (22 studies) to ascertain whether systemic bias could account for the disproportionate representation of minorities in SE. The first publication referred to the Black American population, whereas the second included mentions of Asian, Hispanic, Native American, and minority language groups. Voulgarides et al. (2017) conducted a new review, examining the phenomenon of disproportionality in SE from an explanatory and prescriptive perspective, offering both policy and practical recommendations to address it.

Several papers demonstrate efforts to broaden research contexts beyond the United States. This is the case of Gabel et al. (2009), who provide data on the situation in Canada, Germany, New Zealand, and the United States, offering a broader and comparative perspective to denounce that overrepresentation has become a global phenomenon. On the other hand, Bruce & Venkatesh (2014) analyzed scientific production in Germany, Kenya, the United States, and India using appropriate intersectional methods to explain the phenomenon of disproportionality. Cooc & Kiru (2018), who analyzed the literature on disproportionality in SE in an international context (twelve countries in Asia, Africa, and South America) and identified trends across countries, have done another important work in this regard. They also included how scholars have addressed this issue. In the same year, two works were published with similar objectives in reviewing the scientific literature: Cruz & Rodl (2018) and Gutiérrez-Saldivia (2018). In the first of these, we examine how previous studies have compared statistical analyses of disproportionality with those based on conceptualizing covariates. Using John Ogbu's methods as a point of reference, it was concluded that students from voluntary and involuntary minority groups are likelier to participate in SE than students from dominant groups in Western societies. A year later, Connor et al. (2019) conducted a new literature review and proposed the Disability Critical Race Theory (DisCrit) to rethink the conceptualization and investigation of the disproportionate representation of certain groups. From a bibliographic mapping of the aforementioned databases, Chieppa & Sandoval (2021) analyze what has been produced on the phenomenon of disproportionate representation of students from cultural and linguistic minorities in the SE. This is

the most recent work of its kind focusing on the European context. In an exhaustive and critical analysis, the authors denounce the lack of explicit theoretical frameworks and the persistence of a uniaxial perspective in research on the phenomenon. According to them, this vision overlooks “the historical-cultural forces, the network of racial and colonial elements underlying the production of the power structure that generates institutional selection” (Chieppa & Sandoval, 2021, p. 16). An institutional selection out of which, we would say, differences are constructed, and inequalities are produced.

Suffice it to say from the previous paragraph that most studies criticizing disproportionate representation are already numerous and of some age. The only aspect that needs to be mentioned is the shift in argument that occurred in the middle of the last decade. We refer to the demonstration by Morgan et al. (2012) that minority students are underrepresented rather than overrepresented in SE. The authors employed this work to illustrate that Black and Asian children were markedly under-represented in early childhood services and/or special needs education. This resulted in a skewed distribution of resources and specialist care.

In 2015, they extended the argument to primary and secondary school students in the United States (Morgan et al., 2015). They concluded that minority students were less likely than white English-speaking students to be identified as having a disability and, therefore, to receive SE services (Morgan et al., 2015). Murphy & Johnson (2023) also conclude that, in the USA, minority students—particularly Spanish-speaking students—are under-identified for special education programs. Similarly, Pfende (2024) emphasizes the over-representation of Black students, particularly males, in these programs. In this regard, Cooc (2023) reports a consistent over-representation of English learners, especially in specific categories such as specific learning disability, speech and language impairments, intellectual disability, and developmental delays.

In response to the controversy, Cohen et al. (2015) offered a rebuttal to earlier claims, arguing that patterns of disproportionate representation in special education have remained stable for decades. However, just a year later, Morgan & Farkas (2016) revisited the issue of underrepresentation, shifting the focus to highlight how the failure to identify minority students for special education services leads to systemic inequalities and violations of their rights. Similarly, they highlight that the assessment of disabilities—and consequently access to special education and support services—is influenced by several factors, including family misinformation, limited access to healthcare, and professionals’ implicit biases, particularly against non-English-speaking minority populations.

Whether there is overrepresentation or underrepresentation is moot in and of itself; the latter is a less frequently raised point. Nevertheless, the mechanisms for constructing difference manifest as evident inequalities that directly and negatively impact a particular segment of the school population.

It is crucial to highlight that Spain faces a deficit of research in this field. A literature review revealed no international studies addressing the phenomenon we have described. The limited number of studies conducted in Spain that address the demographic characteristics of students attending SE centers or Early Care Devices (Molina et al., 2007; Ortells Roca et al., 2011; Fernández Muñoz, 2019) do not incorporate nationality or migration background as descriptive variables. Some studies have addressed the intersection of immigration and disability, but these have focused on the integration of adults (Díaz Velázquez et al., 2008; Peñaherrera León & Cobos Alvarado, 2009) and thus have not considered the school context.

The works of Talavera & Guzmán (2018), which critically analyze the psycho-pedagogical evaluation mechanisms of culturally or linguistically diverse students, are situated close to our research interests. The works of Paniagua (2012; 2014), which address the role of migrant families whose children are diagnosed with SEN at school from an anthropological perspective, are also closely linked to these diagnostic processes. While this will be the subject of further investigation, we are particularly interested in examining the author's argument regarding the double harm of belonging to an ethnic minority or immigrant group and being labeled with special educational needs. We would like to highlight that, despite the extensive academic work on the disproportionate representation of certain minorities in SE that has been produced internationally, there is a notable absence of works demonstrating this situation in Spain.

BRIEF CONTEXTUAL AND METHODOLOGICAL NOTES

First, it is necessary to provide a brief overview of Spain's educational system to determine the SE's location. The general educational law in the Spanish state is the regulatory framework used to design regional educational laws. Spain is organized politically and administratively into Autonomous Communities, each running its own school system.

The term "special" is employed in a variety of contexts throughout the structure of the educational system at the state level, and its referent is not always consistent. In contrast to "General Regime Teaching," which encompasses Early Childhood, Primary, Compulsory Secondary, Special Education, Baccalaureate, Vocational Training Cycles, and other Training Programmes, we find the mention of "Special Regime Teaching." This refers to specific teachings on art, design, music, dance, sports, or languages.

The current regulatory framework incorporates the concepts of "Special Education" and "Students with SEN," as defined in the pertinent legislation.

Students with special educational needs are defined as those who, as a consequence of a disability or serious behavioral, communication, or language disorders, encounter obstacles that restrict their access, presence, participation, or learning during

part or all of their education. These students require specialized educational support and attention in order to achieve learning objectives that align with their individual development. (Government of Spain, 2020)

Nevertheless, with the assistance of the aforementioned standards, we intend to delineate those elements that we consider to be of paramount importance. Article 74 of the Organic Law on Education (LOE), as amended by Organic Law on the Reform of the Education System (LOMLOE) (Government of Spain, 2020), establishes the regulatory framework for the education of students with special educational needs (SEN). The legislation in question establishes that the principles of normalization and inclusion will govern this process, ensuring that discrimination is not practiced, that effective equality of access is guaranteed, and that ongoing integration into the educational system is facilitated. In accordance with Royal Decree 334/1985, these students will only be educated in classrooms or schools of SE (a compulsory and free educational modality in the ordinary levels of the school system) if their needs cannot be met within the framework of the measures of attention to the diversity of the ordinary schools. This study's population of interest is students enrolled in SE (within the SE category, students with hearing impairment, motor impairment, intellectual impairment, visual impairment, general developmental disorders, serious behavioral and personality disorders, and combined impairment are identified). We do not intend to include students in regular schools who are in the group of pupils with specific educational support needs (among which SEN are situated). Despite the significance of including this data for a more extensive and more comprehensive study, we do not have specific official statistics on public access in this area.

This study uses a single source of data: the Ministry of Education and Vocational Training's General Subdirectorate for Statistics and Studies' Statistics on Non-University Education.² It is the sole official source that furnishes the requisite data to facilitate a preliminary statistical approximation of the enrolment data for the Spanish national population, which we have defined as the majority, and the foreign population, which we have defined as the minority. We employed the data provided by that source in a bespoke manner and utilized the MS Excel program to perform all the calculations and present them in tables and graphs.

We present data on the presence and evolution of the foreign population enrolled in the education system. The data has been collated during twenty years, from the 1999/2000 school year to the 2019/2020 school year. This allows us to situate our study within the context of the broader 21st century. Secondly, we present data on the school population of foreign nationalities enrolled in SE and compare it

2 The data used here can be found here: <https://www.educacionyfp.gob.es/servicios-al-ciudadano/estadisticas/no-universitaria/alumnado/matriculado.html>.

to the school population of General Education as a whole³ and to the same data on the school population of Spanish nationals. By providing these descriptions, we can contextualize the data and examine the distinctions between the various nationalities in greater depth. Furthermore, we can investigate whether a comparison of the majority and minority populations might yield evidence of significant statistical differences. To determine the representativeness of the difference between the majority (Spanish nationals) and minority (foreign nationals) populations, we used the statistical indicator z-score. The following equation was used to perform these calculations:

$$z_{score} = \frac{\frac{\alpha_{EE}}{\alpha} - \frac{\beta_{EE}}{\beta}}{\sqrt{\frac{\alpha_{EE} + \beta_{EE}}{\alpha + \beta} \cdot \left(1 - \frac{\alpha_{EE} + \beta_{EE}}{\alpha + \beta}\right) \cdot \left(\frac{1}{\alpha} + \frac{1}{\beta}\right)}}$$

α_{EE} Total number of foreign nationals enrolled in SE (SE minority population)

α Total number of foreign nationals enrolled in the General Education (minority population)

β_{EE} Total number of Spanish nationals enrolled in SE (SE majority population)

β Total number of Spanish nationals enrolled in the General Education (majority population)

The results show the statistical significance of the differences between the populations. Therefore, a result of zero indicates that the differences are not statistically significant. A result of 1 or –1 indicates that the differences are significant with a probability of 68%; a result of 2 or –2 indicates that the differences are statistically significant with a probability of 95%; and finally, a higher result gives us a higher level of confidence in the statistical significance of the differences. In all cases, if the result is positive, we are talking about the over-representation of the minority population concerning the majority. If the result is negative, it indicates that the minority population is underrepresented compared to the majority.

Two final methodological observations to help us clarify aspects of the population we are analyzing. The first is more theoretical; the second is more technical.

First of all, the school population identified as belonging to ethnic minorities has been the focus of the literature review presented, and the variable we will use here is nationality. Ethnicity processes are very common in contexts where migrant populations relate to and coexist with local populations. However, it is also true that considering an ethnic minority should not always lead us to speak of an immigrant population. Likewise, nationality cannot guarantee a person's connection

3 We will use the term "General Education" to encompass the entire educational system, while "Special Education" (SE) will refer specifically to designated schools and classrooms catering to students with special needs.

to migratory processes, but despite specific migration statistics, demography in Spain often uses it for these purposes.⁴ In addition to the latter, it is important to note that certain groups of foreigners have acquired the nationality of the host country through so-called naturalization processes in Spain. This means that part of the population identified as having Spanish nationality has also participated in migration processes. However, this brief statistical approach to the phenomenon of disproportionate representation does not consider this fact.

Secondly, it must be understood that we are referring to the school population categorized as SE in the official statistics of the Ministry of Education. That is, students enrolled in specific SE centers and in specific classrooms in ordinary centers. These statistics do not include pupils identified as having specific/academic educational support needs (a broader concept). In this case, as already mentioned, official statistics do not allow disaggregated analyses by nationality. As a result, it is currently impossible to carry out any kind of study with this category in the sense that we are proposing here.

FOREIGN STUDENT POPULATION IN THE EDUCATION SYSTEM: QUANTITATIVE PROFILES, TRENDS, AND SPECIAL EDUCATION DATA

The presence of foreign nationals in Spain's educational system has undergone significant changes, with notable disparities in distribution across regions and school types. Over two decades, the proportion of foreign students increased from 14 to 99 per thousand, with annual growth rates approaching 50%. However, the 2008 global financial crisis led to a deceleration of this trend, particularly between the 2011/2012 and 2015/2016 academic years. It is important to interpret these figures with caution, as they exclude naturalized students who still identify as being of migrant origin. Despite such limitations, the 2019/2020 school year recorded an 8.31% increase in foreign student enrolment.

A regional analysis reveals considerable variation in the distribution of foreign students. In the 2019/2020 academic year, regions with a higher proportion of foreign students than the national average included the Balearic Islands (155 per 1,000), Catalonia (149), La Rioja (141), Murcia (138), Aragon (136), Valencia (120), and Madrid (118).

Significant discrepancies also manifest concerning the type of educational establishment. Eight out of ten foreign students are enrolled in public schools, whereas the number of Spanish students attending public schools has declined, with an increase in those attending private institutions. While this trend varies across Autonomous Communities, the overall pattern remains consistent.

4 The data can be accessed at <https://www.ine.es/index.htm>.

We now turn to the statistical data highlighting the circumstances of foreign students enrolled in SE, building on the broader context of foreign nationals in Spain’s educational system. Over the past two decades, the number of foreign students enrolled in SE has grown at a steady rate, with an average annual increase of 15.74%. The sole exception to this trend was observed in the 2016/2017 academic year. Conversely, the enrolment of Spanish nationals in SE increased by an average of only 1% over the same period.

Compared with enrolment in Special Education, a more detailed analysis of the data on foreign student enrolment in General Education reveals some noteworthy trends. Until the 2007/08 school year, the proportion of foreign students remained relatively stable across the education system and in SE. However, as illustrated in Table 1, discrepancies emerged, with differences exceeding three percentage points and growth in SE consistently outpacing that of the broader system.

	1999/2000	2009/2010	2019/2020
General Education	1.49%	9.65%	9.92%
Special Education	1.21%	11.33%	13.12%

Table 1: Evolution of the percentage of enrolment of pupils of foreign nationalities in General Education and in SE (source: own elaboration from educational statistics published by General Subdirectorate of Statistics and Studies of the Ministry of Education and Vocational Training).

A disaggregation of the data by school type (public/private) reveals new differences that suggest that public schools consistently enroll a higher percentage of foreign nationals across all educational programs. However, this disparity is particularly pronounced in SE and has persisted throughout the first two decades of the 21st century.

In order to facilitate comprehension of the subsequent analysis, a concise comparison is presented between the Spanish and foreign student populations. Over the 20 years examined, the proportion of Spanish students in SE has remained stable, accounting for approximately 0.4% of the General Education enrolment (ranging from 0.39% to 0.46%). Conversely, the proportion of foreign students has risen from 0.31% in the 1999/2000 academic year to 0.57% in 2019/20.

A disaggregation of the data by type of school reveals comparable trends, particularly in private schools, where the number of foreign students exceeds that of Spanish pupils. While regional variations exist, this analysis will focus on national data to provide an overview of the situation.

In this study, we have provided general descriptions highlighting the differences between Spanish nationals (the majority group) and foreign nationals (the minority group) in SE within Spain’s educational system. The objective of this study is to ascertain whether these differences are statistically significant. To this end, data for specific nationalities (grouped by geographical regions as presented in official

statistics) will be analyzed and compared to the overall Spanish population. Table 2 presents data on enrolment for both populations. The data are disaggregated by nationality and grouped into large geographic areas for foreign nationals. The table shows the total number of students enrolled in General Education and in SE, along with the percentage of SE enrolment relative to the total.

	1999/2000			2009/2010			2019/2020		
	Total	EE	%	Total	EE	%	Total	EE	%
Total foreign nationalities	107,301	330	0.31	762,420	3,464	0.45	795,844	4,497	0.57
European Union (28)	27,299	37	0.14	191,486	558	0.29	224,884	989	0.44
Rest of Europe	8,954	19	0.21	27,906	64	0.23	39,329	175	0.44
North Africa	26,421	111	0.42	138,594	904	0.65	203,807	1,387	0.68
Rest Africa	5,478	42	0.77	27,961	197	0.70	37,838	356	0.94
North America	2,401	5	0.21	7,106	13	0.18	8,962	34	0.38
Central America	6,761	29	0.43	29,440	212	0.72	43,878	264	0.60
South America	21,037	70	0.33	295,193	1,362	0.46	149,882	879	0.59
Asia	8,663	17	0.20	43,330	150	0.35	85,157	410	0.48
Oceania	143	0	0.00	376	1	0.27	479	2	0.42
Non-defined country	144	0	0.00	1,028	4	0.39	2,013	10	0.50
Spanish Nationality	6,972,921	27,321	0.39	7,608,292	30,643	0.40	8,219,159	37,500	0.46

Table 2. Enrolment in General Education (total) and SE for foreign and Spanish populations across three academic years: 1999/2000, 2009/2010, and 2019/2020 (source: own elaboration from educational statistics published by the General Subdirectorate of Statistics and Studies of the Ministry of Education and Vocational Training).

Distinctions are evident at three points in the years under examination (the outset, midpoint, and conclusion of the cycle), enabling the coverage of a period of twenty years. This population has changed over time, but the three geographical areas with the largest representation are the European Union, North Africa, and South America (which collectively account for seven of every ten schoolchildren of foreign nationality).

The comprehensive data set, which encompasses all courses and all foreign nationalities, when juxtaposed against the data pertaining to the Spanish nationality population, reveals statistically significant discrepancies in the percentages (with a confidence level of 95%). As outlined in the methodological section, the z-score statistical indicator was employed to analyze these data, and the resulting outcomes are presented in Table 3.

	1999/2000 academic year	2009/2010 academic year	2019/2020 academic year
Total foreign nationalities	-4.39	6.74	13.61
European Union (28)	-6.77	-7.62	-1.14
Rest of Europe	-2.72	-4.57	-0.33
North Africa	0.73	14.45	14.76
Rest Africa	4.44	7.94	13.92
North America	-1.44	-2.93	-1.08
Central America	0.49	8.57	4.50
South America	-1.37	4.92	7.39
Asia	-2.91	-1.85	1.09
Oceania	-0.75	-0.42	-0.13
Non-defined country	-0.75	-0.07	0.27

Table 3: Results of the application of the statistical indicator z-score to the data of the total enrolment and in SE of populations of foreign and Spanish nationalities (source: own elaboration).

We now compare the percentage of students enrolled in SE in three selected geographical areas with the total student population in these regions. It is important to note that the remaining data set is too limited to make accurate comparisons. These data are presented in Figure 1, where we also include percentages for the Spanish national school population to highlight possible differences in representation.

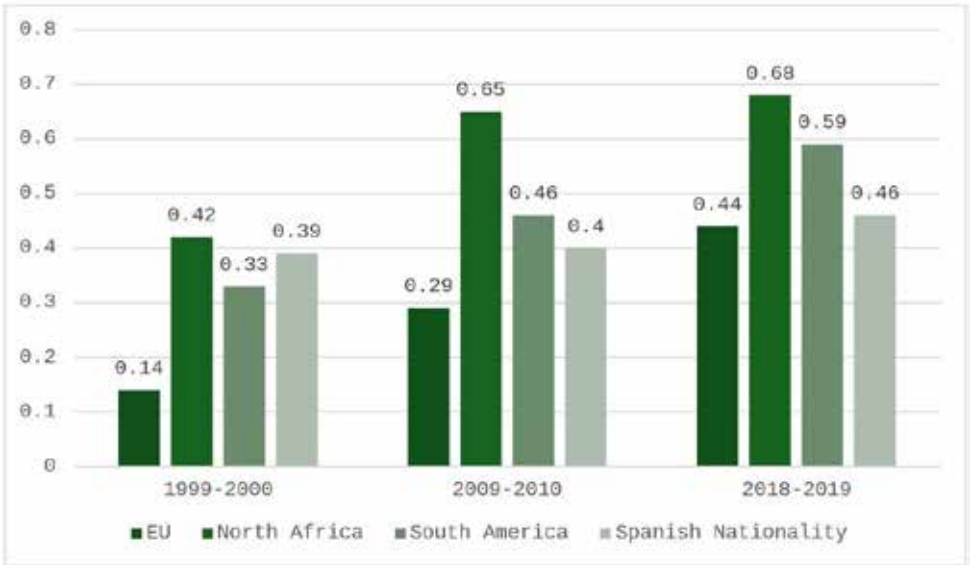


Figure 1: Evolution of the percentages of the population of foreign nationalities enrolled in SE according to the geographical area of the nationality (only the most representative geographical areas). Source: own elaboration from educational statistics published by the General Subdirectorate of Statistics and Studies of the Ministry of Education and Vocational Training.

At the beginning of the period, students from the European Union and South America had lower enrolment rates in SE than Spanish nationals, except for students from North Africa, who had slightly higher rates. Ten years later, only students from the European Union had lower enrolment rates than Spanish nationals, while students from North Africa and South America had higher rates. By the end of the period, the proportion of students from the European Union in SE was almost equal to that of Spanish nationals. However, students from North Africa and South America remained significantly more numerous.

CONCLUSION

The data indicates a notable overrepresentation of foreign nationals, particularly those from North Africa, within Spain's Special Education (SE) system. Despite national legislation (Government of Spain, 2020) aimed at reducing SE placements to promote inclusion, the number of students in this category, particularly foreign nationals, continues to increase.

Given these circumstances, it is pertinent to inquire whether cultural or socioeconomic factors contribute to this phenomenon. It would be beneficial to ascertain whether diagnostic practices, as proposed by international research, could be a contributing factor. Furthermore, it would be advantageous to determine whether SE diagnostic procedures are adequately equipped to assess individuals from diverse cultural and linguistic backgrounds.

The statistical data alone offer limited insight into these trends, as the categorization of "foreigners" in public statistics is based on incomplete legal and administrative data, which omits critical factors such as migration patterns, socioeconomic status, and linguistic diversity. To address these gaps, further systematic research incorporating the perspectives of educators and schools is essential. Furthermore, the regional variations in SE practices necessitate a more comprehensive examination of local policies and their impact on categorization and labeling, which influence social roles and expectations for these populations (Arroyo González & Salvador Mata, 2003).

This issue highlights the broader societal construction of otherness within the educational system (Olmos Alcaraz, 2008; 2009; Rubio Gómez, 2013), which is rooted in historical and political frameworks. Schools play a central role in reproducing social inequalities through differentiation and classification strategies (Monarca et al., 2020). To fully comprehend this phenomenon, a comprehensive ethnographic approach to studying public education policies (Wedel et al., 2005) is imperative, necessitating the involvement of all pertinent stakeholders, including schools, teachers, families, and associations.

Ultimately, this text has aimed to draw attention to the disproportionate representation of foreign (minority) students in SE in Spain, to raise awareness of this issue,

and to place it on the research agenda. It is crucial to emphasize the importance of the data analyzed in this work as fundamental elements for identifying differentiation and classification strategies that ultimately produce inequalities. Such strategies require a more comprehensive, qualitative, and multifaceted analytical approach that includes the voices of all relevant actors, including schools, teachers, families, and associations, to gain a more nuanced understanding of the phenomenon.

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POVZETEK

PODATKI O NESORAZMERNI ZASTOPANOSTI TUJCEV V IZOBRAŽEVANJU ZA OTROKE S POSEBNIMI POTREBAMI V ŠPANIJ: STATISTIČNA ANALIZA

Javier García Castaño, Cristina Goenechea Permisán, María Rubio Gómez

Že več kot petdeset let na globalni ravni poteka razprava o nesorazmerni zastopanosti učencev iz manjšinskih skupin v sistemih izobraževanja za otroke s posebnimi potrebami. V Španiji temu vprašanju do sedaj ni bilo posvečene dovolj pozornosti, prav tako je bilo opravljenih premalo poglobljenih raziskav na to temo. Avtorji se v prispevku posvečajo tej nesorazmerni zastopanosti s pomočjo statističnih podatkov, ki potrjujejo ugotovitve mednarodne strokovne literature o tej temi. Z uporabo statističnih meril, kot je standardna vrednost (z-vrednost), na podatkih, ki zajemajo tako domače prebivalce kot tujce, dokazujejo, da so opažene razlike statistično značilne, zlasti v primerih nekaterih narodnosti.

Avtorji v študiji ugotavljajo, da ni uradnih podatkov, s katerimi bi lahko natančneje opredelili manjšinske skupine v Španiji, vendar pa zaradi zaznane diskriminacije, ki so je deležni tujci v tej državi, zlasti na podlagi njihovega kulturnega porekla, za namene svoje raziskave to skupino prebivalstva opredelijo kot manjšino.

Na začetku prispevka je predstavljen izčrpen pregled mednarodne literature o nesorazmerni zastopanosti manjšin, pri čemer avtorji izpostavijo tako preveliko kot premajhno zastopanost te populacije na področju izobraževanja oseb s posebnimi potrebami. S pomočjo različnih argumentov pojasnjujejo ta pojav, za katerega se zdi, da ni omejen na določeno državo. V nadaljevanju se posvetijo predstavitvi španskega izobraževalnega sistema ter opišejo svoj metodološki pristop, pri katerem so uporabili z-vrednost kot statistično orodje za ugotavljanje statistične značilnosti vseh zaznanih razlik.

V osrednjem delu prispevka so predstavljeni podatki o prisotnosti tujih učencev v izobraževalnem sistemu, s posebnim poudarkom na njihovi prisotnosti v izobraževanju za otroke s posebnimi potrebami. Avtorji prikažejo primerjavo med navedenimi podatki in zaznanimi trendi na ravni celotne populacije ter nato analizirajo statistične podatke o izobraževanju, da bi ugotovili, ali so v španskem sistemu izobraževanja za osebe s posebnimi potrebami nesorazmerno zastopane določene narodnosti.

Na podlagi predstavljenih podatkov avtorji domnevajo, da so v izobraževanju za osebe s posebnimi prekomerno zastopane tuje skupine prebivalstva, zlasti iz severne Afrike. Vendar pa so opazne precejšnje razlike tako glede geografske lokacije šolanja (v Španiji) kot glede vrste izobraževalne ustanove (javna ali zasebna). Cilj avtorjev je z uporabo statističnega pristopa pri raziskovanju pojava, ki lahko kaže na neenakost izobraževalnega sistema za priseljske populacije, izpostaviti potrebo po uporabi širših kvalitativnih metodologij, ki bi pripomogle k razumevanju vplivov takšnega stanja na izobraževalni sistem in življenje tujcev v Španiji.

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NAPOTITVE DELAVCEV: PROFILI PODJETIJ, DOSTOP DO INFORMACIJ IN SPOŠTOVANJE PRAVIL / POSTING OF WORKERS: COMPANY PROFILES, ACCESS TO INFORMATION, AND RULE COMPLIANCE

Sonila Danaj

Introduction: Posting of Workers – Company Profiles, Access to Information, and Rule Compliance

Frederic De Wispelaere, Lynn De Smedt

Unraveling the Profile of Posting Companies: A Case Study for Slovenia

Sonila Danaj, Elif Naz Kayran, Eszter Zólyomi

Access to Information on Labor and Social Regulations and Compliance in the Posting of Foreign Workers in Construction in Austria

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The Vulnerability of Migrants From Bulgaria to Human Trafficking for Labor Exploitation

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Evidence of the Disproportionate Representation of Foreign Populations in Special Education in Spain: An Approach to Statistical Data

Sofia Laiz Moreira

The Role of Ethnic, Family, and Social Capital in Intergenerational Social Mobility Among the Argentines and Moroccans in Galicia, Spain

KNJIŽNE OCENE / BOOK REVIEWS

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