

## JUSTIFICATION

In the current legal environment, issues related to the higher education system are governed by the Law on Higher Education of 27 July 2005 and by the Act of 14 March 2003 on Academic Degrees and Academic Title and Academic Degrees in Art and Academic Title in Art.

The legislative changes put forward in this amendment, which are the result of almost two years of public consultations, stem from the need to adjust our higher education system to the unprecedented increase in the scale of tasks it faces and also from the need to harmonise this system with the solutions being implemented in the European Higher Education Area. In view of the unquestionable success, i.e. a nearly fivefold increase in the number of students during the last twenty years, improving the quality of programmes and the efficiency of the higher education system has become a priority. The solutions proposed are intended to gradually modify the legal environment in which higher education institutions operate in Poland and aim to improve the global position of the Polish higher education system and academic staff. They should make Polish higher education institutions attractive places to conduct research for foreign scholars as well as attractive places of learning for foreign students. The latter factor becomes particularly relevant in view of the imminent deep decline in student population.

The first stage of the work that aims to achieve these goals has already been completed – on 18 March 2010, the Sejm of the Republic of Poland adopted six Acts reforming the system of science. Owing to the fact that 66.44% of Polish researchers work at higher education institutions, these reforms have to be supplemented by the amendment of the Law on Higher Education and of the Act on Academic Degrees and Academic Title and Academic Degrees in Art and Academic Title in Art. The introduction of the solutions proposed in this amendment will make it possible to achieve synergies with the Acts reforming the system of science that have already been adopted. Moreover, the amendments proposed contribute to the implementation of fundamental assumptions of the Bologna Declaration of which Poland is one of the signatories.

The purpose of the implementation of the systemic changes presented in this draft is to ensure higher-quality education for Polish students, i.e. better preparation for the rapidly changing economic conditions, to provide opportunities for broader participation in major international research projects for Polish scholars and to create perspectives for continuous development and steady increase in research and teaching potential for Polish higher education institutions.

Higher education is among the most rapidly developing areas of social life in Poland. During the last twenty years, it was subject to dramatic quantitative and institutional transformations. The establishment of non-public higher education institutions became possible and non-public

forms of education were introduced, causing a nearly fivefold increase in the number of students.

This huge success in quantitative terms, which has been emphasised in many international reports, has not been accompanied so far by a policy oriented towards a significant improvement in quality. The most conspicuous consequence of this neglect is the absence of Polish higher education institutions in the group of institutions that are recognised worldwide for their excellence in research and teaching.

With respect to the identification of weaknesses of the Polish higher education system, note should be taken of the following points:

- 1) the lack of mechanisms that promote quality in the financing system – in the system of financing higher education institutions that has been in effect in Poland, no special subsidy is present that would aim to promote the quality of research and teaching at higher education institutions; moreover, in the algorithm currently applicable to the allocation of subsidies related to full-time students the weight of quality-related factors is negligible in comparison with the so-called carry-over constant;
- 2) the low internationalisation level of programmes – a commonly used ratio measuring the level of internationalisation of national higher education systems is the ratio of foreign citizens to the entire population of students. In Poland, this ratio is 0.5%, while in Slovakia it amounts to 0.9%, in Hungary it is 3.3%, in the Czech Republic – 6.3%, and the average for Organisation for Economic Co-operation and Development (OECD) countries is 9.6%. These statistics demonstrate that the teaching offerings of Polish higher education institutions remain unattractive for foreign students;
- 3) inappropriate structure of fields of study – the disproportionate expansion of the segment of social and pedagogic programmes where large number of students are enrolled, particularly in the part-time format, does not meet the employers' expectations. On the other hand, we have a shortage of graduates in science, technical and health-related fields of study. On the national level, this poses a threat to the future social and economic development rate, while on the individual level it leads to an undesirable situation in which a higher education diploma only increases remuneration by around 28% in Poland, while in the United States the increase is 76.8%, in Portugal it is 68.8% and in France it is 64.6%. Moreover, Poland is only ranked 19<sup>th</sup> in the European Union (EU) with respect to the adjustment of its higher education system to the needs of its economy;
- 4) a complex scientific career path – during the last twenty years, the number of doctoral dissertations defended in Poland rose almost threefold, which did not, however, translate to an equally rapid growth in the number of academic staff with the *doktor habilitowany* [post-doctoral] degree who have the right, *inter alia*, to conduct independent research and perform the duties of supervisors. The consequence of this slowing down of scientific careers is the unfavourable age structure of the Polish

scholar community. Scientific staff only become independent late in their lives. The shortage of new young academic staff is particularly conspicuous in comparison with the rapidly rising numbers of students during the last twenty years;

- 5) the higher education institution management system – almost all reports by international organisations such as the OECD and World Bank that conduct cyclical evaluations of the Polish higher education system emphasise the need to modernise the higher education institutions’ system of governance, which does not promote the strengthening of their international position in its present form;
- 6) insufficient links between higher education institutions and their social and economic environment – the cooperation between higher education institutions and employers from the general government, commercial and non-government sectors remains too weak. The teaching offerings of most Polish higher education institutions are supply-driven, inflexible and rarely subject to external evaluation with respect to educational performance. In the research dimension, Polish higher education institutions (with few exceptions) have not created sufficiently strong institutional mechanisms in order to obtain funding (contracts) for research and expert opinions from external entities, in particular commercial ones. Moreover, OECD indicates the need for a greater involvement by employers, both public and non-public, in the drawing up and evaluation of teaching curricula at the higher education institution level.

The amendments proposed introduce mechanisms that enable these undesirable aspects of the Polish higher education system to be changed. They are fully consistent with the strategic goals set in the “Poland 2030. Development Challenges” document adopted by the Council of Ministers. The measure of success of the changes put forward will be the improvement in the following key indicators: a decrease in the number of students per *doktor habilitowany*; a decrease in the number of academic staff employed in multiple posts, an increase in the number of students enrolled in free-of-charge programmes, an increase in the share of public funds allocated to higher education institutions by way of competitions as well as an improvement in the ranking of the best Polish higher education institutions in European and world listings.

The changes proposed in amendments to the Law and to the Act focus on three pillars:

1. An effective higher education management model.
2. A dynamic academic career model.
3. An effective education model.

#### 1. Effective Higher Education Management Model

In order to create better conditions for the operation of higher education institutions in Poland and in order to utilise their potential more fully, Polish higher education institutions need to

be made more autonomous, also in terms of their curricula, quality management instruments have to be used and links between higher education institutions and their external environment have to be strengthened.

Higher education policy in Poland has been uniform so far, taking into account the need for institutional and curriculum differences to a small extent only. Moreover, it has been passive, i.e. oriented towards process-based financing that took little heed of research and teaching performance as well as cooperation with the social and economic environment.

The changes to be introduced intend to shift the weight away from national-level institutional higher education system management exercised so far and towards increasing the autonomy of higher education institutions, particularly those with significant scientific and teaching potential.

Strategic government policy goals with respect to higher education management will be:

- 1) differentiating between elite higher education institutions that are able to compete with the best higher education institutions in Europe and contribute to the social and economic development of their macroregion and of the entire country and vocational higher education institutions that engage in teaching activities focused on meeting local and regional needs;
- 2) increasing the autonomy of higher education institutions with respect to defining and implementing their mission, including their educational offerings and managing the institutions' tangible and intangible assets;
- 3) turning towards performance-based financing through promoting the culture of raising funds by way of competitions that are open to public and non-public higher education institutions alike;
- 4) increasing emphasis on the performance of higher education institutions, in particular the quality of their research and teaching, and linking higher education institutions to their social and economic environment.

The tools for achieving these goals in this draft amendment are:

Financing that promotes quality – the current level of financing for higher education institutions will be maintained, including annual indexation; at the same time, earmarked subsidies to finance measures that promote quality will be implemented; these will be funded by the increase in state expenditure on higher education. The subsidy will be allocated to the financing of the best organisational units of public and non-public higher education institutions that will obtain the status of Leading National Scientific Centres (LNSCs), to increasing doctoral scholarships for the best 30% of doctoral students, to additional financing for organisational units of higher education institutions that have obtained an outstanding grade from the State Accreditation Committee (SAC), to financing full-time doctoral programmes at non-public higher education institutions and to implementing internal teaching quality assurance systems in connection with the National Qualifications Framework for

Higher Education (NQF). Moreover, the allocation of the subsidy referred to in Article 94 Section 1 Item 1 will be based on a modified allocation algorithm that amplifies the effect of measurable higher education institution performance on the amount of subsidy granted. Any subsidy granted to non-public higher education institutions will only serve welfare-related purposes and will reduce tuition fees for first- or second-cycle programmes or for doctoral programmes (in the case of earmarked subsidies financing measures that promote quality).

Increasing autonomy in curriculum terms – the Regulation on teaching standards, in which the minister defines the teaching process for a closed list of fields of study, will no longer be in effect. Basic organisational units of higher education institutions will be able to define and launch new fields of study themselves. Units that are entitled to award the degree of *doktor habilitowany* will be able to do this entirely independently; others will have to obtain the decision of the minister responsible for higher education issued after consulting the minister supervising the higher education institution in question and the State Accreditation Committee.

A field of study will be defined by its curriculum, which will include the description of assumed educational results and the description of the teaching process leading to those results. Educational results for the field of study in question must be consistent with the description of educational results for the educational area in question that are described in the relevant ministerial Regulation. Model descriptions of educational results for existing fields of study (specimen descriptions of educational results) will also be prepared; a higher education institution that prepares a curriculum may use such a model description of results or draw up its own description.

The requirement will be that educational results be defined in accordance with the general principles resulting from the National Qualifications Framework. The only exception from the ability to define fields of study freely will be regulated professions, including regulated medical professions, since European Union law, which also covers rules concerning the teaching process, is in effect in Poland in this area.

All new solutions in this respect have been formulated in accordance with the terminology of the National Qualifications Framework, which is the Polish equivalent of the European Qualifications Framework – the European system for the comparison of qualifications obtained in the educational and training systems of Member States of the European Union.

A better utilisation of research and teaching potential – higher education institutions will be obliged to draw up and adopt rules for the management of copyrights and related rights as well as industrial property rights and rules for the commercialisation of results of research and development work. Deregulation mechanisms have also been proposed such as waiving the requirement for study regulations and higher education institution Articles of Association to be approved by the minister, making it possible to consolidate basic organisational units of

higher education institutions while retaining their scientific and teaching prerogatives as well as giving vice-chancellors greater powers over the establishment, transformation and liquidation of basic organisational units and the establishment of organisational units in other locations (offices and basic organisational units of higher education institutions).

Integration with the social and economic environment – the possibility of teaching with the employers' participation and implementing programmes commissioned by employers will be explicitly included in the Law. The involvement of practitioners who represent business, public and community organisations in the teaching process in practical fields of study is envisaged in order to contribute to the creation of curricula, the implementation of the teaching process and the evaluation of its results. On the other hand, systems for evaluating the quality of teaching at higher education institutions, in particular in practical fields of study (after the implementation of the NQF) will include criteria that measure the degree of linkage between teaching and the needs of the social and economic environment. The establishment of councils at public higher vocational schools will become compulsory.

The creation of the mechanism for designating Leading National Scientific Centres – the purpose of introducing the mechanism for designating Leading National Scientific Centres (LNSCs) is for the state to stimulate the rapid development of scientific units with the highest quality and potential so that they are able to conduct top-quality research and attract the best undergraduate, graduate and doctoral students in their fields of study. LNSCs will be selected by way of competitions in the following eight areas of knowledge and teaching: humanities; social sciences; exact sciences; technical sciences; medical, health and physical education sciences; natural sciences; agricultural, forestry and veterinary sciences; and art. The number of LNSCs operating in each knowledge area will not exceed three in order to ensure the required selectivity of the process for designating LNSCs and the concentration of public funds enabling the achievement of significant effects. The process for designating LNSCs will be conducted by independent committees including international experts, taking into account, *inter alia*, parametric evaluation exercises conducted by the Scientific Unit Evaluation Committee. The period of financing of LNSCs in the form of a targeted subsidy funded from the “quality promotion” subsidy will be five years and it will be possible to extend it by another five years. Units that are granted the status of LNSCs will be free to decide the manner in which the funds from subsidy are to be utilised (e.g. for supplementing their employees' remuneration or funding attractive scholarships for the best doctoral students) in line with the needs identified and presented in their action plans.

Enabling changes in the system of governance of public higher education institutions – within the framework of the changes introduced to Chapter 2 of the amended Law on Higher Education, two alternative procedures for appointing the vice-chancellor, heads of basic organisational units and their deputies have been provided for: by way of election or by way of competition. The vice-chancellor's competences with respect to drawing up and implementing strategies, the establishment and liquidation of basic organisational units of higher education institutions and the disposal or encumbering of higher education institution

assets with a value of up to EUR 250,000 will be increased. A principle limiting membership of higher education institution senate and council to two subsequent terms of office will be introduced.

The optimisation of the operation of representative and supervisory organisations – the membership of the State Accreditation Committee (SAC), the General Council of Science and Higher Education (GCSHE) and the Central Commission for Academic Degrees and Titles (CC) will be limited to at most two subsequent terms of office and the participation of women in the work of these bodies will increase; the process of gradual introduction of quotas for women in the SAC will commence. It will not be possible to combine the membership in the GCSHE with membership in representative higher education and science organisations, with performing duties of single-person governing bodies of higher education institutions, scientific institutes of the Polish Academy of Sciences and research institutes as well as of the vice-chancellor of a higher education institution and the founder of a non-public higher education institution. Only persons below 70 years of age will be eligible to stand for elections to the GCSHE, CC and SAC. Integrated information databases will be established and updating them with respect to the decisions or binding opinions issued will become obligatory. In order to ensure a greater consistency of the science and higher education sector, the General Council of Higher Education will be transformed into the General Council of Science and Higher Education.

## 2. Dynamic Academic Career Model

Compared to other countries of the European Union, career path in Polish science is lengthy, includes many stages and is excessively formalised. In terms of the national average, Polish researchers are promoted at a slower rate and they achieve scientific independence, i.e. the right to head a research team, later than scholars in countries where science is much better developed. Current academic promotion procedures often make Polish science an autotelic system that to a certain degree satisfies the needs created by itself. This leads to a situation where in spite of numerous doctoral and post-doctoral degrees awarded, relatively few scientific achievements gain international recognition in the form of publications cited or patents registered. Compared to other European countries, Polish scholars as a group publish relatively few articles in renowned scientific journals.

International organisations state that the Polish academic community is inaccessible and that procedures for awarding academic degrees and titles are full of peculiarities that are incomprehensible to persons from outside Polish science. The academic career model comprises a system of obtaining academic degrees that confirm the research competences obtained plus a system of professional advancement (advancing to subsequent posts) at higher education institutions and scientific institutions. The incompatibility of the Polish academic career system with foreign systems concerns both these career aspects.

If the Polish science is to have a greater influence on the development of modern global science, the academic promotion system should be made simpler and more transparent. This should accelerate academic advancement. The number of post-doctoral degrees awarded

should be increased, while the quality requirements related to scientific achievements warranting such degrees should be made stricter. The age at which researchers become independent should be lowered as well.

Strategic government policy goals in this respect are:

- 1) simplifying the professional advancement path so that the prospect of achieving higher academic degrees and degrees in art as well as the academic title of *profesor* [professor] and *profesor sztuki* [professor of art] motivates researchers and assists their scientific development;
- 2) introducing transparent competition procedures with respect to posts at higher education institutions and opening higher education institutions to foreign researchers to a greater extent;
- 3) streamlining the operation of the Central Commission for Academic Degrees and Titles, which must have full trust of the academic community as it guarantees the rules of academic advancement.

The tools for achieving these goals in this draft amendment are:

Improving the quality of doctoral dissertations – a condition will be introduced that in order to initiate the procedure related to the awarding of a doctoral degree, a scientific publication in the form of a book has to be published or accepted for publication or at least one scientific paper has to be published in a peer-reviewed journal with at least national reach or in peer-reviewed proceedings of an international scientific conference or a work of art has to be presented in public. The reviewer cannot be employed by the scientific institution where the dissertation is to be defended or from which the person seeking to obtain the doctoral degree originates. Limitations on the number of foreign reviewers will also be lifted. The purpose of introduction of additional financing for doctoral scholarships (at Leading National Scientific Centres) and doctoral scholarships for “top students” is to make scientific careers more attractive.

Persons who seek to obtain a doctoral degree will be able to submit their doctoral dissertations and defend them in foreign languages. Procedures concerning doctoral dissertations will also be made more open by introducing the requirement to publish the abstract of the dissertation together with reviews on the website of the higher education institution or institute that conducts the procedure related to awarding the doctoral degree. For technical sciences and art, it will be possible to submit a dissertation in the form of a design, construction, technological or artistic work (authored independently or jointly).

Competitions will be obligatory when applying for admission to full-time doctoral programmes. Legal framework has also been provided for the conclusion of agreements by higher education institutions with other (including foreign) scientific institutions in order to

conduct joint procedures related to the awarding of doctoral degrees under the scientific tutelage of the supervisor and co-supervisor.

Auxiliary supervisors with respect to procedures related to the awarding of doctoral degrees will be introduced. This role may be performed by a person who holds an academic degree of *doktor* [doctor] with respect to the relevant or related scientific or artistic discipline and who has no right to perform the duties of a supervisor. On the one hand, this solution will provide assistance by doctors who engage in leading research in the supervision of the growing number of doctoral students, and on the other hand, it will prepare these doctors to act as independent supervisors in the future.

Doctoral students will also have equal rights with respect to material assistance.

The simplification and shortening of procedures for conferring post-doctoral degrees – the proposed amendments to the Act on Academic Degrees and Academic Title and Academic Degrees in Art and Academic Title in Art will cause such procedures to focus on the evaluation of the candidate's scientific achievements conducted on the basis of transparent, precisely defined and objective criteria. The requirement concerning the defence of a post-doctoral dissertation and the holding of a lecture and the requirement to present a post-doctoral dissertation in the hitherto obligatory form will be waived. The role of the candidate will be increased by introducing the principle that applications to the CC to initiate the procedure are to be submitted by the applicant himself or herself. The participation of external reviewers in the evaluation of the candidate's achievements will be increased. The procedure itself has been shortened from eleven to four months. The requirement that the applicant's achievements be publicly known, obligatory justification for the decisions made and the mandatory publication of the timetable for the procedure alongside the decision of the scientific board and the composition of the Committee appointed to examine the case are all very important.

Opening higher education institutions to leading foreign researchers – vice-chancellors will be able to make decisions concerning the employment in the posts of associate and visiting professors (without the need to obtain post-doctoral degrees) of not only foreign citizens and Polish citizens who obtained the degree of doctor abroad but also Polish citizens who obtained the degree of doctor in Poland and, while working abroad, independently headed research teams for at least five years and, moreover, have significant scientific output and achievements. These decisions will be made upon the request of the relevant head of the basic organisational unit without consulting the CC.

Moreover, foreign citizens and Polish citizens who obtained the degree of doctor in Poland or abroad and, while working abroad, independently headed research teams for at least five years and have significant scientific output and achievements may obtain full scientific and teaching prerogatives that are conferred on holders of post-doctoral degrees in Poland unless the CC makes a justified objection.

The degrees obtained in EU, EFTA and OECD Member States will be made equivalent with corresponding Polish academic degrees and degrees in art.

The introduction of a transparent procedure for awarding the academic title – conditions for obtaining the title will be made more precise and questionnaires for the evaluation of scientific or artistic achievements to be completed by the person seeking to obtain the title and evaluated by five reviewers appointed by the CC will be introduced. The questionnaire will make it obligatory for the reviewer to consider all important aspects related to the evaluation of the scholar's scientific achievements. This solution will make the evaluation process more objective and direct the evaluation towards the criteria precisely defined in the questionnaire, which will be different for individual scientific fields.

A general rule will be the employment of researchers and academic staff on the basis of contracts of employment for an indefinite period or for a fixed term, with the exceptions of holders of academic titles who may be employed by way of an appointment in recognition of their special contribution to the development of science and higher education.

The improvement in human resource policies at higher education institutions and scientific institutions – multiple employment will be restricted (additional employment will only be possible with the vice-chancellor's consent and the vice-chancellor will be free to determine the number of obligatory teaching hours for persons who implement high-quality research grants). Academic staff will be employed exclusively by way of competitions. The competition procedure set forth in Articles of Association will also cover the appointment (for a term of office) of heads of departments, research units, laboratories and other units at public higher education institutions.

Pursuant to the Law, a central list of academic staff and scientific staff will be compiled; the purpose will be to provide reliable and direct information to the office serving the minister responsible for higher education, ministers supervising higher education institutions, the General Council, SAC, CC and vice-chancellors of higher education institutions and directors of institutes as well as to state organisational units subordinate to the Minister of Justice with respect to, *inter alia*, the primary place of employment and additional place of employment (if any) and the inclusion of the person in question in the minimum staffing of the unit in question.

Within the framework of the new solutions, the evaluation of scientific, teaching and organisational activities of academic staff will become obligatory every two years (for appointed professors – every four years), using the opinions of undergraduate, graduate and doctoral students as one of the criteria. A negative evaluation may constitute the basis for terminating the employment relationship of persons employed by way of appointment, while two subsequent negative evaluations will result in the mandatory termination of any employment relationship (both by appointment and pursuant to a contract of employment). Adopting this frequency of evaluation exercises combined with the ability to terminate the employment relationship will be an efficient tool for improving the quality of scientific staff.

A statutory provision prohibiting persons who are relatives or relatives by affinity from working within the same reporting line is also proposed, since this may lead to a conflict of interest.

A statutory provision concerning the expiry of the employment relationship of an appointed member of academic staff at the end of the academic year in which he or she reaches 65 years of age has been introduced; for academic staff members who hold the academic title of professor and who are employed as associate or full professors at a public higher education institution, this will occur at the end of the academic year in which he or she reaches 70 years of age. This provision results from the need to rationalise employment at higher education institutions and to improve the unfavourable age structure of their employees; it will also contribute to providing jobs for young researchers who will use the new opportunities created by the Law with respect to academic careers. At the same time, vice-chancellors will be free to conclude contracts of employment with persons whose employment by appointment has been terminated.

Increased transparency in the operation of the Central Commission for Academic Degrees and Titles – pursuant to the amendments proposed, its members would only be allowed to stand for elections until reaching 70 years of age and requirements concerning the scientific output of CC members would be increased. It is also proposed that no member of the Commission be allowed to serve more than two subsequent terms of office. A new statutory principle will be the prohibition on combining the membership of the CC with holding offices in other science and higher education representative bodies (the GCSHE, SAC, the General Council of Research Institutes and the Scientific Unit Evaluation Committee) and with offices of the vice-chancellor, deputy vice-chancellor, head of a basic organisational unit of a higher education institution, the President or Vice-President of the Polish Academy of Sciences and of the Polish Academy of Arts and Sciences as well as the director of a scientific institute of the Polish Academy of Sciences or of a research institute as well as the obligation to exclude oneself where a conflict of interest or family ties are present. The proposals put forward also make it obligatory for the CC to update on an ongoing basis databases on the rights to award academic degrees and the academic title and to publish relevant information on the CC website.

### 3. Effective Education Model

In the 21<sup>st</sup> century, knowledge is the most valuable product in which the state invests. However, higher education in Poland still presents barriers in access, particularly for less affluent persons who come from families with limited cultural capital that live far from urban agglomerations. This problem concerns primarily full-time programmes at public higher education institutions where the cost of education is covered by public funds.

Polish membership of the European Union is a great opportunity for Polish students who are now able to choose the country, higher education institution and field of their study. Students have increasingly better opportunities to learn and obtain the skills required to function in the

European labour market. However, international competition in the area of higher education poses a serious challenge for Polish higher education institutions. The very low percentage of foreign students (0.5%) and the relatively low number of students from abroad coming to Poland within the framework of the Erasmus programme testify to the need to make Polish higher education institutions more attractive as places of learning within the European Higher Education Area.

Strategic government policy goals with respect to higher education management will be:

- 1) increasing the accessibility of higher education, particularly for less affluent persons;
- 2) ensuring better development conditions in Poland for the most gifted students;
- 3) making the education process more international;
- 4) empowering undergraduate, graduate and doctoral students and the bodies that represent them.

The tools for achieving these goals in this draft amendment are:

Increasing the accessibility of higher education – the accessibility of free-of-charge programmes will be improved. Simultaneous enrolment in programmes in more than one field of study, which means blocking access to free-of-charge full-time programmes to other students who are thereby forced to enrol in paid programmes, will be reserved for the top 10% of students. The places freed up in this manner will be allocated to those students who have had to pay for higher education to date, particularly to those from communities with lower cultural capital. By simplifying the system and making it more transparent, more material assistance will be channelled to the poorest young people. Within the framework of the new material assistance system, changes to the hitherto proportions between the funds from subsidies allocated to maintenance grants and benefits granted for welfare purposes on the one hand and the funds allocated to scholarships on the other hand will be introduced; these proportions have been repeatedly criticised by international organisations as well. Subsidy funds allocated to vice-chancellor's scholarships for the best students will be granted to at most 10% of students from each field of study offered by the higher education institution in question and will constitute at most 40% of the funds allocated to vice-chancellor's scholarships for the best students, maintenance grants and other aid in total (the proportions to date have been 50% and 50%). The solutions proposed will make it possible for a higher number of undergraduate, graduate and doctoral students with low incomes to obtain maintenance grants without increasing the amount of funding from the state budget.

Better preparation of graduates from the point of view of the labour market – the possibility of teaching with the employers' participation and teaching in fields commissioned by employers will be introduced. A special track for particularly gifted students (the "Diamond Grant") enabling the commencement of advanced scientific research immediately after completing an undergraduate (bachelor or engineer level) programme without the need to defend a master's thesis has been introduced; it also enables the financing of research that leads to the defence

of a doctoral dissertation. Higher education institutions will be obliged to monitor the careers of their alumni. This mechanism will be among the criteria for the institutional evaluation conducted by the SAC. Higher education diplomas with the emblem of the relevant higher education institution will be introduced to replace the uniform state diplomas currently obligatory at all higher education institutions. Solutions that will enable education processes to be adjusted to the rapidly changing labour market will also be introduced. The establishment of the Graduates' Ombudsman office is also proposed – this office would work to remove barriers related to the right of graduates of certain fields of study to work in the professions related to these fields.

Making programmes more international – education in foreign languages will be included as an important criterion for the evaluation of the quality of teaching conducted by the SAC. Clear rules for international cooperation at the level of graduate and postgraduate programmes will be established. Clear legal and institutional grounds for cooperation between higher education institutions or scientific institutes will be introduced.

Statutory equivalence of the levels of education based on the diplomas issued by higher education institutions with seats in European Union (EU), European Free Trade Association (EFTA) and OECD Member States will be introduced.

Diplomas that give the right to continue education in the country in their issue will give the same right to continue education in Poland.

Provisions concerning the establishment of foreign higher education institutions in Poland have been amended and the establishment of offices of foreign higher education institutions has been made possible.

Empowering students and guaranteeing their rights – in Chapter 4 of the amended Law, a clear and precise list of free-of-charge educational services provided to students of free-of-charge and paid programmes within the framework of the education process has been included. Free-of-charge services will include enrolling for subsequent terms/years, exams, resits, exams before boards, final exams, the submission and grading of theses, the issue of apprenticeship records and the issuance of supplements to diplomas. In order to enhance the protection of students' rights, civil law agreements between higher education institutions and full-time students at public higher education institutions will be signed. In order to protect the interests of students and graduates of liquidated higher education institutions, records of their educational achievements will be stored at the state archives competent for the location in question. Public defences of baccalaureates, engineers' and masters' theses will also be possible upon the request of the supervisor or the student concerned. Training courses with respect to students' rights and obligations conducted by the Students' Parliament of the Republic of Poland in collaboration with student self-government organisations at higher education institutions will also be introduced.

Taking into account the two-cycle education system resulting from the implementation of the assumptions of the Bologna Declaration, the right to concessionary urban public transport fares from the date on which a student commences his or her programme until 31 October of the year on which he or she completes the first-cycle programme will be introduced.

Currently, all students have the right to concessionary urban public transport fares but only until their 26<sup>th</sup> birthday. After the provision is amended, first-cycle programme students will have the right to concessionary urban public transport fares until 31 October of the year on which they complete their studies. The change in the provision will make it possible for students to take advantage of concessionary fares between their first- and second-cycle programmes. Doctoral students will also have the right to concessionary train and bus fares until their 35<sup>th</sup> birthday.

The draft Law proposes to deregulate the following areas in particular:

- 1) Articles of Association of higher education institutions will no longer be approved by the minister responsible for higher education and by respective ministers who supervise higher education institutions;
- 2) study regulations will also cease to be subject to approval by the minister;
- 3) a unit established by way of a merger of basic organisational units of a higher education institution will not have to ask for the consent of the minister responsible for higher education to run programmes within the framework of the prerogatives previously held by the merged units;
- 4) the division of a basic organisational unit of a higher education institution will also not entail the need to ask for the consent of the minister to run programmes within the framework of the prerogatives previously held provided that the separated unit meets the relevant requirements as an independent entity;
- 5) the division of competences between higher education institution senate and the vice-chancellor will be set forth in the Articles of Association of each higher education institution;
- 6) education standards with respect to the fields of study designated by the minister responsible for higher education whose drafts are submitted by the General Council of Higher Education will no longer be in effect;
- 7) no nostrification procedures will be required with respect to persons who obtained higher education diplomas in European Union, Organisation for Economic Co-operation and Development (OECD) or European Free Trade Association (EFTA) Member States – parties to the Agreement on the European Economic Area; their education levels will be recognised statutorily;
- 8) validity periods of authorisations for the establishment of non-public higher education institutions and thus for their operation will become indefinite by operation of law;
- 9) descriptions of rights to use the names *uniwersytet* [university] and *uniwersytet techniczny* [technical university] have been made more precise and flexible;
- 10) the conclusion of an agreement on joint education and diploma issuance will not require the consent of the minister;
- 11) running postgraduate programmes will not require an opinion by the General Council of Science and Higher Education and the consent of the minister provided

that they are in the area in which the unit in question maintains at least one field of study;

- 12) education activities conducted by a basic organisational unit of a higher education institution at facilities situated in the same metropolitan area as the seat of the higher education institution in question will not require the establishment of an organisational unit at another location and the minister's consent.