

Instruction UCA/I03VP/2016, of 25 November 2016, of the Planning Vice-Chancellor of the University of Cadiz, which applies the Regulation UCA/CG06/2012, of 27 June 2012 and regulates the organization of doctoral studies at the University of Cadiz, defining the Procedures for the management of the regime of dedication and permanence in the postgraduate studies at the University of Cadiz

In the academic year 2013-2014, the University of Cadiz implemented a new range of doctoral programs, developed under the new regime of research training defined by Royal Decree 99/2011 of 28 January, which regulates the official teaching of doctoral and complementary rules. Within the framework of the regulations above, the UCA/CG06/2012 Regulation was approved of 27 June 2012 and regulates the organization of doctoral studies at the University of Cadiz (whose integrated version has been published in the [BOUCA number 208, of 13 May 2016](#)). It establishes the essential points of the academic regime of dedication and permanence in doctoral studies of researchers in training who are enrolled in one of the Ph.D. programs offered by the University of Cadiz.

The adequate use of the resources available to public universities makes it necessary to establish rules that regulate the permanence and progress in the studies, making the students participants and co-responsible for the efficient use of public resources made available to them. This perspective also applies to third-cycle studies, a unique period in which, although the strict concept of the student gives way to that of the researcher in training, it calls for even more rigid rules of responsibility for those undertaking such studies, due to the nature of the activities carried out and the intensity of the resources made available for this qualified training, both human (personalized in the figure of the thesis supervisor and his or her dedication) and material (generally specialized university facilities, often managed by research teams).

The substantial regime of permanence in the third cycle is contemplated in article 14 of Regulation UCA/CG06/2012, of 27 June, taking up the mandate of Article 3 of Royal Decree 99/2011, of 28 January. It is, therefore, a question of organizing the purely informative aspects of the actions that correspond to the subject matter regulated by this Instruction for the academic committees of the doctoral programs and for those enrolled in the postgraduate programs, which will allow them to design their training path with the best opportunities, adding certainty to their precise situation in the doctoral program.

The present Instruction is dictated taking advantage of the experience acquired since the implementation of the new Ph.D. programs, in particular, taking into account the academic situation of the students enrolled in the whole of the third cycle offer of the University of Cadiz and the assessment of the development of their training and research activities. On these bases, the Instruction orders a procedure that seeks homogeneity of criteria that guide the actions of the different academic committees of the doctoral programs, of the Direction of the Doctoral School of the University of Cadiz, EDUCA, and the International School of Doctorate in Studies of the Sea, EIDEMAR (about the doctoral programs of vicerrector.planificacion@uca.es

Instruction UCA/I03VP/2016, of 25 November 2016, of the Vice-Chancellor of Planning of the University of Cadiz, which applies the Regulation UCA/CG06/2012, of 27 June 2012. It regulates

the organization of doctoral studies at the University of Cadiz, defining the Procedures for the management of the regime of dedication and permanence in the doctoral studies at the University of Cadiz

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The present Instruction is dictated taking advantage of the experience acquired since the implementation of the new doctoral programs, in particular, taking into account the academic situation of the students enrolled in the whole of the third cycle offer of the University of Cadiz and the assessment of the development of their training and research activities. On these bases, the Instruction orders a procedure that seeks homogeneity of criteria that guide the actions of the different academic committees of the doctoral programs, of the Direction of the Doctoral School of the University of Cadiz, EDUCA, and of the International School of Doctorate in Studies of the Sea, EIDEMAR (in relation to the doctoral programs of the University of Cadiz attached to the center) and the Doctorate Committee of the University of Cadiz, as well as the administrative units of our university involved in the management of the doctorate. In addition, the Instruction aims to serve as an instrument to guide researchers in training, the directors of their research and, where appropriate, tutors, to plan the development of the research period of the doctoral student and the corresponding training activities and, therefore, the completion of their

doctoral studies; thus supporting the training and research calendar that each research plan involves.

In this way, with the present Instruction, the legal mandate is fully complied with, which, apart from the rules already contemplated in the aforementioned Regulation of the University of Cadiz, demands that the regulations of permanence are adapted to the different characteristics of each level of teaching. This is why the University of Cadiz regulates the degrees dedication and continuity conditions in an independent but coordinated way, taking into account each of the academic levels, an aspect that, in relation to the studies of the third cycle, constitutes the object of the present Instruction.

For all these reasons,

in view of the Resolution of the Rector of the University of Cadiz UCA/R09REC/2015, of 16 April 2015, *which establishes the structure and delimits the functions of the Vice-Rectors, the General Secretariat, the Management and the General Directorates dependent directly on the Rector*, in its sixth number, in order to the competencies that correspond to the Vice-Rector of Planning of the University of Cadiz;

Having regard to the Regulation UCA/CG06/2012, of 27 June 2012, *which regulates the organization of doctoral studies at the University of Cadiz*;

DISPOSAL:

FIRST: *The Procedures for the management of the regime of dedication and permanence in the doctoral studies at the University of Cadiz* are approved in the terms set out below.

SECOND: The forms and applications for the procedures contemplated in the Regime of dedication and permanence in the doctoral studies at the University of Cadiz are approved, which are included as annexes to this Instruction.

THIRD: The publication of the present Instruction in the *Official Bulletin of the University of Cadiz* is ordered, coming into force the day of its dictation.

Cadiz, on November 25, 2016

Miguel Ángel Pendón Meléndez.

Vice-Rector for Planning

University of Cadiz

The regime of dedication and permanence in the doctoral studies at the University of Cadiz

Article 1.

1. The purpose of the present regulations is to regulate the regime of dedication and permanence in the third cycle, for researchers in training registered in some of the doctoral programs of the University of Cadiz verified in accordance with Royal Decree 99/2011, of 28 January, *which regulates the official doctoral education*.

2. In accordance with the provisions of Article 3 of the Royal Decree, and under the terms provided in Article 14 of the Regulation UCA/CG06/2012, of 27 June, *which regulates the organization of doctoral studies at the University of Cadiz*, official doctoral studies may be developed in the modalities of full time and part-time.

Article 2. ^o Regime of dedication.

1. Doctoral studies at the University of Cadiz will be made, in general, in a full-time regime.

Unless expressly provided otherwise in a rule, agreement or contract, people whose relationship with the University of Cadiz or another university or public or private institution, necessarily involves the completion of a Ph.D. thesis during the time of execution of a scholarship or contract, will compulsorily pursue their third cycle studies with full time.

2. At the request of the interested party, third-cycle studies may be made on a part-time basis, if there are justified reason, and this they are accredited.

3. The duration of full-time doctoral studies shall be three years, counting from the date of registration of the doctoral candidate in the doctoral program in which the student has been admitted and up to the date of presentation of the Ph.D. thesis.

If, after this period, the thesis has not been presented, at the request of the doctoral student, the academic committee of the doctoral program, taking into account the circumstances of the case, may authorize an extension for the presentation of the thesis for up to one more year. Once the new term is granted, the academic committee will inform the Doctoral School of the University of Cadiz, for its record.

Exceptionally, when there are circumstances that can be considered acceptable and justified, and upon request of the doctoral student and report of the corresponding academic committee, the deadline for submission of the thesis may be extended for one more year. The application will be resolved by the direction of the Doctoral School of the University of Cadiz.

4. The academic committees may agree to admit students to doctoral programs on a part-time basis, for duly justified reasons.

The duration of part-time doctoral studies will be five years from the date of registration of the doctoral student in the program in which he/she has been admitted and until the day of presentation of the Ph.D. thesis.

If the thesis has not been presented by the end of this period, at the request of the doctoral student, the academic committee of the doctoral program may depend on the circumstances of the case; authorize an extension for the presentation of the thesis for a maximum of two more years. Once the new term is granted, the academic committee will inform the Doctoral School of the University of Cadiz, for its record.

Exceptionally, when there are circumstances that can be considered acceptable and justified, and upon request of the doctoral student and report of the corresponding academic committee, the deadline for submission of the thesis may be extended for one more year. The application will be resolved by the direction of the Doctoral School of the University of Cadiz.

5. For the purposes of this Instruction, the presentation of the Ph.D. thesis takes place on the day of the application for its deposit, for its subsequent reading and defense, according to the procedure established by the University of Cadiz.

Article 3.º Change in the regime of dedication

1. Upon request of the third cycle student, the academic committee of the doctoral program may authorize the change of the doctoral student dedication scheme. The application will be accompanied by the documentation that justifies the change and will be informed by the director or directors of the thesis and, where appropriate, by the tutor, indicating the measures to be adopted so that the change in the regime of the dedication of the doctoral student does not adversely affect his doctoral training.

The change in the regime of dedication will be agreed by the academic committee of the doctoral program, giving transfer to the Doctoral School of the University of Cadiz, for its record.

2. The doctoral student may request a change in the regime of the dedication of studies a maximum of two times in the development of the same doctoral program.

3. The authorization to change the regime of dedication in the periods of extension, or in the last six months of the ordinary period established for the completion of the doctorate, whatever the modality in which the studies are being carried out, will not proceed. The same rule will apply during the period of suspension.

4. In the cases of change in the regime of dedication, the calculation of the total duration of the studies will be made, taking into account the period spent in each of the two modalities in the corresponding proportion. This same criterion will be applicable to the granting of extensions, whose duration, in the case of studies with combined full-time and part-time modalities, will be calculated in proportion to the time spent in each of the modalities of dedication.

5. Under no circumstances may changes to the working time arrangements be applied retroactively.

Article 4. 9 Time limits applicable during the development of the doctorate.

Unless otherwise stipulated, the following deadlines will be applied to the completion of third-cycle studies, which will not be affected, unless expressly indicated otherwise, by the difference in the study timetables:

1. *Enrolment.* The applicant to study the third cycle studies at the University of Cadiz must proceed to registration in the terms published in each academic year by the Doctoral School of the University of Cadiz or in the one contemplated in this same Instruction, in article 7.2. Unless an express authorization is given by EDUCA, which justifiably authorizes another term for the doctoral student, the course of the corresponding term without having proceeded to the formalization of registration implies the loss of the place in the doctoral program, which will be attributed to the corresponding person on the waiting list.

In addition, please note the provisions of number 6 of Article 5.

2. *Appointment of thesis supervisor(s).* At the time of admission, if possible, or in any case within three months of such enrolment, each doctoral student will be assigned a thesis advisor by the academic committee of the program (article 16 of the UCA/CG06/2012, of 27 June). In the cases contemplated in the Regulation UCA/CG06/2012, of 27 June, there may be more than one thesis advisor.

3. *Appointment of a tutor.* In accordance with the provisions of Article 15 of the UCA/CG06/2012, of 27 June, at the time of admission, if possible, or in any case within three months of such registration, each doctoral student will be assigned a tutor by the academic committee of the program, which may or may not coincide with the thesis supervisor. The coincidence between the thesis supervisor and the tutor of the researcher in training will be encouraged, without affecting the corresponding academic recognition.

4. *Validation of the Institutional Commitment Document* In accordance with the terms of article 17.1 of the UCA/CG06/2012 Regulation, of 27 June, according to which the institutional commitment will be established once the thesis supervisor has been assigned, the maximum period for validation of this document will be three months from the date of registration of the doctoral student. The term validation is used as equivalent to a signature, according to the electronic procedure that, where appropriate, is adopted at the University of Cadiz for the procedures contemplated in this rule.

5. *Presentation of the research plan.* Within one year of registration, the doctoral student must present a research plan, which must be endorsed by the thesis supervisor and, where appropriate, by the tutor, and which will be evaluated by the academic committee of the doctoral program within a maximum of two months from its submission. Failure by the doctoral student to submit the research plan within the established time limit will have the same effects as a negative evaluation of the plan. Failure by the academic committee to evaluate the plan within the established time limit will not result in its approval.

6. *Complementary training.* Regardless of the study regime, the training complements must be carried out within twelve months after the admission of the doctoral student. Their development will count for the purposes of the deadlines established for the completion of the Ph.D. thesis. However, after a report of the academic committee of the doctoral program, the president of the Doctoral Committee of the University of Cadiz may extend this period.

7. *Deposit of the thesis.* The doctoral student admitted to a doctoral program at the University of Cadiz may not initiate the procedures for the presentation and defense of the thesis until at least twelve months have passed from the date of first registration in the program.

8. *Reading and defense of the thesis.* The reading and defense of the thesis must be carried out within a maximum period of three months from the date of authorization of the act of exposition and defense by the Doctorate Committee, coinciding with the date of approval of the appointment of the thesis tribunal.

9. *Thesis extension.* The deadline for the presentation of the request for extension will be the end of the ordinary period for the presentation of the request for authorization for the deposit of the thesis.

Article 5.º Suspension of the calculation of deadlines.

1. For the purposes of calculating the periods spent on doctoral programs, sick leave, maternity or paternity leave or any other cause covered by current regulations shall not be taken into account

2. Doctoral students enrolled in a program regulated by Royal Decree 99/2011, of 28 January, who, during the course of their studies, are affected by any of the circumstances indicated above, may request an exemption from the calculation of the deadlines applicable to the regime of dedication and permanence of their studies, for the purpose of submitting their Ph.D. thesis.

3. The academic committee of the doctoral program will inform the request for exemption from the calculation of the deadlines, which will be resolved by the Director of the Doctoral School of the University of Cadiz. This Directorate will report to the Doctoral Committee of the University of Cadiz, for its record.

4. Failure to carry out training activities and/or update the research plan during the period of cancellation will not imply a negative evaluation of the doctoral student, and the academic committee of the doctoral program must consider the authorized cancellation period and make the corresponding adjustment according to the duration of the cancellation.

5. The suspension of the calculation of terms will not exempt the doctoral student from the obligation to carry out the annual registration for academic supervision.

6. Once the authorized withdrawal has been completed, the researcher in training must notify the Director of the Doctoral School of the corresponding registration, through the academic committee of the doctoral program. Likewise, he/she will resume his/her obligations in relation to doctoral training and the development of his/her research plan.

Article 6.º Temporary withdrawal from the doctoral program.

1. Doctoral students may request temporary leave from the doctoral program for a period of one year, which may be extended for a further year. This request must be addressed, with due justification, to the academic committee responsible for the program, which will decide whether to grant the request.
2. Failure to carry out training activities and/or update the research plan during the period of cancellation shall not imply a negative evaluation of the doctoral student, and the corresponding deadlines shall be adjusted where necessary.
3. The authorization of the temporary leave will exempt the doctoral student from the calculation of the periods applicable to the regime of dedication and permanence of his studies, for the purpose of the presentation of the Ph.D. thesis, for the period of duration of the same, but not from the obligation to carry out the annual registration of academic supervision, which will guarantee the maintenance of the condition of researcher in training at the University of Cadiz of the doctoral student, as well as the enjoyment of the services that may be derived from it.
4. The period of authorized leave will be applied at the end of the period that corresponds to the regime of dedication in which the doctoral student is registered, producing the extension of the same for the duration of the leave.

Article 7. Definitive withdrawal from the doctoral program.

1. Permanent withdrawal from the doctoral program implies the non-continuation of the studies on the doctoral program in which the student has enrolled and, therefore, the cancellation of the institutional commitment and the research plan, if applicable.
2. These are causes for permanent withdrawal from the doctoral program:
 - a) The express communication, in writing, of the doctoral candidate to the academic committee of the doctoral program, expressing his decision to abandon the program definitively.
 - b) The failure to complete, without just cause, the process of registration or renewal of registration and the payment of the fees corresponding to academic supervision in one or more academic years.

In the case of new students, failure to formalize, without just cause, the first enrolment within a maximum period of six months from admission will be the definitive cause of loss of the place, which may be awarded to the most deserving applicant from the waiting list.

- c) The failure to pass the training complements within a maximum period of twelve months from the date of registration of the doctoral student in the doctoral program.

- d) Failure to formalize the institutional commitment document within twelve months of the date of registration of the trainee researcher in the third cycle.
- e) Failure to comply with the obligations set out in the institutional commitment document. This circumstance will be assessed by the President of the Doctoral Committee of the University of Cadiz, after hearing the academic committee of the doctoral program, the Direction of the Doctoral School of the University of Cadiz and the Doctoral Committee of the University of Cadiz and after hearing the interested party. The resolution may provide for the closure of access to the doctoral programs of the University of Cadiz to the student for a maximum period of three years.
- f) The second annual unfavorable evaluation, in the terms provided in Article 21.2 of Regulation UCA/CG06/2012 of 27 June 2012, *which regulates the organization of doctoral studies at the University of Cadiz*.
- g) The registration in another doctoral program at the University of Cadiz.
- h) The exhaustion of the maximum terms established for the duration of doctoral studies in each of the possible regimes of dedication.
- i) The exhaustion, without just cause, of the maximum period established for the celebration of the act of defense of the Ph.D. thesis (three months from its authorization by the Doctoral Committee of the University of Cadiz). The concurrence of a cause that justifies the delay and, where appropriate, the authorization of a new term, must be agreed by the Doctoral Committee of the University of Cadiz.
- j) Any other cause provided for by current regulations and that is applicable.

3. Without prejudice to the established in letter e) of number 2 of this article, the cancellation of a doctorate program means the closure of access to doctoral programs for the student of the University of Cadiz for two years. After the corresponding time, in case of obtaining a new position under the competition system, only the merits that the academic committee deems relevant can be incorporated into the new record of the doctoral student. In this case, the time and regime in which the student previously stayed in the doctorate program will be considered for the purposes of calculating the permanence.

A second withdrawal from the doctoral program will mean the closure of the program for the student for a period of five years. Successive failures to comply with their obligations may result in the definitive closure of access to third-cycle studies at the University of Cadiz.

4. Notwithstanding the provisions of the previous numbers, at any time the Doctorate Committee of the University of Cadiz, following a report from the corresponding academic committee, may authorize the admission of the doctoral student in a new academic call in the same doctoral program in which it has caused the cancellation, provided that there are accredited causes that are considered to be acceptable.

5. For duly justified reasons, the doctoral student may request a change of doctoral program among those offered by the University of Cadiz and must join the admission process under the same conditions as other applicants. Admission to the new program will require a report from

the academic committees of both programs and, following a report from the Director of the Doctoral School of the University of Cadiz, will be resolved by the President of the Doctoral Committee of the University of Cadiz.

6. The definitive withdrawal from a doctoral program will take the form of a Resolution and will be adopted by the President of the Doctoral Committee of the University of Cadiz.

Article 8. ^º Simultaneity of studies.

1. At the time of making his application for admission, the candidate for the doctorate must inform of any other official studies he is taking in this or another university.

2. It will not be possible to carry out two doctoral programs simultaneously at the University of Cadiz.

3. The simultaneousness of doctoral studies at the University of Cadiz with doctoral programs from other universities will only be authorized in the context of agreements for the development of Ph.D. thesis in a coterminous regime, or in the context of previous and specific agreements with other universities in which this case is expressly established.

Article 9. Blocking of the academic record.

1. Without prejudice to the causes for temporary or definitive withdrawal specified in these Proceedings or in the applicable regulations, failure to comply with any of the requirements or deadlines

The use of the information contained in this document in connection with doctoral studies under regulations in force may result in the temporary blocking of the interested party's academic record.

2. The academic record may be blocked for reasons duly assessed by the academic committee of the corresponding program and will be decided, where appropriate, by the Directorate of the Doctoral School of the University of Cadiz. In this case, the blockage and its causes will be communicated to the third cycle student, also informing him of the actions to be taken, if necessary, to overcome the blockage.

3. The blockade will cease at the time that the incident that caused it is corrected or, if necessary, by the definitive cancellation of the third cycle student.

Article 10. Competences of the Academic Committee of the Doctorate Program in order to carry out the procedures contemplated in these Instructions.

1. Being the academic committees of the doctoral programs responsible for their development, in terms of article 7 of the Regulation UCA/CG06/2012, of June 27, 2012, *which regulates the organization of doctoral studies at the University of Cadiz*, it is their responsibility to ensure

compliance with the deadlines set out in this Instruction and the attention of the procedures that are developed in the regulations of the University of Cadiz in relation to doctoral programs. To this end, it corresponds to the academic committees of the doctoral programs to supervise that the researchers in training, the directors and, where appropriate, the tutors attend to the maximum deadlines for completing the procedures and files that concern them, encouraging or demanding the attention and completion of those who are delayed.

2. Repeated non-compliance with the deadlines set out in this Instruction or failure to comply with the requirements of the committees, insofar as this may affect the rights of other interested parties in the doctoral activity, the actions of the academic committees or the monitoring of the precise indicators generated by the doctoral program for its correct monitoring will be brought to the attention of the President of the Doctorate Committee of the University of Cadiz, which may resolve what is appropriate, adopting and promoting the measures that are appropriate both in order to overcome the defects that are appreciated, the recognition of the doctoral activity and even agreeing to the exclusion of the participation of the person responsible for the failure to comply with the doctoral program. In these cases, the action of the President of the Doctoral Committee of the University of Cadiz will require the prior informed request of the academic committee of the doctoral program, a report from the Management of the Doctoral School of the University of Cadiz and attention to the allegations that, where appropriate, the affected party may present.

3. In the case of the procedure provided for in Article 4, number 4, of this Instruction (*Validation of the Institutional Commitment Document*), the President of the Doctoral Committee of the University of Cadiz may act ex officio.

First additional provision. Rules for decisions and resolutions to be issued.

The decisions adopted by the academic committees of the doctoral programs and by the Direction of the Doctoral School of the University of Cadiz within the framework of this Instruction may be reviewed by the President of the Doctoral Committee of the University of Cadiz, who will resolve under the Resolution formula.

The resolutions of the President of the Doctoral Committee of the University of Cadiz may be appealed in a show of hands before the Rector of the University of Cadiz.

Second additional provision. Joint Doctoral Programs.

In the interuniversity doctoral programs, the provisions of the agreements that regulate these programs will be followed. In the event that there is no provision in the agreement of reference, and unless the monitoring committee of the agreement agrees otherwise, the rules of the permanence of the University of Cadiz for researchers in training registered at our University will be applied.

The Erasmus Mundus doctoral programs will be governed, in this aspect, by their own regulations, being applicable in a subsidiary way the corresponding regulations of the university in which the third-cycle student is registered.

Single final provision. - Effective equality between women and men.

In application of Organic Law 3/2007, of 22 March, *for the effective equality of women and men*, as well as Law 12/2007, of 26 November, *for the promotion of gender equality in Andalusia*, any reference to persons or groups included in these Regulations will be referring to the neutral grammatical gender, including, therefore, the possibility of referring to both women and men.

In accordance with the provisions of article 53 of Organic Law 3/2007, for the effective equality of women and men, all bodies with decision-making powers referred to in this Instruction must respect the principle of balanced presence of women and men in their composition, except for duly justified and objective reasons. Similarly, this principle shall be guaranteed in the appointment and designation of the positions of responsibility inherent to them.

These rules and the precept on which it is based (Article 14 of Regulation UCA/CG06/2012 of 27 June, *which regulates the organization of doctoral studies at the University of Cadiz* (approved by agreement of the Governing Council of the University of Cadiz in the extraordinary session held on 27 June 2012; amended by agreement of the Governing Council of the University of Cadiz, in the session held on 4 May 2016)) have been approved by the Social Council of the University of Cadiz, in the extraordinary session held on 25 November 2016.