

Between Hegemonic and Inclusive Discourses: A Critical Analysis of Chile's New Policy on Grade Retention

Entre Discursos Hegemónicos e Inclusivos: Un Análisis Crítico de la Nueva Política Chilena sobre la Repitencia Académica

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ABSTRACT:

This study critically examines Chile's recent decree on Minimum National Standards for Assessment, Grading, and Promotion (Decree 67), which marks a significant shift in educational assessment and grade retention practices. This research uses Critical Discourse Analysis to explore the decree's ideological and hegemonic foundations, particularly its stance on grade retention and its coherence with global discourses on educational equity and inclusion. The Critical Discourse Analysis of legislative texts, stakeholder views, and school regulations reveals that adult-centric perspectives are embedded in regulations and stakeholder opinions. This situation could perpetuate power dynamics within schools, historically dominating educational narratives and positioning adults as the primary decision-makers. The results also show a potentially evidence-based utilisation of grade retention as a strategy for addressing student heterogeneity, raising concerns about the transparency and inclusivity of the evidence-gathering process proposed by the law, the interpretation and use of evidence, and who participates in these processes. This investigation sheds light on the complexities of educational policy formulation and the paradox of progressive intentions potentially perpetuating hegemonic discourses within the educational system. It offers insights into advancing public policy towards educational paradigms that foster more dialogical and less hierarchical interactions between students and educators.

KEYWORDS:

Grade retention, School failure, Student heterogeneity, Hegemonic discourses, Paulo Freire.

RESUMEN:

Este estudio examina críticamente el nuevo decreto chileno sobre "Normas Mínimas Nacionales sobre Evaluación, Calificación y Promoción" (Decreto 67), que representa un cambio significativo en las prácticas de evaluación educativa y repitencia académica. Utilizando Análisis Crítico del Discurso exploramos sus fundamentos ideológicos y hegemónicos, particularmente su postura sobre la repitencia y su coherencia con los discursos globales sobre equidad e inclusión educativa. El análisis de los textos legislativos, las opiniones de los actores involucrados y las normativas escolares revelan que las perspectivas adultocéntricas siguen arraigadas en las regulaciones y opiniones de los actores. Sugerimos que esta situación podría perpetuar dinámicas de poder dentro de las escuelas, que históricamente han dominado los relatos educativos y han posicionado a los adultos como los principales tomadores de decisiones. Los resultados también muestran un uso potencialmente basado en evidencia de la repitencia como estrategia para manejar la heterogeneidad estudiantil, lo que plantea preocupaciones sobre la transparencia e inclusividad del proceso de recopilación de evidencia propuesto por la ley, la interpretación y el uso de dicha evidencia, y sobre quiénes participan en estos procesos. Esta investigación releva las complejidades de la formulación de políticas educativas y la paradoja de que incluso cambios progresistas podrían seguir perpetuando discursos hegemónicos. Se ofrece perspectivas para avanzar en políticas públicas orientadas a paradigmas educativos que fomenten interacciones más dialógicas y menos jerárquicas entre estudiantes y educadores.

DESCRIPTORES:

Repitencia académica, Fracaso escolar, Heterogeneidad estudiantil, Discursos hegemónicos, Paulo Freire.

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1. Introducción

In recent decades, public policies and educational research have focused on fostering more equitable opportunities and fostering inclusive education systems (Dupriez et al., 2023). Consequently, matters related to school segregation and its management within educational institutions have gained greater prominence.

In this context, for over two decades, Chile has been cultivating an ecosystem of public policies to address various issues and promote inclusivity and equity within its education system. This process of constructing a new institutional framework, often termed as an ecology of public policies (Allende, 2025; Valenzuela & Allende, 2023), is designed to enhance equity in educational opportunities, foster inclusive education, and mitigate exclusionary practices.

This journey commences with the Preferential School Subsidy Law (2008), which allocates additional public subsidies to schools based on the proportion of students from low socioeconomic backgrounds. Subsequently, the implementation of the Quality Assurance System (2011) establishes an institutional mechanism to enhance the quality of education. The Inclusion Law (2015) follows, prohibiting selection practices and parental financial contributions in subsidised schools. Decree 83 (2015) regulates the integration of students with special educational needs. Finally, the introduction of the New Institutionality of Public Education (2017) aims to establish a fresh institutional framework for public schools. For a detailed description and critical review of those public policies look at López et al. (2018) and Sisto (2019).

Similarly, in 2018, Chile enacted the decree titled ‘Approves Minimum National Standards on Assessment, Grading, and Promotion’ (Decreto 67. Aprueba normas mínimas nacionales sobre evaluación, calificación y promoción y deroga los decretos exentos N°511 de 1997, N°112 de 1999 y N°83 de 2001, todos del Ministerio de Educación, 2018). This decree introduces a new conceptual framework for assessment and grade retention, marking a significant shift in educational policy. Notably, it takes effect from 2020 onwards, marking the first legal framework in Chilean education history to eliminate automatic grade retention.

The promulgation of Decree 67 can be characterised as a discursive event (Jäger, 2003). Since its enactment, it has been underpinned by a political emphasis, evident in its communication over the years through various channels, including the Ministry of Education (MINEDUC), educational foundations, and communities. This emphasis is noticeable both during its enactment and implementation phases, as well as during the context of the COVID-19 pandemic.

The discourse surrounding the decree encompasses various aspects, including the new assessment system proposed by the decree and the regulations about grade retention. This is reflected in numerous discussions regarding the potential effects of the decree, debates on automatic provisional approval amid the 2020 pandemic (Law rejected by the congress), and the guidelines provided by MINEDUC at the end of academic years to help implement Decree 67 (MINEDUC, 2019).

However, this progressive ecology of public policies has not developed in a neutral institutional environment. Since the 1980s, Chile has created and operated one of the most radically marketised education systems in the world, structured around school choice, per-pupil voucher funding, and a high-stakes standardised accountability regime (Quaresma & Villalobos, 2015). The competitive logic embedded in this system

creates powerful structural incentives that operate in tension with—and frequently subordinate—the equity and inclusion goals articulated in the policies described above. As Sisto (2019) argues, Chile’s model produces a distinctive form of “*Inclusión a la Chilena*”: a rhetorical commitment to inclusion that coexists with, and is ultimately constrained by, the logic of academic competition, school ranking, and reputational management. In this context, inclusion becomes a discourse selectively adopted when it aligns with schools’ competitive positioning and quietly sets aside when it does not.

Internationally, a substantial body of critical policy research has documented how neoliberal reform, characterised by marketisation, performativity, and audit culture, reshapes the conditions under which inclusion can be practised (Ball, 2010, 2016; Mac, 2022; Mutuota, 2024). Where school performance is publicly ranked, and funding is tied to measurable outcomes, schools face institutional pressure to prioritise the management of their student population in ways that protect aggregate test scores, rather than adapting their pedagogies to accommodate diverse learners (Levatino et al, 2024).

It is within this structural contradiction that Decree 67 must be read: a policy that speaks the language of inclusion and well-being while operating within an accountability architecture that systematically rewards the behaviours it formally seeks to prohibit. In light of this tension, and to better understand both the creation of the decree and the scope of its implications, this study addresses the following research question: How are hegemonic and ideological discourses configured within Decree 67 of the Ministry of Education in Chile on grade retention, and how do these discourses relate to global narratives on policies for managing heterogeneity within schools, inclusion and educational equity?

2. Theoretical Framework

At the international level, one of the most relevant indicators to measure the improvement of school systems is the rate of grade retention (Allende, 2025). This is mainly because, after socioeconomic status, grade retention is the second variable with the most significant impact on educational attainment, and is also closely related to school failure (Carranza, 2021).

Grade retention¹ is defined as having students repeat a grade when they do not achieve a minimum performance according to specific academic or psychosocial standards, usually predetermined by school systems (Allende, 2025). This mechanism can be understood as a punitive practice since it is used as a sanction that does not resolve conflict through dialogue and places students at risk of further school exclusionary practices (Lopez et al., 2024). Under a punitive logic, it seeks to regulate students’ academic heterogeneity within schools (Hermann & Kopasz, 2021) and to promote coexistence through control and punishment.

Following the theoretical framework proposed by Foucault, grade retention can be understood as an activity mediated by power relations between society and individuals (Gysling, 2016). Grade retention, therefore, functions as a control mechanism within the classroom, managing heterogeneity within schools (Goos et al., 2021). Grade retention is, therefore, a complex control practice that permeates the entire education system (Gysling, 2016). Decree 67 does not dismantle this control mechanism; rather,

¹ We use the terms grade retention and retention interchangeably throughout the rest of the research.

it reconfigures it: by replacing automatic grade retention rules with a deliberative, evidence-based process, the decree redistributes—but does not dissolve—the power to define which students fall outside the accepted norm and what institutional response is warranted. It is precisely this reconfiguration of power relations that the Critical Discourse Analysis in this study seeks to examine.

Given the power dynamics between students and teachers in the classroom, it is crucial to understand them. In systems where automatic grade retention is based on academic results, the teacher can determine which students repeat a grade based on their assessment.

Assessment, or evaluation, can be understood as a hegemonic discursive practice, wherein certain educational practices, like grade retention, are normalised within the school culture and resistant to critique (Fairclough & Wodak, 2009; Peña, 2013). Thus, it becomes apparent why this mechanism often becomes ingrained in school culture, forming a fundamental aspect (García-Huidobro, 2000; López et al., 2011). Additionally, it is perceived by teachers and school management staff as a necessary tool in order to manage heterogeneity within schools consistent with an educational system that has historically promoted and positively valued the administration of exclusionary practices such as grade retention (Allende, 2025; López et al., 2024).

This perspective aligns with the adult-centric approach to education, prioritising adults' perspectives, needs, and decisions over those of young people (Freire, 1985). This approach critiques the educational model where the educator is viewed as the possessor of knowledge to be 'deposited' into passive student recipients (Ocampo, 2008). Freire argues that this perpetuates unequal power dynamics, with the educator positioned as the knowledgeable subject and the learner as the ignorant object (Morales, 2018).

Freire's critique of adult-centrism in education stems from the notion that this approach undermines students' ability to engage in their learning actively (Freire, 1985). In contrast, he advocates for a dialogue-based educational model where educators and learners collaborate in a co-constructed teaching-learning process (Freire, 1985). This dialogical model serves as the normative lens through which this study evaluates Decree 67. It allows us to analyse the texts to determine whether the decree's reformed framework genuinely opens space for student voice to shape the grade retention decision—moving the student from a passive object of adult judgment to an active participant in their own educational process—or whether it reproduces, in a more sophisticated form, the same adult-centric hierarchy that Freire identifies as foundational to educational oppression.

3. History of Chilean laws on regulating grade retention

It is impossible to produce discourse without context, just as it is impossible to understand it without considering context (Fairclough & Wodak, 2009). With regard to the historical regulatory framework governing grade retention in the Chilean education system, the earliest accessible decree officially regulating automatic promotion and retention is Decree 6087 of 1927 (Decreto 6087. Reglamento de Exámenes de Instrucción Secundaria, 1927). This statute delineated regulations governing automatic grade retention, outlining rules that, if not accomplished, would result in retention at a specified academic level.

Over the years, regulations concerning grade retention have remained essentially unchanged. While decrees have modified student grading standards or assessment

formats, the rules for retention and promotion have remained virtually constant for nearly a century². In these, a specific way to be promoted to the next grade is always defined based on the student's grades and attendance. Likewise, the different situations in which they must repeat a particular grade are described, or in some years, be conditionally promoted until taking an exam that determines their final situation, or take a levelling course before taking a said exam that will determine their situation.

Until 2018, all existing regulations in Chile adhered to similar rules of automatic promotion, as mandated through decrees 511, 112, and 83 of the Ministry of Education from 1997, 1999, and 2001, respectively. These decrees stipulated that students would be automatically promoted if they passed all subjects (courses) and attended at least 85% of the annual school days. Consequently, there were four mechanisms by which a student could face retention. Students were retained if they: (1) failed one subject with an average below 4.5; (2) failed two subjects with an average below 5.0; (3) failed three or more subjects; or (4) had attendance below 85%, unless the principal approved promotion.

As mentioned in 2018, Decree 67 (MINEDUC, 2018) established a new conceptual framework for grade retention. For the first time in the Chilean educational system, automatic grade retention rules were eliminated. Although Decree 67 does not explicitly prohibit grade retention, it establishes that retention should only be used as an exceptional measure by principals and/or director teams (Allende et al., 2024). Establishing that grade retention needs to be avoided, and schools should focus on students' well-being and comprehensive development (MINEDUC, 2019).

As mentioned, the framework governing student retention and promotion has remained unchanged for decades, with a particular focus on academic performance and attendance as the primary criteria. The limited variability across existing decrees since the beginning of the 20th century underscored a systemic reluctance to deviate from established norms despite evolving educational paradigms. However, the introduction of Decree 67 marked a significant departure from this historical precedent. This transformative approach raised critical questions about the underlying ideological discourses that can endure or be maintained in the decree.

Considering this, in order to understand the decree's creation and scope in greater depth, this study sought to answer the following question: How are hegemonic and ideological discourses configured within Decree 67 of the Ministry of Education in Chile on grade retention? And, how do these discourses relate to global narratives on policies for the management of heterogeneity within schools, inclusion, and educational equity?

4. Method

Discursive practices can have significant ideological effects, that is, they can help produce and reproduce power relations (Fairclough y Wodak, 2009). Situational, institutional, and social determinations shape discourses and affect them, and on the other hand, discourses influence both discursive social and political actions and processes as well as non-discursive ones (Wodak & Meyer, 2003, p. 105).

The discursive perspective emerges as a powerful tool for understanding people's discursive practices within their social lives, where language use is part of the activities

² In Appendix, Figure A1, the list of fifteen decrees between 1927 and 2001 reviewed is shown.

they engage in (Urrea et al., 2013). It also allows us to explore how language and communication reflect and shape social, political, and cultural reality. This approach unravels the layers of meaning that underlie text and speech, hoping to better understand social life and social interactions through the analysis of texts (Potter & Wetherell, 1987; Wetherell & Potter, 1996), revealing the subtleties of power, ideology, and resistance woven into everyday discourse.

Critical discourse analysis (CDA) explicitly focuses on issues of power, access to linguistic resources, and how these resources are unevenly distributed across both dominant and marginalised populations (Marshall & Rossman, 2016, p. 79). Discourse serves as a practice that mediates between text and socio-cultural practice through conventions (Peña, 2013). Therefore, a fundamental aim of CDA is to carefully analyse the relations between discourse and hegemony and how discourses, sometimes in progressive or libertarian garb, can be fundamentally hegemonic (Fairclough & Wodak, 2009; Wodak & Meyer, 2003). Texts are inevitably ideologically overlaid, which requires scrutiny to understand how these influences shape our perception and experience of reality (Fairclough, 2015; Peña, 2013).

In this context, this research adopts Critical Discourse Analysis to explore how hegemonic and ideological discourses are configured in the new public policy promoted by Decree 67.

Data production

With this framework in mind, the following texts related to the decree in question were analysed:

1. An excerpt from Decree 67, promulgated in 2018, introduces a new understanding of grade retention in Chile, marking a significant shift in the country's educational system. The selected articles are those that explicitly refer to the grade retention process that was modified by this decree.
2. An extract from a news article featuring perspectives from four individuals: the minister of education at the time, two psychologists, and the Chilean Teachers' Union president. This excerpt directly addresses the potential benefits and challenges associated with Decree 67, particularly regarding the new regulations on grade retention effective from 2020 onwards.
3. An excerpt from the 2022 School Evaluation, Grading, and Promotion Regulations, sourced from a network of schools comprising 12 establishments in the Metropolitan Region. These regulations have been updated in response to Decree 67, providing insight into how grade retention is or should be considered under the new legislation.

The selection of these texts aligns with the principles of critical discourse analysis in the context of educational policies, allowing us to draw inferences from different discursive planes (legislative, media, and institutional). Each text offers a unique and complementary perspective on the decree, facilitating a multimodal analysis that spans from an understanding of the intentions, objectives and legal framework established by Decree 67; the perception of stakeholders at the time of the enactment of the public policy, which allows for an assessment of how different actors within the education system perceive and interpret the changes brought about by the decree in question; and a clear vision of how the new public policy is being implemented in practice. By integrating the legislative basis, key stakeholders' reactions, and school-level implementation, we can gain a deeper understanding of the new regulation.

Data analysis

A discourse encompasses contextual elements, including historical and social aspects, which situate class ordering within various categories such as social class, gender, ethnicity, generation, and others while also considering their intersectionality (Peña, 2019; Wodak & Meyer, 2003). Therefore, the second selected text holds the significance of juxtaposing experts' opinions with a teacher representative's opinions. This perspective is particularly noteworthy as educational research has acknowledged that one of the primary resistances to introducing reforms often arises from the teaching staff (Irez & Han, 2011). According to Peña (2019), this analysis sheds light on the potential effects of discourses on everyday practices. With this in mind, we explored how political decisions regarding grade retention, transformed into performative texts such as laws, may have anticipated effects on various scales while potentially yielding unexpected consequences.

The critical analysis of the selected texts followed systematically the analytical guide—or “toolbox”—proposed by Jäger (2003), operationalised through a set of interrelated discursive categories applied iteratively to each fragment. Consistent with this approach, texts were first decomposed into units of meaning (discursive fragments) to map thematic coverage and identify significant absences, and then rearticulated as part of broader discursive threads that structure the discourse on grade retention and the management of student heterogeneity. This procedure enabled the reconstruction of how knowledge is organized within and across texts, attending to their sociohistorical situatedness and to the ways in which different discursive planes (legislative, media, and institutional) intersect and become entangled.

Building on this structure, the analysis examined the positioning of actors and pronominal structures, focusing on who appears as grammatically active agents (capable of initiating and completing actions) and who is constructed as passive or merely consultative. This was complemented by a systematic tracing of deontic modality, distinguishing between forms expressing obligation (e.g., “must,” “shall,” “is required to”) and those expressing possibility or recommendation, thereby revealing how binding mandates are primarily assigned to institutional actors while other forms of participation remain contingent. Particular attention was also given to passive constructions, which obscure or displace decision-making agency, and to nominalisations, through which complex processes (e.g., “grade retention,” “well-being,” “deliberation”) are reified as objective and self-evident entities, concealing their constructed and politically situated nature. In parallel, vocabulary and style were analyzed in terms of the semantic fields mobilized—such as inclusion, equity, evidence, and risk—highlighting the strategic incorporation of lexicon associated with global discourses on educational equity.

The analysis addressed argumentative strategies and forms of legitimisation, including inductive reasoning and appeals to “evidence” as a source of authority, as well as the identification of implications, presuppositions, and discursive silences. In the case of the media text, attention was also paid to collective symbolism and figurative language, and the rhetorical function of the image accompanying the news article was examined. Across all texts, this analytical process enabled the identification of their respective discursive positions and ideological locations, as well as the entanglement of multiple discursive threads. Finally, it allowed tracing the persistence of a central discursive thread across the three fragments: the adult-centered management of student heterogeneity, which is simultaneously reframed through the language of deliberation, well-being, and evidence-based decision-making.

5. Results

The Critical Discourse Analysis of the three selected texts yields four interconnected findings that run across the legislative, media, and institutional discursive planes examined in this study. First, Decree 67 constructs the grade retention decision as a deliberative, consensus-driven process through an inductive argumentative strategy—yet this apparent openness conceals a structure that concentrates final decision-making authority in the principal and management team, while relegating students and families to a consultative, non-binding role. Second, the decree reconfigures grade retention as an evidence-based practice: by substituting the automatic rule with a data-informed deliberation, it lends the practice greater institutional legitimacy and makes it harder to contest, without eliminating its function as a mechanism for managing student heterogeneity. Third, both the decree and the school regulation employ inherently subjective concepts—notably well-being and development—in the register of objective, measurable categories, obscuring the interpretive authority of the adults who operationalise them. Fourth, across all three texts, a progressive and inclusive discourse coexists with—and ultimately serves to legitimate—an adult-centric power structure that positions students as the objects rather than the subjects of consequential educational decisions. Together, these findings point to a central paradox: a reform framed as progressive and student-centred reproduces, in a more sophisticated discursive form, the hegemonic arrangements it purports to overcome.

5.1. Text 1: Decree 67, Articles 11 and 12

The first text analysed is a segment of Decree 67 issued by the Ministry of Education, titled ‘Approval of minimum national standards on evaluation, grading, and promotion’ (Figure 1). Specifically, Articles 11 and 12 of this decree were examined. These articles can be defined as the first modification to the criteria considered for automatic pass/fail incorporated in a decree with the force of law on assessment, grading and promotion in the history of the Chilean education system. The selected articles are shown in Figure 1.

The Deliberative Process and the Architecture of Institutional Authority

These articles elaborate and describe the new regulation for approval/retention of students who fail to meet the minimum requirements for passing. They establish a regulated process that appears to be consensus-driven. Additionally, they mandate the incorporation of monitoring and remedial measures to provide pedagogical support for students who have experienced grade retention or may experience it in the future.

The actors referred to in this decree are the principal, his/her management team; the student, his/her father, mother, or guardian; the technical-pedagogical head; the head teacher; other education professionals and professionals within the establishment who have been involved in the student’s learning process, as well as the student’s class group. Each of these actors is attributed with varying degrees of responsibility in the ultimate decision-making process to be undertaken by the school, led by its head teacher and management team.

The extract from the decree, specifically Articles 11 and 12, encompasses seven units of meaning, addressing several key issues: (i) Defining the student body targeted by the regulation. (ii) Establishing approval/rejection as a deliberative, non-automatic practice within educational establishments. (iii) Setting the criteria to be considered when making a decision. (iv) Recording the reasons for the decision in the student’s record. (v) Determining the period and timeline within which the decision on approval

or retention must be made. (vi) Rectifying the non-retention of courses already approved. (vii) Establishing pedagogical support measures for both approved and repeating students.

Through a logical and argumentative strategy, the decree outlines a mandated procedure for the principal and their management team to make the final decision on the approval/retention of a student. This is achieved through a series of inductive arguments that involve the entire school community, albeit tangentially in some instances, in the decision-making process.

This argumentation starts by placing the aforementioned actors (principal and management team) in a position of power, emphasising their responsibility to determine the immediate future of a student who has not met the minimum criteria for automatic approval. This eliminates the lower threshold established by existing automatic rules, as students failing to meet these standards must undergo a more thorough analysis process. The decree further states that such a decision should be informed by information collected at various times and from different sources. Specifically, it highlights the importance of ‘the report’, which considers the student’s performance, evolution, and development criteria.

The selected paragraph assumes that, based on the information collected by the principal and their management team, they can make a fair (deliberative) decision grounded in objective data (the report), prioritising the well-being and holistic development of the student.

Student and Family Participation: Consultative but Not Decisive

However, the excerpt highlights that while the principal must consider the ‘vision’ of the student and their parent or guardian, this merely entails acknowledging their perspective without ensuring its inclusion in the final decision. Similarly, the involvement of parents or guardians in decision-making is contingent upon school authorisation, indicating a hierarchical power dynamic where the school holds ultimate authority. Additionally, the requirement for parental authorisation for accompanying measures implies a lack of agency for the student throughout the process, including the ability to make decisions that could significantly impact their future.

Subjective Concepts in Objective Legal Language: ‘Well-Being’ and ‘Holistic Development’

As it is an extract from a legal text, it does not play with symbolism or metaphors, as can occur in other texts, given the objective and descriptive logic laws seek to have. The text touches on significant constructs such as ‘well-being’ and ‘holistic development’, which are inherently subjective and difficult to objectify in legal language. The presence of such terms in a normative instrument introduces a structural ambiguity that undermines legal certainty: unlike operational criteria—attendance thresholds, grade averages, subject failure counts—that characterised previous decrees, concepts such as ‘well-being’ and ‘holistic development’ carry no agreed definition, no measurement protocol, and no procedural safeguard against inconsistent application that depend mainly on management teams. In legal terms, this indeterminacy does not merely reflect imprecise drafting; it produces a normative vacuum that is inevitably filled by the interpretive authority of those who apply the law (i.e. schools).

Figure 1***Extract articles from Decree 67***

Article 11.- Without prejudice to what is indicated in the preceding article, educational establishments, through the principal and his or her management team, must analyse the situation of those students who do not meet the promotion requirements mentioned above or who present a grade in any subject that jeopardises the continuity of their learning in the course.

The following analysis should be carried out in order to make a well-founded decision on the promotion or retention of these students. This analysis should be deliberative in nature, based on information gathered at different times and obtained from different sources, and considering the view of the student, his/her parent or guardian.

This decision must also be supported by means of a report drawn up by the technical-pedagogical head, in collaboration with the head teacher, other education professionals, and professionals from the establishment who have participated in the student's learning process. The report, considered individually for each student, must consider, at least, the following pedagogical and socio-emotional criteria:

- a) The learning progress made by the pupil during the year;
- b) The magnitude of the gap between the learning achieved by the student and the achievement of his or her grade group, and the consequences that this may have for the continuity of his or her learning in the higher grade; and
- c) Socio-emotional considerations to understand the student's situation and to help identify which of the two courses would be more appropriate for the student's well-being and holistic development.

The content of the report referred to in the previous paragraph may be included in the student's curriculum vitae.

The final promotion or retention status of students must be resolved before the end of each school year.

Once a student has passed a course, he/she will not be able to take it again, even if the course is taken in another educational modality.

Article 12.- The educational establishment shall, during the following school year, take the necessary measures to provide pedagogical support for students who, in accordance with the provisions of the previous article, have or have not been promoted. These measures must be authorised by the parent or guardian.

Note. Authors' translation of an excerpt from Decree No. 67/2018 of the Chilean Ministry of Education on school evaluation, grading and promotion. <https://www.bcn.cl/leychile/navegar?i=1127255&f=2018-12-31>. Original legal text in Spanish.

5.2. Text 2: El Mostrador News Article

The second text (Figure 2) corresponds to a news item published in El Mostrador, a pluralist electronic newspaper. The news item in question was published in the highlights section of the same newspaper, which gives reason to classify the change in this decree as a discursive event (Jäger, 2003).

The Image: Individualising Failure

This article presents arguments both for and against the enactment and subsequent implementation of Decree 67, with particular emphasis on the new provision on grade retention introduced by the decree. The article is accompanied by an image of a solitary girl resting her forehead on a blackboard, lamenting an incident likely experienced at school. This imagery effectively captures students' solitary experiences when repeating a grade in school.

Expert Voices and Contested Positions on the Decree

The news excerpt compiles the most significant opinions expressed by four experts interviewed: the former minister of education, an educational psychologist, a psychologist, and the president of the Chilean Teachers' Union. These opinions provide contrasting perspectives on the new regulations on grade retention mandated by the decree, highlighting the potential benefits and problems associated with their implementation.

The news excerpt comprises five units of meaning. The primary issues addressed in the article include i) situations that the new definition of grade retention could address; ii) the relationship between current standardised measurement systems and potential effects of the decree; iii) the notion of school failure; iv) the harmful effects of grade retention on non-cognitive skills; v) the non-involvement of relevant actors in the process of drafting the decree; vi) the use and usefulness of grade retention.

It is important to note that the decree was promulgated on February 20, 2018. Therefore, the news excerpt was published shortly before the change of government, during a period when Adriana Del Piano was still serving as government minister. Consequently, her authority to address the subject is beyond doubt. Her remarks, which discuss potential situations addressed and remedied by the decree, underscore the authority's concern for students' educational trajectories and external circumstances or particular life situations that may affect their academic outcomes.

Regarding the discourse presented by the president of the Teachers' Union, it is essential to consider that, during the formulation of the decree in question, a series of studies were conducted to gather input from teachers, school management teams, supervisors, and technical heads of provincial departments. The findings were documented in the 'Submission of Evaluation, Grading, and Promotion Criteria to the National Education Council' (Ministry of Education, 2017), conducted by the Curriculum and Evaluation Unit of the Ministry of Education. This underscores a hegemonic perspective on the part of the president of the Teachers' Union regarding the actions of a government institution, implying that the institution itself - represented by the Teachers' Union - rather than individual teachers, should have been engaged in the debate and formulation of this decree.

Figure 2

Extract from national press

Education Minister Adriana Delpiano defended this new measure: "A child may have had two reds and have many skills and a spectacular development in other areas. It could also be that the child has lived through a traumatic situation, a family problem that has determined this".

Similarly, Camila Puentes, a UNAB psychopedagogue, considers that "if we focus on fulfilling learning objectives, it is a fairer system. However, if we continue working with SIMCE or PSU-type measurement tests, which focus on evaluation over learning, we will not see the expected results".

Meanwhile, psychologist and blogger (supermadre.net) Varinia Signorelli argues about the consequences of a child repeating a year: "A child who repeats a year has low grades, and this tells us many things about the child. For example, during the year and while getting those low grades, he had a very bad time, and he often heard that he was failing at school. Repeating is the consequence of this, and no one feels good about failing. It may lead to feelings of not being capable and lower self-esteem. It could demotivate you by not feeling capable". She therefore considers it a "wonderful decree, which will look at the child as a whole and not as a grade".

A different opinion is held by the president of the Teachers' Union, Mario Aguilar, who regretted not having been taken into account in "La Mañana Informativa" on 24 hours channel:

"Unfortunately, once again we did not participate in a legislative decision, in this case a decree, and it is a loss because those who know the most about the school system and functioning and the issue of evaluation are those directly involved, the teachers".

In the same instance, he pointed out that "grade retention in itself should not be demonised; it is indeed a big impact for a family, but sometimes it is pedagogically necessary to repeat a student who for various reasons has not achieved the expected learning to go to the next grade."

Note. Excerpt translated by the authors from "Eliminación de la repitencia automática: opiniones encontradas entre psicólogos y Colegio de Profesores", published in *El Mostrador* on 24 February 2018. Original article in Spanish.

Furthermore, the president of the Teachers' Union alludes to a common perception in Chilean schools, as well as globally, that grade retention provides students with a fresh opportunity to master expected learning for their developmental level. Similarly, one can glimpse the idea that grade retention is a cost for families and for the student, in which the school and teachers would not play a preponderant role.

Grade Retention, School Failure, and Two Competing Discourses

The perspectives presented in the text touch upon several constructs linked to students' development, frequently emphasised in the literature on grade retention due to their adverse connection with this practice. It acknowledges that grade retention can result in a decline in students' self-concept and self-esteem (Pipa et al., 2024). Additionally, it may diminish motivation for school, leading to feelings of rejection or disengagement from education (Goos et al., 2021; Kearney, 2008).

On the other hand, reference is made to the association that students and their environment assign grade retention with school failure. This situation, as described by Carranza (2021) would correspond to one of the initial stages in what can be characterised as the cycle of failure, acting as a pivotal moment that might lead to dropout and subsequently, academic failure.

Finally, the article presents two distinct perspectives on the future implications of the new regulations. The first perspective is positivist, focusing on the potential benefits this revised grade retention approach could yield within the Chilean education system. Conversely, a pessimistic view is outlined, highlighting concerns about the perpetuation of a system reliant on standardised testing and the potential for conflict arising from teachers' implementation of the decree.

5.3. Text 3: School Evaluation, Grading, and Promotion Regulation

The third text comprises an excerpt from the 2022 School Evaluation, Grading, and Promotion Regulation, which applies to 12 schools within the Metropolitan Region. These are private subsidised and urban institutions, with a total enrolment of 8.597 students in basic education and 4.078 students in secondary education by 2022. These schools exhibited retention rates of 1.2% in basic education (country mean: 1.2% in 2022) and 1.5% in secondary education (country mean: 2.8% in 2022). These establishments often stand out for their good performances in standardised tests administered in Chile, even catering to highly vulnerable populations; for example, these schools averaged 243 in reading (country mean: 243) and 267 in mathematics (country mean: 252) in the 10th grade 2022 SIMCE test.

The importance of this excerpt lies in the fact that it is an updated version of these schools' evaluation regulations, which have already been modified based on the guidelines mandated by Decree 67 and apply to a significant group of schools in the Metropolitan region. These excerpts are derived from an evaluation, grading, and

promotion regulation aimed at establishing a decision-making framework regarding grade retention, prioritising a holistic approach that considers both academic performance and the socio-emotional well-being of the student. This institutional framework shows the official position of the school institutions and network regarding student assessment.

Institutional Uptake of the Deliberative Model

The excerpt of the regulation has four units of meaning. The main themes covered by the article include i) Comprehensive and deliberative assessment, ii) Participation of the educational community, iii) Pedagogical and socio-emotional criteria to be considered, and iv) Communication and student support.

The articles are numbered and titled according to their specific topic, making them easy to identify and refer to. Each article defines a specific part of the assessment process, from the consideration of grade retention to the communication of the decision, presenting a clear and sequential structure. The articles delineate various process stages, such as defining grade retention, analysing cases, establishing decision-making criteria, and communicating the final decision. Specifically, the excerpts discuss the deliberative process in determining grade retention or promotion, highlighting the importance of a holistic approach that considers academic performance and socio-emotional factors.

Figure 3

Extract from the Regulations on Evaluation, Grading and School Promotion

Article N° 68, Grade Retention

Grade retention is understood as an exceptional measure in the presence of students at "risk of retention". The Management Team must analyse the situation of those students who do not meet the aforementioned requirements for direct promotion in order to make a well-founded decision on the promotion or retention of these students. This analysis should be deliberative and shall take into account:

- (1) information collected at different times and obtained from different sources;
- (2) the views of the student, parent or guardian.

Article N° 69, Case study days

In order to evaluate cases of students at risk of grade retention, at the end of the school year the Management Team will lead a joint analysis process between the teachers and professionals of the establishment who have participated in the student's learning process during the current year. This process is aimed at gathering information to support the decision regarding the promotion or retention of each student, based on academic and socio-emotional information, which safeguards their future learning opportunities and personal well-being.

Article N° 70, Criteria for decision-making

The decision regarding retention or promotion must be based on a report prepared by the management team, in collaboration with the head teacher, other education professionals, and school professionals who have participated in the student's learning process. The individual report should consider, at least, the following pedagogical and socio-emotional criteria:

- (1) The progress in learning that the student has made during the year;
- (2) The magnitude of the gap between the learning achieved by the student and the achievements of his/her year group, and the consequences that this could have for the continuity of his/her learning in the higher year;
- (3) Socio-emotional considerations that make it possible to understand the student's situation and that help to identify which of the two years would be more appropriate for his/her well-being and comprehensive development;

(4) The vision of the student and his/her parents or guardians regarding the process experienced by the student during the year.

(5) Other warning situations that may be considered necessary to incorporate.

The content of the report shall be recorded in the student's curriculum vitae or file.

Article N° 72, Communication of the decision to the student and his or her guardian

The educational establishment - through the head teacher or whoever the Management Team determines - will communicate to the student and/or his/her parent the decision taken regarding the retention or promotion of his/her pupil, explaining the criteria and considerations that supported this decision and the support that the student received during the year.

The support measures foreseen for the student (promoted or repeater) will also be reported, identifying the learning areas that will require support, and the general guidelines that will guide such support for the following year. These measures will be confidential and will only be shared among the professionals involved in their implementation.

Note. Authors' translation of an excerpt from the 2022 Regulations on Evaluation, Grading and School Promotion of an anonymised Chilean school network, developed within the framework of Decree No. 67/2018. Original institutional document in Spanish.

The argumentation employs a logical approach centred on the need for conducting a comprehensive student assessment, considering multiple factors beyond academic performance. The reasoning follows a comprehensive, sequential structure integrating pedagogical and socio-emotional criteria to inform decision-making. It is noteworthy that while not explicitly stated, there is an *implicit recognition of the significance and importance* of gathering -how, when and where- information. As well as the importance of thoroughly analysing all the information gathered from various sources.

Inclusion in Form, Adult-Centrism in Substance

The selected excerpt mentions various institutional actors (management team, teachers, education professionals), students, and parents/guardians. The importance of collaboration and participation in the evaluation process is emphasised. It is important to mention that only the so-called institutional actors appear as deliberative entities within the process. Students and parents/guardians are mentioned only as observers, considering only their vision.

The articles convey a vision of the student as an integral being whose academic performance cannot be detached from his or her socio-emotional context. This implies an institutional commitment to student well-being, considering education a holistic process. Thus, using terms such as 'retention risk' and 'personal well-being' reflects a concern for student development, pointing to a more pedagogical approach to academic outcomes. This reflects an understanding of education as a social and collaborative process where diverse actors contribute to student development. It emphasises the importance of the educational community in decision-making. It seeks to establish a perspective oriented towards the holistic and continuous development of the student, promoting an inclusive and adaptive educational future.

Evidence-Based Grade Retention: The Hegemonic Structure Reproduced

Excerpts from the regulations show an effort to include students and their families in decision-making. However, the final nature of the decisions, based on assessments made by adults (the management team and education professionals), again reflects a predominantly adult-centric approach. This approach may limit students' ability to influence critical decisions that directly affect their education and well-being.

According to Paulo Freire's theory, advocating for a more dialogical and less hierarchical relationship between students and educators is essential, where the student's voice should carry significant weight in their educational process (Freire, 1985; Ocampo López, 2008; Osorio, 2018). However, this principle is not evident in the excerpts analysed in this research. Although the regulation mentions the importance of incorporating the student's perspective into the decision-making process, the inherent structure and language may still reflect an unequal power dynamic, where the final decisions largely rest in the hands of adults (management team and education professionals).

On the other hand, while the excerpt suggests a more cautious use of grade retention, it also hints that it will continue to be a valid tool within the school network for managing student heterogeneity. Although its use is regulated to prioritise student well-being, it will be validated by the information collected and analysed by the management teams, hence the power structure could remain mainly untouched.

6. Discussion

The decree examined in this study reaffirms the validity of grade retention as a means of managing school heterogeneity. While the decree stipulates that grade retention should be exceptional, it lacks a mechanism to ensure this exceptionality. Instead, it delegates the decision-making responsibility to school management teams, particularly the principal. This decision must now be evidence-based and endorsed by the school community.

The regulations depict grade retention as an exceptional measure that should be grounded in a deliberative assessment incorporating various pedagogical and socio-emotional factors. The evidence-based approach to adopting grade retention reflects an effort to address heterogeneity in educational environments through individualised and thoughtful means. However, from a critical standpoint, it is imperative to question how this evidence is gathered, interpreted, and utilised, who participates in these processes and their beliefs regarding the practice at hand.

Hence, both the decree and the regulations may overlook existing evidence in Chile indicating that principals would use retention to manage heterogeneity within schools, aiming to regulate the quality of school learning (Allende, 2025). Consequently, the perpetuation of power dynamics within schools could pose significant challenges to the effective implementation of Decree 67.

The endorsement of grade retention as a standard practice for managing student heterogeneity may present issues without a robust commitment to implementing inclusive and differentiated educational strategies. Such strategies should prioritise adapting the education system to accommodate the needs of all students. In certain instances, grade retention might reflect and perpetuate a perspective that views student adaptation to the system as the sole pathway forward rather than promoting a flexible education system that caters to diverse learning needs.

The second text analysed features an image in its heading depicting a girl alone with her head resting on the blackboard in a classroom. This situation is representative of how grade retention is typically portrayed or addressed in schools and society. It often implies that the student and their family are solely responsible for retention and failure, with no acknowledgement of other factors at play. This overlooks considerations such as each student's cultural capital, which could influence their ability to meet the requirements of a particular institution and educational level. As stated in the literature,

grade retention '*is one of how school failure manifests itself. It is due to a multiplicity of personal, family, institutional, economic and social factors that are linked within the education system*' (Kremenchutsky et al., 1997 in López, 2007).

Thus, the new institutional framework that Decree 67 seeks to establish implies that students should not go through this process alone, as depicted in the image provided by the news article, demanding monitoring and support for those who experience retention to some extent. However, initially perceived as progressive, such discourse is inherently ideological (Fairclough, 2015). It perpetuates the notion that adults are the ones who know what is best for students and will take appropriate actions on their behalf—a narrative that has historically dominated the school environment (Morales, 2018; Vásquez, 2013). Adults are assumed to have accompanied students, identified their faults and shortcomings, and are therefore presumed to know how to address the issues that led to the student's retention.

In this context, the student, the most crucial individual in this process, is only taken as a reference by allowing their view to be considered, albeit merely 'consultative'—essentially, their perspective is regarded as just one among many. Their deliberation does not directly influence the decision-making process undertaken by the school, particularly by the principal and their team. Following Paul Freire's theory (Freire, 1985), this new paradigm may not necessarily promote educational practices that recognise and adapt to the diversity of students' learning needs and paces more fundamentally.

Likewise, concerning the well-being that the decree aims to address, it is necessary to mention that it is a complex concept encompassing both objective and subjective measures associated with each individual's circumstances (Ronak & Rashmi, 2021). Well-being represents a state in which an individual's physical, cognitive, and socio-emotional dimensions are well-integrated (Bornstein, 2012). In this context, considering students' well-being extends far beyond the simplistic assessment of their suitability for repeating a grade or achieving a specific academic level. Moreover, this referenced well-being becomes even more diffuse in a system where the student is not fully considered.

A pertinent issue regarding the implementation of Decree 67 revolves around the acknowledgement in educational research that one of the primary resistances to introducing educational reforms often stems from the teaching staff (Irez & Han, 2011). The literature indicates that potential sources of resistance to change among teachers are attributed to both internal and external factors. Internal factors encompass aspects such as lack of training, ineffective leadership, and deficient communication channels (Irez & Han, 2011). Conversely, external factors include parental pressures, system selectivity, and the nature of reforms (Irez & Han, 2011). These findings echo the concerns the President of the Teachers' Union raised regarding their non-inclusion in the decree's creation. They also refer to a much greater inclusion of teachers in the decree's creation, considering that they are the ones who, ultimately, will have to implement this policy.

With this in mind, if we consider assessment as a hegemonic discourse wielded by teachers, capable of naturalising certain practices within the school and making them part of common sense while resistant to critique (Fairclough & Wodak, 2009), as is the case with grade retention, we find statements such as *grade retention should not be demonised*. This helps us understand how this discursive mechanism often becomes ingrained in the culture of schools, forming a fundamental part of it (García-Huidobro, 2000; López et al., 2011).

Similarly, as Decree 67 does not alter the existing power dynamics between students and teachers within the classroom, the beliefs and perceptions of teachers or management teams will likely continue to prevail.

Furthermore, no interim assessments are established during the year to address potential issues that may lead to grade retention. Consequently, grade retention remains a valid mechanism to manage student heterogeneity, gaining even more credibility as it could be labelled as ‘evidence-based grade retention’, which could reflect the structural framework of Chile’s neoliberal accountability regime, thereby legitimizing grade retention in a technically sophisticated, data-driven form that is harder to contest—precisely the kind of hegemonic renovation that Fairclough (2015) identifies as characteristic of policy discourse that absorbs the language of critique while preserving underlying power relations (Sisto, 2019).

Despite its adult-centric architecture, Decree 67 is not a hermetically sealed hegemonic text. Read against the grain, its language contains several productive ambiguities—or *resquicios legales*—that schools committed to a more dialogical educational model (Freire, 1985) could exploit to actively resist, rather than merely reproduce, the dominant discourse on grade retention. The most consequential of these openings is the decree’s insistence that the retention decision must be deliberative in nature. This term, central to Article 11, is procedurally undefined: the decree mandates deliberation but does not prescribe its form, its participants, or the weight each voice should carry. A school that chose to operationalise deliberation in a genuinely dialogical sense—convening structured, facilitated conversations in which the student’s account of their own learning trajectory carries binding rather than merely consultative weight—would be acting within the letter of the law while fundamentally subverting its adult-centric spirit. Similarly, the requirement to consider socio-emotional criteria and the student’s well-being and development introduces a domain of judgment that is, by definition, subjective and irreducible to adult-defined metrics. Progressive schools could leverage this indeterminacy to centre student-authored narratives of their own well-being—including their accounts of the social and emotional costs of possible retention—as primary evidence in the deliberative process, rather than as supplementary data collected by adults about the student. Article 12 offers a further, underutilised opening: the obligation to implement pedagogical support measures for both retained and promoted students is left entirely open as to its design. Schools could develop these measures collaboratively with students, transforming what the decree frames as a unilateral adult intervention into a co-constructed process that builds genuine student agency over their own learning trajectories. However, despite the possibility of these alternative interpretations and practices, none of these approaches have been explicitly proposed in the official guidelines for implementing Decree 67 (MINEDUC, 2019) or in the official guidelines for end-of-year closure processes.

These possibilities are not simply discursive. From a Faircloughian perspective, hegemony is never total: counter-hegemonic discursive practices can emerge from within the very texts that seek to naturalise dominant relations (Fairclough, 2015; Fairclough & Wodak, 2009). The decree’s rhetorical concessions to inclusion and student well-being, however ideologically motivated, create legitimate institutional space that critical practitioners can occupy and expand. What the decree does not provide—and what no legal text alone can provide—is the professional will, the relational culture, and the structural conditions necessary to activate these openings. As the resistance literature cited in this paper recognises (Irez & Han, 2011), meaningful reform requires not only a permissive regulatory framework but sustained investment in teacher professional development oriented towards dialogical

assessment practices, distributed leadership models that disrupt the principal's monopoly over retention decisions, and school governance structures in which student voice is institutionally protected rather than discretionary. In this sense, the decree represents a necessary but not sufficient condition for counter-hegemonic educational practice: it opens a door that only schools actively committed to transforming power relations are positioned to walk through.

The study focused on selected texts about Decree 67, limiting the analysis to its discursive and ideological foundations in legislation and media, without examining the perspectives of educators, students, and parents or the decree's implementation and effects in schools. Future research should therefore analyse the results of in-depth interviews or ethnographic studies to capture the opinions of educators, students, and parents to have a more comprehensive understanding of the potential impact of the decree on the different educational stakeholders. Similarly, to determine the effectiveness of Decree 67 the evaluation of the impact on student trajectories and well-being should be systematically measured.

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Annex

Figure A1

Decrees promulgated by the government of Chile throughout history (1927-2001) that were reviewed

N.º	Año	Decreto
1	1927	Decreto 6087. Reglamento de exámenes de Instrucción Secundaria (1927).
2	1929	Decreto 2545. Reglamento de calificaciones y exámenes de los alumnos de Educación Secundaria (1929).
3	1932	Decreto 2777. Reforma del reglamento de calificaciones y exámenes de alumnos de Educación Secundaria (1932).
4	1944	Decreto 6156. Aprueba reglamento de calificación, exámenes y promociones para los establecimientos de educación industrial y minera dependientes de la Dirección General de Enseñanza Profesional (1944).
5	1949	Decreto 1469. Aprueba reglamento de calificaciones, exámenes y promociones de los alumnos de Educación Secundaria (1949).
6	1961	Decreto 1480. Reglamento de calificaciones, exámenes y promociones de alumnos de Educación Secundaria (1961).
7	1966	Decreto 11207. Establece normas para la evaluación y promoción de alumnos de séptimo año de Educación General Básica (1966).
8	1967	Decreto 1936. Aplica a 8.º año de Educación General Básica el Decreto n.º 11.207 (1967).
9	1968	Decreto 6859. Aprueba reglamento de evaluación y promoción de la Enseñanza Media (1968).
10	1978	Decreto 2038. Reglamento de evaluación y promoción de alumnos de Educación General Básica y de Educación Media Humanístico-Científica y Técnico-Profesional (1978).
11	1982	Decreto 36. Establece normas para resolver casos singulares relacionados con evaluación y promoción escolar (1982).
12	1988	Decreto 146. Reglamento de evaluación y promoción de alumnos de Educación General Básica y de Educación Media (1988).
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