



*Completion of education at a doctoral school
and obtaining a doctoral degree*



Legislator under the Act of July 20, 2018 - Law on Higher Education and Science (publication: Journal of Laws of 2023, item 742, as amended; hereinafter referred to as the Act), the legislator has clearly separated the process of educating doctoral students from the procedure for awarding a doctoral degree.

The moment of completion of education at the doctoral school was precisely defined in the act. By submitting a doctoral dissertation together with a positive opinion of the supervisor or supervisors, the doctoral student completes his/her education at the doctoral school. The deadline for submitting the doctoral dissertation is determined by the individual research plan. This deadline may be extended, but no longer than by 2 years, on the terms specified in the regulations of the doctoral school (Article 204, point 1-2 of the Act). It should be emphasized that the entity running a doctoral school cannot impose on a doctoral student the obligation to obtain a doctoral degree in order to complete the education. If such an obligation appeared in the internal files of a given doctoral school, it would be inconsistent with the provisions of generally applicable law.

What is important, submitting a doctoral dissertation with a positive opinion of the supervisor or supervisors, which ends the education at the doctoral school, also means the loss of the status of a doctoral student. Thus, the doctoral student loses, among others: the right to receive a doctoral scholarship, the right to apply for scholarships awarded by a local government unit, a natural person or a legal person that is not a state or local government legal person, the possibility of using a doctoral student ID, as well as the possibility of membership in the doctoral student government. Moreover, as B. Pietrzyk-Tobiasz rightly notes, „It may also result in difficulties in access to research, IT or library infrastructure for people who continue their research work in a given entity after submitting their doctoral dissertation. For this reason, the provisions of internal acts regulating the use of this infrastructure are important. They may provide for the right of access for graduates of a doctoral school who have initiated proceedings in a given doctoral-granting entity for the award of a doctoral degree. In this respect, one can again point out the inconsistency of such a solution, because such a person is in a kind of „vacuum” in the period between submitting the dissertation and awarding the doctoral degree, which once again calls into question the separation of education at a doctoral school and the award of a degree”. (B. Pietrzyk-Tobiasz [in:] W. Kielbasiński, B. Pietrzyk-Tobiasz, M. W. Kuliński (ed.), Law on higher education and science for students and doctoral students - a practical commentary. Commentary. Judgment line, Warsaw 2024).



After completing education at the doctoral school, it is possible to initiate proceedings for the award of a doctoral degree. The procedure for awarding a doctoral degree is initiated at the request of a person who meets the requirements specified in Art. 186 section 1 points 1-3 or section 2 of the Act. The application to initiate the procedure for awarding a degree must be accompanied by a doctoral dissertation with a positive opinion of the supervisor or supervisors (Article 189 section 1 of the Act). The decision refusing to initiate proceedings may be appealed against to the Council for Scientific Excellence (Article 189 section 2 of the Act).

A doctoral student who has completed his/her education at a doctoral school has the right to apply for a doctoral degree not only at the doctoral school where he/she submitted his/her doctoral thesis with a positive opinion of the supervisor(s) prepared as part of the education at this doctoral school, but also at another doctoral-granting entity. However, it should be remembered that from October 1, 2023, as a result of the entry into force of the Act of July 28, 2023 amending the Teacher's Card Act and certain other acts (Journal of Laws of 2023, item 1672), the cost-free proceedings for the award of a doctoral degree may only take place in the entity where the person applying for the doctoral degree completed his/her education at a doctoral school. Previously, i.e. before October 1, 2023, a person applying for a doctoral degree was entitled to conduct free proceedings for the award of a doctoral degree in any doctoral-granting entity, and this right was not limited in terms of time and number of proceedings (see Ł. Kierznowski, Stopnie naukowe i stopnie w zakresie sztuki. Komentarz, Warsaw 2021, p. 66). At the same time, in the transitional provisions, the legislator stipulated that persons who initiated proceedings for the award of a doctoral degree or a doctoral degree in art after completing education at a doctoral school and did not obtain this degree by October 1, 2023, are exempt from fees for carrying out this procedure. proceedings under the existing rules (Article 28 of the Act of July 28, 2023 amending the Act - Teacher's Charter and certain other acts), i.e. they are entitled to conduct free proceedings for the award of a doctoral degree in any doctoral-granting entity.

The condition for being allowed to defend a doctoral dissertation is to obtain at least two positive reviews (out of three prepared in the course of the proceedings) and to meet other requirements specified by the doctoral awarding entity (Article 191 section 1 of the Act). Importantly, a decision refusing admission to defense may be appealed to the Council for Scientific Excellence (Article 191, section 2 of the Act).

An academic degree or a degree in art is awarded, by way of an administrative decision in a university, by the senate or other university body specified in the statute, and in an institute of the Polish Academy of Sciences, a research institute and an international institute - by the scientific council (Article 178, section 1 of the Act).



A person who has been awarded a doctoral degree receives a doctoral diploma and a copy of this diploma. However, at the request of the person to whom the diploma is issued, the doctoral entity issues a copy or copies of the diploma in English, French, Spanish, German, Russian or Latin (Article 179, section 1 of the Act). The decision to refuse to award a doctoral degree may be appealed to the Council for Scientific Excellence (Article 193, section 1 of the Act).

It should be emphasized that if a doctoral dissertation is not allowed to be defended or a decision is made to refuse to grant a doctoral degree, the same dissertation cannot be the basis for re-applying for a doctoral degree (Article 193, section 5). However, the legislator does not determine what criteria should be used when deciding whether a given doctoral dissertation meets the characteristics of an „other doctoral dissertation”. This issue was left to the decision of the doctoral granting entity, which will conduct the new procedure.



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