

Country report - POLAND

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Chapter 1 – Legal background – legislation concerning recognition and admission to higher education programmes in Poland

Recognition of foreign qualifications is regulated by national legislation and international agreements and in many cases it is automatic.

1.1 Recognition of foreign higher education qualifications

Recognition of foreign higher education qualifications is regulated by the Act of 20 July 2018 – Law on Higher Education and Science (hereinafter ‘LHES’), By-law of the Minister of Science and Higher Education of 28th September 2018 on the nostrification of higher education diplomas obtained abroad and on confirmation of completion of higher education studies at a given level of education and international agreements.

Pursuant to Article 326.2 of the LHES a foreign degree giving access to further studies or the right to start doctoral proceedings in the country where it was awarded, gives its holder access to second cycle studies, postgraduate studies, doctoral school studies or the right to start doctoral proceedings in Poland.

Pursuant to Article 326.1 of LHES the qualifications issued by recognized HEIs of EU, EFTA and OECD countries, not only give in Poland the access to further studies on the level that corresponds to the level for which they grant access in the country of issue but also confirm possession of the level of higher education corresponding to the level completed in the country of issue (this second part applies for all purposes, however, it regards only the level, not the equivalence of learning outcomes and, consequently, does not give the right to use the name of a particular Polish academic title or degree).

Pursuant to article 326.4 of the LHES, at the request of an interested party, the director of Polish National Agency for Academic Exchange (Polish ENIC-NARIC) issues written information (recognition statements) about the diploma issued by the foreign higher education institution, the level of studies and the status of the institution.

Separate procedures exist for establishing full equivalence with a particular programme of studies of a Polish HEI. This procedure is carried out by the HEIs. Applicants have to submit the following documents (originals): a diploma, documents which allow to assess the course of studies, learning outcomes and duration of the study done and a document which was the basis for admission to the higher education study programme. On the basis of the submitted documentation the HEI compares the programme and duration of study, the learning outcomes, the professional rights conferred and the professional traineeships completed with the programme and duration of study, learning outcomes, professional rights conferred and professional traineeships to be completed in the course of similar studies offered by this higher education institution itself. In the case of substantial differences a HEI may oblige the applicant to pass the missing examinations or undergo professional traineeship. Upon completion of the procedure the HEI issues a (state format) certificate stating that that the submitted qualification obtained abroad is equivalent to a particular Polish qualification.

Recognition of refugees' higher education qualifications

Pursuant to article 327.3 of LHES a refugee or a person in who has received a subsidiary protection who do not have documentation confirming that the degree was awarded may – upon verification of the existing documentation – obtain a certificate confirming possession of the given level of higher education. This procedure is carried out by the HEIs. The applicant fulfills an application and attaches any documentation confirming education or documents confirming professional rights, employment etc. On the basis of the submitted documentation the HEI compares the programme and duration of study, the learning outcomes, the professional rights conferred and the professional traineeships completed with the programme and duration of study, learning outcomes, professional rights conferred and professional traineeships to be completed in the course of similar studies offered by this higher education institution itself. In the case of substantial differences a HEI may oblige the applicant to pass the missing examinations or undergo professional traineeship. The procedure leads to a formal decision of recognition (recognition of level of education – i.e. first cycle, second cycle) and the state format certificate is issued.

1.2 Recognition of school leaving certificates

Recognition of school leaving certificates is regulated by the Act of 7 September 1991 on Education System (hereinafter 'AES'), By-law of the Minister of National Education of 25 March 2015 on the proceedings for the recognition of a certificate or other document or confirmation of the educational qualifications or the entitlement to continue education, acquired in a foreign education system and international agreements.

Pursuant to Article 93 of the AES a certificate, diploma or another document issued within the education system of one of EU, EEA or OECD member states that entitles to apply for admission to a higher education program in the state of issuance. Automatically recognised are also the following qualifications: International Baccalaureate (IB), European Baccalaureate (EB) and certificates recognised on the basis of international agreements.

School certificates issued in other countries can be recognised by way of decision of the educational superintendent (*kurator oświaty*) at the local educational authority (*kuratorium oświaty*). Applicant has to submit legalised / apostilled certificates, documents containing list of subjects, examinations and grades, documents containing information about the curriculum and information that the certificate gives access to higher education in the in the educational system where it was obtained. The procedure leads to a formal decision confirming that holder of the foreign certificate is entitled for admission to higher education in Poland.

Recognition of refugees' school leaving certificates

Pursuant to Article 93a of the AES a refugee or a person who has received a subsidiary protection or a person who holds a permit for temporary stay in Poland or is a victim of an armed conflict, natural disaster or other humanitarian crisis who – because of the circumstances mentioned above – is not able to an original (or duplicate) of a certificate or the authentication

of such certificate may – upon verification of the existing documentation – obtained a certificate confirming the level of educational qualifications obtained abroad. If it is not possible to make the decision on the basis of the submitted documentation an interview is organized. Pursuant to Article 93b of the AES the procedure is conducted by the educational superintendent (*kurator oświaty*) in the local educational authority in Warsaw. The outcome of the procedure is a legally binding decision.

1.3 Admission to higher education programmes

The LHES specifies who and in what form decides on the admission criteria as well as the documents that have to be submitted by applicants.

Pursuant to Article 70.1 of the LHES the senate of each HEI decides on the admission criteria to first cycle, second cycle and long cycle programmes as well as the date of start and end of admission in the LHES. This is done by way of resolution. The resolution of the senate is made available not later than by 30th June of the year preceding the academic year in which the recruitment is to take place.

Pursuant to Article 69. 1 of the LHES an applicant can be admitted to higher education by way of recruitment, transfer of learning outcomes and transfer from another HEI or a foreign HEI.

Articles 69.3 and 69.3 of the LHES specify the documents to be submitted to higher education programmes. In order to be admitted to first-cycle programmes or long-cycle programmes, an applicant must submit a Polish school leaving certificate and a certificate on the results of the maturity examination in particular subjects, a foreign school leaving certificate recognised in Poland in accordance with the legislation regarding recognition of foreign qualifications. In order to be admitted to second-cycle programmes, a person must submit a higher education diploma.

Pursuant to § 15 of the by-law of the Minister of Science and Higher Education of 28 September 2018 on studies Polish HEIs are obliged to keep in the student's personal file copies certified of the documents constituting the basis for applying for enrolment to the degree programme, i.e. school leaving certificates (first cycle studies or long-cycle studies) or higher education diplomas (second-cycle studies).

Pursuant to Article 201.4 and Article 200.3 admission criteria to doctoral schools are set by the senate or the scientific council. They are made available by the entity operating the doctoral school no later than 5 months before the start of the recruitment.

Pursuant to article 200.1 of the LHES in order to be admitted to doctoral school an applicant must have a title of magister (Master) or equivalent of a foreign degree recognised in Poland.

Special legislation regarding admission to higher education programmes for Polish and Ukrainian students who were students who studied at Ukrainian HEIs on 24 February 2022

Pursuant to Article Act of 12 March 2022 on assistance to citizens of Ukraine in connection with the armed conflict on the territory of that state a Polish citizen or a citizen of Ukraine whose stay in the territory of the Republic of Poland is recognised as legal, who on 24 February 2022 were students of a HEI operating on the territory of Ukraine and who declare that on that date they were studying for a specific year of study in a given field and level of study at a higher education institution operating on the territory of Ukraine and who do not have at their disposal documents certifying periods of study, examinations passed, passes or professional practice issued by that higher education institution, may have the relevant periods of such study recognised through verification of the achieved learning outcomes. The verification is conducted by HEI where the student applies for admission. In the case of differences in the programme of study or learning outcomes are identified, a higher education institution may require the student referred to in section 1 to take specific examinations or undertake in-service training.

Chapter 2 - Analysis of data from HEIs survey

2.1 Time and technical organization of data collection

The survey was conducted in Polish language. The motivation for the decision was to make it easier for the HEIs to understand and complete the questionnaire in order to ensure higher response rate. The expectation was also that more HEIs will respond to open questions if they can do it in national language.

The questionnaire was made available to the HEIs on **24 May 2023** and the collection of replies was open till **16 June 2023**, which means the survey was available for full 23 days (including 14 full working days).

The request was initially sent to 145 persons at 99 Polish HEIs, both public and non-public ones, representing various types of HEIs and based in various regions of the country.

The survey was conducted online with use of an electronic application called 'Forms'.

The email with the link to the survey contained information about the project EQUAL itself and explanation of the objectives of the questionnaire in particular.

Number of complete responses received was **40**. The average time to complete the survey was more than 50 minutes.

31 responses came from **public HEIs** (including all their types and specializations: universities, universities of technology, HEIs specialised in art studies and sport-related education).

Responses were received from all type of HEIs from general universities, specialised university-type HEIs (universities of technology, economics, medicine, maritime, agriculture and natural sciences, etc.) to smaller specialised HEIs. The respondents are based in

9 responses were received from **non-public HEIs**.

2.2 Modifications to the survey

In most cases it was one questionnaire for the whole HEI. However 1 HEI sent two responses and 1 HEI sent 3 responses on behalf of different units.

One of the HEIs sending multiple responses informed that answers to some questions may differ between units.

Responses	Number
The questionnaire responses show situation in the institution as a whole (one questionnaire filed on behalf of the institution)	37
The questionnaire was filed on behalf of a chosen unit or units	3
Total number of responses	40

As the number of double/triple answers was low and would not have substantial impact on the overall results, the decision was taken not to present “unit-based” responses as a separate group and to count statistics on further survey questions by response, even if the number of responses slightly differs from the number of responding HEIs.

2.3 Results presentation question by question

1. How big is your institution (number of students and employees)?

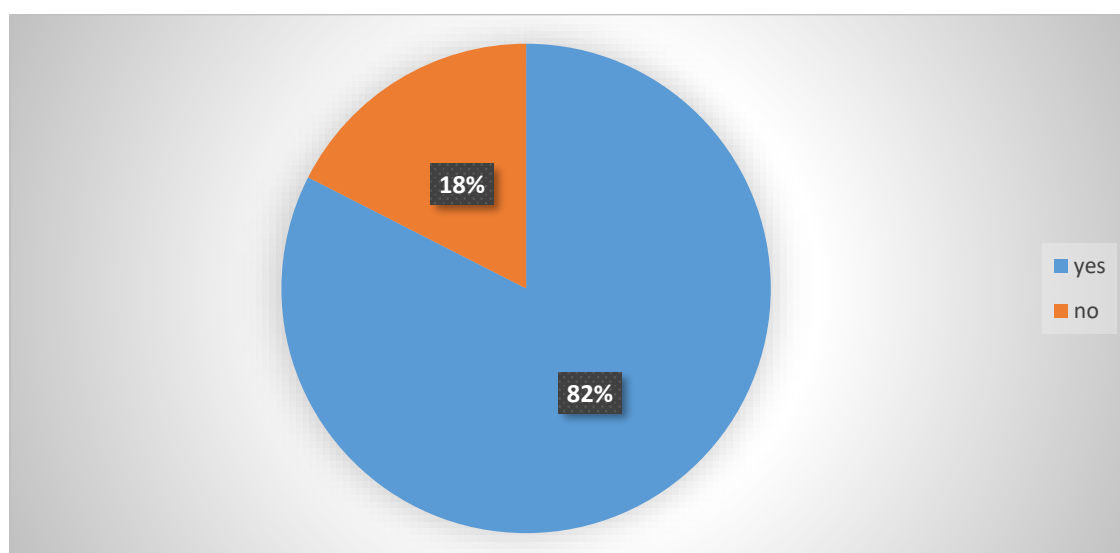
Number of students	Number of HEIs
< 1 000	1
1 000 – 5 000	12
5 001 – 10 000	12
10 001 – 20 000	8
> 20 000	6
No data	1
Total number of responses	40

Number of employees	Number of HEIs
< 1 000	5
1 000 – 2 000	9
2 001 – 5 000	4
> 5 000	1
No data	21
Total number of responses	40

2. How many international students study at your HEI?

Number of international students	Number of HEIs
< 100	5
101 – 500	16
501 – 1000	6
1001 – 2000	8
> 20 000	4
No data	1
Total number of responses	40

3. Does your institution offer courses in English?



Responses	Number
Yes	33
No	7
Total number of responses	40

82% of respondents declare that they offer courses in English. 7% of the respondents do not offer courses in English. All of them have international student who study in Polish.

4. How many times per year do you admit new students?

Responses	Number
Two times a year	22
Once a year	14
Three times a year	1
Once a year but twice a year for programmes in English	1

Twice a year but once a year for programmes in English	1
Once a year for first cycle studies and twice a year for second cycle studies	1
Total number of responses	40

65% of the respondents admit new students more than once a year. Usually it is twice a year but one HEI declared to admit students three times a year. Three HEIs specify that depending on the type of the programme they admit new students once or twice a year. One of the HEIs stress that although they admit students twice a year - for winter and summer semester - vast majority of students is admitted in winter semester. According to the statistical data this is true for most of Polish HEIs.

5. How many employees at your institution work with admission?

The survey results show that in most of the HEIs the admission is conducted by the employees of the central admission office and the admission commissions usually organised at the faculty level. The number of the members of such commissions vary from few to several dozens (e.g. 6 employees from the admission office and 46 members of admission commission). One group of respondents provide information only on the number of employees of the central admission office, second group of respondents provide information on the number of employees of the admission centre and members of the admission commissions (the exact number or information that such commissions are also involved in the admission process), third group of respondents give just the total number of all persons involved in the admission process. The above should be taken into account when reading the data in the table below.

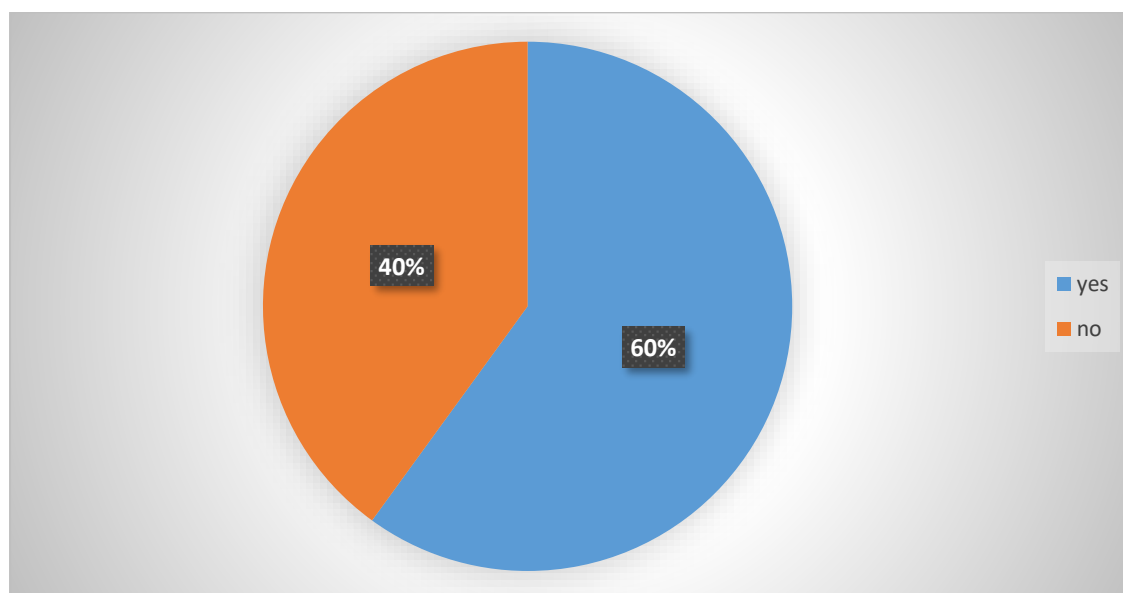
Number of employees working with admission	Number of HEIs
< 5	12
< 5 in the central admission office and several persons in admission commissions	2
5 - 10	8
5 - 10 in the central admission office and more persons in admission commissions	4
11 – 20	4
11 – 20 in the central admission office and more persons in admission commissions	1
> 20	8
No data	1
Total number of responses	40

6. How many employees at your institution work with admission of refugees?

Number of employees working with admission of refugees	Number of HEIs
0	1
< 5	21
5 – 10	8
> 10	2
The same employees who deal with complete applications	6
We have not received such applications so far	1
No data	1
Total number of responses	40

In most cases the number of employees working with admission of refugees seems to be the same as the number of all employees dealing with admission. In some cases it is clearly stated. In the other cases the number of employees dealing with admission of refugees is equal to the number of all employees dealing with admission.

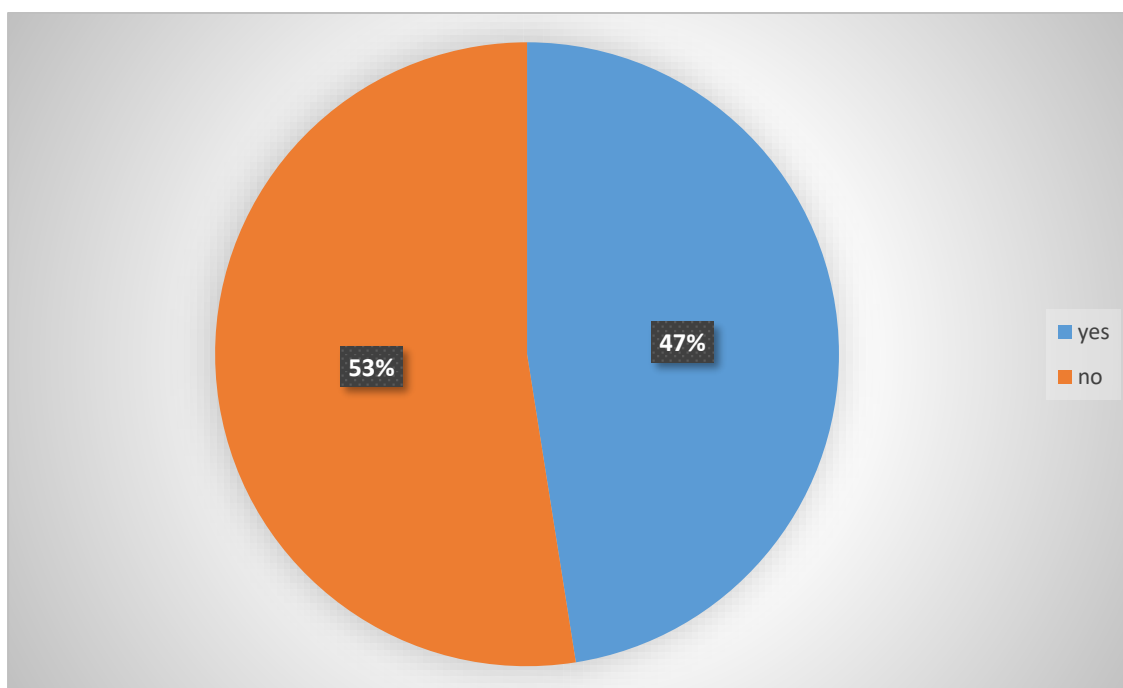
7. Does your institution have a database / archive of previously assessed qualifications?



Responses	Number
Yes	24
No	16
Total number of responses	40

60% of the respondents declare that they have a database or archive of the previously assessed qualifications. 40% of the respondents do not have such database.

8. Does your institution have a database with relevant information on different countries?



Responses	Number
Yes	19
No	21
Total number of responses	40

Slightly less, 53% of the respondents have a separate database with relevant information on different countries.

9. How do you collect information on foreign education?

Regarding collection of the information on foreign education systems and qualifications responders declare that most of all they use the information resources available on-line. Some respondents are more specific and list the resources they use. Almost all respondents declare that in the first place they use the information resources available on the website of NAWA Polishh ENIC-NARIC), especially Kwalifikator database and publications on foreign educational systems. It is quite understandable since the mentioned database and publications are available in Polish and based on national legislation regarding recognition of foreign qualifications. Many respondents declare that they use the website of of the ENIC-NARIC Networks, Nuffic's country profiles, ECCTIS database, Anabin database, WHED, Q-entry, Scholaro, WES, CHEA, website of the APPNIC Network, CIME's website, EURYDICE, websites og the ministries of education and websites of awarding HEIs. Links to most of these resources (e.g. website of ENIC-NARIC Networks, WHED, CHEA, Q-entry, website of APNNIC Network) can be found in the Kwalifikator database as well as in the publications on foreign edcatuon systems. All of these sources are promoted by NAWA as trusworthy sources of information on education foreign systems and qualifications.

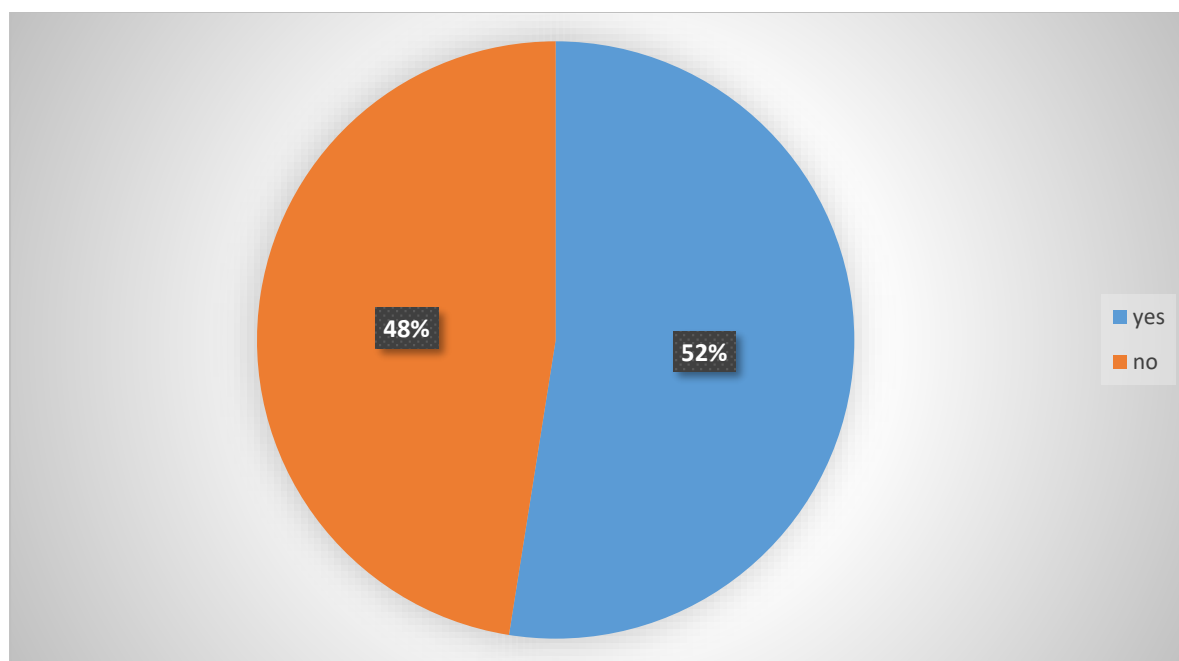
Almost 25% of responders declare that they gain knowledge about foreign education systems and qualifications during the trainings.

When the relevant information cannot be found on-line HEIs contact the ministry of education, embassy, awarding institutions.

10. From what foreign countries do you receive applications? Please list the top 5.

The respondents identified among the top 5 countries from which HEIs receive applications 55% of the respondents mentioned as one of the top 5 countries from which they receive applications the following countries: Ukraine, Belarus, Nigeria, India and Turkey. All of these countries are among the top 10 countries of origin of all students studying at Polish HEIs.

11. Do you receive applications with incomplete documentation? If yes, how many per year? Please list the top 5.



Responses	Number
Yes	21
No	19
Total number of responses:	40

52% of the respondents declare that they receive applications with incomplete documentation. The number of such applications reported by HEIs varies between 1 and “about 50 last year”. Many HEIs are not always able to provide precise information regarding the number of applications with incomplete documentation (there are many vague responses like “a few”, “a dozen or so a year”, “not many”, “single cases”). One respondent admits that it is impossible to give specific numbers since the HEI does not keep such statistics. Some respondents mention that they did not receive incomplete applications until last year, when the war in Ukraine started and add that such applications have been submitted mostly by Ukrainian citizens.

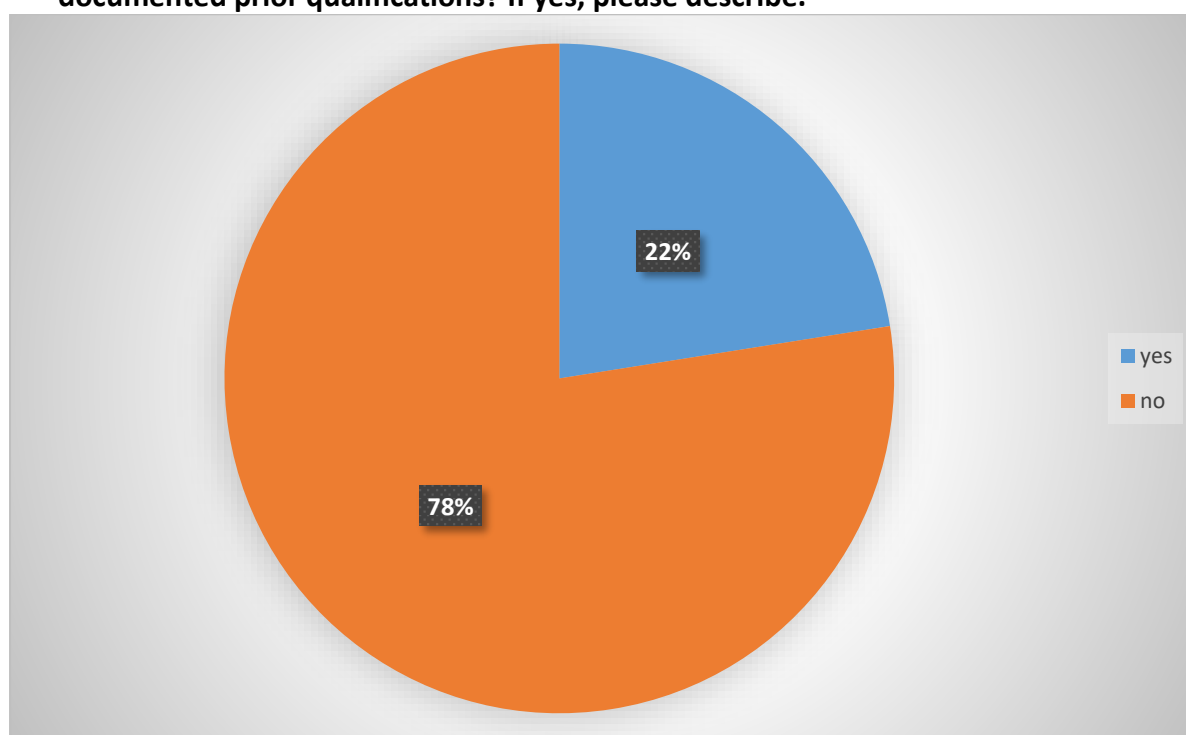
22 countries were identified as countries from which most applicants with missing documentations apply to Polish HEIs. 59% of the respondents mentioned as one of the top 5 places countries from which they receive incomplete applications are occupied by the following countries: Ukraine (18), Nigeria (8), Algeria (6), Belarus (6), Ethiopia (5), Syria (5).

13. Are you familiar with the Lisbon Recognition Convention Article VII? If yes, please describe.

Responses	Number
Yes	35
No	4
Total number of responses:	39

Vast majority (90%) of the respondents declare that they are familiar with Article VII of the Lisbon Recognition Convention. However, further analysis of the responses shows that 5 respondents describe the Lisbon Recognition Convention instead of Article VII. 4 respondents just answer “yes” without describing the Article VII. One respondent admits that they “vaguely” know the Article. 4 out 39 (10%) of respondents declare that they are not familiar with the Convention.

14. Do you have specific guidelines for admission of foreign students without fully documented prior qualifications? If yes, please describe.



Response	Number
Yes	9
No	31
Total number of responses	40

22% of the respondents (9 of 40) declare that they have specific guidelines for admission of foreign students without documentation of their foreign qualifications.

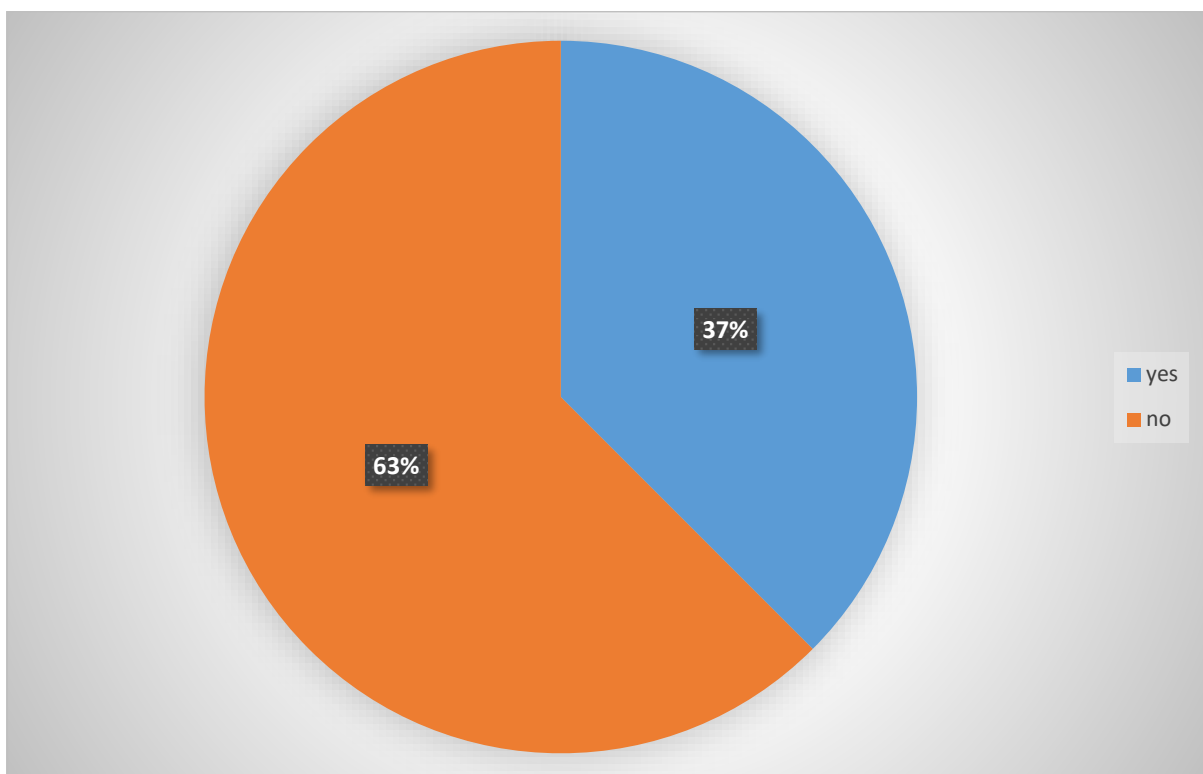
Approximately half of the respondents declare that they follow the guidelines laid down in the national legislation, i.e. Law on Higher Education and Science, Law on Education system and by-laws to the mentioned legal acts. The same number of respondents declare that in the case of applications with incomplete documentation they make provisional admission decisions and oblige the applicant to submit the missing documentation (this is based on the Code for Administrative Proceedings). The documents that they have to submit can be the missing certificate / diploma or the recognition statement issued by NAWA or the recognition decision issued by the authorised school superintendent (*kurator oswiaty*). When the students with refugee status register in the system they can present a copy or declare that they have a given certificate or diploma and undertake to submit it.

Two respondents declare that the applications with incomplete documentation are consulted with the university authorities. Admission can be granted by way of decision of the rector and admission commission.

It was also mentioned that in the cases of incomplete documentation the qualifications are verified in the databases of graduates (especially in Ukrainian EDBO).

One respondent declared that each application with missing documentation is considered individually.

15. Are you aware of national/regional/institutional legislation that might hinder the implementation of alternative procedures for admission of student without fully documented prior qualification? If yes, please describe.



Response	Number
Yes	15
No	25
Total number of responses	40

63% of the respondents (25 of 40) are of the opinion that national legislation or institutional regulations might hinder the implementation of alternative procedures for admission of student without fully documented prior qualification. Only 37 % (15 of 40) of the respondents are of the opinion that such obstacle exist, especially at the national level.

The main obstacles identified by the respondents were the rigid legislation regarding admission to higher education programmes (Article 69 of the Law on Higher Education and Science and the By-law on studies) and the legislation regarding recognition of school leaving certificates (Act on Education). The main problem is that the documents that are to be submitted in the admission process are defined in the legislation and applicants are obliged to submit the originals of the documents. The originals are kept by the HEI in the student's personal file. These regulations make admission process very inflexible and admission of applicants with incomplete documentation actually impossible. It is very difficult to draft the admission procedure for applicants with incomplete documentation. The other big problem identified by the respondents is the recognition procedure conducted by the school superintendent was met. It is the recognition procedure itself but some of the respondents point out that it is problematic when it is considered together with the legislation regarding admission. Namely, the Act on Education allows recognition of school leaving certificates even in the case of missing documentation as a document giving access to higher education in Poland but – according to the legislation on admission – admission is based on the results of the results of maturity certificate and if the documentation with the results is missing – in practise – the applicant cannot be considered in the admission process.

One respondent as a problem sees lack of national procedures and guidelines for the HEIs concerning admission of applications with incomplete documentation.

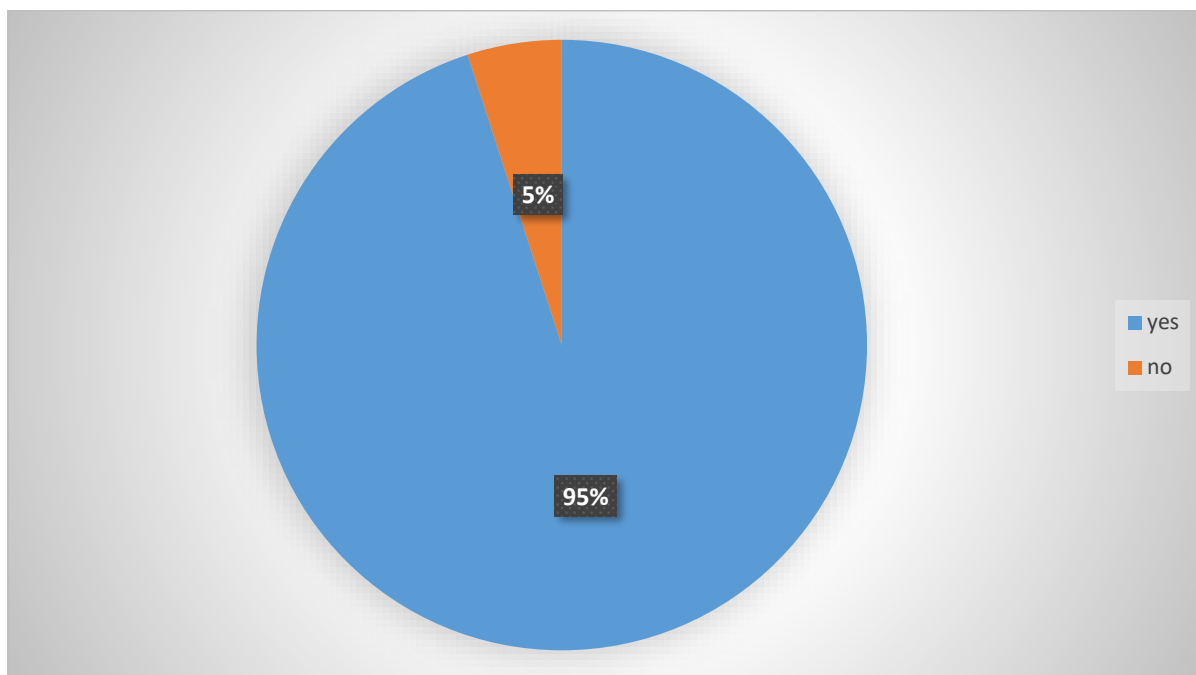
16. How do candidates apply for admission? For instance: physically, through the digital portal or combination of both?

Responses	Number
physically	0
through the digital portal	9
combination of both	30
Total number of responses	39

All of the respondents use the digital portal for admission. Vast majority of the respondents declare that they use the combination of both. More than two thirds of those wo declare

using the combination of both explained that first the candidates apply to the programme through the digital system and once they are admitted they have to submit an original of the document (or notarised copy). Since the it is required by the national legislation that the original documents (or certified copies) on the basis of which students are admitted to the higher education programmes must be kept in the student’s personal file candidates always must submit the originals to be admitted.

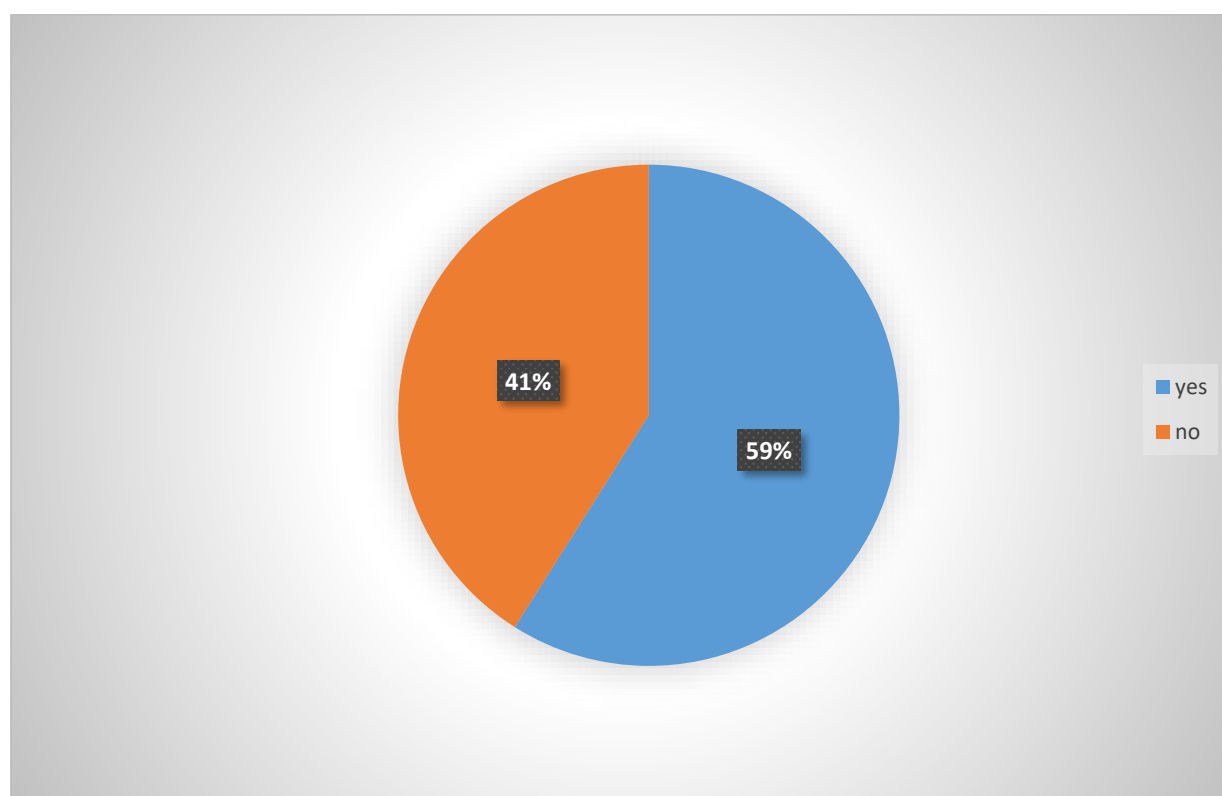
17. Are there any language requirements in your admission process? Please describe.



Response	Number
Yes	38
No	2
Total number of responses	40

95% (38 of 40) of the respondents declare that they have specific language requirements in the admission process. Applicants should have sufficient knowledge of the language of instruction to be able to study in this language. Most of the HEIs require that the candidates have the language skills at level B2 (irrespective of whether they study in Polish or a foreign language). Some HEIs the language skills at B1 (this applies mostly for foreign candidates who wish to study in Polish) or depending on the language of instruction they require B2 (for studies in foreign language, usually English) or B1 (for studies in Polish). In the case of candidates who do not have an appropriate certificate a test or an interview is organised to assess whether candidates have sufficient knowledge of the language of instruction.

18. Are there any other requirements for foreign applicants? If so, please describe.



Response	Number
Yes	23
No	16
Total number of responses	39

59 % of the respondents declare that they have specific requirements for foreign applicants. 60 % of those respondents require that the documents are legalised / apostilled. One respondent declares that this requirement does not apply to credentials issued in one of the EU, EFTA, OECD countries, IB diploma etc. (these documents are automatically recognised in Poland on the basis of the national legislation). 26% declare ask for the official translation of the educational documents.

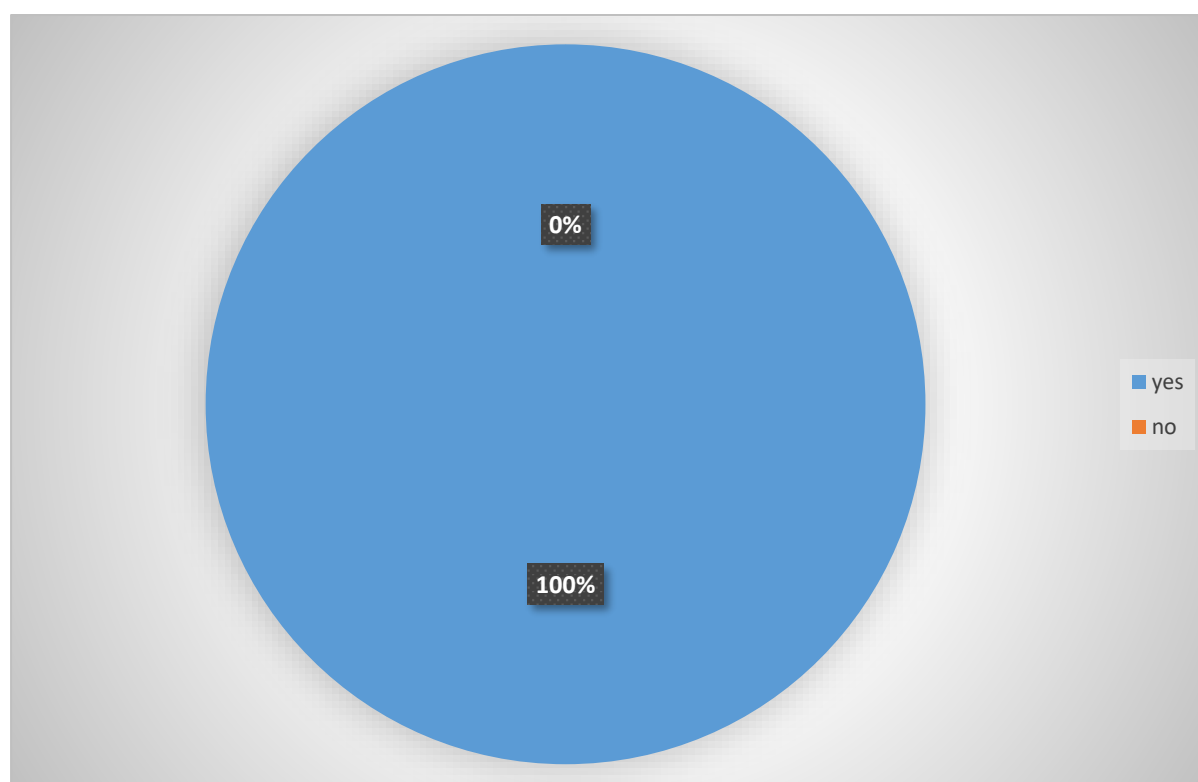
It was also mentioned that – in exceptional situation – applicants may be exempted from the legalisation / apostille or submitted translation of the documents.

Other documents required by HEIs are the documents confirming that the applicant has right to study in Poland, the confirmation of payment (or eligibility for being exempted from payment). The eligibility letter and recognition statements as well as the proof of language knowledge were also mentioned.

Two of the HEIs respond generally that the requirements for foreign applicants are limited to those laid down in the existing legislation. Some of the respondents list more than one requirement.

Response	Number
Legalisation / apostille	14
Official translation of the educational documents	7
Proofs of legal stay in Poland and right to study	6
Proof of language knowledge	4
Eligibility letter / recognition statements	4
Proof of payment or eligibility for exemption from payment	3

19. Do applicants need to provide original (physical) documentation of educational background?



All HEIs respond that the applicants have to submit the original (physical copies) of their educational background since it is required by the national legislation. These documents (or certified copies of them) are then kept by the HEI in the student's personal file.

20. What challenges are you currently facing when assessing cases with incomplete documentation?

Response	Number
Legal issues: - lack of national legislation / guidelines regarding assessment of such qualifications - the existing legislation requires that applicants submit original documents - recognition of school leaving certificates	8

Lack of information regarding the education systems or qualifications or the available information is too general and / or it is difficult (or not possible) contact with the awarding institution	5
Lack of appropriate documentation confirming the education, results of exams and obtained grades	4
Lack of international tools: <ul style="list-style-type: none"> - lack of central European institution approving HEIs's decisions - international regulations regarding issuing the duplicates of lack of the documents (applicants do not know how to obtain the documentation and nobody knows how to help them) 	2
Lack of experience with assessment of incomplete applications	1

25% of the respondents (8 of 32) indicate various legal issues as that the biggest problems regarding assessment and admission of candidates with incomplete applications. On the one hand HEIs find the existing legislation lengthy and rigid on the other hand they indicate as a problem lack of legislation / national guidelines regarding assessment and recognition of incomplete applications. For approximately one third of the respondents (9 of 32) the main challenge is the lack of relevant information regarding higher education systems and qualifications (the information is not available at all or is too general) both in the submitted documentation itself and in the available resources, e.g. country profiles, databases (one respondents mentions that the Kwalifikator database does not have qualifications and sample of documents from all countries). The respondents point out that the information cannot be verified with the relevant authorities or HEIs since contact with them is difficult.

Another challenges identified by the respondents were lack of appropriate tools at international level and lack of experience with assessment of incomplete applications.

22% of the respondents declare that they have not received incomplete applications yet. Some of them are aware that such problems exist at other HEIs or predict that these problems may occur in the future (e.g. because of the situation in Belarus).

Less than 10% of the respondents (3 of 32) declare that they do not take into consideration incomplete applications at all.

21. Interview based recognition has already been tested in several European countries/ Do you think this method could be useful for admission purposes at your institution?

39% (15 of 32) of respondents are of opinion that the interview based recognition procedure would not be useful for admission purposes at their HEIs since they have doubts whether it is possible to assess the knowledge and skills of applicants during the interview. Too big responsibility and risk to make a mistake. Another issue identified by HEIs is the competent staff to conduct the interview and assess the candidate educational background. In the case of study programmes leading to regulated professions it is required that the candidates submit the original documents confirming education. One respondent mentioned possible court cases (candidates who were refused admission).

34% (13 of 32) of the respondents agree that could be useful for admission at their institutions. 13% (5 of 32) of them are of opinion that the interview based recognition procedure could be useful for them. It was also mentioned that the interview should be conducted by the expert in the field. 21% (8 of 32) of them declare that this procedure could be useful if the HEIs have competent staff and resources to conduct the interview. It could require new recruitment procedures. HEIs mentioned that they have insufficient information regarding the interview based procedure. One respondent express concern that interview based admission may be perceived as discrimination by candidates who submit complete applications. Approximately half of the respondents who agree that the interview based procedure could be useful in the admission process declare that the interview based admission should first be implemented into national legislation. Some respondents agree that this procedure could be useful but not in the case of all study programmes.

21% (8 of 32) of the respondents declare that they have no opinion on this topic, more than half of them admit that it is because they do not have sufficient knowledge regarding the interview based procedure.

It was stressed by one of the respondent that very useful would be exchange of information on various tools that could be used in the assessment and admission of non-typical cases.

22. Please include any other relevant information / comments you would like to address.

In the concluding remarks the respondents again mention the legal aspects. They stress that the regulations included in the legislation can be useful in the recognition and admission process but - on the other - hand it is not always clear how to apply the regulations in practice. It is also not always clear how these regulations should be applied and they are not always applied consistently (recognition decisions based on the same legislation and documentation differ). The HEIs complain that the recognition procedure conducted by the educational superintendent is lengthy and bureaucratic (legal requirements that all documents should be accompanied by official translation into Polish - and in the case of some languages it is very difficult to find an official translator and legalise the document).

The respondents mention that the existing legislation on recognition and admission should be streamlined and better adapted to the current situation with increasing mobility, applications coming from all over the world and incomplete applications.

The need for further training for HEIs was also stressed. It was mentioned that the training for young evaluators organised by NAWA (Elementarz Ewaluatora) should be open to all candidates, not only to those starting their work in the field of recognition and admission.

Some good practice is was also highlighted in the final comments. For example, one of the HEIs organises an entry exam for candidates who do not have grade in mathematics on their school leaving certificate. Candidates with incomplete application who had their qualification recognised by the school superintendent as a qualification giving access to higher education in Poland can also sit to this exam.

Chapter 3 – Analysis of data from Local Educational Authority in Warsaw

3.1 Time and technical organization of data collection

The questionnaire was also sent to the Local Educational Authority in Warsaw (*Kuratorium Oświaty w Warszawie*), the only institution appointed in the Act of 7 September 1991 on Education system as the competent body for recognition of school qualifications of refugees has received a subsidiary protection or a person who holds a permit for temporary stay in Poland or is a victim of an armed conflict, natural disaster or other humanitarian crisis who without fully documented prior qualification.

The questionnaire was shortened and adapted to the competences of the local education authority.

3.2 Results presentation question by question

1. How many employees at the Local Educational Authority in Warsaw (*Kuratorium Oświaty w Warszawie*) are responsible for recognition of foreign certificates?

3 persons are responsible for recognition of foreign qualifications (2 persons work with the applicants and one coordinator).

2. How many employees are responsible for recognition of qualifications of persons mentioned in Article 92 of the Act of 7 September 1991 on Education System (i.e. refugees, a victim of an armed conflict, natural disaster or other humanitarian crisis)?

The same employees mentioned in point 1 deal with recognition of qualifications on the basis of Article 93a of the Act on Education.

3. Does your institution have a database / archive of previously assessed qualifications?

No

4. Does your institution have a database with relevant information on different countries?

No. Kuratorium uses database of institutions responsible for recognition of foreign qualifications (NAWA, Anabin, Nuffic).

5. How do you collect information on foreign education?

Employees use the publicly available websites of the institutions responsible for recognition of foreign qualifications and institutions responsible for education in various countries.

Pursuant to Article 93c of the Act of 7 September 1991 on Education System if the employees cannot find the necessary information on the publicly available websites they contact NAWA (Polish ENIC-NARIC), diplomatic representations and embassies.

In some complex cases employees contact foreign institutions and schools.

6. Does your institution have a database with relevant information on different countries?

No

There was a situation of the impossibility of authentication of the original certificate and the issuance of documents by authorities/bodies not recognised by Poland (e.g. Autonomous Republic of Crimea, Taiwan).

In the most recent period (from January 2021 to 28 June this year), 11 applications were considered under Article 93a of the above-mentioned Act. At the same time, they concerned situations where applicants could not obtain authentication of documents (Afghanistan, Ukraine - first months after the outbreak of war - recognition of secondary education for professional purposes,) or had certificates issued in countries not recognised by Poland (Autonomous Republic of Crimea, Taiwan).

Applicants reported the impossibility of authentication of the original certificate, not the lack of original documentation.

There were telephone enquiries and email enquiries, from persons claiming that they do not have original documents, nevertheless no applications were submitted.

7. From what foreign countries do you receive applications? Please list the top 5.

From January to 28 June 2023, the largest number of applications were for certificates issued by: Uzbekistan, Kazakhstan, Ethiopia, India and Azerbaijan.

8. Do you receive applications with incomplete documentation? If yes, how many per year? Please list the top 5

As indicated in the answer to question 6 - in the case of cases handled by the Board of Education in Warsaw, there was a situation of a lack of possibility to authenticate the original certificate, not a lack of original documentation.

The refugees reporting problems with the authentication of documentation were mainly people from Afghanistan.

It should also be noted that in the course of the cases, applicants who claimed that they did not have the documentation, when called upon to complete it, presented original certificates.

9. Are you familiar with the Lisbon Recognition Convention Article VII? If yes, please describe.

Yes, it refers to the parties to the Convention (including Poland) taking all possible procedural steps seeking to ensure, inter alia, that refugees have access to higher education, even in the absence of the possibility of documenting their education.

10. Do you have specific guidelines for admission of foreign students without fully documented prior qualifications? If yes, please describe.

No

11. Are you aware of national/regional/institutional legislation that might hinder the implementation of alternative procedures for admission of student without fully documented prior qualification? If yes, please describe.

No

12. How do candidates apply for recognition? For instance: physically, through the digital portal or combination of both?

The application is submitted in writing (traditional mail, personal visit). This is for legal and practical reasons. As far as legal issues are concerned - according to the legislation - the applicant must submit original documents for inspection. Furthermore, an electronic application can only be submitted if it is accompanied by a trusted signature or a qualified electronic signature, for which a PESEL is necessary.

Practical advantages of submitting the documents in person relate to the fact that the applicant, immediately obtains preliminary information on the correctness of the submitted documentation, which speeds up the processing of the case.

13. Are there any language requirements process? Please describe.

No

The regulations do not specify this, but it has been decided that communication with the applicants is in English.

14. Are there any other requirements for foreign applicants? If so, please describe.

Applications are processed in accordance with the provisions of the Act of 7 September 1991 on the educational system (i.e. Journal of Laws of 2022, item 2230) and the provisions of the Regulation of the Minister of National Education of 25 March 2015 on proceedings for the recognition of a certificate or other document or confirmation of education or entitlement to continue education obtained in a foreign educational system (Journal of Laws of 2015, item 447 as amended).

15. Do applicants need to provide original (physical) documentation of educational background?

Yes, in accordance with the provisions of the Regulation of the Minister of National Education of 25 March 2015 on proceedings for the recognition of a certificate or other document or confirmation of education or entitlement to continue education obtained in a foreign educational system.

16. What challenges are you currently facing when assessing cases with incomplete documentation?

There has been no need to pursue cases under Article 93e of the Education System Act (refugees with missing documentation).

17. Interview based recognition has already been tested in several European countries/ Do you think this method could be useful for admission purposes at your institution?

Not applicable. As indicated above, the Board of Education is not responsible for the recruitment of students.

18. Please include any other relevant information / comments you would like to address.

The practical implementation of tasks related to the recognition of education by the local educational authority in Warsaw shows that institutions dealing with this type of solution may encounter the following difficulties:

- lack of studies information on secondary education and eligibility for studies in individual countries (course of study, curricula, specimen documents, grading scales, criteria for examinations, etc.),
- long waiting periods and the lack of complete information provided by other the institutions to do so under Article 93c (2) of the Act of 7 September 1991 on the educational system (embassies, NAWA),
- lack of training on educational systems (especially at the secondary level).

In our opinion, consideration should be given to amending the provisions of Article 93 b(2) of the Education System Act, in view of the potentially increasing number of 'refugee' cases that will not be able to be handled by a single local educational authority within the statutory deadlines (thus, the waiting time for a decision will be significantly prolonged).

Conclusions

The number of refugees or persons in refugee like situation who are unable to present documentation confirming their education is relatively low. It started increasing after the Russian invasion in Ukraine. A vast majority of refugees with incomplete documentation come from Ukraine but respondents identified 21 other countries from which they have candidates with incomplete documentation.

Legal issued were identified as the main obstacles regarding recognition and admission of applicants with incomplete documentation. Although is possible to recognise qualifications of refugees who are not able to present all documentation confirming their education it is in many cases not possible to admit them to the higher education programmes since once the candidates are admitted they have to submit the original school leaving certificate or diploma. Admission to first cycle and long-cycle programmes is based on the results (grades) of the school leaving certificate so if an applicant cannot present it he/she cannot be considered for admission.

Legislation on recognition of school certificates, especially concerning the documents that must be submitted, were identified as an issue both by HEIs and local educational authority.

Another issue is access to the relevant information and difficulties of assessment of incomplete applications. Both higher education institutions and the local educational have little experience in dealing with incomplete applications and lack the necessary skills. They stress that trainings regarding assessment of incomplete applications as well as exchange of experience of good practice would help them in their work.

More than half of HEIs have databases of previous recognition cases and/or databases with information on foreign education systems and qualifications. Besides HEIs and local educational authorities in their work use the on-line information resources and trainings to learn about the education systems and qualifications. However, the existing information resources are not always enough in the case of incomplete documentation and there is no possibility to contact the awarding institution or other authority in the country where the qualification was awarded.

In the light of national legislation the HEIs have little freedom to create specific guidelines for admission of applicants without documented prior education. The HEIs follow the provisions laid down in the national legislation on higher education and science. Some of them use the administrative code and – in the case of incomplete applications – take the provisional admission decision and oblige the applicant to submit the missing documentation later. The local educational authority has to follow the provisions laid down in the Act on Education System and by-laws.

Most of the HEIs offer programmes in English. However, HEIs that do not offer the programmes in English have foreign students who study in Polish language.

In the admission process HEIs require proof of language proficiency at a given level (usually B2). For applicants who do not have certificates HEIs organise interviews or test to verify whether the candidates have adequate language skills. The requirements regarding documents to be submitted in the admission process are mostly the same as in the case of Polish citizens holding foreign qualifications. The only additional documentation is the documentation confirming that they have right to stay in Poland and study.

Opinions of HEIs regarding the usefulness of the interview based procedure in the admission process are divided . Slightly more is of opinion that it would not be useful for them. The reason seems to be lack of sufficient information regarding the procedure, lack of necessary knowledge and skills of the staff to carry out the procedure as well as the existing legal legislation. Many HEIs that agree that the interview based procedure could be useful for them also stressed that they need more information regarding the procedure and that it should be implemented in the national legislation.