



Gruppo di Lavoro  
per la Convenzione  
sui Diritti dell'Infanzia  
e dell'Adolescenza

## Abstract of 2<sup>nd</sup> Supplementary Report to the CRC of the Italian NGO Group for the CRC (Gruppo CRC)

### The right to education for foreign children

As also shown in the Government's report<sup>1</sup>, the percentage of pupils non Italian citizens over the total number enrolled in the Italian school system has notably increased over recent years: in the school year 2003/2004 it represented 3.5% of the total school population; in the school year 2004/2005 it was 4.2%; in 2006/2007 it was 5.6% and in 2007/2008 it was 6.4%. In the school year 2008/2009 the number of pupils who were non Italian citizens was 574,133<sup>2</sup>. For the first time, however, there has not been a progressive growth, but a reduction in the percentage increase compared to the previous year. Examining the available figures it emerges that there has been an increase in the percentage of schools with a presence of non-Italian citizens (from 67.1% in 2006/2007 to 71.3% in 2007/2008); the schools with the highest incidence are still Primary schools with 7.7% and, with regard to geographical distribution, the North-East of the country is still the area with the highest numbers (equal to 10.3% of the total).

The country of origin mostly represented is Romania with 92,734 pupils, equal to 16.2% of the total, representing a strong increase on the previous year (+35.2%). Following the entry of Romania, as a member country of the European Union, the number of Romanian pupils has overtaken that of pupils from Albania (85,195 pupils, equalling 14.84% of the total) and from Morocco (76,217 pupils, equalling 13.28%); the total number of pupils from these three countries corresponds to the 44.27% of foreign pupils in school.

In the school year 2007/2008, the amount of information on foreign children has been increased. For the first time it includes the number of students born in Italy, the so-called "second generation", and the number of pupils entering the Italian school system for the first time. Examining these figures it emerges that the number of pupils born in Italy, without Italian citizenship, is 34.7%, with a higher concentration of young children at Nursery and Primary school, equal to 71.4% and 41.1% respectively of the total of foreign pupils. The percentage of "second generation" children attending the 1<sup>st</sup> grade in Secondary schools falls to 17.8% and to 6.8% for 2<sup>nd</sup> grade Secondary schools.

Another new figure introduced during the school year 2007/2008 is the number of foreign pupils with disabilities, which is 2% of the total of pupils without Italian citizenship.

<sup>1</sup> 3<sup>rd</sup> and 4<sup>th</sup> Government Report to the CRC, p. 117 et seq.

<sup>2</sup> Ministry for Education, Universities and Research, *Alunni con cittadinanza non italiana. Scuole statali e non statali – anno scolastico 2007/2008*, April 2009 [www.pubblica.istruzione.it/dgstudente](http://www.pubblica.istruzione.it/dgstudente)

In the face of this increase in the number of pupils without Italian citizenship, since 1999 there have been adopted various **school policies** in order to promote **integration, dialogue and intercultural education**<sup>3</sup> through the creation of ad hoc institutional bodies and the publication of guidelines.

In December 1999 the National Commission for Intercultural Education was established<sup>4</sup>; in June 2004 the Office for Integration of foreign pupils was set up at the Ministry of Education's General Department for Students<sup>5</sup> and in December 2006 the Guidelines for Reception and Integration of Foreign Pupils were approved<sup>6</sup>; in December 2006 the Monitoring Authority for Integration of Foreign Pupils and Intercultural Education was established and in 2007 it produced and published a guideline document for the integration of foreign pupils, *La via italiana per la scuola interculturale e l'integrazione degli alunni stranieri*<sup>7</sup>. In 2007 the Finance Legislation set up a Fund for the Social Integration of Immigrants and Their Families at the Ministry of Welfare, through which funding had been allocated to 30 projects distributed throughout Italy for an over sum of 2,600,000 Euros to support school integration and counselling programmes and assistance in the relationship between families and school authorities<sup>8</sup>.

Finally, during 2008, the European Year for Intercultural Dialogue, a series of activities were carried out in order to safeguard the reception system of foreign children at school as a first step toward integration<sup>9</sup> and, on the other hand, to encourage good practices for social integration throughout the entire country. The Dialogue with the family is particularly important when children of foreign origin have disabilities: the difficulty in intercultural dialogue between the child's personal teacher and the family, as well as the poor level of training with regard to issues related with the intercultural approach toward disability, risk to endanger the identification or create confusion between learning difficulties and disorders<sup>10</sup>.

This panorama shows the potential offered by the legislative provisions for the schools in relation to the implementation of programmes which lead to a real integration of pupils without Italian citizenship<sup>11</sup>.

However, starting in 2008, difficulties in the implementation of integration policies and intercultural promotion have emerged. With regard to **resources**, the fund provided by the 2007 Finance Legislation for the Social Integration of Immigrants, which included also 2,000,000 Euros for the reception of foreign pupils, was abolished by Legislative Decree 112/2008<sup>12</sup>.

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<sup>3</sup> Intercultural education strengthens the possibility of understanding, managing and enhancing the value of differences, considering them as a personal and collective asset for the exercise of a purposefully active European citizenship which promotes social integration and cohesion.

<sup>4</sup> Article 38 of the Consolidated Legislation on Immigration, Law no 40/2008, Presidential Decree no. 394/1999 and Ministerial Circular 74/2006 protect the educational rights of foreign children living in Italy independently of their legal position and/or that of their parents.

<sup>5</sup> See also the 2<sup>nd</sup> CRC Report, p. 36.

<sup>6</sup> Ministerial Circular 24/2006, Linee guida per l'accoglienza e l'integrazione degli alunni stranieri. Cf. 2<sup>nd</sup> CRC Report, page 36.

<sup>7</sup> Ministry of Education – General Department for Education and Programming of Information Systems, *La via italiana per la scuola interculturale e l'integrazione degli alunni stranieri*, October 2007. See also 4<sup>th</sup> CRC Report, p. 96.

<sup>8</sup> Ministry of Social Solidarity (now Ministry of Employment, Health and Social Policies)  
[www.solidarietasociale.gov.it/SolidarietaSociale/tematiche/Immigrazione/inclusione/News\\_Progetti\\_Inclusione\\_sociale\\_2007.htm](http://www.solidarietasociale.gov.it/SolidarietaSociale/tematiche/Immigrazione/inclusione/News_Progetti_Inclusione_sociale_2007.htm)

<sup>9</sup> Cf. Decision of the European Parliament and Council concerning the European Year of Intercultural Dialogue, Brussels, 5/10/2005, COM (2005) 467 final, p.11.

<sup>10</sup> Relevant in this respect is a research carried out by the Faculty of Psychology at Cesena, which is not yet available but a description of which can be read on [www.superando.it/content/view/4726/116/](http://www.superando.it/content/view/4726/116/)

<sup>11</sup> Attention has been drawn to this in the “Guidelines for the reception and integration of foreign pupils” (Ministerial Circular/2006) which, as well as underlining reception of children as a priority, provides guidelines and suggestions in terms of organization and education in order to assist integration and success in school training.

<sup>12</sup> For further discussion see Chapter 1, paragraph entitled “Resources assigned for children and young people in Italy”.

From April 2008 up to the time of the preparation of this Report, the new members of the **Monitoring Authority for the Integration of Foreign Pupils and Intercultural Education** have still not been appointed. The purpose of this authority was to identify suitable organisational and operational solutions for the effective implementation of integration policies to the real requirements of the pupils concerned.

Furthermore, in the current political debate and, in particular, at parliamentary level, there are initiatives which stand in clear contrast with the protection of the intercultural value in the learning process, and in open breach of the principle of non-discrimination (art. 2 CRC) and of the right to access to quality education for everyone (articles 28 and 29 CRC). On the 14 October 2008, the Chamber of Deputies approved a motion in which it committed the Government to review the system of access by foreign students to schooling at every level and grade and to establish “integration classes”<sup>13</sup>. The Italian NGO Group for the CRC (Gruppo CRC) sent a letter to the Minister for Education, Universities and Research, signed by 31 NGOs, expressing concern about the contents of this commitment and emphasising the need to ensure an appropriate integration of foreign children in classrooms from the beginning of the school year, where possible, and in any event, providing intensive learning of the Italian language with specialized teachers and/or the support of cultural mediators, without placing foreign children in “integration classes”<sup>14</sup>. There is also concern about some of the provisions of Law no. 94/2009, the so-called Law on Security<sup>15</sup>, for the consequences which might arise in terms of violation of the right to education for children who have parents with no official permit to stay in Italy<sup>16</sup>, and also as a result of the level of uncertainty that this provision can create among officials in terms of its application, despite the explanatory directions issued, as well as fear among immigrants about being identified as illegal.

A further problem, identified by the Italian NGO Group for the CRC, in its monitoring carried out over these recent years, is the phenomenon of the **concentration** of foreign pupils in classes in certain geographical areas and in certain types of educational institutions. In fact, examining the data for the school year 2007/2008, regarding foreign enrolments at the 2<sup>nd</sup> grade of the Secondary school and according to the type of school, it emerges that they constitute 8.7% of the total of students in professional institutes, whereas the percentage is 4.8% in technical institutes, with a lower presence of 1.4% and 1.9% in classical and scientific High Schools, out of the total number of enrolments. Examining the enrolments on the basis of age, it can be noted that foreign students, enrolled at the classical and scientific High Schools, are more numerous in what might be regarded as the “usual” age range of 14-18 years, whereas the technical and professional institutes have a considerable number of older students. Therefore, political initiatives proposed during recent years do not seem to have responded to the need to manage the issue of concentration, not having integration as an objective but only the solving of a problem of numbers. In this respect, it is necessary to consider the appropriateness of managing at local level through agreements between local administrators and school administrators, as provided by Circular no. 74/2006, in developing coordinated actions which seek to improve integration programmes; all this should be implemented in a systematic and organised manner all over the national territory, in order to avoid strong differences between educational institutions with regard to their capacity to look after foreign pupils. It would also be very useful to observe the

<sup>13</sup> Motion 1.00033 promoted by Hon. Rampelli, text available on the website [www.camera.it](http://www.camera.it). For a discussion on the issue see also M. Ambrosini, *Classi ponte? Un'invenzione italiana*, 28/10/2008, [www.lavoce.info](http://www.lavoce.info)

<sup>14</sup> Letter of the Italian NGO Group for the CRC to Minister Gelmini of 17 November 2008, available on [www.gruppocrc.net](http://www.gruppocrc.net)

<sup>15</sup> Law 94/2009; in particular art. 1 (16), which introduces the offence of entering and staying illegally in the Italian State; art. 1 (22) (g) which makes it necessary to show a valid permission to stay in order to have access to documents regarding civil status and to public services.

<sup>16</sup> See also Chapter VIII, paragraph entitled “Children in families not staying legally in Italy”.

experiences of other countries where, to combat the phenomenon of concentration of foreign children in certain classes and/or schools, and in order to optimise investment in education, attention has been focussed on territorial redevelopment of districts with a high density of foreign population.

Finally, there is also a problem regarding the **lack of regular attendance** among students without Italian citizenship, due to difficulties relating to knowledge of the Italian language as well as problems of social integration<sup>17</sup>.

Linguistic integration and safeguarding the multilingual culture (with particular regard to the language of origin) are fundamental elements in enabling children to develop their personal capabilities and physical and mental aptitudes to their full potential, as indicated by art. 29 CRC. In order to reach this objective it would be necessary to promote and carry out – through the allocation of adequate resources – periodical training programmes aimed at teachers, auxiliary staff and directors alike, throughout the country, in order to encourage the acquisition of skills and instruments which respond to the real needs of teachers involved in teaching classes which include foreign pupils. It would also be appropriate to **involve parents and families**, both Italian and foreign, also through counselling and information programmes, as well as personalised planning of courses for a professional qualification and the adaptation of teaching programmes<sup>18</sup>.

In conclusion, the Italian NGO Group for the CRC emphasises the importance of integration and combating disadvantage as fundamental elements in looking after foreign children and enabling them to use the schooling system.

#### **The Italian NGO Group for the CRC therefore recommends:**

1. That the **Ministry for Education, Universities and Research** guarantees and protects the intercultural component in the learning process through the promotion of systematic actions such as counselling and information aimed at increasing and supporting the involvement of parents and families, both Italian and foreign, at promoting a personalised planning of courses for a professional qualification and the adaptation of teaching programmes, targeted training of teachers, auxiliary staff and directors, as well as making use of the presence, within the educational context, of professional human resources of foreign origin;
2. That the **Ministry for Education, Universities and Research** reactivates the National Monitoring Authority for the Integration of Foreign Pupils and Intercultural Education which was established in December 2006.

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<sup>17</sup> On average of 42.5% of foreign pupils do not go regularly come to school and, as they grow older, their educational difficulties increase. On the other hand, few pupils are ahead (2.5% in total) and this happens especially among Primary School pupils.

<sup>18</sup> Ministry of Education, *Documento generale di indirizzo per l'integrazione degli alunni stranieri e per l'educazione interculturale*, Rome, December 2006, [www.pubblica.istruzione.it/dgstudente](http://www.pubblica.istruzione.it/dgstudente)