

Legal reframing of child support and educational continuity: academic impacts, pedagogical support, and a proposal for conditional extension

Reordenamiento jurídico de la pensión alimenticia y continuidad educativa: afectaciones académicas, acompañamiento pedagógico y propuesta de ampliación condicionada

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Abstract

This study analyzes the relationship between adverse child-support-related legal situations and potential conditions of socioeducational vulnerability among students who have participated as beneficiaries in judicial proceedings, particularly when facing difficulties concerning the determination, adequacy, payment, and continuity of child support. A judicial proceeding does not, by itself, constitute an educational impairment; however, the associated legal, economic, and family circumstances may affect attendance, participation, completion of academic activities, motivation, organization of responsibilities, socioemotional well-being, and academic performance. The study follows a quantitative approach with a descriptive scope, a non-experimental design, and a cross-sectional structure. A structured questionnaire was used to examine participants' legal experiences, perceived educational impacts, support received, and assessment of the proposed reform. The results reveal potential relationships between child support difficulties and students' educational trajectories, without establishing direct or exclusive causality. Based on the findings, theoretical review, and analysis of Ecuadorian law, a pedagogical support model is proposed involving needs identification, tutoring, socioemotional guidance, specialized intervention, monitoring, and evaluation. The study also proposes a conditional extension of child support until the age of 25, subject to periodic proof of enrollment, satisfactory academic progress, economic dependence, and insufficient personal resources. When beneficiaries reach that age before completing a degree program whose official duration justifies continued support,

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an exceptional, temporary, and proportional supplementary educational contribution is proposed, subject to judicial assessment. The study integrates legal and pedagogical mechanisms intended to protect students' well-being, educational persistence, and completion of their first professional qualification.

Key words: reorganization of legal concepts, child support, family law, socioeducational vulnerability, educational continuity.

Resumen

La presente investigación analiza la relación entre las situaciones jurídicas alimentarias adversas y las posibles condiciones de vulnerabilidad socioeducativa de estudiantes que han intervenido como beneficiarios en procesos judiciales, particularmente frente a dificultades relacionadas con la determinación, suficiencia, cumplimiento y continuidad de la pensión alimenticia. Se considera que la existencia de un proceso judicial no constituye, por sí misma, una afectación educativa; sin embargo, las circunstancias jurídicas, económicas y familiares asociadas pueden incidir en la asistencia, participación, cumplimiento de actividades, motivación, organización de responsabilidades, bienestar socioemocional y desempeño académico. La investigación se desarrolla mediante un enfoque cuantitativo, con alcance descriptivo, diseño no experimental y corte transversal, utilizando un cuestionario estructurado para examinar la experiencia jurídica de los participantes, las manifestaciones educativas percibidas, el acompañamiento recibido y su valoración de la reforma propuesta. Los resultados permiten reconocer posibles relaciones entre los problemas alimentarios y la trayectoria educativa, sin establecer una causalidad directa o exclusiva. A partir de los hallazgos, la revisión teórica y el análisis del ordenamiento ecuatoriano, se formula un modelo de acompañamiento pedagógico basado en la identificación de necesidades, las tutorías, la orientación socioemocional, la intervención especializada, el seguimiento y la evaluación. Asimismo, se propone ampliar condicionadamente el derecho de alimentos hasta los 25 años, previa acreditación periódica de la matrícula, regularidad académica, dependencia económica y carencia de recursos propios suficientes. Para los casos en que el beneficiario alcance dicha edad antes de culminar una carrera cuya duración oficial justifique la continuidad del apoyo, se plantea un aporte educativo complementario, excepcional, temporal y proporcional, sujeto a valoración judicial. La investigación articula mecanismos jurídicos y pedagógicos orientados a proteger el bienestar, la permanencia y la culminación de la primera formación profesional.

Palabras clave: reordenamiento de conceptos jurídicos, pensión alimenticia, derecho de familia, vulnerabilidad socioeducativa, continuidad educativa.

Introduction

Education is a fundamental right aimed at the comprehensive development of the individual. Articles 26 and 27 of the Constitution of the Republic of Ecuador (2008) recognize education as a lifelong right and establish that it must be provided under the principles of equity, inclusion, participation, and respect for human rights. Educational

continuity depends not only on the conditions provided by educational institutions, but also on the personal, family, legal, and economic circumstances surrounding the student.

These circumstances include difficulties related to the determination, adequacy, payment, and continuity of child support. Although the existence of a judicial proceeding does not, by itself, cause an educational impact, delayed, insufficient, unpaid, or terminated child support may limit the resources available for food, transportation, internet access, educational materials, housing, and other expenses required to continue studying. These circumstances may be related to difficulties in attendance, participation, motivation, organization of responsibilities, and academic performance, creating possible situations of socioeducational vulnerability. The right to maintenance has a comprehensive purpose that is not limited to providing food. Unnumbered Article 2 of Title V of the Code on Children and Adolescents expressly includes education among the protected needs. In this regard, Puente Chaquinga, López Soria, and García Segarra (2025) identified difficulties concerning the clarity and consistency of the legal concepts used to calculate child support, as well as its timely payment. Therefore, they emphasized the need to adapt its regulation to current family, social, and economic circumstances. These difficulties go beyond the judicial sphere when they reduce the ability of child support to meet the educational needs of the beneficiary.

In addition, paragraph 2 of Unnumbered Article 4 of Title V of the Code on Children and Adolescents recognizes the right to maintenance for adults up to the age of 21 who are studying, when their education prevents or makes it difficult for them to engage in paid work and when they lack sufficient resources of their own. However, this age limit may not reflect the actual duration of some technical, technological, or university degree programs. As a result, protection may end while the student is still studying and remains economically dependent. In this situation, pedagogical support may address some academic and socioemotional difficulties, but it cannot replace the material resources required to ensure educational continuity.

Within this context, the study analyzes the relationship between child support difficulties experienced by student beneficiaries in judicial proceedings conducted in Ecuador and possible manifestations of socioeducational vulnerability. Using a quantitative approach, descriptive scope, non-experimental design, and cross-sectional structure, the study applies a structured questionnaire to examine participants' knowledge of the law, legal experiences, perceived educational impacts, support received, and assessment of the proposed reform. Based on the results, the doctrinal review, and the analysis of Ecuadorian law, the study proposes a conditional extension of the right to maintenance until the age of 25. This extension would require periodic evidence of enrollment, regular academic participation, economic dependence, and insufficient personal resources. In exceptional cases, when the beneficiary reaches this age before completing a degree program whose official duration justifies continued support, a temporary and proportional supplementary educational contribution is proposed, subject to judicial assessment. In this way, the study connects pedagogical support with legal mechanisms intended to

promote students' well-being, educational persistence, and completion of their first professional qualification.

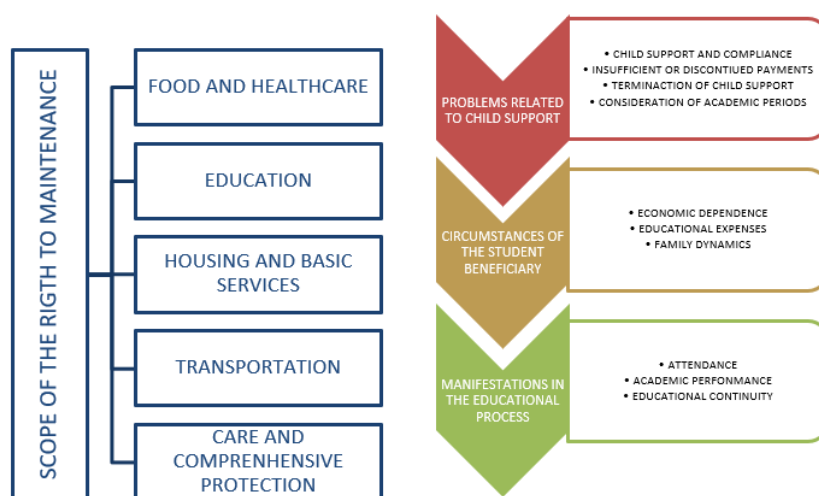
Development

Legal reframing of child support and its relationship with educational continuity

The right to maintenance is a legal institution intended to guarantee the basic needs and comprehensive development of its beneficiaries. Its scope is not limited to food, as it also includes healthcare, education, care, clothing, housing, transportation, culture, and recreation, in accordance with Unnumbered Article 2 of Title V of the Code on Children and Adolescents. Therefore, child support should be understood as a mechanism of comprehensive protection and not only as a periodic financial payment.⁴ This relationship is especially important in the educational context. The Constitution of the Republic of Ecuador (2008) recognizes education as a lifelong right and an unavoidable duty of the State (Art. 26). It also establishes that education must promote the comprehensive development of individuals and be based on the principles of inclusion, equity, and participation (Art. 27). Consequently, educational continuity also depends on material conditions that allow students to cover expenses related to transportation, food, educational materials, internet access, and other needs connected with their education.

Figure 1.

Components of the right to maintenance related to educational continuity



Source: Prepared by Puente Chaquinga, Campoverde López, and Bonilla (2026b), based on Unnumbered Article 2 of Title V of the Code on Children and Adolescents.

Puente Chaquinga and García Segarra (2025) state that the lack of clarity and

⁴ Legal note: The right to maintenance provides comprehensive protection that covers several needs of the beneficiary, including education, while child support is the financial mechanism intended to make this protection effective. Therefore, these concepts are related but are not legally equivalent, in accordance with Unnumbered Article 2 of Title V of the Code on Children and Adolescents.

consistency in the concepts used to calculate child support may make the fair application of the law more difficult. Therefore, they propose reorganizing these criteria by considering the beneficiary's needs, the financial capacity of the obligated person, and current family and social changes.

From this perspective, the legal reframing of child support should not be limited to calculating its amount, but should also consider the comprehensive purpose of this protection. When the beneficiary continues studying, education is a need expressly recognized within the right to maintenance. Therefore, difficulties related to the determination, adequacy, or continuity of child support may go beyond the legal sphere and affect the conditions in which the student continues their education.

Determination, adequacy, payment, and continuity of child support as factors of socioeducational vulnerability

The effectiveness of child support does not depend only on its legal recognition, but also on its proper determination, adequacy, timely payment, and continuity. Determination establishes the amount of child support; adequacy assesses whether this amount meets the beneficiary's needs; payment ensures that the beneficiary actually receives it; and continuity prevents the interruption of protection while the conditions that justify it remain in place.

Puente Chaquinga et al. (2025) identified difficulties concerning the clarity of the legal criteria used to calculate child support and its timely payment. In the case of students, these difficulties may limit the resources available to cover tuition fees, transportation, food, internet access, educational materials, and other expenses related to their education. This problem may also occur when child support ends because the beneficiary reaches the legal age limit, even though the person continues studying and lacks sufficient personal resources.

These circumstances do not automatically lead to poor academic performance or the interruption of studies. However, they may cause financial concerns, additional responsibilities, and difficulties in maintaining attendance, participation, motivation, and completion of academic activities. In this regard, Pivaque-Martínez et al. (2022) relate family problems to possible consequences for students' academic performance, although their effects depend on the personal, family, and institutional circumstances of each case.

Therefore, socioeducational vulnerability should be understood as a multidimensional condition involving legal, economic, academic, and socioemotional factors. Addressing this condition requires institutional support mechanisms, as well as effective child support protection that responds to students' material needs and contributes to the continuity of their education.

Figure 2.

Factors associated with socioeducational vulnerability and social conditions

Dimension	Aspects Analyzed	Rationale
Legal and child support	Determination, adequacy, payment, and continuity of child support.	The Code on Children and Adolescents recognizes education as part of the right to maintenance. Puente Chaquinga et al. (2025) identify difficulties related to calculation, legal clarity, and payment of child support.
Economic and family	Economic dependence, educational expenses, changes in family dynamics, and availability of resources.	Larrea Holguín (2009) connects the right to maintenance with meeting essential needs. Caicedo Sosa (2015) recognizes that family conflicts may affect other members of the family environment.
Socioemotional	Concerns, motivation, well-being, self-regulation, and interpersonal relationships.	Official socioemotional support resources promote well-being and the development of skills for coping with adverse situations (Ministry of Education, 2023).
Academic	Concentration, attendance, participation, completion of activities, academic performance, and educational continuity.	Pivaque-Martínez et al. (2022) relate family problems to possible changes in academic performance. The General Regulations to the Organic Law on Intercultural Education provide mechanisms for academic reinforcement and educational support.
Institutional and protective	Teacher support, tutoring, guidance, monitoring, and intervention by the DECE or university student welfare services.	The DECE Management Model includes support and monitoring measures. These responses must be adapted to the student's educational level and individual needs (Ministry of Education, 2023).

Source: Authors' own work based on Larrea Holguín (2009), Caicedo Sosa (2015), Pivaque-Martínez et al. (2022), the Ministry of Education (2023), the Code on Children and Adolescents, and Puente Chaquinga et al. (2025). Prepared by: Puente Chaquinga, Campoverde López, and Bonilla (2026b).

Attendance, participation, motivation, interpersonal relationships, adaptation, emotional well-being, and educational continuity are important elements for understanding the student's experience more broadly and guiding pedagogical responses according to the needs identified. Therefore, these dimensions should not be understood as separate categories, but as interconnected elements that help identify risk factors, protective conditions, and support needs. This perspective prevents socioeducational vulnerability from being limited only to academic performance and provides a broader understanding of the student's educational experience.

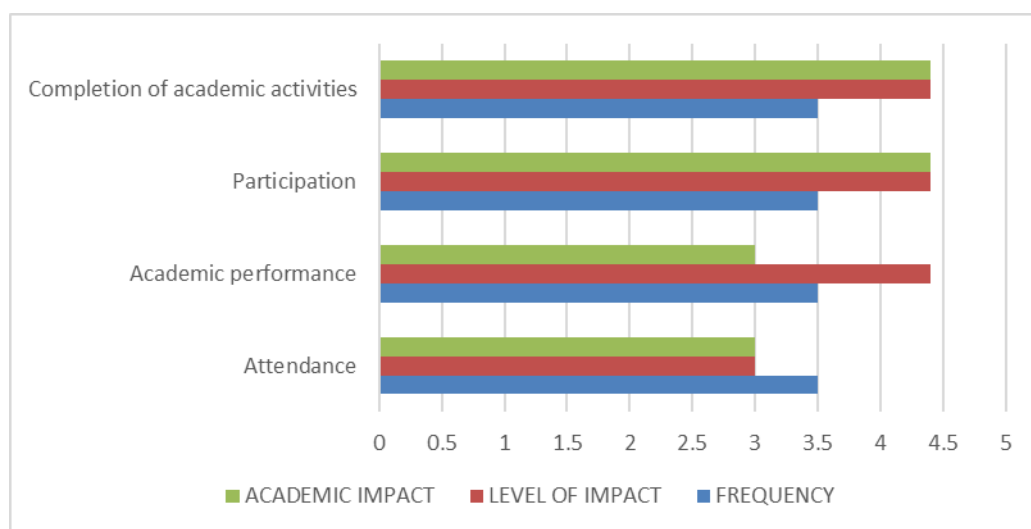
Academic impacts associated with adverse child support-related legal situations

The educational trajectory is a continuous process related to learning, participation, persistence, and the student's comprehensive development. Within this process, difficulties caused by insufficient, delayed, unpaid, or terminated child support may become relevant when they limit the resources needed to cover food, transportation, internet access, educational materials, tuition fees, and other education-related expenses. Therefore, the results show that 64.3% of student beneficiaries reported some degree of impact on their attendance. The same percentage experienced difficulties with completing academic activities, concentration, and educational continuity. In addition, 57.1% reported impacts on participation, motivation, interpersonal relationships, and academic performance, while 42.9% experienced difficulties in organizing their responsibilities.

These findings are consistent with Pivaque-Martínez et al. (2022), who state that family problems may have a negative impact on academic performance. In addition, the 2019 Regional Comparative and Explanatory Study (ERCE 2019) identified associations between regular attendance, socioeconomic conditions, and learning outcomes (UNESCO, 2021). These findings help explain that the educational experience is shaped by the interaction of personal, family, economic, and institutional factors.

Figure 3.

Perceived educational impacts of adverse family situations



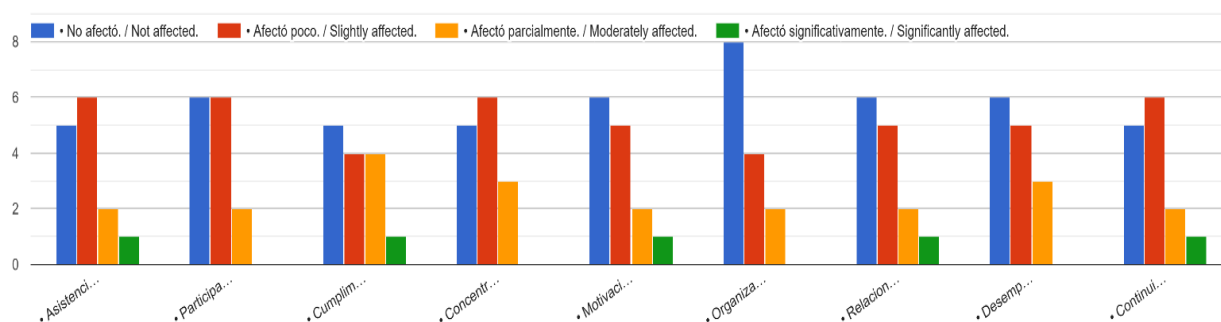
Source: Survey Students' Perceptions of the Impact of Adverse Family Situations on Academic Performance / Percepción de los estudiantes sobre la incidencia de situaciones familiares adversas en su desempeño académico. <https://forms.gle/oQ6WvLzDtEZgUa3b8> Prepared by: Puente Chaquinga, Campoverde López, and Bonilla (2026b).

The results also show difficulties related to participation and willingness to learn, reported by 67.6% of the participants. In addition, 64.9% reported impacts on their motivation or relationships with classmates and teachers, while 58.6% experienced difficulties in organizing and prioritizing their academic responsibilities. Overall, these findings show that the problem is not limited to academic performance, but involves different dimensions of the educational trajectory.⁵ Although the questionnaire did not focus exclusively on child support, its results provide evidence of possible educational impacts associated with adverse family circumstances. Under the new focus of this article, child support difficulties are analyzed as a specific situation that may intensify these conditions when they limit the resources needed to continue studying. Therefore, the results should be interpreted together with the legal and economic analysis, without attributing to child support effects that were not directly measured. The identification of these impacts helps guide support strategies according to each student's individual needs. Attendance, participation, motivation, organization, and academic performance should be analyzed together to support students' persistence and continuity in the educational process.

Figure 4.

Perceived impact of child support difficulties on the educational trajectory

Los artículos 26 y 27 de la Constitución de la República del Ecuador reconocen la educación como un derecho a lo largo de la vida, orientado al desarrollo integral. ¿En qué medida el problema alimentario afectó los siguientes componentes de su trayectoria educ...? Id support-related problem affect the following aspects of your educational trajectory?



Source: Survey *Child Support, Educational Continuity, and Legal Reform / Pensión alimenticia, continuidad educativa y reforma normativa*. Prepared by: Puente Chaquinga, Campoverde López, and Bonilla (2026a).

⁵ Note: The percentages represent the participants' reported perceptions of educational impacts associated with adverse family situations. Due to the descriptive scope and non-experimental design of the study, the results help identify trends and possible relationships between the variables, but they do not establish causality or attribute these impacts exclusively to unpaid, insufficient, or terminated child support. This interpretation follows the methodological criteria proposed by Hernández-Sampieri and Mendoza (2018) for descriptive and non-experimental studies.

Although a slight impact was more common across several dimensions, moderate and significant impacts were also identified. In particular, significant impacts were reported in attendance, completion of academic activities, motivation, interpersonal relationships, and educational continuity. This shows that difficulties related to child support are not limited to academic performance, but may also affect students' participation, persistence, and well-being.

Identifying these impacts helps guide support strategies according to each student's individual needs. Attendance, participation, motivation, organization, interpersonal relationships, academic performance, and educational continuity should be analyzed together to provide appropriate educational support without transferring the legal conflict into the academic setting.

Socioemotional skills for coping with adverse child support-related legal situations

When students face complex family and economic situations, the development of socioemotional and cognitive skills can help them recognize their emotions, manage stressful situations, make decisions, solve problems, communicate effectively, and ask for support when necessary. Persistence, responsibility, achievement motivation, and self-control are related to better academic outcomes and lower levels of absenteeism and school delay (OECD, 2024).

These skills become especially important when unpaid, insufficient, or terminated child support causes concern, financial uncertainty, or changes in the student's responsibilities. However, coping with these difficulties cannot depend only on the student's individual abilities because these skills develop within family, social, and educational contexts. The Ministry of Education (2023) recognizes the importance of strengthening skills related to emotional management, decision-making, communication, and conflict resolution. Therefore, skills development should be understood as part of a comprehensive educational response that includes teacher support, socioemotional guidance, and institutional support mechanisms. Strengthening these skills may help students manage certain emotional or academic impacts, but it does not replace compliance with child support obligations or solve the financial limitations that may affect the continuity of their studies.

Pedagogical Support and Institutional Intervention

Pedagogical support is an institutional response to family, economic, or legal circumstances that may affect students' well-being and educational continuity. Its purpose is not to intervene in the child support dispute, but to identify its possible effects within the educational process and coordinate the appropriate support measures.

Article 282 of the General Regulations to the Organic Law on Intercultural Education establishes that professionals from the Department of Student Counseling (DECE) must provide students with psychosocial support and monitoring. They are also responsible for guiding the educational community and coordinating actions that promote comprehensive well-being, learning, and the exercise of students' rights (General

Regulations to the LOEI, 2023, Art. 282).

Within this framework, teachers can identify changes in attendance, behavior, participation, completion of academic activities, or academic performance. The DECE can assess socioemotional needs, provide guidance, monitor the student, or refer the case to the appropriate services. This intervention must respect the student's confidentiality and prevent the legal conflict from being transferred into the educational setting. In higher education, support may be provided through academic tutoring, student welfare units, and other institutional services. These responses should be adapted to the student's educational level and individual needs, considering that the Organic Law on Higher Education recognizes non-discriminatory access, persistence, mobility, and graduation as components of the right to higher education.

Pedagogical strategies and support model for educational continuity

Pedagogical strategies should respond to the needs identified and be applied according to the principles of relevance, proportionality, and respect for students' rights. These strategies may include individual monitoring, tutoring, socioemotional guidance, communication with the family when appropriate, pedagogical adjustments, and coordination with the relevant institutional services. Their selection requires an individual assessment because not all students experience the same effects when facing a child support-related legal situation. Some students may have difficulties with attendance, participation, or completion of academic activities, while others may need support to organize their responsibilities, maintain motivation, or manage stressful situations. The educational response should identify the factors that actually interfere with the student's educational trajectory and the measures that may help reduce their effects.

These strategies do not involve lowering academic requirements or automatically granting benefits because of the existence of a child support proceeding. Their purpose is to remove specific barriers, provide reasonable learning opportunities, and promote educational participation and persistence. This approach is consistent with UNESCO (2017), which emphasizes the need to identify and reduce the barriers that limit students' presence, participation, and achievement.

Figure 5.

Pedagogical support model and strategies for educational continuity

Stage of the Model	Action	Responsible Person and Institutional Basis
Identification of the situation	Recognition and recording of changes in the student's attendance, participation, completion of academic activities, motivation, or academic performance.	Teacher or tutor. Pedagogical observation helps identify possible needs without making judgments about the family judicial proceeding.

Identification of needs	Assessment of academic, socioemotional, family, or economic needs that may be interfering with the student's educational trajectory.	Teacher, tutor, and DECE or university student welfare unit. Article 282 of the General Regulations to the LOEI provides for the psychosocial support and monitoring of students.
Support planning	Individual selection of tutoring, socioemotional guidance, pedagogical adjustments, referrals, and other appropriate measures.	Educational team and support professionals. The DECE Management Model provides for the planning of support measures according to the needs identified.
Specialized intervention	Implementation of academic, psychological, social, or legal guidance measures within the responsibilities of each professional.	DECE, university student welfare unit, or specialized services. The intervention may include guidance, referral, and coordination with external services when necessary.
Monitoring	Regular review of the student's attendance, participation, academic performance, and educational continuity, as well as the implementation of the planned measures.	Teacher, tutor, and responsible professionals. The General Regulations to the LOEI and the DECE Management Model recognize monitoring as part of psychosocial support.
Evaluation of results	Assessment of progress, continuing difficulties, and the effectiveness of the strategies, with the possibility of maintaining, modifying, or ending the support process.	Responsible institutional team. Evaluation helps update the support plan and determine additional support according to the student's progress.

Source: Authors' own work based on the General Regulations to the LOEI (2023, Art. 282), the *Management Model of the Department of Student Counseling* (Ministry of Education, 2023), and UNESCO (2017). Prepared by: Puente Chaquinga, Campoverde López, and Bonilla (2026a).

The implementation of these measures must respect confidentiality and avoid any form of stigma related to the student's family or legal situation. Educational support does not seek to intervene in the judicial proceeding, but to address the academic or socioemotional needs that may arise from the circumstances experienced by the student. However, tutoring, pedagogical adjustments, and socioemotional guidance cannot replace the financial resources included within the right to maintenance. This limitation shows that educational continuity also requires legal mechanisms capable of maintaining child support protection while the conditions of study and economic dependence continue.

Proposal for the conditional extension of the right to maintenance and supplementary

Paragraph 2 of Unnumbered Article 4 of Title V of the Code on Children and Adolescents recognizes the right to maintenance for adults up to the age of 21 who continue studying, when their education prevents or makes it difficult for them to engage in paid work and when they lack sufficient personal resources. However, this age limit may cause protection to end before the completion of some technical, technological, or university degree programs. Puente Chaquinga et al. (2025) state that child support regulations should respond to the beneficiary's needs, the financial capacity of the obligated person, and current social changes. From a comparative legal perspective, the Constitutional Court of Colombia, in Judgment T-854/12, considered the age of 25 a reasonable limit for professional education and progress toward financial independence⁶.

Therefore, a conditional extension of the right to maintenance until the age of 25 is proposed. Its continuation must be demonstrated at the beginning of each academic period through current enrollment and documents proving regular academic participation and the lack of sufficient personal resources. The judicial authority must also consider the student's needs, academic progress, ability to engage in paid work, and the financial capacity of the obligated parent. Protection will end when the beneficiary reaches the age of 25 or completes their first professional qualification, whichever occurs first. In exceptional cases, when the beneficiary reaches this age before completing a degree program whose official duration justifies continued support, the judicial authority may establish a temporary and proportional supplementary educational contribution to cover verified expenses required to complete the program.

Proposed Legal Reform

The proposal includes two amendments. The first replaces Paragraph 2 of Unnumbered Article 4 of Title V of the Code on Children and Adolescents to conditionally extend the right to maintenance until the age of 25. The second introduces a new unnumbered article to regulate, in exceptional cases, a supplementary educational contribution for beneficiaries who reach this age before completing a degree program whose official duration justifies the temporary continuation of support.

Figure 6.

Comparison between the current regulation and the proposed reform

Provision	Current Wording	Proposed Wording
Paragraph 2 of Unnumber	<i>Reform Law to Title V of Book Two of the Code on Children and Adolescents, published in Official</i>	2. Adults up to the age of 25 who prove that they are regularly studying at any educational, technical, technological, or university level that prevents or makes it difficult for them to engage in paid work and

⁶ **Legal note:** Judgment T-854/12 is used only as a comparative legal reference and is not binding in Ecuador. Under current Ecuadorian law, the age limit remains 21; therefore, the extension to 25 and the supplementary educational contribution are proposals subject to legislative reform and judicial assessment.

ed Article 4 of Title V of the Code on Children and Adolescents	<i>Gazette Supplement No. 643 of July 28, 2009.</i> 2. Adults up to the age of 21 who prove that they are studying at any educational level that prevents or makes it difficult for them to engage in paid work and who lack sufficient personal resources.	who lack sufficient personal resources. The continuation of this right must be demonstrated at the beginning of each academic period through an enrollment certificate and documents proving continued or regular participation in the program. Protection will remain in force until the beneficiary reaches this age or completes their first professional qualification, whichever occurs first, without affecting its review when the beneficiary's needs or the obligated parent's financial capacity change.
Unnumbered Article 4-A — New unnumbered article added after Unnumbered Article 4	Current legislation does not provide a specific educational contribution for beneficiaries who reach the age of 25 before completing a degree program whose official duration justifies the temporary continuation of financial support.	Supplementary educational contribution for the completion of studies.— In exceptional cases, when a person reaches the age of 25 before completing their first degree or professional education program, the judicial authority may establish a temporary and proportional supplementary educational contribution exclusively intended to cover verified educational expenses. Its approval will consider current enrollment, regular academic participation, the official duration of the program, the time remaining for completion, the lack of sufficient personal resources, and the financial capacity of the obligated person. This contribution will not constitute child support and will end upon completion of the program, unjustified withdrawal from studies, or the end of the circumstances that justified its approval.

Source: Authors' own work based on Unnumbered Article 4 of Title V of the Code on Children and Adolescents, incorporated through the Reform Law published in Official Gazette Supplement No. 643 of July 28, 2009. Prepared by: Puente Chaquinga, Campoverde López, and Bonilla (2026b).

Legislative drafting of the proposed reform

Article 1.— Paragraph 2 of Unnumbered Article 4 of Title V of Book Two of the Code on Children and Adolescents shall be replaced with the following:

“2. Adults up to the age of 25 who prove that they are regularly studying at any educational, technical, technological, or university level that prevents or makes it difficult for them to engage in paid work and who lack sufficient personal resources. The continuation of this right must be demonstrated at the beginning of each academic period through an enrollment certificate and documents proving continued or regular participation in the program. Protection will remain in force until the beneficiary reaches this age or completes their first professional qualification, whichever occurs first, without affecting its review when the beneficiary's needs or the obligated parent's financial capacity change.”

Article 2.— The following unnumbered article shall be added after Unnumbered Article 4 of Title V of Book Two of the Code on Children and Adolescents:

“Supplementary educational contribution for the completion of studies.— In exceptional cases, when a person reaches the age of 25 before completing their first degree or professional education program, the judicial authority may establish a temporary and proportional supplementary educational contribution exclusively intended to cover verified expenses related to the completion of the program. Its approval will consider current enrollment, regular academic participation, the official duration of the program, the time remaining for completion, the lack of sufficient personal resources, and the financial capacity of the obligated person. This contribution will end upon completion of the program, unjustified withdrawal from studies, or the end of the circumstances that justified its approval”.

Conclusions

The results show that problems related to child support may be associated with different dimensions of the educational trajectory. Among the 14 students who completed the impact matrix, 64.3% reported some degree of impact on attendance, completion of academic activities, concentration, and educational continuity. In addition, 57.1% reported impacts on participation, motivation, interpersonal relationships, and academic performance, while 42.9% experienced difficulties in organizing their responsibilities. Due to the descriptive scope and non-experimental design of the study, these data represent the participants' perceptions and do not demonstrate an exclusive causal relationship.

The legal analysis established that education forms part of the comprehensive scope of the right to maintenance. Therefore, the inadequate determination, insufficiency, delay, non-payment, or termination of child support may become factors of socioeducational vulnerability when they limit the resources available for food, transportation, internet access, tuition fees, educational materials, and other expenses required to continue studying.

Socioemotional skills and support strategies may help students cope with certain academic and emotional difficulties. Tutoring, guidance, pedagogical adjustments, and institutional monitoring should respond to each student's individual needs, respect confidentiality, and prevent stigmatization. However, these measures do not replace compliance with the child support obligation or solve the financial limitations that may interrupt the student's education.

Regarding the proposed reform, 77.8% of the participants agreed or strongly agreed with conditionally extending the right to maintenance until the age of 25. This result supports the relevance of reviewing the current age limit of 21 when the beneficiary continues studying and lacks sufficient personal resources. The extension should require periodic proof of enrollment, regular academic participation, and economic dependence, while also considering the obligated parent's financial capacity and other family responsibilities.

Finally, 70.6% of those who answered the corresponding question supported the introduction of a supplementary educational contribution. This mechanism could apply in exceptional cases when the beneficiary reaches the age of 25 before completing their first professional qualification and the official duration of the degree program justifies continued support. Its temporary and proportional nature, subject to judicial assessment, would connect legal protection with pedagogical support and strengthen the conditions required for educational persistence and completion.

Recommendations

- Reform Paragraph 2 of Unnumbered Article 4 of the Code on Children and Adolescents to conditionally extend the right to maintenance until the age of 25, subject to proof of current enrollment, regular academic participation, economic dependence, and lack of sufficient personal resources.
- Regulate a supplementary educational contribution in exceptional cases when the beneficiary reaches the age of 25 before completing their first professional qualification, considering the time remaining, verified educational expenses, and the obligated person's financial capacity.
- Strengthen coordination among teachers, tutors, the DECE, university student welfare units, and other institutional services to identify needs and apply guidance, monitoring, and educational support strategies.
- Ensure that educational support respects confidentiality, prevents stigmatization, and addresses only academic and socioemotional needs without transferring the judicial dispute into the educational setting.
- Expand the application of the research instrument to student beneficiaries from different provinces, educational levels, and types of degree programs, using screening and verification mechanisms that distinguish between the determination, insufficiency, non-payment, and termination of child support.

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Conflicto de intereses: Los autores declaran no tener conflicto de intereses.

Contribución de los autores: Todos los autores participaron en la concepción, ejecución, análisis y redacción del estudio.

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