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CODE OF GOOD PRACTICES FOR DOCTORAL SELF-GOVERNANCE

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INTRODUCTION

Doctoral self-governance constitutes one of the fundamental elements of the Polish higher education system; it enables doctoral candidates to take part in decision-making on how their education is structured, and to represent their interests within university structures. The practical functioning of the doctoral candidate self-governments in Poland is highly varied. Some operate efficiently and effectively, while others encounter difficulties in fulfilling their tasks, often because of a lack of experience, established procedures, or familiarity with the legal regulations that set out the basic principles of their operation.

This "Code of Good Practices for Doctoral Self-Governance" was created to help fill this gap. Its purpose is to provide doctoral candidate self-governments across Poland with a comprehensive guide that combines theoretical knowledge with practical solutions proven in daily practice. This publication is primarily intended for members of the doctoral candidate self-governments – both those who are taking their first steps in organisational activities, and experienced representatives seeking inspiration to improve the functioning of their structures.

The Code presents an analysis of the legal foundations of doctoral candidate self-governance in light of the Act – Law on Higher Education and Science. It discusses the tasks and competences of the doctoral candidate self-government, its organisational structure, forms of activity, and the requirements for adopting "regulations" – the fundamental act governing the functioning of every self-government. This analysis is enriched with good practices identified through the review of selected self-governments' internal regulations, carried out by the Local Ambassadors for Doctoral Rights. The final part of the publication contains document templates that can be directly used by doctoral candidate self-governments in their daily activities. These templates serve as flexible tools that can be adapted to the specific characteristics of a given university and the needs of its doctoral community.

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I. DEFINITION OF THE DOCTORAL CANDIDATE SELF-GOVERNMENT

Doctoral candidates, alongside university staff and students, constitute the university community [Article 10 of the Act of 20 July 2018 – Law on Higher Education and Science (Journal of Laws 2024, item 1571, as amended), hereinafter: "**Law on Higher Education and Science**"]. Pursuant to Article 215(1) of the Law on Higher Education and Science, **doctoral candidates at an institution running a doctoral school establish a doctoral candidate self-government, to which Articles 106 and 110(2–9) of the Law on Higher Education and Science apply accordingly** (Article 215(2) of the Law on Higher Education and Science). Consequently, **the doctoral candidate self-government is the exclusive representative of all doctoral candidates at a given university** (Article 110(3) in conjunction with Article 215(2) of the Law on Higher Education and Science). This means that the doctoral candidate representatives elected in the elections and participating in the work of the self-government are the ones who represent the doctoral community before the authorities of the institution operating the doctoral school and before organisations representing doctoral candidates.

Membership in the doctoral candidate self-government is mandatory and is acquired upon obtaining doctoral candidate rights and lost upon completion of studies or removal from the list of doctoral candidates.¹ In cases where a doctoral school is jointly run by several institutions, a doctoral candidate is a member of the doctoral candidate self-government in each of these institutions.²

The doctoral candidate self-government at an institution running a doctoral school exists by law from the moment at least one doctoral candidate acquires doctoral candidate rights at that institution.³ It should be noted that the "doctoral candidate self-government is not a legal entity nor an organisational unit without legal personality (so-called incomplete legal entity), and therefore cannot independently become a subject of rights and obligations or incur liabilities".⁴

II. STRUCTURE AND ORGANISATION OF THE DOCTORAL CANDIDATE SELF-GOVERNMENT

Pursuant to Article 110(2) in conjunction with Article 215(2) of the Law on Higher Education and Science, **the doctoral candidate self-government operates through its bodies, including the president and the resolution-passing body.** This provision therefore establishes only two mandatory bodies of the doctoral candidate self-government: the president (executive body) and the resolution-passing body (legislative body). However, this does not preclude the establishment of additional bodies within the structures of the doctoral candidate self-government. **The internal regulations of the doctoral candidate self-government may regulate the functioning of additional executive bodies**, such as a board or a council, **bodies responsible for organising and conducting elections** (e.g., electoral committees), as well as bodies performing oversight functions (e.g., audit committees). The resolution-passing body, on the other hand, may operate under names

¹ M. Dokowicz, *art. 215 [w:] Prawo o szkolnictwie wyższym i nauce. Komentarz*, red. J. Woźnicki, Warszawa 2019.

² Ł. Kierznowski, *Szkoły doktorskie. Komentarz do art. 198-216 oraz 259-264 ustawy Prawo o szkolnictwie wyższym i nauce*, Warszawa 2018, s. 98-99.

³ M. Klimczyk, M. Wilanowska, *art. 215 [w:] Prawo o szkolnictwie wyższym i nauce dla studenta i doktoranta – komentarz praktyczny*, W. Kielbasiński, B. Pietrzyk-Tobiasz, M. W. Kuliński (red.), Warszawa 2024, s. 658-666.

⁴ Ibidem.



such as the council of the doctoral candidate self-government or the assembly of doctoral candidates. The internal regulations of the doctoral candidate self-government may also provide for the appointment of permanent or temporary teams and committees, or plenipotentiaries responsible for specific tasks.

DIVISION OF COMPETENCES

From the perspective of ensuring the proper functioning of the doctoral candidate self-government, it is extremely important to precisely define the tasks and competences of its individual bodies in the internal regulations.

The president, as the executive body, is generally responsible for tasks such as representing the doctoral candidate self-government before the university authorities and other university bodies, organising the work of the resolution-passing body, issuing orders, implementing the budget, and coordinating the work of the self-government.⁵

Good practice: Recognition of the authority to serve as a delegate or to appoint such a delegate at the reporting and electoral meetings of the Polish National Association of Doctoral Candidates.

The competences of the resolution-passing body, as stipulated by law, include adopting the internal regulations of the doctoral candidate self-government. In addition, the decision-making body may also be assigned the following competences: adopting and reviewing draft solutions concerning doctoral matters; enacting and amending the regulations of the doctoral candidate self-government; approving the doctoral candidate self-government's budget; proposing initiatives and activities for the benefit of doctoral candidates; and selecting individuals responsible for carrying out specific tasks.

The oversight body is often responsible for the ongoing supervision of the executive and resolution-passing body of the doctoral candidate self-government in terms of legality, efficiency, and cost-effectiveness, as well as for systematically reporting the results of these audits, including recommendations for actions that should be taken to improve specific aspects of the doctoral candidate self-government's functioning.⁶

Good practice: Separation of executive and decision-making functions from oversight functions, if an oversight body has been established.

In accordance with the provisions of the Law on Higher Education and Science and the internal regulations applicable at institutions running a doctoral school, doctoral candidates may provide opinions on various doctoral matters (entitled to do so based on the relevant provisions of the doctoral candidate self-government's internal regulations). Since the doctoral candidate self-government operates through its bodies, it is important that the regulations designate the appropriate body responsible for taking a position on a given matter.

⁵ Ibidem.

⁶ Ibidem.



Good practice: Establishing a presumption of competence in favour of a given body, which mitigates the risk of a competence dispute between different self-government bodies.

TERM OF OFFICE

The Law on Higher Education and Science does not regulate the term of office of the bodies of the doctoral candidate self-government. In the doctoral candidate self-government's internal regulations, a one- or two-year term for the decision-making and executive bodies is generally adopted.

However, as noted by M. Klimczyk and M. Wilanowska, a one-year term of office for the bodies of the doctoral candidate self-government does not support the effectiveness of their activities, as this period is insufficient for assessing the needs of the doctoral community, for planning and implementing initiatives, and for preparing new members of the doctoral candidate self-government to carry out specific tasks. A longer term, on the other hand, allows for proper planning and implementation of concrete actions. Nevertheless, each doctoral candidate self-government should determine the term of office taking into account the specific characteristics of the institution and the needs of the doctoral community.⁷

MEETINGS OF THE LEGISLATIVE BODY OF THE DOCTORAL CANDIDATE SELF-GOVERNMENT

The Law on Higher Education and Science does not specify a minimum frequency for meetings of the legislative body.⁸ In practice, the internal regulations of doctoral candidate self-governments most often require meetings to be held once a month, once a quarter, or once every six months.

The doctoral candidate self-government may convene meetings regularly, for example, at least once every one or two months, excluding the summer months (i.e., July and August). However, the most important aspect is that the frequency of meetings should be determined by each doctoral candidate self-government, taking into account its needs and capabilities.

Additionally, as noted by M. Klimczyk and M. Wilanowska, "It is also advisable for the internal regulations to provide for the possibility of holding meetings both in person and remotely, provided that information technology is used to ensure control of the proceedings, proper recording, and the confidentiality of voting".⁹

Good practice: Specifying that resolutions may be adopted using an established electronic communication tool.

TASKS OF THE DOCTORAL CANDIDATE SELF-GOVERNMENT

⁷ Ibidem.

⁸ Ibidem.

⁹ Ibidem.



Pursuant to Article 110(4) in conjunction with Article 215(2) of the Law on Higher Education and Science, the doctoral candidate self-government conducts activities within the university in matters concerning doctoral candidates, including social, welfare, and cultural issues. It should be noted that the legislator has defined the scope of activities of the doctoral candidate self-government in very general terms, which allows self-governments to autonomously determine their objectives and directions of action. Accordingly, doctoral candidate self-governments may undertake various scientific, educational, integrative, sports, and organisational activities.

The doctoral candidate self-government may also issue its own internal legal acts. However, pursuant to Article 110(8) in conjunction with Article 215(2) of the Law on Higher Education and Science, the rector may repeal any acts issued by the doctoral candidate self-government that are inconsistent with universally applicable law, the university statute, the doctoral school regulations, or the doctoral self-government's regulations. A complaint to the administrative court may be lodged against the repeal within 30 days of delivery of the act, and the provisions on judicial review of administrative decisions apply accordingly. This provision does not specify which body of the doctoral candidate self-government is entitled to file such a complaint; therefore, this issue should be regulated in the internal regulations of the doctoral self-government.¹⁰

FUNDS OF THE DOCTORAL CANDIDATE SELF-GOVERNMENTS

The doctoral candidate self-government decides on the allocation of financial resources provided by the university for doctoral matters and prepares a report on the allocation and settlement of these funds at least once per academic year, making it publicly available in the Public Information Bulletin on the university's website (Article 110(5) in conjunction with Article 215(2) of the Law on Higher Education and Science).

Pursuant to Article 110(9) in conjunction with Article 215(2) of the Law on Higher Education and Science, each institution providing doctoral education is obliged to ensure the necessary conditions for the functioning of the doctoral candidate self-government, including infrastructure and financial resources, which the self-government manages in the course of its activities. This obligation should, in particular, be fulfilled by allocating specific financial resources in the institution's budget, over which the doctoral candidate self-government will have authority in accordance with the relevant provisions of its regulations.

In the context of the funds managed by the doctoral candidate self-government, it is advisable for the internal regulations to specify:

- the procedures for voting on the adoption of the budget and the deadline by which it should be approved,
- the responsibilities of the president regarding the implementation of the budget, preparation of the financial report on the doctoral candidate self-government's activities for the given academic year,

¹⁰ J.M. Zieliński, art. 110 [w:] H. Izdebski, J.M. Zieliński, *Prawo o szkolnictwie wyższym i nauce*, Warszawa 2023, s. 198-200.



presentation of the report to the decision-making body of the doctoral candidate self-government and making it publicly available in the Public Information Bulletin.¹¹

THE RIGHT TO CONDUCT A PROTEST OR STRIKE

Pursuant to Article 106 in conjunction with Article 215(2) of the Law on Higher Education and Science, doctoral candidates have the right to conduct a protest or strike in the event of a collective dispute at the university concerning matters of significant importance to doctoral candidates. As noted in the legal doctrine, the entity expressing the intention to carry out a protest or strike has the right to independently assess whether a given issue is significant for the doctoral community, and no university body has the authority to contest this assessment.¹²

In line with the appropriate application of Article 106(2) of the Law on Higher Education and Science to the doctoral self-government, a protest or strike may be initiated by the doctoral candidate self-government, the Polish National Association of Doctoral Candidates, or a nationwide association exclusively representing doctoral candidates. The relevant bodies of these entities adopt a resolution regarding the protest and its form by an absolute majority vote; the competent body must notify the rector of the adopted resolution no later than three days before the commencement of the protest. Participation in a protest or strike is voluntary and does not constitute a breach of the doctoral candidate's obligations.

REGULATIONS OF THE DOCTORAL CANDIDATE SELF-GOVERNMENT

On the basis of Article 110(6) in conjunction with Article 215(2) of the Law on Higher Education and Science, it should be indicated that **it is the legislative body of the doctoral candidate self-government that is responsible for adopting the internal regulations, which define the organisation and manner of operation of the government, as well as the procedure for appointing representatives to the university's bodies, and, in the case of a public university, also to the electoral college.**

The regulations of the doctoral candidate self-government enter into force once the rector has confirmed their compliance with the Act and the university's statute, within 30 days from the date of their submission (Article 110(7), first sentence, in conjunction with Article 215(2) of the Law on Higher Education and Science). The rector usually issues an ordinance in this matter, in which they confirm the compliance of the regulations with the aforementioned legal acts. An annex to this ordinance is the self-government's regulations to which the ordinance refers. The rector is therefore guided solely and exclusively by the criterion of legality.¹³

Good practice: A qualified majority required to amend the regulations of the doctoral candidate self-government – this ensures the organisational stability of the self-government and protects it from *ad hoc* changes motivated by immediate needs.

¹¹ M. Klimczyk, M. Wilanowska, *art. 215... op.cit.*

¹² *Ibidem.*

¹³ Ł. Kierznowski, *art. 110 [w:] Prawo o szkolnictwie wyższym i nauce*, red. A. Jakubowski, Warszawa 2023.



An exception to the above rule is the adoption of the first regulations of the doctoral candidate self-government at a newly established university, which falls within the competence of the university senate (Article 110(7), second sentence, in conjunction with Article 215(2) of the Law on Higher Education and Science).

III. FORMS OF ACTIVITY OF THE DOCTORAL CANDIDATE SELF-GOVERNMENT

The provisions of the Law on Higher Education and Science provide for a number of powers of the doctoral candidate self-government in the area of issuing opinions and agreeing on internal legal acts in force at entities operating a doctoral school, as well as for the participation of doctoral candidates in the work of the university's collegial bodies, in particular:

- agreeing on the content of the doctoral school regulations with the doctoral candidate self-government (Article 205(3) of the Law on Higher Education and Science),
- issuing an opinion on the doctoral training curriculum (Article 201(4) of the Law on Higher Education and Science),
- agreeing on the appointment of persons to managerial positions at a university or at an institute of the Polish Academy of Sciences institute whose responsibilities include doctoral matters (Article 23(5) of the Law on Higher Education and Science),
- issuing an opinion on the criteria for evaluating academic teachers (Article 128(3) of the Law on Higher Education and Science),
- conducting, at least once per academic year, an evaluation of an academic teacher with respect to their fulfilment of educational duties (Article 128(4) of the Law on Higher Education and Science),
- agreeing on the rules for awarding scholarships from the institution's own scholarship fund (Article 420(2) of the Law on Higher Education and Science),
- doctoral candidates' membership in the senate of a public or non-public academic university (Article 29(1)(1)(b) and Article 29(1)(3)(b) of the Law on Higher Education and Science),
- membership of a doctoral candidate representative in the scientific council of a Polish Academy of Sciences institute with voting rights, if the institute provides doctoral education [Article 56(1)(5) of the Act of 30 April 2010 on the Polish Academy of Sciences (Journal of Laws of 2020, item 1796)].

Doctoral candidate self-governments also have other rights arising from internal regulations.

OBLIGATION TO AGREE ON THE CONTENT OF THE DOCTORAL SCHOOL REGULATIONS (Article 205(3) of the Law on Higher Education and Science)

The regulations of the doctoral school constitute one of the fundamental internal legal acts of a university or a Polish Academy of Sciences institute conducting education within a doctoral school. In Article 205(1) of the Law on Higher Education and Science, the legislator indicated that the regulations of a doctoral school define the organisation of training in areas not regulated by the Act, in particular:

1. the procedure for appointing and changing the supervisor, supervisors, or assistant supervisor;
2. the procedure for documenting the course of training;
3. the procedure for conducting the mid-term evaluation;
4. the conditions for extending the deadline for submitting the doctoral dissertation.



This list is non-exhaustive; therefore, the regulations of a doctoral school, adopted by the university senate or the scientific council (in the case of a Polish Academy of Sciences institute), may also include other provisions relating to the organisation of doctoral education in areas not regulated by the Law on Higher Education and Science. At the same time, it should be noted that the doctoral school regulations must not contradict the provisions of the Act; in the event of a conflict between the regulations and statutory provisions, the provisions of the Act prevail.

As M. Dokowicz notes: "Organisation of training should be understood as all organisational matters related to such training, including, for example: the conditions and mode of attending classes, grading scales, procedures for conducting examinations and obtaining credits, rules for suspending and resuming training, transferring between doctoral schools, or the organisation and completion of professional internships referred to in Article 201(5) of the Law on Higher Education and Science; the rules for developing and approving the individual research plan; the supervision of the doctoral candidate; and the use of research infrastructure by the doctoral candidate for the preparation of the doctoral dissertation".¹⁴

If an institution operates more than one doctoral school, a separate set of regulations must be adopted for each of them. Therefore, within a given institution, as many sets of doctoral school regulations are in force simultaneously as there are doctoral schools operated by that institution. The regulations of individual doctoral schools run by the same institution may differ, but they should not differentiate the legal situation of doctoral candidates from different doctoral schools or grant them significantly different rights.¹⁵

In accordance with Article 205(3), first sentence, of the Law on Higher Education and Science, the regulations of a doctoral school require agreement with the doctoral candidate self-government. M. Dokowicz notes that this agreement should take a written form.¹⁶ The entity operating the doctoral school and the doctoral candidate self-government should jointly determine the scope of matters that are worth regulating in this legal act.¹⁷

Good practice: Conducting periodic evaluations of the regulations and taking into account experiences based on the regulations applied in other institutions.

If, however, within three months from the adoption of the regulations, the senate or scientific council and the doctoral candidate self-government do not reach an agreement on their content, the regulations enter into force by virtue of a resolution of the senate or scientific council adopted by a majority of at least two-thirds of the statutory membership of these bodies (Article 205(3), second sentence, of the Law on Higher Education and Science).

¹⁴ M. Dokowicz, *art. 205 [w:] Prawo o szkolnictwie wyższym i nauce. Komentarz*, red. J. Woźnicki, Warszawa 2019.

¹⁵ Ł. Kierznowski, *Szkoły... op.cit.* 8, s. 64.

¹⁶ M. Dokowicz, *art. 205... op.cit.*

¹⁷ W. Kielbasiński, B. Pietrzyk-Tobiasz, *art. 205 [w:] Prawo o szkolnictwie wyższym i nauce dla studenta i doktoranta – komentarz praktyczny*, W. Kielbasiński, B. Pietrzyk-Tobiasz, M. W. Kuliński (red.), Warszawa 2024, s. 595-601.



As correctly noted in legal doctrine, the initial deadline (*dies a quo*) for reaching an agreement on the regulations runs from the "adoption" of the regulations by the senate or scientific council, and not from their delivery to the doctoral candidate self-government.¹⁸

In accordance with Article 205(5) of the Law on Higher Education and Science, the provisions of Article 205(2) and (3) apply accordingly to amendments to the doctoral school regulations. Therefore, such amendments also require agreement with the doctoral candidate self-government.

Good practice: Involving doctoral candidates in the process of adopting or amending the regulations already at the conceptual stage, rather than only after the resolution has been passed by the Senate.

ISSUING AN OPINION ON THE DOCTORAL TRAINING PROGRAMME (Article 201(4) of the Law on Higher Education and Science)

In accordance with Article 201(3) of the Law on Higher Education and Science, doctoral training is conducted based on the training programme and the individual research plan. The training programme is established by the senate or scientific council, and its adoption requires obtaining the opinion of the doctoral candidate self-government. In the event of the expiry of the deadline specified in the statute without a response, the requirement to obtain the opinion is considered fulfilled (Article 201(4) of the Law on Higher Education and Science). Therefore, the statute of the institution operating the doctoral school should specify the deadline for the doctoral candidate self-government to express its opinion. If the statute does not set a deadline, it is not possible to apply the fiction of a positive opinion.¹⁹ As Ł. Kierznowski rightly points out, the doctoral candidate self-government should be involved in the development of the training programme from the very stage of drafting it, rather than only at the stage of providing a non-binding opinion.²⁰

At a university, the training programme is adopted by the senate, while at the Polish Academy of Sciences institutes, research institutes, and international institutes, it is adopted by the scientific councils of those institutes. In none of these cases is the doctoral school council, which may be established by the institution operating the doctoral school, authorised to adopt the training programme.²¹

In the case of multiple doctoral schools operated by a single institution, the training programme may be established jointly.²²

The opinion of the doctoral candidate self-government regarding the training programme is not binding on the senate or scientific council; however, doctoral candidates, as internal stakeholders, play an important role from

¹⁸ H. Żurkiewicz, *Samorządność doktorantów*, [w:] W. Kiełbasiński, M. Dorochowicz, *Status doktorantów w ustawie 2.0*, Toruń 2022, s. 80.

¹⁹ M. Dorochowicz, *art. 201 [w:] Prawo o szkolnictwie wyższym i nauce dla studenta i doktoranta – komentarz praktyczny*, W. Kiełbasiński, B. Pietrzyk-Tobiasz, M. W. Kuliński (red.), Warszawa 2024.

²⁰ Ł. Kierznowski, *Szkoły... op.cit.*, s. 64.

²¹ M. Dorochowicz, *art. 201... op.cit.*

²² I. Florczak, *art. 201... op.cit.*



the perspective of the quality assurance system in education.²³ Failure to obtain the opinion of the doctoral candidate self-government, however, results in the invalidity of the act, which is determined by the minister in accordance with Article 427(2)(1) of the Law on Higher Education and Science.²⁴

ISSUING AN OPINION ON THE CRITERIA FOR EVALUATING ACADEMIC TEACHERS

An academic teacher, with the exception of the rector, is subject to periodic evaluation (Article 128(1) of the Law on Higher Education and Science). In accordance with Article 128(3), the criteria for periodic evaluation for specific groups of employees and types of positions, as well as the procedure and entity responsible for conducting the evaluation, are determined by the rector after obtaining the opinion of, among others, the doctoral candidate self-government. The opinion must be submitted within the deadline specified in the request for its expression, which shall be no shorter than 30 days. If this deadline passes without a response, the requirement to obtain the opinion is considered fulfilled. The participation of doctoral candidates in shaping the criteria for periodic evaluation is particularly important because of their performance of numerous scientific duties and their frequent dual status as both doctoral candidates and university employees.²⁵

It is correctly pointed out in legal doctrine that although the opinions of the student self-government, doctoral candidate self-government, and trade unions are not binding, because of their representativeness they should not be treated merely as a formality to satisfy the formal requirements for introducing internal legal regulations.²⁶

Additionally, the university allows doctoral candidates to evaluate an academic teacher at least once per academic year with respect to the fulfilment of their educational duties (Article 128(4) of the Law on Higher Education and Science). The rules for conducting this evaluation are determined by the rector (Article 128(5) of the Law on Higher Education and Science). This evaluation is taken into account when carrying out the periodic evaluation of the academic teacher (Article 128(6) of the Law on Higher Education and Science). The rector's task is therefore to determine both the form in which the evaluation should be conducted (e.g., a written or anonymous electronic survey) and the frequency of this process (e.g., once per semester, once per academic year).²⁷

²³ M. Dokowicz, art. 201 [w:] *Prawo o szkolnictwie wyższym i nauce. Komentarz*, red. J. Woźnicki, Warszawa 2019.

²⁴ H. Żurkiewicz, *Samorządność...* op.cit., s. 81.

²⁵ M. Wilanowska, art. 128 [w:] *Prawo o szkolnictwie wyższym i nauce dla studenta i doktoranta – komentarz praktyczny*, W. Kiełbasiński, B. Pietrzyk-Tobiasz, M. W. Kuliński (red.), Warszawa 2024, s. 31-35.

²⁶ T. Jędrzejwski, art. 128, [w:] J. Woźnicki, *Prawo...* op.cit., s. 82.

²⁷ M. Wilanowska, art. 128... op.cit.





AGREEING ON THE APPOINTMENT OF PERSONS TO MANAGERIAL POSITIONS AT A UNIVERSITY OR A POLISH ACADEMY OF SCIENCES INSTITUTE, WHOSE RESPONSIBILITIES INCLUDE DOCTORAL MATTERS

In accordance with Article 23(5) of the Law on Higher Education and Science, the appointment of a person to a managerial position whose responsibilities include doctoral matters requires agreement with the doctoral candidate self-government. This particularly applies to: the director (head) of the doctoral school; the vice-rector whose competences include doctoral matters; and the vice-dean whose competences include doctoral matters.

As M. Wilanowska points out, the fact that the appointment of a person to a managerial position involving doctoral matters requires agreement with the doctoral candidate self-government indicates that the consent of the self-government is essential for such an appointment. Consequently, in the absence of such consent, it is not possible to appoint the person to that position.²⁸ Failure of the doctoral candidate self-government to take a position within the deadline specified in the statute is considered as giving consent (Article 23(5), second sentence, of the Law on Higher Education and Science).

Additionally, **the senate of a public or non-public academic university** includes, among others, students, and doctoral candidates, who together make up no less than 20% of the senate's membership (Article 29(1)(1)(b) and (1)(3)(b) of the Law on Higher Education and Science). The number of students and doctoral candidates is determined proportionally to the size of these two groups at the university, with each group being represented by at least one representative (Article 29(2) of the Law on Higher Education and Science). The procedure for electing a doctoral candidate to the senate and the duration of their membership are specified in the regulations of the doctoral candidate self-government (Article 30(3) of the Law on Higher Education and Science). Through the membership of doctoral candidate representatives in the university senate, doctoral candidates have the opportunity to participate in decision-making on internal legal acts adopted by the senate, such as the statute, various regulations, and the rules for admission to doctoral schools.

AGREEING ON THE RULES FOR AWARDED SCHOLARSHIPS FROM THE INSTITUTION'S OWN SCHOLARSHIP FUND (ARTICLE 420(2) OF THE LAW ON HIGHER EDUCATION AND SCIENCE)

A university – whether public or non-public – may, from funds not originating from the state budget, establish its own scholarship fund for student merit-based scholarships and research scholarships for employees and doctoral candidates (Article 420(1) of the Law on Higher Education and Science). The establishment of such an additional form of rewarding students, doctoral candidates, and employees for scientific achievements is intended to motivate learning and research work.²⁹ In accordance with Article 420(2) of the Law on Higher

²⁸ M. Wilanowska, *art. 23 [w:] Prawo o szkolnictwie wyższym i nauce dla studenta i doktoranta – komentarz praktyczny*, W. Kielbasiński, B. Pietrzyk-Tobiasz, M. W. Kuliński (red.), Warszawa 2024, s. 5-9.

²⁹ J. Roszkiewicz, *art. 420 [w:] Prawo o szkolnictwie wyższym i nauce. Komentarz*, red. A. Jakubowski, Warszawa 2023.



Education and Science, the rules for awarding the aforementioned research scholarships to doctoral candidates are determined in agreement with the doctoral candidate self-government.

OTHER FORMS OF PARTICIPATION IN THE ADOPTION OF INTERNAL LEGAL ACTS

The provisions of the Law on Higher Education and Science grant universities relatively broad discretion in shaping internal legal acts. Universities may therefore independently specify and detail statutory regulations. The internal regulations of a university or a Polish Academy of Sciences institute may provide for a broader scope of participation of the doctoral candidate self-government in the adoption of internal legal acts than is directly required by the Law on Higher Education and Science. The rights of the doctoral candidate self-government may include agreeing on or issuing opinions on documents such as: the statute of the university or a Polish Academy of Sciences institute (in the part concerning doctoral candidates), scholarship regulations, rules for using research infrastructure, library and other services for doctoral candidates, or codes of ethics.



TEMPLATES

Template for Agreement on the Doctoral School Regulations

RESOLUTION NO.

..... **(name of the body)**

dated

regarding the agreement on the doctoral school regulations

Pursuant to Article 205(3) of the Act of 20 July 2018 – Law on Higher Education and Science (Journal of Laws 2024, item 1571, as amended)

it is hereby resolved as follows:

§ 1. Consent is given for the entry into force of the doctoral school regulations in the wording adopted by the Senate / Scientific Council of the Institute of (name of the university) on

§ 2. This resolution shall enter into force on the date of its adoption.

President
of the Doctoral Candidate Self-Government
(First name and last name)



Template for an Opinion on the Doctoral Training Programme

RESOLUTION NO.

..... **(name of the body)**

dated

regarding the training programme at the doctoral school

Pursuant to Article 201(4) of the Act of 20 July 2018 – Law on Higher Education and Science (Journal of Laws 2024, item 1571, as amended)

it is hereby resolved as follows:

§ 1. The draft doctoral training programme at the Doctoral School (name of the School), attached to this resolution, is hereby given a positive opinion.

§ 2. This resolution shall enter into force on the date of its adoption.

President
of the Doctoral Candidate Self-Government
(First name and last name)





Template for Agreement on the Appointment of a Person to a Managerial Position, Whose Responsibilities Include Doctoral Matters

RESOLUTION NO.

..... **(name of the body)**

dated

regarding the agreement on the appointment to the position of
(name of the position)

Pursuant to Article 23(5) of the Act of 20 July 2018 – Law on Higher Education and Science (Journal of Laws 2024, item 1571, as amended)

it is hereby resolved as follows:

§ 1. Consent is given to the appointment of (academic title/degree, first name and last name) to the position of (name of the position).

§ 2. This resolution shall enter into force on the date of its adoption.

President
of the Doctoral Candidate Self-Government
(First name and last name)





Template for an Opinion on the Draft Criteria for Periodic Evaluation for Specific Groups of Employees and Types of Positions, as well as the Procedure and Entity Conducting the Evaluation

RESOLUTION NO.

..... **(name of the body)**

dated

regarding the agreement on the appointment to the position of

(name of the position)

Pursuant to Article 128(3) of the Act of 20 July 2018 – Law on Higher Education and Science (Journal of Laws 2024, item 1571, as amended)

it is hereby resolved as follows:

§ 1. The draft criteria for periodic evaluation for specific groups of employees and types of positions, as well as the procedure and entity conducting this evaluation, in the wording attached to this resolution, is hereby given a positive opinion.

§ 2. This resolution shall enter into force on the date of its adoption.

President
of the Doctoral Candidate Self-Government
(First name and last name)



Template for Agreement on the Rules for Awarding Research Scholarships to Doctoral Candidates from the Institution's Own Scholarship Fund

RESOLUTION NO.

..... **(name of the body)**

dated

regarding the agreement on the rules for awarding research scholarships to doctoral candidates from the institution's own scholarship fund

Pursuant to Article 420(2) of the Act of 20 July 2018 – Law on Higher Education and Science (Journal of Laws 2024, item 1571, as amended),

it is hereby resolved as follows:

§ 1. Consent is given for the entry into force of the rules for awarding research scholarships to doctoral candidates from the institution's own scholarship fund, in the wording attached to this resolution.

§ 2. This resolution shall enter into force on the date of its adoption.

President
of the Doctoral Candidate Self-Government
(First name and last name)

