

LEGISLATIVE DECREE 27 January 2012, n. 19

Enhancing the efficiency of universities and the consequent introduction of reward mechanisms in the distribution of public resources on the basis of criteria defined ex ante also through the provision of a system of periodic accreditation of universities and enhancement the figure of permanent researchers not confirmed in the first year of activity, pursuant to article 5, paragraph 1, letter a), of the law 30 December 2010, n. 240

Extracts

Art. 4

National system of evaluation, quality assurance and accreditation of universities

1. The national system of evaluation, quality assurance and accreditation of universities operates in accordance with standards and guidelines for quality assurance in the European higher education area and provide:
 - a) an internal assessment system implemented in each university.
 - b) an external assessment system of the universities.
 - c) a system of accreditation of universities and study programmes.

Art. 5

Accreditation system

1. The system of initial and periodic accreditation, regards:
 - a) universities.
 - b) study programmes.
2. Initial accreditation means the authorisation by the Ministry to activate universities and their study programmes. The initial accreditation includes the assessment of compliance with ex ante indicators defined by ANVUR in accordance with Article 6, aimed at measuring and verifying the teaching, structural and organisational requirements, the qualification of professors and of research to ensure quality, efficiency, and effectiveness as well as to verify the economic and financial sustainability of activities.
3. Periodic accreditation of universities and their study programmes means the verification of quality, efficiency and effectiveness of the activities carried out. Periodic accreditation is carried out at least every five years for the universities and at least every three years for the study programmes and is based on the requirements referred to in paragraph 2, on additional indicators defined ex ante by ANVUR and on the outcome of the assessment referred to in Articles 9 and 10.

Art. 6

Definition of indicators for accreditation

1. ANVUR [...omissis...] defines the indicators for the initial and periodic accreditation of universities and study programmes and communicates them to the Ministry of University and Research. The indicators are adopted by decree of the Minister [...omissis...].
2. The indicators [...omissis...] are developed in compliance with the [ESG], consider the qualitative objectives defined in Article 2, paragraph 2, of the presidential decree February 1st, 2010, n. 76, and the general guidelines of the three-year programming of universities, defined by ministerial decree [...omissis...].
3. The indicators are published [...omissis...] on the web sites of the Ministry, of ANVUR and of each University.
4. The indicators [...omissis...] are subject to periodic review. To make them always compliant with the guidelines defined at European level and in line with the qualitative objectives and the policy lines referred to in paragraph 2, as well as to consider the results of the monitoring activity referred to in Article 9, the

review shall be carried out every three years for indicators relating to the study programme and every five years for indicators relating to the locations. The indicators defined following the review shall be adopted and made public by the same procedure as set out in this Article.

Art. 7

Accreditation of universities

1. Universities and their branches are subject to initial and periodic accreditation, which is carried out in accordance with the criteria and requirements established by ANVUR.
2. [...omissis...].
3. [...omissis...].
4. The [initial accreditation] request, together with the relevant documentation, is forwarded [...omissis...] by the Ministry to ANVUR, which gives a reasoned opinion on the existence of the conditions for the accreditation of the university and their study programmes [...omissis...]. For the evaluation, ANVUR may involve external evaluation experts [...omissis...] and plan inspections, including on-site visits [...omissis...].
5. If the Ministry of Universities and Research considers that there are grounds for a different assessment from that proposed by ANVUR, it may request a reasoned review of the evaluation. Within thirty days of receipt of the ministerial request for review, ANVUR shall deliver a final opinion, with specific reference to the elements highlighted in the review request.
6. The Minister, by its own decree adopted in accordance with the evaluation of ANVUR, grants or denies accreditation [...omissis...].
7. [...omissis...].
8. [...omissis...].

Art. 8

Accreditation of universities' study programmes

1. The study programmes are subject to initial and periodic accreditation.
2. [...omissis...].
- 2.bis [...omissis...].
3. The procedure for the accreditation on new study programmes inside universities that already exist, begins with the following modalities [...omissis...].
4. For accreditation, the University Evaluation Board shall verify whether the establishment of the study programme is compliance with the indicators of initial accreditation defined by ANVUR and, only if such verification is successful, shall draw up a technical report that the university is required to include, in electronic format, in the Ministry's information and statistical system.
5. Within thirty days from the date of receipt of the documentation referred to in paragraph 4, the Ministry shall forward it to ANVUR, which, within 120 days, shall give a reasoned opinion on the existence of the conditions for the accreditation of study programmes. For the evaluation, ANVUR may involve external evaluation experts [...omissis...] and plan inspections, including on-site visits [...omissis...].
6. If the Ministry of Universities and Research considers that there are grounds for a different assessment from that proposed by ANVUR, it may request a reasoned review of the evaluation. Within thirty days of receipt of the ministerial request for review, ANVUR shall deliver a final opinion, with specific reference to the elements highlighted in the review request.
7. The Minister, by its own decree adopted in accordance with the evaluation of ANVUR, grants or denies accreditation. The decree is sent to the University and to the University Evaluation Board in time for the start of the following academic year. In any case, the transmission of the decree must not take place beyond the date of June 15th preceding the start of the academic year.
8. [...omissis...].
9. [...omissis...].

10. Study courses already activated that do not obtain initial accreditation pursuant to paragraph 2 shall be deleted. ANVUR may propose the amalgamation of these courses or other measures to rationalise the study offer [...omissis...].

Art. 9

Monitoring of indicators and periodic assessment

1. The monitoring activity [...omissis...] aimed at verifying the application and the respect over time of the indicators established for the accreditation of universities and study programmes is carried out by ANVUR according to criteria and methodologies established by itself [...omissis...].
2. In the activity defined in paragraph 1, ANVUR makes use of the contribution of the University Evaluation Boards that draw up for this purpose respectively: every five academic years a report on the results of the application of the indicators of university and every three academic years a report on the results of the application of the indicators to each study programme. By its own measure, ANVUR defines the content and procedures for reporting.
3. The reports are included in the information and statistical system of the Ministry of Universities and Research and are sent to the Ministry and to ANVUR.
4. Within sixty days of receiving the reports referred to in paragraph 2, considering the outcome of the checks referred to in article 5, paragraph 3, ANVUR shall propose to the Ministry of Universities and Research for each university, the maintenance of accreditation of the premise or study programmes or, in the absence of the conditions, the revocation of accreditation [...omissis...].
5. With a reasoned request to be submitted within 20 days of receiving the results of the periodic monitoring, the Ministry may request the Agency to review the assessments referred to in paragraph 4. Within twenty days following receipt of the ministerial request, ANVUR gives its final opinion.
6. The Minister, by its own decree adopted in accordance with ANVUR, confirms or revokes the accreditation. The decree is sent to the University and to the University Evaluation Board in time for the start of the following academic year. In any case, the transmission of the decree must not take place beyond the date of June 15th preceding the start of the academic year.
7. Without prejudice to the three and five-year deadlines referred to in this Article, the University Evaluation Board shall in any case be required to notify promptly of any failure of the universities or study programmes to comply with the indicators. [...omissis...].
8. [...omissis...]

Art. 10

Definition of criteria and indicators

1. ANVUR [...omissis...] defines the criteria and indicators for the periodic assessment of efficiency, the economic sustainability of the activities and results achieved by the universities in the field of teaching and research and for the assurance of the quality of the universities [...omissis...] and communicates them to the Ministry. [...omissis...] The indicators are adopted by decree of the Minister of Universities and Research within thirty days of receipt of the communication.
2. The criteria and indicators, developed in compliance with the [ESG], consider the qualitative objectives defined pursuant to Article 2, paragraph 2, of the presidential decree February 1st, 2010, n. 76, and the general guidelines of the three-year university planning, defined by decree of the Minister [...omissis...].
3. The criteria and indicators referred to in paragraph 1 translate the standards, procedures and guidelines adopted at European level into objective parameters, to always measure the efficiency and effectiveness of teaching and research carried out by universities and to stimulate their competitiveness and quality.
4. The activities referred to in paragraph 1 shall also consider the following principles:
 - a) homogeneity, so as to allow its application throughout the national territory to achieve a uniform level of quality of universities, in accordance with the quality programme referred to in Article 2, paragraph 2, of the Decree of the President of the Republic 1 February 2010, n. 76;
 - b) [...omissis...] and dissemination of research results in the social and productive context.

- c) ability to express coherence between the university's three-year programme and the three-year general guidelines issued by the university minister.
5. To ensure maximum publicity, the criteria and indicators referred to in paragraph 1 are published on the institutional sites of the Ministry, ANVUR and each university.
 6. To make them constantly compliant with the European guidelines and the quality objectives and the policy lines referred to in paragraph 2, as well as to consider the results of the monitoring activity [...*omissis*...], the criteria and indicators shall be periodically reviewed every three years.