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Università Vita-Salute
San Raffaele

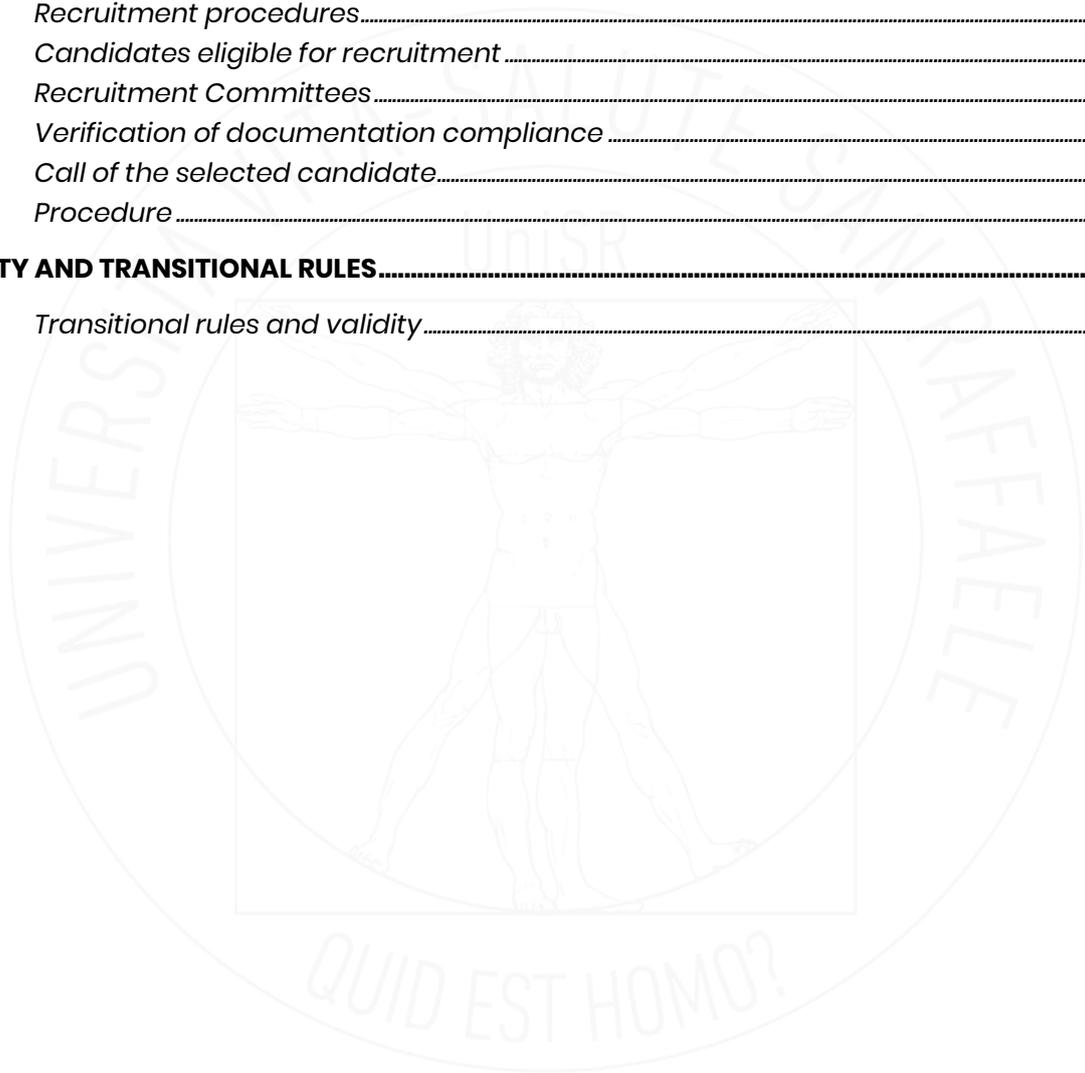
UNIVERSITY REGULATIONS

REGULATIONS GOVERNING THE CALL OF FULL AND ASSOCIATE PROFESSORS IMPLEMENTING ITALIAN LAW 240/2010

ISSUED BY RECTOR'S DECREE NO. 7559 OF 31/03/2022

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1 Purpose and Scope

ART.1 Scope of operations

These Regulations govern the procedure for the call of full and associate professors, in compliance with current provisions.

2 Provisions of the Regulations

ART.2 Initiation of call procedures

1. Each Faculty Council, where teaching-scientific needs exist, having the relevant budget at its disposal, proposes the filling of full and associate professor posts to the Board of Directors.
2. One of the following filling procedures shall be indicated in the Faculty's proposal:
 - a) call pursuant to Article 18(1) of Italian Law 240/2010 (governed by the first part of these Regulations).
 - b) call, pursuant to and in accordance with the procedures set out in Article 24(5) and (6) of Italian Law 240/2010, of professors and permanent researchers already employed at the University (governed by the second part of these Regulations). In this case the Faculty's proposal must necessarily indicate the quality standards referred to in article 24(5) of Italian Law 240/2010.
3. The Faculty's resolution must state:
 - a) the position for which the post is required;
 - b) the place of employment;
 - c) the application sector for which the post is required and the application macro-sector;
 - d) a possible job description by indicating one or more scientific disciplinary sectors;
 - e) the specific functions to be performed by the professor (type of teaching and scientific commitment);
 - f) in the case of posts involving the performance of care activities, the resolution must expressly refer to the clinical skills required. In the case of the recruitment procedure referred to in paragraph 2 letter a) of this Article:
 - g) possible indication of a maximum number of publications, which may not be less than twelve;
 - h) any indication regarding the candidate's language skills, also in relation to the teaching requirements for study courses in foreign languages.
4. If the Board of Directors approves the filling of the post proposed by the Faculty Council, it must decide on the remuneration.

PART ONE CALL PURSUANT TO ARTICLE 18(1) OF LAW 240/2010
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ART.3 Recruitment procedures

1. After approval by the Board of Directors, the recruitment procedure is carried out following issuance by the Rector of a call for applications published on the University website and on the websites of the competent Ministry and the European Union; the call for applications or, if possible, the notice, is also published in the Official Gazette.
2. The call for applications must state:
 - a) The number of places put out to tender;
 - b) the position for which the post is required;

- c) the facility with which the selected candidate will be affiliated;
- d) the place of employment;
- e) the application sector for which the post is required and the application macro-sector;
- f) a possible job description by indicating one or more scientific disciplinary sectors;
- g) the specific functions to be performed by the professor (type of teaching and scientific commitment);
- h) the proposed salary and social security conditions;
- i) the terms and conditions for the submission of applications, qualifications, publications and documents to be submitted by candidates. The call for applications provide for the electronic submission of applications, qualifications, documents and publications, subject to acceptance of paper submission in the event of proven impossibility to submit such documentation electronically. The period for application submission may not be less than thirty days and starts on the day following the date on which the call for applications or, when possible, the notice, was published in the Official Gazette. If the deadline falls on a public holiday it shall be postponed to the next working day. Applications, qualifications, documents and publications submitted after the deadline stipulated in the call for applications will not be taken into consideration;
- j) possible indication of the maximum number of publications that candidates may submit, which may not be less than twelve;
- k) details of the rights and duties of the lecturer;
- l) any indication of the foreign language in which the candidate's language skills are to be assessed;
- m) in the case of posts involving the performance of care activities, an indication of the facility at which such activities are to be carried out.

ART.4 Candidates eligible for recruitment

1. The following subjects may participate in recruitment procedures:

- a) candidates who have obtained the national qualification in accordance with article 16 of Italian Law 240/2010 for the application sector or for one of the application sectors in the same macro-sector and for the functions covered by the procedure, or for higher functions provided they do not already hold the same higher functions. Individuals in one of the situations provided for in article 4 of Italian Ministerial Decree 855/2015 on the redetermination of application sectors may also participate;
- b) candidates who have obtained eligibility pursuant to Law 210/1998 for positions equivalent to that for which the call for applications is issued, limited to the period of its duration;
- c) professors already working at other universities in positions equivalent to that for which the recruitment procedure is announced;
- d) scholars who are permanently engaged abroad in research or teaching at university level in a position of the same level as those covered by the call for applications, on the basis of the equivalence tables defined by the Ministry.

2. Those who have a degree of kinship or affinity up to and including the fourth degree, with a professor belonging to the Faculty requesting the award of the post or to the facility issuing the call, or with the Rector, the Director General or a member of the University's Board of Directors may not participate in the call procedure.

ART.5 Recruitment Committees

1. Recruitment Committees established by call by the Council of the Faculty that requested the initiation of the call procedure. The Faculty's appointment must be made after the deadline for the submission of applications by candidates.

2. Recruitment Committees for the call of full and associate professors are composed of three lecturers. One lecturer of the above-mentioned Recruitment Committees may be from a foreign University.

As regards the composition of the Committees, the principle of equal opportunities between men and women shall be observed wherever possible.

The Faculty Council concerned shall appoint the Recruitment Committee as follows:

- the Faculty Council directly chooses one Committee member, who may be either internal or external to the University, and draws lots for the remaining members, who may be external to the University, from a shortlist of five lecturers identified by the Faculty Council. The Faculty Council compiles the list of the names drawn. In the event of the resignation or waiver of the drawn Committee members, replacements shall be identified from the list.

Lecturers of Italian universities, chosen from among the full professors, must belong to the application sector the recruitment procedure refers to or to one or more of the scientific disciplinary sectors the recruitment procedure refers to. Foreign lecturers must be authoritative lecturers at foreign universities with a role equivalent to that of full professor.

3. The Committees are appointed by Rector's Decree and published on the University website. The thirty-day period referred to in article 9 of Italian Law Decree no. 120/1995, converted with amendments into Italian Law no. 236/1995, for submission to the Rector of any objections by individuals undergoing assessment shall start from the date of publication on the University website. If there is cause for objection, provided it is prior to the date of the establishment of the Committee, the period shall start from its occurrence. If all candidates expressly declare that the Recruitment Committee is not affected by any cause for objection, the above-mentioned period may end prematurely.

4. Recruitment Committees are subject to the rules on incompatibility and conflict of interest.

Professors may not be members of Recruitment Committees if:

- they have been convicted, even if not definitively, of offences under Chapter I of Title II of Book II of the Italian Criminal Code (Article 35-bis of Italian Legislative Decree no. 165 of 30 March 2001);
- within the meaning of article 6(8) of Italian Law 240/2010, they have a negative assessment with regard to the activities indicated in article 6(7) of Italian Law 240/2010;
- they are on leave, pursuant to article 13 of Italian Presidential Decree no. 382 of 11 July 1980;
- they are on leave, pursuant to article 7(1) and (2) of Italian Law 240/2010.

There is also an obligation to abstain for Professors who:

- find themselves in situations of incompatibility with any of the candidates and/or the other members of the Recruitment Committee, as provided for in articles 51 and 52 of the Italian Code of Civil Procedure (CPC);
- are related to any of the candidates or to other members of the Recruitment Committee by blood or affinity up to the fourth degree of kinship, marriage, non-marital cohabitation or habitual cohabitation;
- have working relationships with any of the candidates that are systematic, stable and continuous enough to give rise to a genuine professional association. Incompatible working relationships are, in any case, foreshadowed by the circumstance in which one of the committee members is co-author of almost all of a candidate's publications and/or the two parties share economic interests resulting from a stable professional relationship.

To this end, each Committee member, once the assessment criteria have been defined and having seen the list of candidates, is required to self-certify the absence of grounds for incompatibility and the absence of conflicts of interest.

5. The Committees shall conclude the proceedings within 120 days from the date of the Rector's Decree appointing the Committee. The Rector may extend the deadline for the conclusion of the procedure by a further 60 days for proven and exceptional reasons disclosed by the Chair of the Committee. If the proceedings have not been completed after the extension, the Rector shall, by reasoned decision, initiate the procedures for replacing the members responsible for the delay, at the same time setting a new deadline for the completion of the proceedings.

6. With the exception of the provisions of Article 9(3) of these Regulations, the Committees shall meet at this University, unless specifically authorised by the Rector to meet elsewhere.

The Committees may make use of electronic means for collegial work at the stages indicated below:

1) definition of the assessment criteria;

2) review of the list of candidates, after publication of the assessment criteria and verification of the eligibility requirements.

Without prejudice to the provisions of Article 9(3) of these Regulations, the subsequent stages of the recruitment procedure may be conducted electronically subject to express authorisation by the Rector, following a request by the Chair of the Recruitment Committee and if the candidates' documentation has been submitted electronically.

It is understood that the Rector may refuse to grant the above-mentioned authorisations.

The minutes referred to in paragraph 10 shall state the location from which each member is connected, the electronic means used (telephone, fax, e-mail, multi-user teleconference, videoconference, etc.), and the connection identification details (Internet address, e-mail address, telephone number).

7. The Recruitment Committee, having verified the eligibility of the applications, shall have the task of assessing the applicants' scientific qualifications on the basis of the scientific publications submitted, their curriculum vitae and their learning activities using criteria established by the same Committee during the preliminary meeting. The assessment criteria shall be established in compliance with internationally recognised quality standards as well as with the classification of the scientific disciplinary sector covered by the call, including care activities if provided for in the same scientific disciplinary sector.

If provided for in the call for applications, the Recruitment Committee will also have to assess the applicants' language skills.

The criteria shall be published on the university website. The names of the candidates may also be published on the University website once the Recruitment Committee has defined and published the assessment criteria.

8. The Committee chooses a Chair and a Minutes Secretary from among its members.

9. Committees conduct the proceedings in the presence of all their members.

10. Committee records consist of the minutes of the individual meetings of which the individual and collective judgements made on each candidate are an integral and necessary part. At the end of the proceedings, the Committee, by a resolution adopted by a majority of its members, draws up a ranking selecting the candidate or, in the case of several posts, the candidates best qualified to fill the post(s) covered by the call for applications. The ranking is valid only for the filling of the post(s) covered by the call for applications.

At the end of the proceedings, the Committee sends the application documents to the competent function.

ART.6 Verification of documentation compliance

1. The documentation is approved by Rector's Decree within thirty days of its submission.
2. If the Rector observes nonconformities in the way the procedure has been conducted, he/she shall return the documentation to the Committee with a reasoned decision, assigning it a deadline by which to make any changes.
3. The procedure documentation is published on the University website.

ART.7 Call of the selected candidate

1. The appointment of the candidate or, in the case of procedures involving several posts to be selected, the candidates best-qualified to fill the post(s) covered by the call for applications is subject to the conclusion of the procedure referred to in paragraph 2 below.
2. The final decision-making power concerning the call of the candidate selected by the Recruitment Committee lies with the University that initiated the call procedure. The Faculty Council that requested the initiation of the procedure proposes the call of the selected candidate with the favourable vote of the absolute majority of the full professors for the call of full professors, and the absolute majority of the full and associate professors for the call of associate professors. The proposal of the Faculty Council must be approved by the Board of Directors.
3. The appointment is ordered by the Rector by issuing a Decree.

PART TWO
CALL PURSUANT TO ARTICLE 24(5) AND (6) OF ITALIAN LAW 240/2010

ART.8 Procedure

1. Within the framework of the available resources, Vita-Salute San Raffaele University may initiate the call procedures referred to in article 2(2) (b) of these Regulations.
2. The Faculty Council shall propose, by its own resolution, to the Board of Directors for approval, the initiation of the call procedure, in accordance with Article 2 of these Regulations, and identify the candidates to be assessed.
3. The assessment procedure is carried out by a Committee of at least three members appointed by the Rector, following their nomination by the Faculty.
4. Committees must complete the proceedings within 4 months of their appointment. The Rector may extend the deadline for the conclusion of the procedure for proven and exceptional reasons disclosed by the Chair of the Committee. If the proceedings have not been completed after the extension, the Rector shall, by reasoned decision, initiate the procedures for replacing the members responsible for the delay, at the same time setting a new deadline for the completion of the proceedings.
5. The documentation is approved by Rector's Decree within thirty days of its delivery to the relevant offices. If the Rector observes nonconformities in the way the procedure has been conducted, he/she shall return the documentation to the Committee with a reasoned decision, assigning it a deadline by which to make any changes.
6. The operational procedures of the Committees are as follows:
 - a) The Committee chooses a Chair and a Minutes Secretary from among its members.

- b) Committees conduct the proceedings in the presence of all their members and adopt their resolutions by an absolute majority of their members.
- c) Committees may make use of electronic means for collegial work.
7. The assessment is carried out according to criteria established in advance by the Committee and that are in compliance with the quality standards referred to in article 24(5) of Italian Law 240/2010.
8. At the outcome of the procedure, the Faculty proposes the call of the selected candidate to the Board of Directors. The proposal resolution is adopted by an absolute majority of the full professors for the call of full professors, and of the full and associate professors for the call of associate professors, following the order of the ranking approved by the Committee.
9. The appointment is ordered by the Rector by issuing a Decree.
10. Pursuant to Article 24(6), the procedure provided for in article 24(5) of Italian Law 240/2010 may be used for the call of full and associate professors and researchers on permanent contracts at the University. This procedure may be adopted until the date permitted by current regulations.

PART THREE

TRANSITIONAL RULES AND VALIDITY

3 Validity and transitional rules

ART.9 Transitional rules and validity

1. Pursuant to article 29(4) of Italian Law 240/2010, those who have obtained eligibility for the positions of associate and full professor may still be eligible for call under Law 210 of 3 July 1998, until the end of the eligibility period referred to in article 1(6) of Italian Law 230 of 4 November 2005. Appointments are made by the Rector, subject to the approval of the Board of Directors or its delegated body, on the basis of a reasoned proposal in relation to the teaching and scientific requirements, approved by the Faculty concerned.
2. The Regulations governing the call of full and associate professors implementing Italian Law 240/2010 approved by Rector's Decree no. 6972 of 23 March 2021 is repealed. However, for procedures announced prior to the entry into force of these Regulations, the provisions set out in the previous Regulations, issued by Rector's Decree no. 6972 of 23 March 2021, and in the relevant calls for applications shall continue to apply.
3. Notwithstanding the provisions of the above articles, until the COVID-19 state of health emergency and corresponding extraordinary measures for the containment of the emergency are lifted in accordance with national and regional regulations and the organisational measures of the University, Committees are authorised as of now to make use of electronic means for collegial work at all stages of the procedure.
4. These Regulations are issued by Rector's Decree and published electronically on the University website.
5. These Regulations shall enter into force on the day following the day of issue of the Rector's Decree.
6. For all matters not expressly provided for in these Regulations, the applicable legal provisions shall apply.

Issued by Rector's Decree No. 7559 of 31 March 2022 (effective from 01 April 2022)

The Italian version of this Regulations is the only legal means of communication of the relative contents and in case of dispute, the Italian version shall prevail.