



POLITECNICO
MILANO 1863

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POLITECNICO DI MILANO

THE RECTOR

HAVING REGARD TO Italian Presidential Decree No 382 of 11.07.1980, 'Reorganization of university teaching, related training bracket and organizational and educational experimentation', and subsequent amendments;

HAVING REGARD TO Italian Law No 241 of 07.08.1990, 'New rules on administrative procedure and right of access to administrative documents', and subsequent amendments;

HAVING REGARD TO Italian Law No 341 of 19.11.1990, 'Reform of university education systems';

HAVING REGARD TO Italian Presidential Decree No 445 of 28.12.2000, 'Consolidated law on administrative documentation', and subsequent amendments;

HAVING REGARD TO Italian Leg. Decree No 165 of 30.03.2001, 'General labour regulations for employees of public administrations', and subsequent amendments;

HAVING REGARD to Italian Law No 230 of 04.11.2005, 'New regulations on university professors and researchers and delegation to the Government for the reorganization of the recruitment of university professors', and subsequent amendments;

HAVING REGARD TO Italian Law No 240 of 30.12.2010, 'Regulations on the organization of universities, academic staff and recruitment, as well as delegation to the Government to encourage the quality and efficiency of the university system', and subsequent amendments, and in particular Art. 23 'Teaching contracts' and subsequent amendments;

HAVING REGARD TO Italian Law No 190 of 06.11.2012, 'Provisions for the prevention and repression of corruption and illegality in public administration', and subsequent amendments;

HAVING REGARD TO Interministerial Decree No 313 of 21.07.2011, 'Remuneration due to holders of teaching contracts';

HAVING REGARD TO the Judgement of the Italian Constitutional Court No 78 of 09 April 2019 on the constitutionality of Article 18, paragraph 1 b), last sentence, of Law No 240 of 30 December 2010 (Regulations on the organization of universities, academic staff and recruitment, as well as delegation to the Government to encourage the quality and efficiency of the university system);

HAVING REGARD TO the note of the Ministry of Education, University and Research Reg. No 990 of 18.04.2019 'Procedures pursuant to Articles 18, 22 and 24 of Law No 240/2010 - Reasons of incompatibility'; HAVING REGARD TO Law No 76 of 20.05.2016 'Regulation of civil unions between persons of the same sex and regulation of cohabitation';

HAVING REGARD TO the Statute of the Politecnico

di Milano in force; HAVING REGARD TO the current General University Regulations;

HAVING REGARD TO the University Regulations for Administration, Finance and Accounting in force;

HAVING REGARD TO Rector's Decree No 3194/AG of 12.06.2017, issuing the 'Regulations for the award of teaching and teaching support assignments', and subsequent amendments; HAVING

ACKNOWLEDGED the resolutions adopted by the Academic Senate and the Board of Governors, in their respective meetings of 20 and 28 May 2019, approving the amendments made to the

'Regulations for teaching and teaching support appointments', in execution of the provisions referred to in Judgement No 78/2019 of the Constitutional Court, referred to in Ministerial note No 990/2019;

HEREBY DECREES

ART. 1

- 1) For the reasons cited in the premise, the Regulations for teaching and teaching support appointments', issued by Rector's Decree No 3194 of 12.06.2017 and as amended by Rector's Decree No 4295 of 19.07.2017, is further amended as indicated in the text, which is an integral part of this document.
- 2) The amendments made to the regulatory text are marked in ***bold italics***.

**REGULATIONS FOR TEACHING AND TEACHING SUPPORT APPOINTMENTS, PURSUANT TO
ART. 23 OF LAW NO 240 OF 30.12.2010**

Art. 1

Purpose and field of application

- 1) These Regulations govern the methods, criteria and procedures for teaching and teaching support appointments, pursuant to Article. 23 of Law No 240 of 30.12.2010, and subsequent amendments, in Bachelor's and Master's degree courses.
- 2) The appointments must be made to meet justified teaching requirements, within the limits of the available budget.

Art. 2

Programming educational activities

- 1) The Schools define the courses and curricular modules that need to be covered, taking into account the funds specifically allocated by the governing bodies. Subsequently, in agreement with the Departments, they establish the methods of coverage for each Programme.
- 2) Having consulted the Schools, the Departments assign institutional tasks, according to the procedures set out in Art. 3 below.
- 3) For highly qualified teaching activities and in accordance with Art. 23 - paragraph 1 of Law 240/2010, the Departments may propose to the Schools the direct appointments of highly qualified experts, who have a significant scientific or professional profile, according to the procedures set out in Art. 4 below.
- 4) If further teaching appointments remain unassigned, the Schools shall proceed with the preparation of calls for applications, according to the procedures set out in Art. 5 below.

Art. 3

Assigning courses and modules as institutional duties or without compensation

- 1) Full and associate professors and researchers on fixed-term contracts pursuant to Art. 24 of Law 240/2010 are assigned courses and modules to cover their respective institutional duties, taking into account the provisions of the 'Regulations on the teaching commitments of university professors'.
- 2) These professors and researchers may be assigned courses and modules without compensation by the School, where foreseen in the School's teaching programme and in agreement with the Department that has checked the availability to take on the task.
- 3) Full-time university staff may be entrusted with courses and modules without compensation, foreseen as such in the School's teaching programme, and allocated by means of comparative procedure.
- 4) The persons referred to in the previous paragraph shall be awarded the title of associate professor for the academic year in which they teach the courses and modules. In the case of researchers, the title shall also be retained during the periods of special leave for study purposes that the researcher takes in the year following that in which they teach these courses and modules.

Art. 4

Direct appointments

- 1) In order to cover the courses, contracts may be stipulated, with or without compensation, with highly qualified experts with a significant scientific or professional profile, including on the basis of specific agreements with public bodies and research institutions, as per Art. 8 of Prime Ministerial Decree No 593 of 30 December 1993.
- 2) For the purposes of promoting internationalisation, the Politecnico di Milano may assign, within its budget or using funds donated ad hoc by private individuals, enterprises or foundations, teaching contracts to renowned foreign lecturers, scholars or professionals.

- 3) The contracts referred to in the preceding paragraphs shall be stipulated by the Rector, upon proposal by the Department or School, subject to verification of the adequacy of the scientific and professional profile of the contract holders by the Evaluation Team.
- 4) The proposals for appointments referred to in the preceding paragraph shall be submitted by the Rector to the Board of Governors for approval, subject to approval by the Academic Senate. The candidate's curriculum vitaeshall be published on the university website.
- 5) The remuneration of the contracts referred to in the preceding paragraphs is established by the Board of Governors, also on the basis of an appropriate comparison with similar appointments awarded by other European universities.
- 6) The teaching assignments referred to in the preceding paragraphs are valid for the academic year in question and may be renewed, under the same conditions, for a maximum of five academic years in total, subject to verification of the continued teaching requirement and positive evaluation of the activity carried out.

Art. 5

Other types of appointment

- 1) In order to meet specific teaching requirements, teaching assignments may also be awarded
 - a) to full and associate professors, to researchers on permanent contracts and to researchers on fixed-term contracts as per Art. 24 of Law No 240 of 30.12.2010, from the Politecnico di Milano or of other universities, for consideration;
 - b) by private law contract, for consideration, to persons possessing adequate scientific and professional requirements.
- 2) In the event that the recipient of the appointments referred to in paragraph 1 b, identified in accordance with the subsequent articles, is a technical or administrative employee or a manager at the Politecnico di Milano, the relative consideration shall be paid as additional remuneration.

Art. 6

Selection procedure for the teaching appointments for consideration

- 1) Teaching assignments are awarded through a comparative procedure consisting of an evaluation of scientific and professional qualifications and experience.
- 2) The procedures referred to in the preceding paragraph are initiated by the Schools and are governed by one or more calls for applications, which must indicate for the course(s) for which cover is sought:
 - the name of the course(s), the relevant subject area and the number of credits;
 - the expected gross remuneration including all charges to be borne by the Administration;
 - the type of course to be delivered.

The call must also state:

- the criteria and parameters on which the comparative assessment will be based, which must include an assessment of any teaching assignments completed at the Politecnico di Milano;
 - the procedures and the deadline for submitting applications, which must in any case be at least 14 consecutive calendar days following the publication of the call on the Official Notice Board and on the School's institutional website;
 - the manner in which the ranking is published, as well as the deadlines for appealing against the results.
- 3) The ranking shall be published on the Official Notice Board and on the School's institutional website for at least 30 days.
 - 4) The following shall be assessed for the purposes of selection, provided they are relevant to the teaching activity for which the call for applications is issued:
 - previous teaching experience, particularly if acquired at the Politecnico di Milano in the last 3 years;

- professional experience;
 - research and any scientific publications;
 - possession of a PhD, professional qualification or equivalent qualifications obtained abroad, certification of particularly significant professional achievements, provided they are relevant to the teaching activity to be undertaken.
- 5) The following documents must be attached to the applications:
- a) curriculum vitae of teaching, scientific and professional qualifications and experience;
 - b) self-certification of academic, scientific and professional qualifications (except in the case of non-European citizens, who must provide the actual certificates), as well as proof of teaching experience. In the case of qualifications obtained abroad, candidates must provide the relevant documents.
 - c) list of any scientific publications of which the School may request copies;
 - d) possible detailed list of documents and qualifications considered useful for selection purposes
 - e) for research grant holders, the prior and compulsory authorisation of the scientific coordinator.
- 6) For professors at the Politecnico di Milano, the documentation indicated in a), b), c) shall be deemed to have been produced at the time of participation in the selection process, if available in the relevant university applications. In the event of incomplete documentation it shall not be possible to proceed with the appointment.

Art. 7

Requirements for admission to selection procedures

- 1) The selection procedure is open to Italian and foreign citizens holding a Laurea Triennale (Bachelor's degree) or equivalent, a Laurea Magistrale (Master's degree) or equivalent, even if obtained abroad, or an adequate professional profile.
- 2) Non-EU citizens must have a valid residence permit.
- 3) The following persons may not participate in the selection process
 - a) people who have been convicted, even with a sentence that is not yet final, of one of the offences provided for in Chapter I of Title II of the second book of the Italian Criminal Code, or who have pending criminal proceedings against them;
 - b) those who are related by blood or marriage up to and including the fourth degree with a member of the Board of the School that issued the call for applications, the Rector, the Director General or a member of the Board of Governors.**

Art. 8

Selection Committee

- 1) The selection procedures are performed by one or more committees appointed by the School that issued the call for applications and are composed of at least three full or associate professors, including from outside the university.
- 2) On the basis of the criteria and parameters established in the call for applications, the Committee draws up a merit ranking for each of the courses advertised, taking into account the scores obtained in the evaluation of the qualifications of each candidate.
- 3) In the event of waiver or termination of the contract during the academic year, the assignment may be awarded to another suitable candidate, according to the order of the ranking.
- 4) The acts of the Committee are approved by order of the Dean of the School that issued the call for applications and published on the Official Notice Board and on the institutional website of the university (or School).
- 5) Teaching assignments are awarded, in the event of tied scores, according to the following precedences:
 - a) to full professors at the university in the same subject area;
 - b) full professors at another university in the same subject area;

c) to external candidates.

- 6) In the event of the participation of a single external candidate, eligibility for the position shall in any case be evaluated.
- 7) If only one application is submitted by a university professor in the same subject area as that indicated in the call for applications, the School shall proceed directly to decide on the appointment, subject to verification of eligibility for the position.

Art. 9

Conclusion of contracts and assignments

- 1) The private law teaching contracts and the assignments referred to in Articles 3 and 5 above shall have a duration of one academic year and may be renewed annually by the Schools, by order of the Director General, under the same conditions, up to a maximum of three academic years in total, subject to verification of the continued teaching requirement and the positive evaluation of the activity undertaken.
- 2) Private law contracts and appointments are awarded by name by order of the Director General.
- 3) The contracts must indicate: the academic year of reference; the course to be taught and the related activities; the foreseen remuneration.
- 4) The stipulation of private law teaching contracts does not engender any entitlement to full positions at the university.
- 5) Holders of private law contracts bear the title of adjunct professor, limited to the duration of the service at the Politecnico di Milano.

Art. 10

Rights and obligations - Incompatibility of appointments pursuant to Art. 23 of Law 240/2010

- 1) Persons awarded teaching assignments or teaching contracts have the same teaching rights and duties as full university professors.
- 2) As well as all the teaching activities envisaged in the call for applications, the teaching commitment also includes carrying out the relevant learning assessments (mid-course tests, examinations, etc.) and student support, as established by the Schools.
- 3) Persons awarded teaching assignments or teaching contracts may be members of degree examination boards and may act as thesis rapporteurs and/or co-rapporteurs, in accordance with the university regulations on Bachelor's and Master's degree examinations.
- 4) Persons awarded teaching assignments or teaching contracts are required to keep a register in which they record the activities carried out. At the end of the course, the register must be sent to the School, in accordance with university procedures, as certification that the assignment has been carried out, including for the purposes of payment of compensation, where applicable.
- 5) In the event of a serious breach of contract, the contract may be terminated by decree of the Director General on the basis of a reasoned decision by the School.
- 6) The contract may be terminated automatically:
 - a) for unjustified failure to start or delay in starting activities. Exceptions are granted for duly justified and certified cases;
 - b) in the occurrence of incompatibility as provided for in Article 13 of Pres. Decree 382/80 and/or other provisions of the law;
 - c) for violations of the code of ethics;
 - d) for manifest breach of contract.
- 7) Participation in research activities carried out at the university facilities where the appointed persons work does not constitute an incompatibility.
- 8) Holders of teaching contracts shall sit on the Study Programme Boards without voting rights.
- 9) The position of adjunct professor at the Politecnico di Milano is incompatible with the status of student enrolled in a PhD or specialization course.

- 10) Assignments may be awarded by the Politecnico di Milano to employees of other Public Administrations, subject to a declaration by the person concerned that there is no obligation to obtain prior authorization from the Administration to which they belong, or if this is not the case, subject to presentation of such authorization.

ART. 11

Awarding teaching support assignments

- 1) In order to implement the teaching programme, the Departments, having consulted the interested parties, shall give priority to researchers on permanent contracts and researchers on fixed-term contracts for teaching support assignments.
- 2) Subsequently, additional teaching support activities shall be assigned through a comparative procedure consisting of an evaluation of scientific and professional qualifications and skills.
- 3) The procedures referred to in the preceding paragraph shall be activated by the Departments and are governed by a specific call for applications indicating:
 - a) the course or subject area to which the teaching support relates;
 - b) the type of teaching support activities related to the assignment to be awarded;
 - c) the minimum number of hours and the related remuneration including the costs to be borne by the Administration;
 - d) the criteria and parameters on which the comparative assessment shall be based;
 - e) deadlines for the submission of applications.
- 4) Candidates must submit the following documents:
 - a) a suitable scientific, professional and teaching curriculum vitae proving the candidate's eligibility to carry out the activity covered by the call for applications;
 - b) self-certification of academic, scientific and professional qualifications, except in the case of non-EU citizens, who must produce the relevant documents. Certificates must be produced for qualifications obtained abroad.
 - c) for holders of research grants, the prior and mandatory authorisation of the Scientific Coordinator;
 - d) for PhD students, the prior and mandatory authorisation of the Coordinator of the Teaching Board of the relative School
 - e) for employees of the Politecnico di Milano, the prior and mandatory authorisation of the Head of the Department to which they belong;
 - f) a detailed list of all the other qualifications that are deemed useful for the purposes of the evaluation.
 - g) the list of publications deemed useful for the purposes of the selection, where provided for in the call for applications.
- 5) The call shall be published on the Official Notice Board and on the institutional website of the Department for at least 14 calendar days.

Art. 12

Requirements for admittance to selections for the appointments referred to in Art. 11.

- 1) The selection procedure is open to Italian and foreign citizens holding a Laurea Triennale (Bachelor's degree) or equivalent, a Laurea Magistrale (Master's degree) or equivalent, even if obtained abroad, or an adequate professional profile.
- 2) Non-EU citizens must have a valid residence permit.
- 3) The following persons may not participate in the selection process
 - a) people who have been convicted, even with a sentence that is not yet final, of one of the offences provided for in Chapter I of Title II of the second book of the Italian Criminal Code, or who have pending criminal proceedings against them;

b) those who are related by blood or marriage up to and including the fourth degree with a full or associate professor in the Department that issued the call for applications, the Rector, the Director General or a member of the Board of Governors.

Art. 13

Selection Committee for the assignments referred to in Art. 11

- 1) The Department shall appoint one or more Selection Committees for the comparative evaluation of the candidates, each composed of at least three full professors and/or associate professors and/or researchers at the university.
- 2) Preference will be given in the comparative assessment:
 - a) to candidates holding a PhD, professional qualification or equivalent qualification obtained abroad;
 - b) to holders of research grants, or those enrolled on a PhD course;
 - c) to candidates who have carried out previous teaching support activities at the Politecnico di Milano or at another university, relating to the courses or curricular modules referred to in the call for applications, in the last three years;
 - d) to candidates who have professional experience in subjects related to the teaching support covered by the call.
- 3) The Committee shall draw up a merit ranking, based on the criteria and parameters set out in the call for applications.
- 4) The acts of the selection procedure are approved by the Director of the Department and the ranking is published on the institutional department website.
- 5) In case of waiver by the selected candidate, the Department shall assign the position to the next person in the merit ranking.
- 6) Private-law contracts for the assignments referred to in this article are stipulated by the Head of Department. The contracts must indicate, among other things: the academic year of reference; the teaching support activities indicated in the call for applications; the foreseen remuneration.
- 7) The stipulation of contracts does not engender any entitlement to full positions at the university.
- 8) Persons awarded teaching support assignments, as referred to in this article, are subject to the provisions on incompatibility as set out in Art. 15 of these Regulations.

Art. 14

Duration and renewal of teaching support assignments

- 1) Teaching support assignments granted pursuant to Art. 11 of these Regulations may be renewed for a maximum of three academic years in total, subject to the positive evaluation expressed by the professor responsible for the activity carried out in the previous academic year and to the continuation of the teaching requirement.

Art. 15

Rights and obligations - Incompatibility of teaching support assignments

- 1) The holders of teaching support contracts shall guarantee the performance of the activities envisaged, coordinating them with the course programme.
- 2) For the purposes of payment of remuneration, the person awarded the assignment referred to in the previous paragraph must have the professor in charge validate the final document certifying the regular performance of the activities assigned.
- 3) In the event of serious breach of contractual obligations, the relationship may be terminated by order of the Head of Department, at the justified request of the professor responsible for the course.
- 4) The relationship shall automatically be terminated in the following situations: unjustified failure to start or delay in starting the activity, unjustified suspension of the activity and proven incapacity to carry out the assignment.

Art. 16

Social security contributions and remuneration for appointments pursuant to Art. 23 of Law 240/2010

- 1) The provisions of Article 2, paragraphs 26 et seq. of Law No 335 of 8 August 1995 'Reform of the compulsory and complementary pension system', and subsequent additions and amendments, shall apply to private law contracts.
- 2) The Politecnico di Milano provides directly insurance cover for accidents and third party liability for its professors, adjunct professors and persons on teaching support contracts as part of their activities.
- 3) The remuneration is determined in the contract, on the basis of parameters defined by the Academic Bodies and the relative financial protection assigned for this purpose.
- 4) In the event that the number of hours worked is less than the number of hours envisaged, the remuneration shall be recalculated on the basis of the hours actually worked.
- 5) Payment is subject to delivery of the activity register or the end-of-activity form validated by the head of the course.

Art. 17

Final provisions and entry into force

- 1) These Regulations shall enter into force on 1 June 2019 and shall be published on the university website <http://www.normativa.polimi.it>.

THE RECTOR
Prof. Ferruccio Resta

Digitally signed in accordance with the Digital Administration Code