



Provisions for the regulation of mobility by appointment of professors pursuant to Article 7, paragraphs 5-bis, 5-ter and 5-quater, of Law No. 240/2010 (Original document DR n 945/2024 del 14/06/2024)

**THE RECTOR,**

HAVING REGARD TO Law No. 240/2010;  
CONSIDERING Law No. 240 of 30.12.2010 concerning “Rules on the organisation of universities, academic staff and recruitment, as well as delegation to the Government to boost the quality and efficiency of the university system”, and in particular Article 7, paragraphs 5-bis, 5-ter and 5-quater;  
HAVING REGARD TO the current Statute of the University of Cagliari, amended by R.D. 305 of 28.03.2022, published in the Official Gazette of the Italian Republic - general series - No. 88 of 24 April 2022;  
HAVING REGARD TO Ministerial Decree No. 367 of 29 April 2022, on the Implementing Rules for mobility by appointment in Universities and Public Research Bodies;  
HAVING REGARD TO the decisions by which, at its meetings of 28 May 2024, the Academic Senate approved the aforementioned Regulations, and the Board of Directors gave its favourable opinion on the text of the Regulations;  
HAVING REGARD TO the need to issue the above-mentioned regulation;

**ISSUES THE FOLLOWING DECREE**

- ART. 1** -The “Rules governing the mobility of professors by appointment, pursuant to Article 7, paragraphs 5-bis, 5-ter and 5-quater, of the Law n. 240/2010”.
- ART. 2** -The Rules and Regulations enter into force on the day this decree is issued and will be published on the University’s website.

*Approved by the Director General*

The Rector  
Prof. Francesco Mola  
*(digitally signed)*

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**Rules governing mobility by appointment of professors pursuant to Article 7, paragraphs 5-bis, 5-ter and 5-quater, of Law No. 240/2010**

**Art. 1**

**Purpose and Scope**

These Regulations, enacted on the basis of Law No. 168 of 9 May 1989, provide the framework for the mobility of professors in accordance with Article 7, paragraphs 5-bis, 5-ter and 5-quater, of Law No. 240 of 30 December 2010. The applicable legislation was reviewed and updated in compliance with the principles set out in the European Charter for Researchers, in accordance with Recommendation no. 251 of the Committee of the European Communities of 11 March 2005, and the Code of Ethics of the University of Cagliari.

**Art. 2**

**Determining positions to be filled through mobility**

- 1) In accordance with the provisions set forth in article 7, paragraphs 5-bis, 5-ter and 5-quater of Law No. 240/2010, the University of Cagliari may, within the limits of the resources available for the triennial planning and the recruitment possibilities available, recruit full and associate professors in order to meet specific teaching, research or Third Mission needs.
- 2) Each Department, is responsible for contributing to the formulation of the university's three-year staffing plan, recommending to the governing bodies the selection for professor positions to be filled through mobility.

**Art. 3**

**Department requirements**

The decision by which the Department requests the positions to be filled must contain the following essential details:

- a) the number of posts being applied for;
- b) an indication, for each post, of the role being allocated;
- c) the academic-disciplinary group or field for which the position is sought and any indication of one or more academic-disciplinary fields;
- d) information on the teaching, research or Third Mission requirements for each position being applied for;
- e) the place of employment.



The Department's decision must be adopted with the favourable vote of an absolute majority of the professors of the first level for requests for full professor positions, or an absolute majority of the professors of the first and second level for requests for positions of associate professor.

**Art. 4**

**Requirements for admission to the procedure**

The following categories may take part in mobility procedures:

professors who have been working for at least five years at other universities at the status level corresponding to the one for which the mobility procedure is being initiated. Full professors must meet the requirements laid down by the regulations in force for aspiring committee members for national academic qualification assessment procedures;

scholars who are permanently employed abroad in research or teaching activities; these individuals must have held an academic position for at least five years at a foreign university that is equivalent to the position for which they are being considered for selection. The equivalence of these positions is determined using the tables set out in the Ministerial Decree 456 of 10 May 2023. In the case of appointments to the position of full professor, the requirements set out in the current regulations for prospective members of the selection committee for national academic qualification procedures must be met; senior research directors and leading researchers at public research organisations, who have been in service for at least five years at the organisation they belong to and hold the national academic qualification for the competition sector and the status level to which the procedure refers;

persons employed in permanent or fixed-term roles pursuant to Article 1, paragraph 422 et seq. of Law No. 205 of 27 December 2017, at the institutes of hospitalisation and medical care (IRCCS) who carry out translational, pre-clinical and clinical research activities, who have been in service for at least five years at the institution to which they belong and are in possession of the National Academic Qualification (ASN) for the competition sector or academic recruitment field and the level to which the procedure refers;

Applicants will not be admitted if, on the date of submitting their expression of interest, they have a degree of kinship or affinity up to and including the 4th degree of kinship with



a tenured professor or professor belonging to the Department applying to fill the post, or with the Rector, or with the Director General or a member of the University's Board of Directors.

**Art. 5**

**Initiating the appointment procedure**

- 1) Based on the available financial resources and staff resources, and subject to the opinion of the Academic Senate, the Board of Directors shall approve the activation of the appointment procedure.
- 2) The public notice, which will be published on the University's website, will contain the following details:
  - a) the position subject of the appointment, with reference to the level and the academic-disciplinary group of interest in relation to the requirements referred to in point c);
  - b) the requirements for admission to the procedure;
  - c) information on the teaching, research or Third Mission requirements to be met by the project;
  - d) the evaluation criteria for projects accepted for evaluation;
  - e) the modalities for the formation and constitution of the selection committee; the telematic procedures for submitting expressions of interest and the deadline for submitting them, which must be not less than 15 days from the date of publication of the notice;
  - g) specification that the submission of an application for the expression of interest does not, in any case, entitle the applicant to be admitted to the procedures for access to the university's teaching staff qualifications.
  - h) any other information deemed useful for the procedure.

**Art. 6**

**Submission of Expressions of Interest**

- 1) Expressions of interest in the appointment must be submitted electronically in accordance with the terms and conditions set out in the notice.
- 2) The expression of interest must include:



- a) a photocopy of a valid identity document;
- b) the project proposal that the applicant intends to develop in coherence with the teaching, research or third mission needs set out in the notice;
- c) curriculum vitae of their teaching and academic activities;
- d) publications and/or other qualifications that the candidate intends to submit for selection purposes.

**Art. 7**  
**Evaluation Committee**

- 1) The Evaluation Committee shall be appointed by Rectoral Decree following the deadline for submitting expressions of interest.
- 2) In order to ensure academic quality and in respect of international standards, the committee must be composed of three full professors from the academic-disciplinary group for which the procedure was initiated. Committee members must:
  - a) meet the requirements set out in the ANVUR decision establishing the 'Objective criteria for verifying the results of the research activities of university professors and researchers, pursuant to Article 6, paragraphs 7 and 8 of Law 240/2010';
  - b) have been positively evaluated by the university to which they belong, pursuant to Article 6(7) of Law No. 240/2010.
- 3) It will also be possible to appoint lecturers serving at foreign universities of proven international recognition within the academic disciplinary group covered by the notice, and who hold an academic position corresponding to that of full professor based on the equivalence tables defined by the Ministry.
- 4) Committee members shall be chosen using the following criteria:
  - a) one member, internal or external, indicated by a decision of the Department that has publicised the post to be filled;
  - b) two members from outside the University of Cagliari, chosen by the Academic Senate by random selection from two lists of names proposed by the Department publicising the post, composed as follows:
    1. a first group of three professors, from which one male component will be



drawn;

2. a second group of three female professors, from which one female component will be drawn;

- 5) The Department's decisions must be taken within the restricted parameters that guarantee the respect of peer judgement.
- 6) The Committees may not be composed of professors who are current members of the Board of Directors and/or the Academic Senate of this University, nor of professors belonging to the University itself.
- 7) The Rectoral Decree appointing the Committee shall be published on the University's website.
- 8) The Committee shall choose from among its members a Chairperson and a Secretary to take the minutes.
- 9) The Committee will conduct its work in a collegial manner, taking its decisions by an absolute majority and may make use of telematic tools to process its work.

#### **Art. 8**

##### **Evaluation of Expressions of Interest**

- 1) Expressions of interest are assessed on the basis of the following criteria:
  - a) the congruence of the project proposal with the academic-disciplinary group and the academic-disciplinary sector, as well as with the contents of the teaching and/or research and/or third mission requirements indicated in the notice;
  - b) the level of academic qualification and expertise already acquired by the candidate in the disciplinary fields indicated in the notice, documented by the curriculum vitae, academic output/production and titles and qualifications presented, and its congruence and appropriateness in relation to the project proposal submitted;
  - c) clarity, comprehensiveness and integrity of the submitted project proposal, specifically in terms of the impact on the Department's needs set out in the notice.
- 2) With the authorisation of the Rector, the Committee may use telematic means for its meetings. In this case, the Committee shall adopt appropriate instruments and procedures to ensure the transparency of its work and the equal treatment of candidates and shall ensure that communications are as confidential as possible.



3) On the basis of the above criteria, the Committee shall formulate an opinion on each of the expressions of interest received and identify the one that best meets the needs of the Department as set out in the notice. In the case of a single expression of interest, the Committee shall give either a favourable or unfavourable opinion.

**Art. 9**

**Terms of the evaluation procedure**

- 1) The Committee shall complete its work within two months of the decree of appointment by the Rector.
- 2) The record shall consist of the minutes of each meeting, of which the Committee's assessments of each candidate shall form an integral part. In the event of disagreement on the part of any member of the Committee as to the merits of a candidate, such disagreement may be expressed in a minority report.
- 3) If the Rector finds any irregularities in the conduct of the procedure, he/she shall return the documents to the Committee by means of a reasoned decision, setting a deadline for the Committee to make any necessary corrections.
- 4) The documents shall be approved by Rectoral Decree within fifteen days of their transfer to the offices. The approval decree will be published on the University's website. The candidates and the department concerned will be informed of the publication.

**Art. 10**

**Appointing the professor**

- 1) Once the selection procedure has been completed, the Department shall, within 30 days of receipt of the Rector's decree approving the Committee's decisions, submit to the Board a recommendation for the appointment of the candidate who has submitted the expression of interest which the Committee considers to best meet the Department's needs as set out in the call for applications, or of the candidate who obtained a positive assessment in the case of a single expression of interest.
- 2) The appointment decision shall be taken by an absolute majority of the eligible professors of the first level for the appointment of professors of the first level (full professors) and by an absolute majority of the eligible professors of the first and



second level for the appointment of professors of the second level (associate professors).

- 3) The Council of the Department concerned may decide, giving reasons, not to proceed with the appointment if none of the project proposals submitted is in line with the specific teaching, research and/or third mission requirements that motivated the need to appoint in the first place.
- 4) The appointment is submitted to the Academic Senate for approval of the Board of Directors, which shall decide within 30 days.
- 5) The appointment proposal may also be formulated directly by the Academic Senate, subject to the approval of the Board of Directors, which shall decide within thirty days.
- 6) The appointment is formalised by a decree of the Rector.

**Art. 11**

**Entry into force, final rules and regulations**

- 1) These Regulations are adopted pursuant to Law 168/1989 and issued by decree of the Rector. The Rules and Regulations are published on the website and come into force as of the date of their enactment.
- 2) For all matters not expressly provided for in these Regulations, the provisions of the law in force shall apply.