

REGULATION FOR THE PUBLIC SELECTION OF RESEARCHERS

Art. 1 Purposes and field of application

1. The present Regulation shall regulate the recruitment of fixed-term researchers, as provided for in art.24 of Law n.240/2010, the modalities for the implementation of the related activities, the legal regime and the economic treatment.
2. The recruitment shall occur for the purpose of the implementation of the research and didactic activities provided by eCampus University.
3. The selection procedure shall be organized in compliance with the principles provided for in the European Charter for Researchers, in the Academic Code of Ethics and in the criteria provided for in art. 24 of law 240/2010.

Art. 2 Nature of the Working Relationship

1. The working relationship established between the University and the fixed-term researchers shall be regulated by an employment contract and shall be regulated by the current legislation on the matter, even as far as tax and social security treatment are concerned.
2. The stipulation of the contracts provided for in par. 1 of the present article shall be aimed at the implementation of the activities provided for in par. 2, art. 1 of the present regulation; the related implementation modalities shall be established in the contract itself and in the Academic Regulations.
3. eCampus University shall provide for a insurance cover for the risks related to injury and for any civil responsibility.

Art. 3 Types of Contracts:

1. The contracts shall be stipulated according to the following types:
 - a) Contracts provided for in lett. a), art. 24, par. 3, law n. 240/2010;
 - b) Contracts provided for in lett. b), art. 24, par. 3, law n. 240/2010.
2. The contracts provided for in lett. a), art. 24, par. 3, law n. 240/2010, shall last three years and may be extendable for only two years for one single time. The tender announcement shall establish if the contracts provided for in the present paragraph should specify the time basis of the research activity (full-time or fixed-term).
3. The contracts provided for in lett. b), art. 24, par. 3, law n. 240/2010, shall last three year, are non-extendable and are reserved to the candidates fulfilling one of the following conditions:
 - a) The candidate was employed with the contracts provided for in lett. a), art. 24, par. 3, law 240/2010;
 - b) The candidate has attained the National Scientific Qualification for the function of full professor or associate professor provided for in art. 16 of law 240/2010;
 - c) The candidate has completed the Specialist Medical Training;
 - d) The candidate has attained for three years (even non-consecutive), the research grants in accordance with art. 51, par. 6, law 27 December 1997, n. 449, or the research grants provided for in art. 22 of law n. 240/2010, or the post-doctorate internships provided for in art. 4 of law 30 November 1989, n. 398, or any equivalent contract, research grant, or internship attained abroad.
 - e) The candidate was employed, for at least three years, with a contract stipulated pursuant to art.1, par. 14, of law n. 230 of 2005.
4. The contracts provided for in the previous paragraph are intended as full-time contracts.
5. The contracts stipulated according to the present regulation shall not give the candidate any right to the teaching roles.

Art. 4 Procedure for the extension of the contract provided for in art. 3, par.1, lett. a)

1. The request for extension, motivated with reference to the research and didactic needs, shall be submitted subject to the approval of the person concerned, within the six months antecedent to the expiration date of the contract for the academic body which has formulated the proposal for the recruitment of the holder of the provided for in art. 3, par. 1, lett. a).
2. Following the request provided for in the previous paragraph, the didactic and research activity carried out by the researcher within the context of the contract for which the extension was proposed, in compliance with what is provided in D.M. 24 may 2011, n. 242, shall be evaluated by a specific Board, appointed by the Rector, and made up of three members:
 - a) A professor of eCampus University or of another Italian/foreign University, belonging to the same disciplinary sector and/or academic recruitment field as the didactic activity subject of evaluation;
 - b) A professor belonging to the same Degree Course and/or Faculty as the didactic activity subject of evaluation;
 - c) The Director General of the University or a delegate.
3. The Board provided for in the previous paragraph shall operate collegially in a single session, which may eventually be realized online, and compile a report on the procedure carried out.
4. The evaluation of the Board shall have for subject the adequacy of the research and didactic activity carried out in relation to what is provided for in the contract intended to be extended.
5. In case of successful outcome of the evaluation of the Board, the proposal for an extension, along with the report of the structure which has formulated the request provided for in par. 1 and the evaluation itself, shall undergo the approval of the Board of Directors. The deliberation of the Board of Directors shall be adopted within the deadline of the contract intended to be extended.

Art. 5 Activation of the procedure for the recruitment of researchers

1. The recruitment of full-time researchers shall be implemented in the context of the development programming of the University, approved by the Board of Directors, upon proposal of the Academic Senate.
2. The obligations related to the contracts provided for in the present regulation may be charged partially or totally to other public or private parties, subject to the stipulation of specific agreements, pursuant to the criteria deliberated by the Board of Directors.
3. The procedure for the recruitment of fixed-term researchers shall be activated upon proposal of the didactic-scientific structures involved.
4. The proposal shall be adopted by a specific resolution of the requesting body and shall specify:
 - a) The academic body to which the research posts belong, the number of research posts, and the indication of the research project;
 - b) The Academic Recruitment Field related to the fixed-term research posts and the eventual profile, to be specified exclusively through the indication of one or more scientific disciplinary sectors;
 - c) The didactic activities, the supplementary didactic activities, and any service to the students, with specific reference to their programme;
 - d) The requirements for the admission to the selective procedure, provided for in art. 7;
 - e) An eventual requirement of proficiency in a specific foreign language;
 - f) Eventual other languages in which the discussion of the academic titles and publications shall be carried out;
 - g) The modality for the implementation of a distance-learning didactic activity;
 - h) The type of contract for the recruitment of the research fellow;
 - i) The working hours (full-time or part-time, if compatible with the type of contract);

- j) An eventual trial period;
- k) The eventual maximum number of publications which the candidates may present, which shall not be less than twelve;
- l) The financial backing, as well as the remuneration and the social security treatment;
- m) The indication of the scientific-professional competencies appropriate to the implementation of the didactic and/or research activity, pursuant to and for the purposes of art. 24, par. 2, law n. 240/2010 and in compliance with what is provided for in art. 7 of the present regulation.

Art. 6 Announcement of the selection procedure

1. The tender announcement for the selection procedure shall be issued by Rector's Decree and shall be published in Italian on the Official Gazette of the Italian Republic, on the online portal of the University, and on the websites of the MIUR e and of the European Union.
2. The deadline for the submission of the applications shall become effective from the date of its publication on the Official Gazette of the Italian Republic; said deadline shall be specified in the tender announcement and shall not be less than 15 days.
3. The tender announcement shall specify:
 - a) The modalities and the presentation, even online, of applications and attachments, in compliance with the limitations provide for in the previous paragraph, as well as the responsible for the procedure, the competent authorities for any eventual appeal, the rights and duties of the research fellow, the place of employment, the elements indicated in art. 5, par. 4 of the present Regulation, to the exclusion of the financial security;
 - b) The criteria and the guidelines for the Evaluation Board, aimed at the preliminary evaluation of the candidates, pursuant to what is provided for in DM 25 May 2011 n. 243;
 - c) The criteria and the guidelines for the Evaluation Board, aimed at the attribution of a grade to the academic titles, publications and to the language proficiency of the candidate admitted to the oral examination, having regard to:
 - I. The concrete didactic needs;
 - II. The relevance of each academic title and the publication in the scientific disciplinary sector and/or Academic Recruitment Field provided for in the tender announcement;
 - III. Eventual previous academic teachings related to the scientific disciplinary sector and/or Academic Recruitment Field indicated in the tender announcement and forming part of the formative offer of the Degree Course, Specialization Course, Research Doctorate, Academic Masters at Italian and/or foreign universities. For the sole purpose of the evaluation of the academic titles submitted by the candidates, the tender announcement may distinguish between classroom-based teachings and online teachings and provide for the attribution of different grades for each category.
4. For the purpose of what is indicated in the present article, shall be intended as online teachings all the courses implemented in the academic Virtual Learning Environment.

Art. 7 Requirements for the participation to the selective procedure

1. Shall be admitted to the selective procedure for the contracts provided for in art. 3, par. 1, lett. a) of the present regulation, according to and in the limits of letter b), par. 2, art. 24 of law 240/2010, all the subjects in possess of the title of research fellow; an equivalent academic title attained in Italy or abroad; or a specialization diploma for the sectors provided for in the tender announcement; to the exclusion of the subjects already recruited as full-time full/associate professors or researchers, even if they have concluded said duties.
2. Shall be admitted to the selective procedures, for the contracts provided for in par. 2, lett. b) of the present Regulation, the candidates in possess of one of the requirements provided for in par. 3, art. 3.
3. Pursuant to par. 2, art. 24, law 240/10, the tender announcement may provide for further admission requirements.

4. The candidates shall possess the requirements provided for in the previous paragraphs at the time of submission of their application form.

5. With reference to the contracts provided for in art. 3, par. 1 lett. a), shall be excluded from the selection procedure provided for in the present regulation, the subjects whom attained a contract as fixed-term research fellows pursuant to art. 22 and 24 of law n. 240/2010 at the eCampus University or other state/non-state/online Universities , as well as with the authorities provided for in art. 22, law n. 240/2010, for a total period of 12 years, even not continuous. For the purpose of the assessment of the duration of the aforementioned relationships shall not be taken into consideration maternity or sick leave periods, pursuant to the current legislation.

6. Shall also be excluded from the selective procedure provided for in the Present Regulation all the candidates with any degree of kinship/married to a Professor belonging to the applicant body/the Rector/the Director General/a member of the Board of Directors of the University.

Art. 8 Examining Board

1. The examining Board shall be appointed by the Rector, heard the interested scientific-didactic structure body, and shall be comprised of three members belonging to the disciplinary sector and/or Academic Recruitment Field indicated in the tender announcement, and precisely:

a) Two full/associate professors of eCampus University, or any other Italian/foreign University.

b) A professor (full/associate professor; fixed-term/full-time research fellow; a Professor provided for in art. 1, par. 12, law 230/05; a professor with a teacher contract as provided for in art. 23, law 240/10), of eCampus University or another Italian/foreign University.

2. The Director General of the University shall participate as non-voting secretary to all the meetings of the Board.

3. The Board, for the purpose of the evaluation of the knowledge of a foreign language, may avail itself of the collaboration with an external member, whom shall be identified among the professors of the University, or among professors of other private/public University entitles to a foreign language course.

4. During its first meeting the Evaluation Board shall pre-determine:

a) The criteria to be used in order to determine the grade of the students on the basis of the academic title, the curriculum and the publications, including the research doctorate final dissertation, under criteria and parameters, recognized even at an international level, individuated by the DM 25 may 2011 n. 243;

b) The criteria to be used for the attribution of a grade to the academic titles and to each academic publication presented by the candidate admitted to the discussion with the Board, in compliance with the general principles and criteria indicated in the tender announcement, in accordance with art. 6 of the present Regulation.

Art. 9 Application for recusal

1. Eventual applications for recusal on the part of the candidates, in accordance with art. 51 and 52 of the Civil Procedure Code, shall be submitted within the mandatory deadline of ten years of publication of the composition of the Board on the portal of the University.

Art. 10 Selection and evaluation criteria

1. The preliminary selection of the admitted candidates shall be carried out by the Board on the basis of the academic titles, the curriculum and the publications, including the doctoral dissertation, under criteria and parameters, recognized internationally, identified in DM 25 may 2011 n. 243 and in line with the objectives defined in the academic strategic plan and in the tender announcement.

2. The Board shall carry out a preliminary assessment of the candidates, after which shall be expressed an analytical judgement on the titles, the curriculum and the scientific production, including the doctoral dissertation.

3. As a result of the preliminary evaluation, the most deserving candidates, (in the range of 10% to 20% of the candidates, and in any case no less than six), shall be admitted to the public discussion of their academic titles and the scientific publications, by deliberation of the majority of the members of the Board.
4. The candidates shall all be admitted to the discussion if their number is less than or equal to six.
5. The candidates shall be called for the discussion of the titles by certified mail (PEC) to the address provided by the candidates in the application form, at least 10 days in advance and, under the same terms, via communication in the official website of the University.
6. The selective procedure shall also provide for an oral examination aimed to verify the proficiency of the candidates in a foreign language.
7. At the end of the discussion and the language test, the Board shall attribute to each candidate a score.
8. The deeds of the Board, along with the analytical judgements expressed on the shall be reported in the minutes of each meeting.
9. The Board may avail itself of online tools, so far as they are compatible with the activities to be carried out.

Art. 11 Ranking List

1. On the base of the overall score, the Board shall draft unanimously, or by absolute majority, the ranking list, identifying the winner of the selective procedure.
2. The aforementioned ranking list shall be valid only in case of renounce/withdrawal on the part of the winning candidate.
3. In case of withdrawal of the inning candidate/s the University may formulate a recruitment proposal to the following candidate in the ranking list.

Art. 12 Approval of the acts

1. The Rector shall verify the formal validity of the acts by Decree published on the online portal of the University.
2. The Decree of Approval and the final report of the Board shall be transmitted to the Academic Senate, which, within 60 days from the approval of the deeds, shall formulate the proposal for the assumption of the fixed-term researchers, passing it on to the Board of Directors for its approval, as well as to the competent offices for the publication on the Academic website.
3. The final decision on the assumption of the candidate shall be carried out by the Board of Directors, which shall determine the date of the entry into service.

Art. 13 Duties of the fixed-term researchers

1. The research fellows shall carry out supplementary didactic activity and research within the Academic Recruitment Field subject to the procedure and in compliance with the Academic Regulation and in particular with the “Supplementary regulation on the contractual relationship of full-time and fixed-term researchers”.
2. The termination of the working relationship shall be determined by the expiry of the deadline; the justified withdrawal of either of the parties; or by any reason for dissolution of the contract provided for in the current legislation.
3. During the first three months following the stipulation of the contract, each of the contracting parties may withdraw from the contract at any time, without notice.

Art. 14 Incompatibility

1. The contracts provided for in the present regulation shall not be cumulative with similar contracts, scholarships, research doctorates, research grants, with the exception of any kind of internship abroad, since said experiences are considered to be highly functional to the research programme;

The contracts provided for in the present regulation shall also be subject to the incompatibilities provided for in art. 6 of law 240/2010.

Art. 15 Legal Treatment

1. The Board of the didactic-scientific structure requesting for the activation of the procedure shall determine at the beginning of each academic year, upon the approval of the interested researcher, the duties and the mode of operation of the scientific and didactic functions, in conformity with the supplementary regulation provided for in the official website of the University.
2. The annual commitment for the implementation of the didactic activity of the researchers on specific courses, shall correspond to 30 hours for full-time researchers and 200 for fixed-term researchers. The didactic work load shall meet the didactic requirements of the University. The researcher shall be available for front lessons including seminars, synchronous and asynchronous lessons and meetings in the online platform.
3. The didactic activity shall be carried out in the context of the disciplinary-scientific field indicated in the tender announcement.
4. At the end of each academic year, the researchers shall provide their didactic structures with a report on their activity, which shall be evaluated by the Board.
5. In those matters not provided for in the present Regulation, shall be applicable the dispositions provided for in the “Supplementary Regulation on the contractual relationship of the fixed-term and full-time researchers” and the dispositions regulating the legal treatment of the tenured researchers.

Art. 16 Emoluments

1. For the contract holders provided for in art. 3, paragraph 1, letter a) of the present regulation the salary shall equal the initial amount of the emoluments for the academic researchers, according to their commitments.
2. For the contract holders provided for in art. 3, par. 1, lett. b) of the present regulation, the gross emoluments is equal to the initial amount of the emoluments for the full-time academic researchers, up to a maximum of the 30%, to be defined upon deliberation of the Board of Directors.
3. The fixed-term researchers may not benefit from the same prospect for increase of salary provided for the full-time researchers.

Art. 17 Early termination of the contract

1. For the early termination of the contract, the researcher shall give advance notice of at least 30 days.
2. In absence of said prior notice, the Board shall have the right to withhold the amount corresponding to the retribution.

Art. 18 Safeguard clause

1. The University reserves the right to revoke and/or not give course to the procedures in case of supervene modifications to the regulation, in case of change of the situation existing at the moment of the publication of the tender notice caused by administrative measures, adopted by the Ministry of Education, University and Research, and/or by eventual measures issued by the competent courts.

Art. 19 Transitional Dispositions

1. In accordance with art. 32, par. 3, point 5, of the Statute of the University, on a transitional basis in and until the constitution and the establishment of the authorities provided for in the same Statute, the functions attributed to the present Regulation to the Academic Senate and to the Faculty Councils shall be implemented in collaboration with the Technical-Supervisory Committee.