

## ***Ministerial Decree of 24<sup>th</sup> December 2018 n. 869 - Courtesy translation***

**IN CONSIDERATION OF** Chap. 1694 of the forecast budget of the Ministry for the financial year 2018 assigned to the operational costs of universities and university consortiums;

**IN CONSIDERATION OF** Ministerial Decree no. 587 of 8<sup>th</sup> of August 2018 regarding the criteria for the distribution of funds to universities for the year 2018, registered at the National Audit Office on 14<sup>th</sup> of September 2018, Sheet 3070;

**IN CONSIDERATION** in particular of art. 6 of the above mentioned Ministerial Decree no. 587 of 8<sup>th</sup> of August 2018, which assigns 5,500,000 € to the continuation of the Programme "Rita Levi Montalcini for young researchers" for young Italian and foreign scholars and experts, in possession of a doctoral degree or equivalent position for less than six years, and employed permanently abroad in research or teaching activities for at least three years. The Programme is aimed at the realization of research programmes offered autonomously in Italian universities, through contracts related to art. 24, paragraph 3, letter b) of the Law of 30<sup>th</sup> December 2010, no. 240, on the basis of criteria and methodologies defined by Ministerial decree;

**CONSIDERING THAT** the term "permanently" refers to an active and continuous commitment, of at least 30 months within the three years;

**IN CONSIDERATION OF** the Law of 30<sup>th</sup> December 2010, no. 240 stipulating regulations regarding the autonomy of universities, academic personnel and recruitment, and including a mandate to the Government to incentivize the quality and efficiency of the university system;

**IN CONSIDERATION OF** art. 24, paragraph 2, letter b) and paragraph 3 letter b) of the Law of 30<sup>th</sup> December 2010, no. 240 and subsequent amendments.

**IN CONSIDERATION OF** art. 24, paragraph 8 of the Law of 30<sup>th</sup> December 2010, no. 240, which foresees that the salary due for contracts as foreseen by paragraph 3, letter b) of the same article is equal to the salary for a full time research position increased by up to a maximum of 30 percent;

**IN CONSIDERATION OF** article 24 paragraph 5 of the Law of 30<sup>th</sup> December 2010, no. 240, according to which, "within the resources available for multiannual planning, in the third year of contract according to paragraph 3, letter b), the university will assess the contract holder, if he/she received the scientific habilitation foreseen by article 16, for the purpose of appointing him/her to the role of associate professor, according to article 18, paragraph 1, letter e). If the assessment is positive, the contract holder, upon conclusion of the contract, will be hired in the role of associate professor. The assessment is conducted in compliance with

internationally recognized quality standards identified with a specific university regulation in line with criteria set by Ministerial decree”;

**IN CONSIDERATION OF** art. 29, paragraph 7, of the Law of 30<sup>th</sup> December 2010, no. 240, which, amending article 1, paragraph 9, of Law no. 230 of 2005, gives to the Minister of Education, University and Research, having consulted the National Quality Assurance Agency for University and Research and the National University Council, the task to identify the research programmes financed by the European Union or by the Minister of Education, University and Research, whose winners may be directly hired to the roles of full professors, associate professor or temporary researcher by the universities;

**IN CONSIDERATION OF** art. 3, paragraph 1, letter a) of D.M. 963 of 28<sup>th</sup> December 2015, entitled "Identification of high-level research programs, financed by the EU or by the Ministry of Education, University and Research", which states that the winners of the Programme for young researchers "Rita Levi Montalcini", for the implementation of the programme itself, will be directly hired to the role of temporary researchers as defined by article 24, paragraph 3, letter. b) of the Law of 30<sup>th</sup> December 2010 no. 240;

**TAKING INTO ACCOUNT** the necessity to define the procedures for the submission of applications, the selection of applicants, and the allocation of the resources available pursuant to art. 6, of the abovementioned Ministerial Decree no. 587 of 8<sup>th</sup> of August 2018;

## **DECREES**

### **ART. 1**

The programme for the recruitment of young researchers following art. 6, of the abovementioned Ministerial Decree no. 587 of 8<sup>th</sup> August 2018, concerns scholars of all nationalities who have been awarded a Doctoral degree or equivalent and who are carrying out teaching or post-doc research activities abroad from at least three years.

Therefore, under penalty of exclusion, applicants should be:

1) Scholars who have been awarded their doctoral Degree, or equivalent, after the 31<sup>st</sup> October 2012 and by the 31<sup>st</sup> October 2015. The awarding date corresponds with the date of the final exam, as stated in the art. 6, paragraph 3, of the D.M 224 of the 30<sup>th</sup> of April 1999. The limit of the 31<sup>st</sup> October 2012 may be anticipated to a date not earlier than the 30<sup>th</sup> of April, 2011 in cases of maternity or paternity leave, for serious and documented illness and for national service (military or civil service) of a period equal to the suspension of the PhD programme, issued by the university, for the before mentioned reasons, as foreseen by the art. 6, paragraph 2 of the above mentioned DM n. 224/1999.

2) Scholars who, at the date of the application submission, have been permanently and continuously employed abroad for at least three years in teaching or research activities in qualified universities or research institutions.

The activities realized abroad on the basis of study grants or sponsorships obtained in Italy cannot be included as part of the three years period conducted abroad. During the three years previous to the submission of the application, the scholars must not have covered any formal position at a university or other bodies/institutions, within the territory of the Italian State (temporary researchers that have conducted extended periods of research and/or teaching activities abroad, fellowships, contracts, doctorates, or enrollment in doctorate programmes in co-tutorship with foreign universities and research centres, beneficiaries of study grants).

## **ART. 2**

On the basis of the resources foreseen by art. 6 of Ministerial Decree no. 587 of 8<sup>th</sup> August 2018, 24 temporary research positions are hereby allocated as foreseen by article 24, paragraph 3, letter b) of the Law 30<sup>th</sup> December 2010, n. 240;

## **ART. 3**

Applications must be submitted, with reference to those Universities that have declared their availability to take part in the call, exclusively via Internet on the MIUR-CINECA website (<http://cervelli.cineca.it>), within and not later than thirty days from publication of the present Decree in the Official Journal. Applications must include:

- curriculum vitae of the applicant;
- list of scientific publications and an attached publication realized during the previous three years;
- self-certification, or certification, as foreseen by the art. 3 of the decree of the President of the Italian Republic n. 445/2000, of continuous residence abroad, in a position involving teaching or research activities for at least three years at the date of the application submission and with a maximum interruption period of up to 6 months, together with the declaration that any formal position at a university or other bodies/institutions has not been covered in the same period within the territory of the Italian State, according to the art. 1, paragraph 2 of the present decree.
- the research programme must specify: the context of the research, the foreseen methodology, the foreseen results and different stages of the programme; the cost of the research which must be directly correlated with the activity of the scholar at the institution where the programme will be conducted;
- name, institution and email address of two foreign experts, who will provide each a confidential recommendation letter;
- indication, in order of preference, of five state universities among the ones that have declared their availability, including special institutions, where the applicant intends to conduct the research activity. The list of institutions will be communicated to the Committee foreseen at art. 4, once the final classification by merit is completed.

- self-certification, or certification, under the art. 3 of the decree of the President of the Italian Republic n. 445/2000, of the possible period of suspension of the PhD course as foreseen by art. 1, paragraph 1 of the present decree.

#### **ART. 4**

The selection of applications is entrusted to a Committee consisting of the Chairman of the Italian University Rectors' Conference, and four scholars of high scientific profile on an international level, nominated by the Minister, with the task of expressing motivated evaluations of the scientific qualifications of the candidates and the scientific profile of the research projects. When needed, the Committee will make use of competent anonymous reviewers for the assessment of applications. The allocation of available places is based on the number of applications, the quality of the candidates and the relevance of the projects.

Upon completion of the assessment stage, the Committee will classify, according to lists of priorities distinguished by general area, all the applications that are positively assessed and propose to the Ministry those to be financed in relation to the available funds.

The lists of priorities and the resulting list of the 24 selected applications will be approved by the Minister and published on the Ministry web site. Subsequently the Ministry will contact the selected candidates, who are asked to confirm their acceptance within 15 days, and, afterwards, with the institutions, taking into account the order of preference indicated by the selected candidates.

Within 45 days the institutions must send to the Ministry the resolution of the Administrative Board including the commitment to sign a contract according to the art. 24, paragraph 3) letter b) of the Law of 30<sup>th</sup> December 2010, no. 240, and the commitment of the university department to provide adequate resources and support the research or, alternatively, the statement of non acceptance of the selected candidate.

The winners formalize the contract and take service at the university within 8 months following the resolution of the Administrative Board.

In cases of non-acceptance of a contract, of failure to take service by a winner, or in the case of non-acceptance by any of the five universities indicated by the winner in the order expressed in the application, the winner is declared dismissed. In this case, the other candidates in the list of priorities will be consulted in order of classification within the 12 months following the publication of the same list of priorities on the Ministerial web site.

The Ministry will also provide funds for the cost considered admissible for the execution of the research programme, which must not include costs resulting from the utilization of external personnel.

The contract agreed with the university regulates the exclusive full time employment of the researcher at the university pursuant to the Law of 30<sup>th</sup> December 2010, no. 240 as noted in premise. If, during the course of

the contract, the researcher becomes the winner of other research programs, an *addendum* to the contract will be required which, in any case, may not lead to an increase in remuneration but only to a reshaping of the commitment to the project, however the commitment must stay at least equal to 70% of the total. This amendment must be communicated to the Ministry which, at the end of the three-year period, will proceed with the recovery of any sums (part of the cost of the contract) reported in other research projects.

#### **ART. 5**

The Ministry, following the agreement of the contract, will transfer to the university the entire sum agreed for the conduction of the research activity and for the payment of the salary to the researcher involved, determined as 120 percent of the salary for a confirmed full time researcher, as foreseen by art. 24, paragraph 8, of the Law of 30<sup>th</sup> December 2010, no. 240. In cases of anticipated termination of the contract, the Ministry will recover the remaining funds from the university thorough the operational fund.

#### **ART. 6**

Within 90 days before the end of each year of the contract, the researcher will present a detailed report on the research conducted during the period of reference, and a final report upon termination of the contract to the university department at which they conduct their research activity. The abovementioned final report, together with the evaluation by the department, will be forwarded to the Ministry within 30 days. At the end of the contract the department is also requested to present to the Ministry a financial report of the project.

Furthermore, according to art. 24, paragraph 5, of the Law of 30<sup>th</sup> December 2010, no. 240, concerning the resources available for multiannual planning, the university, during the third year of the contract, will assess whether the contract holder has achieved scientific habilitation foreseen by article 16 of Law 240 of 2010, for the purposes of nomination as associate professor according to article 18, paragraph 1, letter e), of the same Law. In cases of a positive assessment, the contract holder, upon termination of the contract, is employed as an associate professor. The assessment will be conducted in compliance with internationally acknowledged quality standards identified in a specific university regulation in line with criteria stipulated by the Ministerial decree of 4<sup>th</sup> August 2011, n. 344.

The Ministry, taking into account the results of the previous calls of the Programme for young researchers "Rita Levi Montalcini", monitors the outcomes of the recruitment of researchers according to the present decree, in the twelve months following the end of their contracts, also in order to verify the efficacy of this instrument to pursue quality and attractiveness objectives of the university system and in preparation of the adoption of next calls of the program.

#### **ART.7**

No financial burdens are foreseen on the forecast budget of the Ministry of Education, University and Research in relation to the operation of the Committee as per art. 4.

The present Decree will be sent to the National Audit Office for registration and publication in the Official Journal.

#### **ART.8**

Pursuant to Legislative Decree n. 196/2003 and to EU Regulation 679/2016, the Ministry of Education, University and Research – General Directorate for the planning, coordination and financing of institutions of higher education, Via Michele Carcani n. 61 00153 Rome is the controller of personal data provided by the candidates to the Programme “Rita Levi Montalcini for young researchers”. These data are collected, for the purposes of managing the proposals presented by the scholars, by the data controllers, through the consortium CINECA, via Magnanelli n. 6/3 40033, Casalecchio di Reno, according to the methods provided by this decree. The person responsible for the processing of personal data is identified in CINECA Director.

The provision of data is mandatory for the evaluation of the candidates for the purpose of identifying the 24 winning subjects referred to in Articles 2 and 4 of this decree and for the management of the relative procedures.

The aforementioned information is disseminated exclusively in the cases and in the manner prescribed by this decree.

Interested parties may assert their rights under the Legislative Decree n. 196/2003 and EU Regulation 679/2016 with respect to the subjects mentioned above.

THE MINISTER  
dott. Marco Bussetti