



## **Regulations governing checks on self-drafted affidavits submitted by students for the purposes of education incentive programmes and benefits granted by the University of Milan**

(Enacted by Rector's Decree 21368/20 of 31 July 2020)

### **ART. 1 - Scope**

These Regulations govern the procedure for checking the truthfulness of self-drafted affidavits (*Dichiarazioni Sostitutive Uniche*, DSU) as submitted by students for the purposes of education incentive programmes and benefits granted by the University of Milan (scholarships, tuition and waivers) subject to income and asset requirements.

### **ART. 2 - Regulatory Framework**

The regulatory framework for the implementation of checks consists of the following:

Prime Minister's Decree (DPCM) no. 159 of 05/12/2013 - Regulations concerning the revised methods for determining the financial indicator "ISEE", and its scope of application;

Ministerial Decree 07/11/2014 - Approval of the DSU template for ISEE purposes, the certificate, as well as the related instructions for completing the form pursuant to article 10, paragraph 3, of DPCM no. 159 of 5 December 2013;

INPS Circular no. 171 of 18/12/2014 - ISEE reform. DPCM no. 159 of 5 December 2013;

INPS Circular no. 137 of 25/07/2016 - Revised calculation of ISEE for households with members with disabilities. Article 2 sexies of Law Decree no. 42 of 29 March 2016, as amended and converted into Law no. 89 of 26 May 2016;

DPCM 09/04/2001 - Equal treatment in the right to university education, pursuant to article 4 of Law no. 390 of 2 December 1991;

Legislative Decree No. 68 of 29/03/2012 - Revised regulation of the right to an education;

Presidential Decree no. 445 of 28/12/2000 - Legislative provisions on administrative documentation;

Regional Resolutions on the Right to University Education issued annually by the Lombardy Region.



## ART. 3 - Types of checks

Checks will cover:

- Personal details
- Personal data and information (in compliance with EU Regulation no. 679/2016 as amended)
- Economic and financial data

These may be:

- Preliminary checks, i.e. when the application procedure is underway;
- Subsequent checks, i.e. after the benefit has been granted;
- Direct checks, i.e. through direct access to the information made available by a public administration (online databases shared by interconnected PAs);
- Indirect checks, i.e. through a request for data comparison to a public administration holding the data in question;
- Documental checks, i.e. through a request for support evidence or documents to be submitted by the interested party.

## ART. 4 - Checks

Self-drafted affidavits, as submitted by benefit/grant recipients under education incentive programmes, or by students who have obtained a tuition waiver based on the ISEE University value, will be checked through both spot checks and targeted checks, if there are reasonable doubts as to the truthfulness of the affidavits. In any case, no less than 20% of applications will be checked.

The checks will be aimed at ascertaining:

- The exact composition of the household as defined for ISEE University purposes;
- The correspondence between the declared income and the income as resulting from the database of the Revenue Agency (*Agenzia delle Entrate*);
- The correspondence between the declared real estate assets and the data contained in the database of the Local Agency (*Agenzia del Territorio*);
- The accuracy of the declaration of movable assets;
- Any other data that may be required for ascertaining relevant data.

The acquired data will be used by our offices to determine a final ISEE University value to be compared with the value as declared by the applicant, and with the criteria as set forth by the calls for applications and regulations for the purposes of tuition fees and financial aid.



As part of these checks, the University may request additional documentation or support evidence, particularly with respect to data that is not held by other public administrations or is not available by law, e.g.:

- Lease agreement;
- Account statement at 31 December of the year in question for any deposit/bank/post office savings accounts;
- Statement of securities account (government securities, bonds, shareholdings, etc.);
- Accounting documents for self-employed workers or shareholders;
- Declarations of inheritance;
- Sentences of separation or divorce.

#### **ART. 5 - Irregularities and Omissions**

If any irregularities or omissions are found that do not result in a change in the income bracket or forfeiture of the benefit or a change in the amount of tuition fees, the University will close the procedure without any consequences for the beneficiary.

If, on the other hand, the findings of the check result in a change in the income bracket or the forfeiture of the benefit or a change in the amount of tuition fees, the University will:

- Send the interested party formal notice of the start of the check process, reporting the omissions or irregularities found and giving 30 days to produce counter arguments;
- Assess any counter-arguments and i) dismiss the proceedings, or ii) continue the investigation (and possibly request support evidence, pursuant to Article 4), or iii) close the process by confirming the change or forfeiture of the benefit or the new amount of tuition fees, and issuing a final provision on the matter.

If the final provision confirms the findings of the investigation:

- The change in the income bracket for the purposes of a regional scholarship entails the obligation to return the difference between the amount disbursed and the amount actually due, with reference to both the stipend and ancillary services;
- The forfeiture of the benefit of a regional or university scholarship entails the obligation to return the entire sum disbursed, with reference to both the stipend and ancillary services, and to refund tuition and fees;



- The change in the amount of tuition and fees will result in the obligation to return an amount equal to the difference between the amount actually disbursed and the amount due based on the new University ISEE value;

Without prejudice to any penalties pursuant to art. 6 below.

#### **ART. 6 - Penalties**

In the cases provided for by art. 5, paragraph 3, the penalties referred to in art. 10 of Legislative Decree 68/2012 shall apply, i.e. the payment of an amount three times the amount received, or the value of the services illegitimately used. Moreover, the student will lose the right to obtain financial aid for the entire duration of their study programme, without prejudice to the application of penalties pursuant to art. 38, paragraph 3 of Law Decree no. 78 of 31 May 2010, as amended and converted into Law no. 122, as well as applicable criminal laws.

In application of art. 16 of Law 689/81, administrative penalties may be reduced to one third of the full amount upon request of the interested party, provided that payment is made within 60 days from the date of the final notice.

Failure to pay within the deadline will result in the student's career being halted, and no academic certificates being issued. Moreover, the University will start debt collection procedures pursuant to the law, with any costs to be borne by the debtor.

#### **ART. 7 - Instalment Plan**

The amounts due may be paid in instalments, unless the student takes the option to pay a reduced amount.

Failure to pay even a single instalment will result in the student's career being halted, and no academic certificates being issued.

#### **ART. 8 - Entry into Force**

These Regulations enter into force on the date of the enacting Rector's Decree and apply to any checks carried out for the entire career of students even after the achievement of their academic qualification.



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