



Ministero



dell'Istruzione e

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ISTITUTO COMPRESIVO STATALE NOVARA DI SICILIA



Novara di Sicilia, 27.11. 2023

To the Teachers
To Parents
To ATA staff
To the DSGA

Subject: Regulations for the reception of foreign students.

Reference legislation • C.M. n.301/90 cit. and C.M. n.205/90 cit.

- Circular from the Ministry of the Interior cit. and by the C.M. n.5/94, which allows the enrollment of foreign minors in compulsory school, even if they do not have a residence permit, until their position is regularized;
- Law 6 March 1998, n.40 "Discipline of immigration and rules on the condition of foreigners", cit., in particular the art. 36 ("Foreign minors in the territory are subject to compulsory schooling; all current provisions regarding the right to education, access to educational services and participation in the life of the school community apply to them").
- Presidential Decree n. 394 of 08/31/1999 "Regulation containing rules for implementing the consolidated text of the provisions concerning the regulation of immigration and rules on the condition of foreigners...", in particular, art. 45.
- Regarding the recognition of qualifications obtained by foreigners in the country of origin, the provisions are made up by the Ministerial Decree. 10/06/1982 (Official Gazette n.163 of 16/06/1982), by the C.M. n. 264 of 06/08/1982 and the articles. 381 -390 of Legislative Decree n.297/94 (Consolidated Law on Education).
- Foreign minors are subject to compulsory schooling; enrollment in compulsory school classes must be accepted at any time of the year, coinciding with their arrival on national soil (Presidential Decree n.394/99, art. 45, C.M. of 03/23/2000 n.87 and C.M. of 01/05/2001, n.3). They must be welcomed even if they do not have a residence permit or lack documentation (art. 45 of Presidential Decree n.394/99).
- When registering, parents, or those exercising parental authority, can present a self-certification (Presidential Decree no. 394/99) in place of the certifications issued by the competent authority (municipal registry) relating to the vaccinations carried out
- The foreign minor is generally enrolled in the class corresponding to his/her age (art.45 of Presidential Decree n.394/99).
- Law n.40/1998: "The school community welcomes linguistic and cultural differences as a value to be placed at the foundation of mutual respect, exchange between cultures and tolerance; to this end it promotes and encourages initiatives aimed at welcoming, protection of culture and language of origin and the implementation of common intercultural activities" (art.36, paragraph III)
- D.L. of 25 July 1998 "Consolidated text of the provisions concerning the regulation of immigration and rules on the condition of foreigners"
- Presidential Decree 394 of 8/31/1999 ART.45 which regulates the assignment of foreign students to classes and the possibility of individualizing courses

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- C.M. N.24 of 1 March 2006: "Guidelines for the reception and integration of foreign students" - "The Italian way for intercultural school and the integration of foreign students" of October 2007 - The act of direction of the Ministry of Education for the year 2008
- MIUR note dated 02/19/2014 prot. n. 4233 "Guidelines for the reception and integration of foreign students"
- Intercultural orientations, ideas and proposals for the integration of students coming from backgrounds Migrants by the National Observatory for the integration of foreign students and intercultural education1 - MI March 2022.

Registration and assignment to classes: general indications.

Art. 45 of Presidential Decree no. 349/1999 establishes that foreign students can be enrolled both at the times provided for by ministerial circulars and during the year, as happens for students with Italian citizenship. The school institution provides for the identification of the class/section and the school year to be attended. Foreign students are usually enrolled in the class corresponding to their age, taking into account:

- skills, abilities and levels of knowledge of the Italian language, which must be ascertained through entrance tests, together with knowledge relating to basic disciplines;
- course of study followed by the student in the country of origin;
- qualification held;
- period of the school year in which enrollment takes place.

In this case, assignment to the class/section immediately below or above the chronological age is expected.

The choice of class/section also takes into account the numerical criterion (number of students per class), but above all it evaluates the most advantageous situation for the student:

- presence of other pupils from the same country;
- equal distribution of male and female numbers;
- criteria for detecting the complexity of classes/sections (discomfort, presence of disabled students, etc.);
- distribution of students into classes, avoiding the creation of classes/sections with a prevalence of foreign students.

After formalizing the registration and before being assigned to the class, the student will be subjected, in the destination school, to the entrance tests and to the observation of the teachers of the two possible classes of inclusion (the one foreseen by chronological age and the one immediately lower) for a period not exceeding one week. During this short period of time, the student's attendance will be recorded in paper form to be then reported on the electronic register in the subsequently assigned class.

As regards the aforementioned numerical criterion, Ministerial Circular no. 2 of 2010 determines a maximum limit of 30% of the presence of foreign students in a single class. This percentage can be increased (by the general director of the regional school office) if pupils with non-Italian citizenship have adequate linguistic skills (for example pupils born in Italy or who have completed their education in Italian schools). Likewise, the 30% limit can be reduced in the presence of students with inadequate linguistic mastery or who present particular levels of complexity.

Special cases. In the case of enrollment during the second term for students who have just finished the school year in their country of origin, the aforementioned are assigned to the Italian class corresponding to the one just finished in their country of origin. In the case of enrollment at the end of the school year, it is a priority to consider the social and relational aspect, therefore it is advisable to include the students in the class group with

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which they can continue the following year. For the purposes of the validity of the Italian school year, the attendance of pupils in their school of origin can be considered valid.

Evaluation criteria

The art. 45, paragraph 4, of the Presidential Decree. n.394 of 31 August 1999 states that minors with non-Italian citizenship, as they are subject to compulsory education, are assessed in the forms and methods provided for Italian citizens. This article also specifies that:

"The Teaching Board defines, in relation to the level of competence of the individual foreign students, the necessary adaptation of the teaching programs; for this purpose, specific individualized interventions or for groups of students can be adopted to facilitate the learning of the Italian language, using, where possible, the professional resources of the school. The consolidation of knowledge and practice of the Italian language can also be achieved through the activation of intensive Italian language courses on the basis of specific projects, also in the context of additional teaching activities for the "enrichment of the training offer".

Based on this:

- each teacher, within their own discipline, must appropriately select the contents, identify the fundamental thematic focal points, methodologies and objectives, according to the Study Plan identified for the student by the Class Council;
- every teaching choice made by the Class Council teachers must be contained in the Personalized Study Plan;
- the Personalized Study Plan (PSP) will be an essential point of reference for the evaluation of the foreign student;
- the work carried out by the student in literacy or linguistic support courses (L2), which is subject to checks, will contribute to his/her formative evaluation.

The C.M. 24/2006 indicates that in these cases it is necessary to favor formative evaluation over certification. For this reason, in their evaluation, teachers must also take into consideration the following indicators:

- previous schooling;
- progress compared to the starting situation;
- the results obtained in learning Italian as a second language;
- commitment, participation and motivation;
- the learning potential demonstrated.

In the first term the evaluation, in particular for students of recent immigration or newly arrived (NAI), will be able to:

- not be expressed (early literacy phase);
- be expressed based on the personal learning path;
- be expressed only in some disciplines (for example in practical subjects, less linked to language, such as physical education, music and art education, mathematics and, in some cases, foreign language).

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The following wording will therefore be used, if necessary, on the evaluation document: "The evaluation expressed refers to the personal learning path as the student is in the literacy phase in the Italian language" or "the evaluation is not expressed as it the student is in the first phase of language literacy".

If the student has a good knowledge of a foreign language, it can be used, temporarily, as a vehicle language for the acquisition of contents and their exposure.

In the second term the evaluation must be formulated because it constitutes the basis for whether or not to move on to the next class. The final evaluation cannot be a simple average of the measurements taken, but must take into particular consideration the student's path, learning progression, possible objectives, as well as motivation, participation and commitment.

Evaluation for the purposes of the exam at the end of the first cycle of education

For the purposes of passing the State Exam, reference is made to point 6 of the C.M. of 03/15/2007: "Students with non-Italian citizenship".

Particular attention deserves the situation of many students with non-Italian citizenship whose scholastic preparation can often be compromised by an irregular course of study and poor knowledge of the Italian language. In the guidelines prepared by the Ministry with circular no. 24 of 1 March 2006, in recalling that passing the final state exam of the first cycle is an absolute condition for continuing the course of studies, indications are provided for implementing any accompanying measures useful to foreign students in obtaining the middle school diploma. Given the obligation to carry out the Invalsi tests, a requirement for admission to the final exams of the 1st cycle of education and all the written tests required for the state exam, including the second community language, and the multidisciplinary interview. It is upheld for the examining sub-committee to adopt particular evaluation measures, especially during the interview, and to proceed with an appropriate evaluation of the learning levels achieved which also takes into account the educational potential and the overall maturation achieved.

SCHOOL REGULATIONS FOR PARENTS OF FOREIGN STUDENTS

Foreign minors on Italian territory have the right and duty to education. School enrollment for foreign minors resident in Italy occurs at the same time as for Italian students. For minors with non-Italian citizenship, art. 45 of Presidential Decree n349/1999, the enrollment procedures can take place during the year, when the student arrives in Italy.

Enrollments in state schools take place online. In case of difficulty, parents of foreign students can ask for support from any school in the territory.

Upon registration, parents are requested to communicate the school secretariats the following essential information related the student:

- **name, surname, date of birth, residence.**
- **tax code (if you have one),**
- **health documents. If the minor does not have one, the family can contact the health services to define the vaccination situation and carry out the appropriate health interventions.**
- **any forms of allergies and food intolerances**
- **documents**

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• **School documents certifying studies completed in the country of origin.**

SCHOOL REGULATIONS

The secretarial office communicates the name of the student and the destination school to the "Foreign Pupil Inclusion Commission".

The school, for "NAI" (Newly Arrived in Italy) students who leave loved ones, relationships, friends in their countries of origin and find themselves continuing their education elsewhere, in another school and with a new language, is responsible for:

- **take care, especially in the first school period, of the emotional and affective aspect of the newly arrived student.**
- **give a start, in an organized context with open classes, a period of cognitive observation of the specific characteristics of the student, also through the administration of tests, before assignment to the final class of the destination school.**
- **respond to the educational needs of pupils.**
- **organize a plan, not only aimed at reception, but also accompaniment and intercultural education.**
- **facilitate the inclusion of foreign students in the peer group.**
- **implement forms of productive communication with families.**
- **resort to linguistic-cultural mediators.**

Approvato dal Collegio dei docenti in data 30.10.2023 delibera n. 46 verbale n. 3. Approvato dal Consiglio d'istituto in data 13.11.2023 delibera n.131 verbale n. 3

LA DIRIGENTE SCOLASTICA
Prof.ssa Concetta Carnabuci
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ai sensi dell'art. 3 del D. Lgs. n. 39/1993

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