



**POLITECNICO**  
MILANO 1863

*Rep. no. 3194 Prot. no. 51465*

*Date 12 June 2017*

*Title I Class 3*

*UOR SAGNI*

## POLITECNICO DI MILANO

### THE RECTOR

GIVEN Presidential Decree No. 382 of 11/07/1980, headed "Restructuring of university teaching, related training level as well as organisational and educational experimentation", as subsequently amended;

GIVEN Law No. 241 of 07/08/1990, headed "New rules in the field of administrative procedure and right of access to administrative documents", as subsequently amended;

GIVEN Law No. 341 of 19/11/1990, headed "Reform of university educational systems";

GIVEN Presidential Decree No. 445 of 28/12/2000, "Consolidated text of legislative and regulatory provisions in the field of administrative documentation", as subsequently amended;

GIVEN Legislative Decree No. 165 of 30/03/2001, headed "General rules on the employment system at public administrations", as subsequently amended;

GIVEN Legislative Decree No. 196 of 30/06/2003, "Code on the protection of personal data", as subsequently amended;

GIVEN Law No. 230 of 04/11/2005, headed "New provisions concerning university professors and researchers and delegation of powers to Government for the reorganisation of recruitment of university professors ", as subsequently amended;

GIVEN Law No. 240 of 30/12/2010, headed "Rules on the organisation of universities, academic staff and recruitment, as well as delegation of powers to Government to incentivize the quality and efficiency of the university system", especially Article 23 "Contracts for teaching activities", as subsequently amended;

GIVEN Law No. 190 of 06/11/2012, headed "Provisions on the prevention and repression of corruption and illegality in the public administration", as subsequently amended;

GIVEN Presidential Decree No. 62 of 16/04/2013, headed "Regulations setting out code of conduct for civil servants, pursuant to Article 54 of Legislative Decree No. 165 of 30 March 2001";

GIVEN Legislative Decree No. 97 of 25/05/2016, headed "Revision and simplification of provisions in the field of prevention of corruption, publicity and transparency, that corrected Law No. 190 of 6 November 2012, and Legislative Decree No. 33 of 14 March 2013, pursuant to Article 7 of Law No. 124 of 7 August 2015, on the issue of reorganisation of public administrations";

GIVEN Interministerial Decree No. 313 of 21/07/2011, headed "Economic remuneration due to holders of contracts for teaching activities";

GIVEN the Statute of Politecnico di Milano currently in force;

GIVEN the General Regulations currently in force;

GIVEN the Regulations on the Administration, Finance and Accounting of Politecnico di Milano currently in force;

GIVEN the University Code of Ethics currently in force;

GIVEN the Three-Year University Plan on Prevention of Corruption and Transparency currently in force;

GIVEN Regional Law No. 2131 of 26/06/2014 whereby the Code of conduct for employees of Politecnico di Milano was issued;

GIVEN Regional Law No. 1541/AG of 31/05/2012 whereby the Regulations on the assignment of teaching positions were issued;

HAVING ACQUIRED the favourable opinions of the Academic Senate and the Board of Directors, at the respective sessions of 22 and 30 May 2017, as regards revision of the Regulations for the assignment of teaching positions which, by virtue of the amendments, are now headed Regulations

on the assignment of teaching and teaching support positions, pursuant to Article 23 of Law No. 240 of 30/12/2010;

GIVEN THE FACT that the regulatory text approved by the Academic Senate and by the Board of Directors has been thoroughly revised and restructured, such as not to allow for evidence of the amendments introduced to the preceding text;

HAVING accordingly DETECTED the need to issue the aforementioned Regulations;

## **HEREBY DECREES**

### **ARTICLE 1**

- 1) Due to the reasons set out here above, the Regulations on the assignment of teaching and teaching support positions is issued, in terms of Article 23 of Law No. 240 of 30/12/2010, in the version provided hereunder as integral part of this decree.
- 2) The teaching and teaching support positions assigned pursuant to the Regulations on the assignment of teaching positions, issued through Regional Law No. 1541/AG of 31/05/2012, as subsequently amended; find prompt regulation through the provisions of the said regulations until the natural conclusion of the stipulated contracts.

## **REGULATIONS ON THE ASSIGNMENT OF TEACHING AND TEACHING SUPPORT POSITIONS IN TERMS OF ARTICLE 23 OF LAW No. 240 OF 30/12/2010**

### **Article 1**

#### **Purposes and scope of application**

- 1) These regulations govern the methods, criteria and procedures for the assignment of teaching and teaching support positions in terms of Article 23 of Law No. 240 of 30/12/2010, as subsequently amended, in degree and laurea magistrale courses.
- 2) The positions must be activated to cater for motivated educational needs within available budgetary resources.

### **Article 2**

#### **Planning of training activities**

- 1) The Schools define the courses and the curricular modules for which the relevant cover has to be provided, taking into account the allocation of funds specifically set aside by the Governing Bodies. Thereafter, in agreement with the Departments, they stipulate the methods of cover for each Course.
- 2) The Departments, having heard the view of the Schools, allocate the institutional tasks pursuant to the methodology set out in Article 3 hereunder.
- 3) With regard to highly qualified teaching activities and in terms of Article 23(1) of Law No 240/2010, the Departments may propose to the Schools direct allocations to highly qualified experts in possession of a significant scientific or professional CV, as per the methods set out in Article 4 hereunder.
- 4) If any further teaching positions are not allocated, the Schools shall draw up calls as per the methods set out in Article 5 hereunder.

### **Article 3**

#### **Allocation of courses and modules for institutional task or on a free-of-charge basis**

- 1) I and II level professors and fixed-term researchers in terms of Article 24 of Law No 240/2010 are entrusted with courses and modules as cover for the respective institutional course, taking into account the provisions of the regulations on the educational commitment of the University teaching staff.
- 2) The School may entrust to the same subjects, wherever envisaged in the School's teaching programme and in concert with the Department that has ascertained the willingness to accept the position, free-of-charge courses and modules.

- 3) Members of the permanent University staff may be entrusted with free-of-charge courses and modules, contemplated as such by the School's the teaching programme, that are assigned through a comparative procedure.
- 4) The subjects referred to in the preceding paragraph are given the title of adjunct professors for the academic year in which they run courses and curricular modules. In the case of researchers, the title is likewise retained during extraordinary leave periods for study reasons which the researcher utilizes in the year subsequent to the one in which he run such courses and modules.

#### **Article 4**

##### **Direct assignments**

- 1) In order to provide cover for the teaching assignments, contracts may be concluded, free of charge or in return for a fee, with highly qualified experts in possession of a significant scientific or professional CV, on the strength also of specific conventions with public bodies and research institutes, mentioned in Article 8 of Decree No. 593 of the President of the Council of Ministers dated 30 December 1993.
- 2) In order to facilitate internationalisation, the Politecnico di Milano may assign, within the limits of its budgetary resources or by using ad hoc funds donated by private individuals, businesses or foundations, fixed-term teaching positions to foreign professors, scholars or professionals of proven fame.
- 3) The contracts referred to in the preceding paragraphs hereof are concluded by the Rector, on a proposal from the Department or the School, after the Assessment Commission has verified the adequacy of the scientific and professional CV of the contract holders.
- 4) The proposed teaching assignments referred to in the preceding paragraph are submitted for approval by the Rector the Board of Directors, after receipt of the Academic Senate's opinion. The candidate's CV shall be published on the University website.
- 5) The contractual remuneration referred to in the preceding paragraphs hereof is set by the Board of Directors, pursuant also to a suitable comparison with similar positions assigned by other European Universities.
- 6) The teaching positions referred to in the preceding paragraphs are valid for the reference academic year and may be renewed, on the same conditions, for a maximum period of five overall academic years, subject to prior ascertainment of an ongoing teaching need and positive evaluation of the activity undertaken.

#### **Article 5**

##### **Other types of assignments of positions**

- 1) To meet specific educational needs, the teaching positions may also be assigned:
  - a) By entrustment to I and II level professors, to indefinite duration and fixed-term researchers referred to in Article 24 of Law No. 240 of 30/12/2010 from Politecnico di Milano or from other Universities, in return for a fee;
  - b) Through the conclusion of private law contracts, in return for a fee, with subjects in possession of suitable scientific and professional requirements.
- 2) In the event that the addressee of positions referred to in paragraph 1 b., identified in terms of the following Articles, is a technical or administrative employee of Politecnico di Milano, the relevant consideration shall be paid in the form of accessory remuneration.

#### **Article 6**

##### **Selection methods for the assignment of teaching positions in return for a fee**

- 1) The teaching assignments are assigned through a comparative procedure consisting in an appraisal of the scientific and professional qualifications and the skills possessed.
- 2) Le procedures referred to in the preceding paragraph are activated by the Schools and are regulated by one or more calls setting out, divided by teaching(s) for which cover is requested:
  - The title of the teaching or teachings, the relevant scientific-disciplinary sector and the number of training credits;
  - The envisaged gross remuneration inclusive of all charges borne by the Administration;
  - The type of course to be undertaken.

The Call shall likewise have to set out:

- the criteria and parameters on the strength of which the comparative appraisal shall be made, which must include the appraisal of any teaching jobs performed at Politecnico di Milano;
  - the methods and deadline for the submission of the applications for participation, which must not in any event be less than 14 consecutive calendar days from date of publication of the call on the Official Notice Board and on the institutional website of the School;
  - the methods of publication of the performance ranking, as well as the timeframes for lodging an appeal against the results.
- 3) The performance rankings shall be published on the Official Notice Board and on the institutional website of the School for at least 30 days.
  - 4) The following shall be targeted by assessment for selection purposes, provided their pertinence to the teaching activity dealt with in the call:
    - Prior teaching experiences, with special focus on those undertaken at Politecnico di Milano in the last 3 years;
    - professional expertise;
    - research activity and any scientific publications;
    - possession of PhD, license to exercise the profession or equivalent qualifications obtained abroad, certifications of particularly significant professional results, so long as they are relevant to the teaching activity to be undertaken.
  - 5) The following documentation may be attached to the applications:
    - a) CV of the teaching, scientific and professional activity;
    - b) Self-certifications relating to attainment of the study, scientific and professional qualifications (save in the event of non-European citizens who shall have to produce specific documentation), in addition to certification of the teaching activity undertaken;
    - c) list of scientific publications, for which the School might request copies;
    - d) any detailed list of documents and qualifications deemed useful for selection purposes;
    - e) for research fellows, the prior and compulsory authorization of the scientific coordinator.
  - 6) For professors of Politecnico di Milano, the documentation mentioned under a), b), and c) is deemed for all intents and purposes produced upon participation in the selection, wherever available in the relevant University applications. In the event of incomplete documentation, the position may not be assigned.

## **Article 7**

### **Requirements for admission to selection procedures**

- 1) Access to the selections is open to Italian and foreign citizens in possession of a three-year degree or qualifications assimilated thereto, of a laurea magistrale or equivalent qualifications, even if obtained abroad, or of an adequate professional CV.
- 2) Non-EU citizens shall have to comply with the legislation in force in the field of residence permits.
- 3) The following may not take part in the selections:
  - a) Those who have been convicted, including by a sentence not yet final, of one of the offences set out in chapter I of Title II of the second book of the Criminal Code, or who are party to any pending criminal proceedings;
  - b) those who are related by marriage, blood relationship or kinship up to the fourth degree included, or those who are related by civil union between same-sex persons (as regulated by Article 1 of Law No. 76 of 20/05/2016), or those who are related by cohabitation outside marriage (as regulated by Article 1(37) ff. of Law No. 76 of 20/05/2016), with a member of the School Council that issued the call, the Rector, the Director General or a member of the Board of Directors.

**Article 8**  
**Selection board**

- 1) The selection procedures are implemented by one or more boards appointed by the School that issued the call and consist in at least three full or associate professors, from outside the University as well.
- 2) The Board draws up, pursuant to criteria and parameters laid down in the call, a performance ranking for each of the teaching positions covered by the call, taking into account the scores achieved in the appraisal of each candidate's qualifications.
- 3) In the event of waiver or termination of the relationship during the academic year, the position may be assigned to another eligible candidate, according to the ranking.
- 4) The Board's acts are approved by decree of the Dean of the School that issued the call and publicised on the Official Notice Board and on the institutional website of the University (or the School).
- 5) The teaching positions are assigned, in the event of equal scores, according to the following preferences:
  - a) To full professors of the University in the same scientific-disciplinary sector;
  - b) To full professors of another university in the same scientific-disciplinary sector;
  - c) To outside candidates.
- 6) In the event of participation by a single outside candidate, the suitability for the position shall in any event be assessed.
- 7) In the event of submission of a single application by a university professor from the same scientific-disciplinary sector as the one mentioned in the call, the School shall resolve at once on assigning the position, subject to prior verification of the suitability for it.

**Article 9**  
**Stipulation of contracts and entrustment of responsibilities**

- 1) The private law teaching contracts and the entrustment of teaching responsibilities referred to here above in Articles 3 and 5 of these Regulations shall run for one academic year and may be renewed by the Schools annually, by decree of the Director General, on the same conditions, up to a maximum of three overall academic years, subject to prior ascertainment of an ongoing teaching need and positive evaluation of the activity undertaken.
- 2) The private law teaching contracts and the entrustment of teaching responsibilities are assigned to specifically named persons by decree of the Director General.
- 3) The contracts shall have to set out: the reference academic year; the teaching to be carried out and the associated activities; the envisaged remuneration.
- 4) The conclusion of private law teaching activity contracts does not produce any rights as regards access to university posts.
- 5) The holders of private law contracts can use the title of adjunct professor, solely during the currency of the performance rendered at Politecnico di Milano.

**Article 10**  
**Rights and duties – Incompatibility of positions as per Article 23 of Law No. 240/2010**

- 1) Subjects entrusted with teaching responsibilities or holders of teaching contracts have the same teaching rights and duties as full University professors.
- 2) The teaching engagement also comprises, besides the implementation of all the teaching activities envisaged by the call, execution of the relevant verifications of learning (ongoing assessment tests, exam sessions, etc.) and student reception, in the forms laid down by the Schools.
- 3) Subjects entrusted with teaching responsibilities or holders of private law teaching contracts may be part of Laurea boards and may be thesis coordinators and/or advisors in terms of the provisions of the University Regulations on Degree and Laurea Magistrale examinations.
- 4) Subjects entrusted with teaching responsibilities or holders of private law teaching contracts are bound to keep a register in which the activities undertaken are noted. At the end of the course, the register shall be sent to the School, on the terms laid down by the University, as certification

of actual execution of the job, including for purposes of payment of the remuneration wherever applicable.

- 5) In the event of serious breaches, the contract may be rescinded by decree of the Director General upon motivated resolution from the School.
- 6) The automatic termination of the contract may occur:
  - a) Due to unjustified failure to commence or late commencement of activity. The foregoing shall not apply to duly justified and certified instances;
  - b) Due to supervening incompatibilities set out by Article 13 of Presidential Decree No. 382/80 and/or other legal provisions;
  - c) Due to breaches of the code of ethics;
  - d) Due to manifest contractual breach.
- 7) Participation in research activities carried out at the university facilities in which the successful candidates operate does not amount to incompatibility.
- 8) Holders of teaching contracts take part in Study Programme Boards without right of vote.
- 9) The position of adjunct professor at Politecnico di Milano is incompatible with the status of student enrolled for PhD or in a specializing school.
- 10) Positions may be assigned by Politecnico di Milano to employees from other Public Administrations, subject to a declaration by the interested party that there is no obligation to issue a prior authorization on the part of the Administration of affiliation or, failing that, subject to the submission of such authorisation.

## **ARTICLE 11**

### **Assignment of teaching support positions**

- 1) When giving effect to the teaching programme, the Departments, having heard the interested parties, prioritize the allocation of teaching support activities to indefinite duration and fixed-term researchers.
- 2) Subsequently thereto, additional teaching support activities shall be assigned through a comparative procedure consisting in an appraisal of the scientific and professional qualifications and the skills possessed.
- 3) The procedures referred to in the preceding paragraph hereof shall be activated by the Departments and are regulated by a specific call setting out the following:
  - a) The teaching or scientific-disciplinary sector the teaching support activity refers to;
  - b) The type of teaching support activities related to the position to be assigned;
  - c) The minimum number of hours and the related remuneration inclusive of all charges to be borne by the Administration;
  - d) The criteria and parameters pursuant to which the comparative appraisal shall be conducted;
  - e) The timeframes for submission of the applications.
- 4) Candidates shall have to submit the following documentation:
  - a) suitable scientific, professional and teaching CV capable of attesting the candidate's eligibility to undertake the activity dealt with in the call;
  - b) self-certifications relating to the attainment of study, scientific and professional qualifications, save in respect of non-EU citizens who shall have to produce specific documentation;
  - c) for research fellows, the prior and compulsory authorisation of the scientific Coordinator;
  - d) for PhD students, the prior and compulsory authorisation of the Coordinator of the PhD School Teaching Staff;
  - e) for the Politecnico di Milano staff, the prior and compulsory authorisation of the Person in charge of the Facility of affiliation;
  - f) the detailed list of all the other qualifications deemed useful for evaluation purposes.
  - g) The list of publications deemed used for selection purposes, wherever envisaged by the call.
- 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.

## **Article 12**

### **Requirements for access to selections for the assignments referred to in Article 11**

- 1) Access to the selections is open to Italian and foreign citizens in possession of a three-year degree or qualifications assimilated thereto, of a laurea magistrale or equivalent qualifications, even if obtained abroad, or of an adequate professional CV.
- 2) Non-EU citizens shall have to comply with the legislation in force in the field of residence permits.
- 3) The following may not take part in the selections:
  - a) Those who have been convicted, including by a sentence not yet final, of one of the offences set out in chapter I of Title II of the second book of the Criminal Code, or who are party to any pending criminal proceedings;
  - b) those who are related by marriage, blood relationship or kinship up to the fourth degree included, or those who are related by civil union between same-sex persons (as regulated by Article 1 of Law No. 76 of 20/05/2016), or those who are related by cohabitation outside marriage (as regulated by Article 1(37) ff. of Law No. 76 of 20/05/2016), with a I or II level Professor from the Department that issued the call, the Rector, the Director General or a member of the Board of Directors.

## **Article 13**

### **Selection board for the assignments referred to in Article 11**

- 1) The Department shall appoint one or more selection Boards for the comparative appraisal of candidates, each one consisting at least of three full and/or associate professors and/or researchers of the University.
- 2) The following shall be grounds for preference in the comparative appraisal:
  - a) Possession of a PhD, license to the exercise of the profession or equivalent qualifications obtained abroad;
  - b) being the holder of a research fellowship or being enrolled in a PhD course;
  - c) having previously undertaken teaching support activity at Politecnico di Milano or at another University, as regards courses or curricular modules mentioned in the call, over the last 3 years;
  - d) having developed professional expertise on topics relating to the teaching collaboration dealt with in the call.
- 3) The Board shall draw up a performance ranking, pursuant to the criteria and parameters laid down in the call.
- 4) The selection procedure acts are approved by the Head of Department, and the ranking is published on the institutional departmental website.
- 5) In the event of waiver by the interested party, the Department shall assign the position by scrolling down the performance ranking.
- 6) The private law contracts on the assignment of positions referred to in this Article are concluded by the Head of Department. The contracts shall have to inter alia set out: the reference academic year; the teaching support activities mentioned in the call; the envisaged remuneration.
- 7) The conclusion of contracts does not produce any rights as regards access to university posts.
- 8) The provisions on incompatibility apply to subjects to whom teaching support positions referred to in this Article have been assigned pursuant to the prescriptions laid down in Article 15 of these Regulations.

## **Article 14**

### **Duration and renewal of teaching support positions**

- 1) The teaching support positions assigned in terms of Article 11 of these Regulations are renewable for a maximum period of three overall academic years, subordinately to the positive appraisal expressed by the professor in charge of the activity undertaken in the previous academic year and to the continued existence of the relevant teaching need.

## **Article 15**

### **Rights and duties – Incompatibility of teaching support positions**

- 1) Holders of teaching support contracts warrant execution of the contemplated activities, coordinating them with the teaching activities program of the course.
- 2) For purposes of payment of the remuneration, the subject assigned to the position referred to in the preceding paragraph shall cause the Professor in charge to validate the final document attesting due execution of the activities assigned.
- 3) In the event of serious breaches of the contractual obligations, the relationship may be terminated by decree of the Head of Department, upon a motivated request from the Professor in charge of teaching.
- 4) The relationship is deemed automatically terminated in the following instances: unjustified failure to commence or late commencement of the activity, unjustified suspension of the activity and proven impossibility to undertake the job.

## **Article 16**

### **Social security and economic remuneration for the positions referred to in Article 23 of Law No. 240/2010**

- 1) The provisions set out in Article 2(26) ff. of Law No. 335 of 08/08/1995, headed “Reform of the compulsory and complementary pension system”, as subsequently amended and supplemented, apply to private law contracts as regards pension-related issues.
- 2) Politecnico di Milano directly attends to the insurance cover for accidents and third party liability on behalf of its professors, adjunct professors and holders of teaching support contracts within the scope of implementation of their activity.
- 3) The remuneration is set in the contract on the strength of parameters laid down by the Academic Bodies and the relevant economic covers as specifically provided.
- 4) In the event that the hours worked out are less than the stipulated ones, the remuneration shall be re-parameterised on the basis of the hours actually worked out.
- 5) Liquidation of the remuneration is conditional on delivery of the activity register or the end-of-activity form validated by the Person in charge of the teaching.

## **Article 17**

### **Final rules and effective date**

- 1) These Regulations come into force on the day subsequent to the date they are issued by Rector’s Decree, and are published on the University website <http://www.normativa.polimi.it>.

THE RECTOR  
Prof. Ferruccio Resta

Digitally signed in terms of the Digital Administration Code