UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Legislazione Scolastica

2425-2-G8501R039-G8501R043M

Course title

Institutions of Educational Law

Topics and course structure

The first part of the course shows the fundamental tools for the analysis and application of law in schools.
The second part, through the relationship between history, society, legislation, analyzes the fundamental stages, starting with the Casati Law, which marked the arrival of school autonomy and the inclusive paradigm.
The third part of the course analyzes the current legislation, with reference to specific educational law institutes.

First part: institutions of law and peculiarities of education law
• The law. What, how, why
• Institutions and legal systems
• The sources of law
• Administration and politics

Second part: the evolution of the school system towards autonomy, verticalization, inclusion
• The Casati law and the pyramid structure of the Italian school.
• The Daneo-Credaro law and the statization of the elementary school
• The Gentile reform and Bottai's innovations
• The school of reconstruction and law n.1859 of 31 December 1962
• The change of the 70s. The Falcucci document (1974) and its impact on paradigms, school curricula, evaluation
• The Berlinguer and Moratti reforms. The Gelmini review. Law 107/2015

Third part: educational institutions and the role of rules for the construction of the educating community and learning environments.

• School Constitution and school law
• School autonomy
• The school community. The legal status of school personnel. The role of families. The students' statute
• The current didactic systems: the organisation of the first cycle of education, national indications, evaluation
• The inclusive perspective
• The regulations concerning special educational needs (students with disabilities, with specific developmental disorders, with economic, linguistic, cultural disadvantage)

Objectives

At the end of the course, the student has:
• a sound knowledge of the tools of analysis and application of law in the school environment
• awareness of the "ratio legis" of the measures, their cultural substratum and the historical development of the structure of primary and childhood schools and inclusive institutions
• knowledge of the teaching systems of the integrated system 0-6 years and of the first cycle of education (organization, teaching disciplines, national indications)
• the skills related to the proper exercise of the profession of primary and infant school teacher
• the ability to actively intervene in the collegial bodies in the light of the possibilities offered by the legislation and the corresponding constraints.

Regarding to the regulations and the Tuning Matrix, with reference to the Dublin descriptors, the course pursues the following learning objectives:

Making judgements
• awareness of the ethical and cultural responsibility associated with the exercise of the teaching function and assumption of the consequent duties towards the students, their families, the school institution, the territory
• Aptitude to formulate judgment on educational situations and events after having obtained accurate documentation

Communication Skills
• the ability to communicate with colleagues within the collegial bodies, to interact with the school principal and the operators of territorial services for information exchange, project development, and coordinated management of training processes

Applying knowledge and understanding
• ability to identify and define the educational priorities of primary and secondary school (Isced I and II), to link curricula of two-grade schools through adequate progression of learning and to coordinate educational and extra-curricular opportunities

Learning skills
• interest in teaching profession and desire to improve knowledge and practice

Methodologies

Lectures (24 hours), Interactive teaching (4 hours): case history

Online and offline teaching materials

The online resources will be made available during the lessons, in order to update the necessary regulations

Programme and references

• • Max Bruschi e Salvatore Milazzo, *Istituzioni di diritto scolastico*, Giappichelli, Torino 2023: Introduzione; Cap. 1°; Cap. 2°; Cap. 3° only par. 1; Cap. 4°; Cap. 5°; Cap. 6°, par. 1; 2; 3; 4; 5; 11; 12; 13 up to page 203 compresa; Cap. 7°;

- the course slides;
- the most significant norms should be studied directly, as pointed out during the course and in the slides and as linked: the 2012 National Curriculum; Presidential Decree 275/1999 on autonomy; the OM on primary school assessment;
  • knowledge of the RAV and PTOF is required (with particular reference to the school curriculum) and the decision of the Academic Board on the evaluation criteria) of the educational institution where the title is held or place of employment, in the case of students with a substitute contract
  • a manual of contemporary history, in order to help students understand the relationship between Italian history (from the Enlightment to present days) and school reforms

Assessment methods

General rule: anyone with problems should contact the teacher. On learning there is no compromise, on the rest there are solutions.
Oral exam, concerning one or more topics: generally, a question on the institutions of law, one on the historical part of the law, one on current legislation. The teacher reserves the right to conclude the exam in response to particularly exhaustive answers or in the face of gaps in fundamental areas of the discipline.
Evaluation criteria. The accuracy, completeness of the answers, the ability to relate the norm to concrete cases and the historical substrate, the correctness of the Italian language are evaluated. The teacher reserves the right to conclude the exam in the face of particularly comprehensive answers or in the face of gaps on the fundamental nuclei of the discipline. Level descriptors and assessment bands are at the link https://drive.google.com/file/d/1agfyFvS2xBvIy7WH0Y197ltqiO1ZPPul/view?usp=sharing.
Working students (also referred to as ‘non-traditional’ students). In order to meet the needs of working students

1. upon indication of working status, video recordings of lessons just held are released;
2. examination sessions are scheduled on Saturdays, especially in order to guarantee teaching continuity at the educational institutions of the grades concerned by the course
3. particular examination times are agreed with the teacher.
   Students on maternity leave (also referred to as ‘non-traditional’ students, too). In order to meet the needs of students on maternity leave,
4. they may attend classes or exams, whether with a baby bump or a newborn baby;
5. particular examination times are agreed with the teacher.
   Erasmus students. Although this course is held in Italian, Erasmus students can take the exam in English if they wish to do so, but they should previously contact prof. Bruschi by email
   Students wishing to biennialise the examination*, in particular thesis students: the bibliography must be agreed with the teacher...

Office hours

After lesson, or on appointment by e-mail

Programme validity

Two academic years, except for regulatory changes that have an impact on teaching, which are subject to updating by the teacher and verification during the exam

Course tutors and assistants

Assistants
prof.ssa Annapaola Barbieri
Tutor
dott.ssa Cecilia Gerola

Sustainable Development Goals

NO POVERTY | QUALITY EDUCATION | DECENT WORK AND ECONOMIC GROWTH | REDUCED INEQUALITIES