

Subject: Mandatory Education: Enrollment and School Attendance - New Legislative Provisions and Sanctions

This correspondence serves to elucidate the consequences arising from the failure to fulfill the obligation of education for minors, following the recent enactment of **Law No. 159/2023**, which converts Decree Law No. 123/2023 on *"Urgent Measures to Counter Youth Discomfort, Educational Poverty, and Juvenile Crime, as well as for the Safety of Minors in the Digital Sphere"*.

It is deemed necessary to inform and draw the attention of the relevant authorities to the fact that the School Principal is required to monitor cases of school dropout, verifying the non-enrollment or irregular attendance of students subject to compulsory education.

It is stated that, in the case of prolonged absences without justified **reasons for more than fifteen days** (even non-consecutive) within three months, or in the case of **non-attendance for at least one-fourth of the annual hours**, the Principal must communicate with the person responsible for fulfilling the obligation of education (parents or those acting on their behalf) to remind them to comply with the legal provisions.

If the student does not resume school attendance within seven days of the aforementioned communication, the School Principal will notify the Mayor within the next seven days so that **they can admonish the parents or those acting on their behalf**.

The Mayor is obligated to issue this admonition even in the case of **non-enrollment of the student subject to compulsory education**.

If the responsible party does not present the minor to a school within a week of the admonition, or does not justify the non-enrollment with health reasons or other serious impediments, or fails to demonstrate alternative arrangements for the minor's education, **the Mayor proceeds to report the parents or those acting on their behalf to the Judicial Authority for the offense of non-compliance with the obligation of education for minors, punishable by imprisonment up to two years**.

In the case of *evasion* of the obligation of education, which involves absences during the school year amounting to at least one-fourth of the personalized annual hours and for which justified health reasons or other serious impediments are not proven within a week of the Mayor's admonition, or it is not proven that the minor is otherwise receiving an education, the penalty **of imprisonment up to one year** is envisaged.

It is also reminded that **non-compliance with the obligation of education will result in the loss of the right to the Inclusion Allowance**. In the case of a definitive conviction for the aforementioned offense by the beneficiary of this subsidy, the benefit will be suspended until the

resumption of the minor's regular school attendance (documented with a certification issued by the School Principal) or, in the absence thereof, for a period of two years.

Finally, in light of the recent *Memorandum of Understanding aimed at preventing school dropout and juvenile delinquency*, signed at the Prefecture of Ragusa, the municipality of residence, following the established non-compliance with the obligation of education for minors, may consider the reduction or forfeiture of any assistance contributions provided to the respective families.