

## **ORDINANCE NO. 284**

OF THE RECTOR OF THE UNIVERSITY OF WARSAW

dated 18 December 2020

### **on the recognition of foreign studies graduation diplomas and confirming studies graduation at a specific level**

Pursuant to paragraph 36 section 1 of the Statute of the University of Warsaw (Monitor UW of 2019, item 190), in conjunction with Article 327 of the Higher Education and Science Act dated 20 July 2018 (consolidated text: Polish Journal of Laws of 2020, item 85 as amended), hereinafter referred to as the "Act" and the Regulation of the Minister of Science and Higher Education dated 28 September 2018 on the recognition of foreign studies graduation diplomas and confirming studies graduation at a specific level (Polish Journal of Laws of 2018, item 1881), hereinafter referred to as the "Regulation", it is hereby ordered as follows:

#### Chapter 1

##### General Provisions

###### § 1

The Ordinance determines the following matters:

- 1) rules of procedure at the University of Warsaw regarding:
  - a) recognition of foreign studies graduation diplomas,
  - b) confirming studies graduation at a specific level by a foreigner who obtained a refugee status or subsidiary protection, or a foreigner who has been granted a temporary residence permit in connection with the circumstances mentioned under Article 159 section 1 item 1 letter c or d of the Act on Foreigners of 12 December 2013 (consolidated text: Polish Journal of Laws of 2020, item 35 as amended), who is unable to present a studies graduation diploma;
- 2) the amount of fees for conducting proceedings in the matters mentioned under item 1 and the conditions and procedure for granting an exemption from those fees.

#### Chapter 2

##### Application

###### § 2

1. The proceedings mentioned under paragraph 1 item 1 shall be initiated solely upon an application addressed to the University of Warsaw. The application shall be submitted to the Office for Student Affairs.

2. The application mentioned under section 1 is to be submitted in Polish. The application shall include information allowing for identification of the teaching and learning council competent to provide an opinion on the application, including the appointment of the leading academic discipline for the application for foreign diploma recognition, or the appointment of the competent teaching and learning council. Moreover, the application shall be accompanied by the following documents:

- 1) studies graduation diploma;
- 2) certificate or information from the Polish National Agency for Academic Exchange on the possibility to have the studies graduation diploma, mentioned under item 1, recognized in Poland;
- 3) documents allowing for the assessment of the course of the studies, educational results obtained and duration of the studies;
- 4) certificate, diploma or another document, based on which the applicant was admitted to studies;
- 5) applicant's statement on the place and date of birth.

3. The documents mentioned under section 2 item 1, 3 and 4 may be submitted in the form of true copies of the originals certified by an authorized employee of the University of Warsaw or official true copies of the originals certified by a notary or an attorney-at-law or legal counsel acting as the applicant's attorney in the case.

4. If the application has formal defects, the Rector shall request the applicant to remedy them, upon the conditions set forth in the Act of 14 June 1960 – Code of Administrative Procedure (consolidated text: Polish Journal of Laws of 2020, item 256 as amended).

5. If the applicant fails to pay the fee for conducting the proceedings on the matter mentioned under paragraph 1 item 1, the Rector shall request the applicant to pay the fee, under pain of not considering the application, indicating the central bank account number to which the fee is to be paid and the deadline for paying it, which shall not be shorter than 14 days from the date of the request.

### § 3

1. A registered, formally correct application referred to in section 1, upon paying the fee mentioned under paragraph 8, shall be referred to by the Rector to the relevant teaching and learning council. If there is uncertainty regarding which teaching and learning council shall be competent for the application, the Rector shall address the Recognition of Qualifications Council, mentioned under paragraph 10, to issue an opinion. In such a case the Rector attaches the opinion of the Recognition of Qualifications Council to the submitted application.

2. If the chairperson of the teaching and learning council to which the application was transferred considers that the council is not competent for the case, they shall, within 14 days from receiving the application, issue an opinion and a statement of reasons, in which they indicate another teaching and learning council as competent for the case or state that the University of Warsaw is not competent to conduct proceedings in this matter.

3. Should the teaching and learning council chairperson indicate another teaching and learning council as competent pursuant to section 2, they shall immediately transfer the application along with the documentation of the case and the opinion mentioned under section 2 to the Office for Student Affairs, which shall immediately pass the materials received to the appointed teaching and learning council. Should the chairperson of the appointed teaching and learning council, in their justified opinion, consider this teaching and learning council not to be competent for

the case or determine that the University of Warsaw is not competent, the Rector shall refer the matter to the Recognition of Qualifications Council for an opinion.

4. The teaching and learning council competent to conduct the proceedings shall be the one competent for the field of study assigned to the leading academic discipline, to which the application pertains.

5. The University of Warsaw may conclude that it is not competent based on the lack of scientific category A+, A or B+ in the academic discipline to which the application to recognize the diploma applies.

6. If the University of Warsaw determines that it is not competent to conduct the recognition proceedings or to conduct the proceedings to confirm studies graduation at a specific level, the Rector shall issue a decision to refuse conducting the proceedings; the applicant shall have the right to complain to the Rector within seven days from the day when the decision is delivered.

#### § 4

1. The teaching and learning council shall issue an opinion on the application and forward the opinion mentioned under paragraph 5 section 2 and paragraph 6 section 2, respectively, along with the statement of reasons to the Rector without delay, however not later than within 60 days from the day it receives the application.

2. Prior to issuing an opinion, the competent teaching and learning council may request the applicant to submit specific evidence, in particular non-sworn translation into Polish of the documents mentioned under paragraph 2 section 2 item 1-3. In particularly justified cases, the teaching and learning council may request the applicant to submit Polish translations into Polish of the documents mentioned under paragraph 2 section 2 item 3 drafted and certified by a sworn translator or drafted by a foreign translator and certified by the relevant consul of the Republic of Poland. Moreover, in justified cases the teaching and learning council may request the applicant to submit an apostille or legalization of a specific document.

3. The activities referred to in this Ordinance shall be performed by the chairperson on behalf of the teaching and learning council.

### Chapter 3

#### Recognition of a foreign studies graduation diploma

#### § 5

1. The competent teaching and learning council that receives the application to recognize a foreign studies graduation diploma shall assess the merits of the application.

2. Upon having concluded proceedings to recognize a foreign studies graduation diploma, the teaching and learning council shall draft an opinion for the Rector, including a justification for granting or refusing recognition of the foreign studies graduation diploma as equivalent to a Polish diploma and professional title. The

teaching and learning council shall draft its opinion on refusing to recognize a foreign studies graduation diploma as equivalent to a Polish diploma and professional title if the diploma is not equivalent to a Polish diploma and professional title granted upon completion of study program(s) within the field of competence of the teaching and learning council.

3. The teaching and learning council shall supplement the opinion mentioned under section 2 with a draft of:

- 1) a certificate made pursuant to the template constituting Appendix No. 1 to the Regulation or
- 2) statement of reasons for an administrative decision to deny recognition of a foreign studies graduation diploma as equivalent to a Polish diploma and professional title.

4. Upon receiving the opinion mentioned under section 2, the Rector shall, as appropriate:

- 1) recognize the foreign studies graduation diploma as equivalent to a Polish diploma and professional title and issue the relevant certificate or
- 2) by way of an administrative decision refuse to recognize the foreign studies graduation diploma as equivalent to a Polish diploma and professional title.

## Chapter 4

### Proceedings on confirming studies graduation at a specific level

#### § 6

1. The teaching and learning council that received the application to conduct proceedings on confirming studies graduation at a specific level shall perform a factual assessment of the application.

2. Upon having concluded the proceedings on confirming studies graduation at a specific level, the teaching and learning councils shall draft an opinion for the Rector, including a justification for granting or refusing to confirm studies graduation at a specific level. The teaching and learning council shall draft an opinion regarding refusal to confirm studies graduation at a specific level if the studies have not been completed at the required level or the studies do not correspond to the program(s) that the teaching and learning council is competent for.

3. The teaching and learning council shall supplement the opinion mentioned under section 2 with a draft of:

- 1) a certificate made pursuant to the template constituting Appendix No. 2 to the Regulation or
- 2) statement of reasons for the decision to refuse confirmation of studies graduation at a specific level.

4. Upon receiving the opinion mentioned under section 2, the Rector shall, as appropriate:

- 1) confirm graduation of studies at a specific level and issue the relevant certificate or

2) by way of administrative decision refuse to confirm graduation of studies at a specific level.

## Chapter 5

### Register

#### § 7

The Office for Student Affairs shall maintain a register of applications, certificates issued, decisions to refuse and resolutions in the cases mentioned under paragraph 1 item 1.

## Chapter 6

### Fees

#### § 8

1. Proceedings concerning the cases mentioned under paragraph 1 item 1 shall be subject to fees in the amount of 50% of the minimum monthly basic salary of a public university professor, as set forth in the provisions issued based on Article 137 section 2 of the Act, rounded down to full zloty.

2. The fee shall not be collected if it is determined that the University is not competent to conduct the proceedings.

3. Should a fee be charged without the proper justification, it shall be reimbursed.

#### § 9

Should a person requesting recognition of a foreign studies graduation diploma or confirmation of studies graduation at a specific level evidence their difficult financial situation or special public interest, the Rector – based on a documented application drafted in Polish – may exempt the applicant in whole or in part from the fee mentioned under paragraph 8 section 1 or divide it into installments.

## Chapter 7

### Recognition of Qualifications Council

#### § 10

1. The rector shall appoint a Recognition of Qualifications Council for a four-year term of office, starting on 1 January of the year following the year in which the Rector's term of office begins.

2. The Recognition of Qualifications Council formulates opinions on matters of recognition of qualifications and confirms studies graduation at a specific level, especially where there is uncertainty regarding the competence of the particular teaching and learning council.

3. The Recognition of Qualifications Council shall be composed of two persons representing each area of science, i.e. humanities, social sciences and exact and

natural sciences. Moreover, the Recognition of Qualifications Council shall include an employee of the Office for Student Affairs appointed by the Rector. The Rector shall appoint a Chairperson of the Recognition of Qualifications Council.

4. The Recognition of Qualifications Council may operate by means of in-person meetings, by circulation or remotely. The Recognition of Qualifications Council may adopt rules of proceedings to govern its internal mode of operation.

5. In the case mentioned under paragraph 3 section 1 and 3, the Recognition of Qualifications Council drafts an opinion without delay, however not later than within 14 days from the day the request to express an opinion is received, indicating the teaching and learning council competent for the case, as mentioned under paragraph 1 item 1, or present an opinion with a statement of reasons regarding the lack of competence of the University of Warsaw to conduct proceedings in that matter.

6. Opinions of the Recognition of Qualifications Council shall be final and binding.

## Chapter 8

### Transitional and Final Provisions

#### § 11

1. Previously applicable provisions shall apply to cases instituted and not concluded prior to the effective date of the Ordinance.

2. This Ordinance enters into force as of 1 January 2021.

Rector of the University of Warsaw

A. Z. Nowak