

## CHANCELLOR'S DECREE NO. 5244

### **THE CHANCELLOR**

**Having seen** the single text of laws on higher education approved with royal decree 31 August 1933, no. 1592, as amended and supplemented.

**Having seen** royal decree-law 20 June 1935, no. 1071, converted into law 2 January 1936, no. 73.

**Having seen** royal decree 30 September 1938, no. 1652, as amended.

**Having seen** law 11 April 1953, no. 312.

**Having seen** the decree of the President of the Republic 11 July 1980, no. 382.

**Having seen** law 9 May 1989, no. 168.

**Having seen** law 19 November 1990, no. 341.

**Having seen** the statute of Università Vita-Salute S. Raffaele approved with decree of the Minister for Universities and Scientific and Technological Research (MIUR) with decree dated 2 August 1996 as amended and supplemented.

**Having seen** paragraph 95 art. 17 of law 15 May 1997, no. 127.

**Having seen** law 30 December 2010, no. 240.

**Having seen** the resolution of the Board of Directors dated 10 April 2017.

**Having seen** the note of the Ministry of Education, University and Research (MIUR) dated 30 June 2017, ref. no. 8009.

**Given that** Università Vita-Salute S. Raffaele is classified as an innovative higher education institution based upon the knowledge of Man – *quid* and *quis est homo*: integrated person of body - intelligence - spirit.

### **DECREES**

To enact the new statute of Università Vita-Salute S. Raffaele in the text set out below in its entirety, to replace that identified in the preambles.

#### **Article 1**

**1.1** The Private UNIVERSITÀ VITA-SALUTE S. RAFFAELE is established, hereafter known as University, with central headquarters in Milan, Via Olgettina, 58.

The main purpose of that University is to incentivise the knowledge of Man, image of God, in his biological-intellectual-spiritual components by way of the teaching and study of various disciplines, of which biomedicine stands out as the meeting point of global culture. To that end, Università Vita-Salute S. Raffaele encourages and develops collaborations with national and foreign university institutions with strong scientific profiles.

- 1.2 To pursue its institutional duties, the teaching of Cognitive Neurosciences integrated into the teaching programmes of every Faculty and the dissemination of the University's cultural principles are the inspiring values of the respective activities.

## **Article 2**

- 2.1 The University is sponsored by Associazione Monte Tabor, based in Milan in Via Olgettina 46, recognised by Decree of the President of the Republic dated 19 January 1962, by Associazione Sigilli, based in Illasi, Via Sammonte 45, established as a legal entity by the Ministry of the Interior (publication in O.J. no. 189 dated 13/08/93), by Ospedale San Raffaele S.r.l., based in Milan in Via Olgettina 60, and by Fondazione Centro San Raffaele, based in Milan in Via Olgettina 60, recognised by measure of the Prefect of Milan on 19 April 2012 and registered in the specific register of the Prefecture of Milan at no. 1262, page 5610, vol. 6.

Bodies and enterprises interested in supporting the commitment of the sponsors may take part in its development.

- 2.2 Taxes, contributions and fees paid by the students, along with all assets and funds that are granted to the University, in any guise, are used to maintain the same. It is prohibited to distribute, even indirectly, operating profits and surpluses, as well as funds, reserves or capital during the life of the University, in favour of directors, shareholders, participants, workers or collaborators, unless such use or distribution is imposed by law. Any operating profits and surpluses are mandatorily re-invested exclusively in the development of activities functional to pursuing the institutional purpose of social solidarity.

- 2.3 The University is autonomous in accordance with Art. 33 of the Constitution and it has legal personality and educational, scientific, organisational, administrative and disciplinary autonomy, in accordance with this Statute and in respect of the principles indicated in the laws in force on universities.

- 2.4 To achieve its purposes, the University develops research mainly in collaboration with Ospedale San Raffaele S.r.l., Fondazione Centro San Raffaele and Associazione Monte Tabor, and it carries out experimental educational activities as well as activities linked to the latter, also with the collaboration and support of both public and private Italian and foreign entities. To ensure the constant improvement of its qualitative levels and the optimal management of its available resources, the University systematically assesses its scientific, educational and administrative activities.

To encourage dialogue on issues related to the implementation of its institutional purposes, the University ensures that information is circulated internally and externally to its headquarters.

- 2.5 The University's purposes include activating the Faculties according to the manifesto indicated in Art. 1.

### **Article 3**

**3.1** The following are bodies of the University:

- a) the Board of Directors;
- b) the Chairman;
- c) the Board of Auditors;
- d) the Internal Evaluation Committee;
- e) the Chancellor;
- f) the Academic Senate;
- g) the Deans;
- h) the Faculty Councils;
- i) the Study Course Councils;
- j) the Disciplinary Committee.

**3.2** The bodies of the University exercise the functions provided by this Statute.

In the event of termination for any reason of any of the members of the aforementioned bodies, the Chairman of the Board of Directors or, in his absence, the Vice Chairman or, in his absence, the eldest director will be responsible for inviting the relevant bodies to make the replacement. The member who takes over will remain in office until the natural expiry of the relevant role.

### **Article 4**

**4.1** The Board of Directors of the University is made up of ten members, including the Chancellor, a member by right, of which seven are appointed by Ospedale San Raffaele S.r.l. and two are appointed by Associazione Monte Tabor.

**4.2** The Chancellor of the University is appointed by the Board of Directors and is chosen from a list of three Full Professors in service at the University, proposed by the Academic Senate.

**4.3** The Chairman of the Board of Directors is appointed by the Board by the absolute majority vote of its members. At the proposal of the Chairman, the Board also appoints, by the absolute majority vote of its members, the Vice Chairman and the Secretary, who may be chosen even from persons extraneous to the Board. The members of the Board of Directors may be granted special assignments, therein including members appointed by Associazione Monte Tabor; the latter may be entrusted duties relating to matters on which they have the respective professional expertise.

**4.4** The members of the Board of Directors remain in office for three financial years and may be re-elected, in accordance with the rules provided by the Statute.

**4.5** In the event of resignation or relinquishment by the Chairman or Vice Chairman, or by four directors, the entire Board of Directors is understood to have resigned and its members will be appointed in accordance with the rules provided in the Statute.

**4.6** The Board of Directors is convened by the Chairman by fax or e-mail message to be sent to all directors and to the members of the Board of Auditors with at least five full days of prior notice. Meetings of the Board of Directors may also be held by way of teleconference provided that all participants can be identified, they are able to follow the discussion and

intervene in real time in the debate on the items addressed. Once those requirements are in place, the Board of Directors is considered to be held in the place in which the Chairman of the meeting and the secretary are located, with a view to drafting and signing the minutes in the respective book.

## **Article 5**

**5.1** The Board of Directors is the highest governing body of the University.

**5.2** In particular, the Board of Directors has the following responsibilities:

- a) to determine the general development guidelines of the University based upon its institutional purposes;
- b) to approve the budget and final balance of the University;
- c) to appoint the Chancellor, in accordance with the rules established in Article 4 of the Statute;
- d) to appoint the Deans at the proposal of the each Faculty Council;
- e) to appoint, from the full professors, the Presidents of the Degree Course Councils at the proposal of the respective Councils;
- f) to resolve in relation to the University Academic Regulations, the curricula of the study courses as well as in relation to the Academic Regulations of the study courses proposed by the Faculties and by the Academic Senate and regulated in accordance with existing regulations, as well as to resolve upon the activation or deactivation of the individual study courses;
- g) to resolve, in accordance with existing legislation, on the activation of procedures for recruiting university professors and researchers, the appointment of tenured professors and tenured researchers, as well as the granting of teaching assignments as provided by Article 13.5 Letter a);
- h) to resolve on recruitments of non-teaching staff with managerial qualification;
- i) to resolve upon the regulation for the functioning of administrative and accounting services of the University, as well as that for regulating the legal status and remuneration of non-teaching staff;
- j) to resolve, having liaised with the relevant Faculties, on the activation of any decentralised branches in respect of existing regulations;
- k) to determine, having liaised with the Faculty Council, the maximum number of students to be admitted for each academic year and to establish the respective admission methods;
- l) to resolve on enrolment fees, on contributions and on any exonerations;
- m) to resolve on the granting of awards, scholarships and postgraduate scholarships;
- n) to resolve, by majority of its members, on amendments to this Statute;
- o) to resolve on any other matter of interest to the University that is not deferred to other bodies;
- p) to appoint the members of the Internal Evaluation Committee and to approve its operating rules;
- q) to appoint two members of the Operating Committee, if established;
- r) to grant to the Chairman of the Board of Directors any additional power with respect to those provided at Art. 6 of this statute;
- s) to appoint the General Manager, establishing his/her duties and powers;
- t) to appoint the Administrative Director of the University who has the duties indicated in Art. 23 below.

- 5.3** The meetings of the Board are considered valid in the presence of the majority of its members. Resolutions of the Board are made by absolute majority of the attendees. In the case of equal votes, the vote expressed by the Chairman of the Board of Directors prevails.
- 5.4** The Board of Directors is convened at least every two months and each time the Chairman deems it necessary, or at the request of at least one-third of its members.
- 5.5** The Board of Directors may appoint from its members one or more managing directors, establishing their respective powers.

## **Article 6**

- 6.1** The Chairman of the Board of Directors:
- a) ensures the fulfilment of the statutory purposes and the ideal and professional formation of new university recruits;
  - b) is responsible, with sole signature, for representing the University before third parties and in court with the right to bring judicial and administrative actions and applications, for any level of jurisdiction and even for cases of revocation and cassation, and to appoint lawyers and attorneys at law for that purpose;
  - c) convenes and chairs the meetings of the Board of Directors;
  - d) ensures that the resolutions and measures of the Board of Directors are executed;
  - e) adopts, in cases of need and urgency, measures under the remit of the Board of Directors, to which the same are submitted for ratification at the next meeting;
  - f) convenes and chairs any meetings of the Operating Committee except as provided at Art. 7 regarding the appointment of his/her delegate;
  - g) is entitled to appoint special attorneys within the scope of powers due to the same by the Statute or the powers granted by the Board of Directors.

## **Article 7**

- 7.1** The Board of Directors may appoint an Operating Committee made up of the Chairman of the Board of Directors or, in his absence, by the Vice Chairman or, in the absence of the latter, by the eldest Director and by another two Directors appointed by the Board of Directors.
- The Operating Committee is chaired by the Chairman or, in his absence, by the Vice Chairman or, in the absence of the latter, by the eldest Director.
- The General Manager also attends at meetings of the Operating Committee, having an advisory role.
- 7.2** The Board of Directors may delegate some of its powers referred to in Art. 5 Paragraph 2 to the Operating Committee.

## **Article 8**

- 8.1** The Board of Auditors of the University is made up of three statutory members and two alternate members, chosen from those registered on the Register of Statutory Auditors. The members of the Board of Auditors are appointed by Ospedale San Raffaele S.r.l., which also indicates its Chairman.
- The members of the Board of Auditors remain in office for three years and may be re-elected in accordance with the methods provided in this statute.

The Board of Auditors is the independent body that oversees the regularity of the administrative, accounting, economic-capital and financial management of the University.

In particular, the Board of Auditors:

- a) ascertains the due keeping of accounting records;
- b) examines the budget and final balance proposals, preparing specific reports to be submitted to the Board of Directors;
- c) performs periodic audits;
- d) verifies the correctness of acts of administrative nature.

The Board of Auditors is entitled to a fee determined by the Board of Directors for the entire term of its assignment.

## **Article 9**

- 9.1** Università Vita-Salute S. Raffaele adopts an internal evaluation system of administrative management, educational and research activities and interventions in support of the right to study. The evaluation functions indicated above are performed by a collegial body known as the Internal Evaluation Committee, consisting of a number of members determined within the limits and in accordance with criteria established by existing rules and by the regulation adopted by the Academic Bodies and approved by the Board of Directors. The University affords the Internal Evaluation Committee operating autonomy, as well as the right of access to the necessary data and information and the publicity and dissemination of deeds in respect of regulations and privacy protection.

## **Article 10**

- 10.1** The Chancellor is appointed in accordance with the rules provided in Article 4 of the Statute; he/she remains in office for three years and may be re-elected.
- 10.2** The Chancellor:
- a) reports annually to the Board of Directors on the scientific and educational activity of the University;
  - b) ensures compliance with all rules concerning scientific and educational matters;
  - c) ensures that the resolutions of the Board of Directors on scientific and educational matters are executed;
  - d) represents the University in ceremonies and in the awarding of academic degrees;
  - e) exercises all duties entrusted to him/her by the laws on university education, except for the responsibilities of the other bodies provided by this Statute;
  - f) appoints from the full and associated professors, the Coordinators of the PhD courses as well as the persons who will assume responsibility for the training initiatives provided by existing regulations.

## **Article 11**

- 11.1** The Academic Senate consists of:
- a) the Chancellor, who chairs it;
  - b) the Pro-Chancellors;
  - c) the activated Deans;
  - d) the Presidents of the Degree Courses.
- 11.2** The General Manager and the Administrative Director participate at meetings of the

Academic Senate, the latter with the duties of Secretary. Meetings of the Academic Senate are considered valid in the presence of the majority of its members. Resolutions of the Senate are made by absolute majority of the attendees. In the case of equal votes, the vote expressed by the Chancellor prevails.

- 11.3** The Academic Senate is convened by the Chancellor at least four times during the Academic Year.
- 11.4** The agenda of meetings of the Academic Senate is communicated to the Chairman of the Board of Directors of the University.
- 11.5** The Academic Senate exercises all powers in relation to coordination and scientific and educational impulse.  
In particular, the Senate:
- a) makes proposals and expresses opinions on the development programmes of the University;
  - b) expresses opinions on any subject that the other bodies of the University intend to defer for its assessment and makes proposals on the best implementation of the development programmes;
  - c) prepares summary reports on the scientific and educational activity performed in the University, based upon reports prepared by the relevant educational and research structures;
  - d) submits for approval by the Board of Directors the University Academic Regulations;
  - e) submits for approval by the Board of Directors the teaching rules of the study courses and academic regulations of the study courses;
  - f) proposes to the Board of Directors the establishment of courses that lead to the granting of the qualifications referred to in Art. 16 below;
  - g) submits for approval by the Board of Directors the regulations on education and research;
  - h) proposes to the Chancellor the appointment of the members of the Disciplinary Committee.

## **Article 12**

- 12.1** The Deans are proposed from among the full tenured professors of the Faculty itself and are appointed by the Board of Directors of the University; they remain in office for three years and may be confirmed.
- 12.2** The Deans represent the Faculty. They convene and chair the Faculty Council, deal with implementing the resolutions under their remit and are responsible for overseeing the educational activities and services run by the Faculty.  
The Deans may appoint the examination commissions, except as established by the University Academic Regulations.

## **Article 13**

- 13.1** The Faculty Council consists of the Dean, who chairs it, and all tenured and untenured professors who belong to it, subject to cases of resolutions reserved by law only to full professors.

- 13.2** Three representatives of the researchers attend at the meetings. Two course students, appointed in accordance with the methods established by regulation approved by the Board of Directors, also attend and may intervene on matters of interest to the students regarding the training course.
- 13.3** When discussing subjects relating to educational organisation, the Dean is entitled to expand the participation at the Council to all substitute or adjunct contracted professors, having the right to an advisory vote.
- 13.4** The Faculty Council exercises the powers deferred to that body by existing regulations, subject to the responsibilities of the other bodies provided by this Statute.
- 13.5** The Faculty Council is responsible in particular for:
- a) proposing to the Board of Directors the activation of procedures for the recruitment of university professors and researchers, the appointment of university professors and researchers as well as the granting of teaching assignments by way of substitute/adjunct roles or contracts;
  - b) giving opinions on the maximum number of students to be admitted for each academic year and on the respective methods;
  - c) proposing the teaching regulation of the Faculty for approval by the Board of Directors;
  - d) making proposals on the establishment and activation of Study Courses as well as training initiatives provided by existing regulations.
- 13.6** If, for any reason, the Study Course Council is not established, the respective duties are assumed by the Faculty Council.
- 13.7** The Study Course Council has the responsibilities provided by law and by the University Academic Regulations.

#### **Article 14**

- 14.1** The Disciplinary Committee consists of three full professors, one of which assumes the role of Chairman, two associate professors and two researchers, all on a full-time basis. The Chairman and the members of the Disciplinary Committee are appointed by the Chancellor at the proposal of the Academic Senate in respect of equal opportunities between men and women and they remain in office for three years.
- 14.2** The Disciplinary Committee performs investigatory functions as part of disciplinary proceedings launched at the proposal of the Chancellor in relation to professors and researchers, concerning any event that may give rise to the application of a more serious sanction than censure and it expresses its conclusive opinion. The disciplinary proceedings end with the resolution of the Board of Directors.
- 14.3** The Committee operates in accordance with the peer review principle, in respect of joint discussion and in composition limited to the Chairman and the professional level corresponding to that of the professor subject to disciplinary action.

#### **Article 15**

- 15.1** The University establishes the Single Committee in guarantee of equal opportunities, the

well-being of workers and against discrimination.

The aforementioned Committee is established on the basis of regulatory provisions. The functioning of the Committee is regulated by a specific Regulation of the University. The Committee has the task of advising, consulting and verifying, as provided by existing regulations and it remains in force for four years.

## **Article 16**

- 16.1** In respect of the purposes indicated in Art. 1, the University, for each individual Faculty, may issue the following first and second level qualifications:
- a) degree (D);
  - b) specialist or master's degree (SD - MD);
  - c) specialisation diploma (SDip);
  - d) doctor of philosophy (PhD);
  - e) it may also establish the courses provided by Art. 6 of Law 19/11/1990, no. 341 in relation to targeted training and supplementary educational services as well as any other training initiative of any order and level that the law attributes to Universities;
  - f) in implementation of Art. 1, Paragraph 15 of Law 14 January 1999 no. 4, Università Vita-Salute S. Raffaele may activate scientific specialisation courses and permanent and recurring higher education courses, subsequent to the achievement of degrees or specialist or master's degrees - regulating them in the University Academic Regulations - at the conclusion of which the first and second level university master's degrees are granted.

## **Article 17**

- 17.1** The University establishes and promotes cultural, scientific and technical training, update and specialisation activities even aimed at external entities.
- 17.2** The University also encourages research, professional consultancy activities and services in favour of third parties, based upon specific contracts and conventions.
- 17.3** The University promotes, in collaboration with public and private bodies, initiatives aimed at providing cultural, recreational and assistance services to the students for insertion into study and work environments.

## **Article 18**

- 18.1** The University collaborates with national and international bodies in defining and implementing scientific and training cooperation programmes.
- For the purposes of achieving international cooperation, the University may enter into agreements and conventions with cultural and scientific Universities and Institutions from other countries; it may promote and encourage international exchanges of lecturers, researchers and students, even with economic interventions; finally, it may provide hospitality facilities even in collaboration with other Entities, particularly with those in charge of guaranteeing the right to study.

## **Article 19**

- 19.1** The educational regulations of the study courses are governed by the University Academic Regulations and by the academic regulations of the Study Course.
- 19.2** The University Academic Regulations, the educational rules of the study courses and the academic regulations of the study courses are resolved upon, at the proposal of the Academic Senate and the Faculty Councils, by the Board of Directors of the University, in accordance with the methods of existing law and the autonomous decisions in respect of the guidance documents of the Ministry of University Education and Research.
- 19.3** The Board of Directors also resolves on the activation and any deactivation of study courses in line with economic compatibility.

#### **Article 20**

- 20.1** The teaching is provided by tenured professors and contracted professors, based upon criteria determined by the Board of Directors at the proposal of the Academic Senate.
- 20.2** The provisions in force for contracted professors of state universities apply to the duration of the contracts and the possibility of renewal. Derogations to the limit of renewals are granted by the Board of Directors.
- 20.3** The legislative and regulatory rules in force on tenured professors of State Universities will be respected in relation to the recruitment, legal status and remuneration of the University's tenured professors. For the purposes of the retirement benefits of the same, the regulations provided for civil employees of the State by the single text on pensions for civil and military employees approved by Decree of the President of the Republic 29 December 1973, no. 1092, as amended and supplemented, will apply.  
The tenured professors are registered, for the purposes of national insurance, at the National Insurance Institute for public administration employees (INPDAP). For the purposes of applying the provisions set out in this article, the rules provided by Law no. 243/1991, as amended and supplemented, shall apply commencing from the date of entry into force of the cited rule. If tenured professors belonging to other non-state Universities are transferred to Università Vita-Salute S. Raffaele, the regulations in force in that regard for professors of state universities will apply.

#### **Article 21**

- 21.1** The professors perform the activities of teaching and coordinated assessment within the educational structures in order to pursue the set training objectives.
- 21.2** Research activity is a crucial duty of each university professor and researcher.

#### **Article 22**

- 22.1** If a new Faculty is activated, the powers that existing legislative rules and those of this Statute grant to the Faculty Council are exercised by a specific organised committee consisting of five tenured and untenured university professors of disciplines relating to groupings or to scientific-disciplinary sectors in which the teachings provided by the educational regulations of the Faculty are included. Its Chairman and two members must be

chosen from tenured or untenured full professors and the remaining two members must be chosen from tenured or untenured associate professors. The Chairman and the other members of the organised committee are appointed by the Board of Directors, having liaised with the Academic Senate.

### **Article 23**

- 23.1** All administrative and accounting activity, as well as secretariat services, are under the remit of the Administrative Director appointed by the Board of Directors.

### **Article 24**

- 24.1** If Università Vita-Salute San Raffaele ceases its activities for any reason, is deprived of its autonomy or is terminated, the assets and all its activities will be devolved by the Board of Directors to Fondazione Centro San Raffaele.

### **Article 25**

- 25.1** This Statute will enter into force from the date of enactment of the Chancellor's Decree which will be published in the Official Journal.

Milan, 3 July 2017

**THE CHANCELLOR**  
(Prof. Alessandro Del Maschio)