

Education and legalization of stay in Poland

The law on foreigners in Poland provides for two types of residence permits for foreign students and learners.

Temporary residence permit for studies - full-time university students (Bachelor, Master and PhD). This permit is also issued to foreigners who continue studies started in other countries of the European Union and foreigners who take a preparation course for studies in Poland in Polish.

Part-time students (evenings and weekends) may request **a residence permit due to other circumstances**. It is also available to non-university students and persons undergoing professional training. Graduates of Polish universities looking for work in Poland can also benefit from this type of residence permit.

Temporary residence permit for studies (for full-time students and PhD students) is issued when a foreigner:

- has a certificate from the university that certifies that he/she has been accepted to study at university or continue studies,
- shall submit proof of payment of tuition fees, when these are paid
- has health insurance within the meaning of the provisions on universal health insurance or a confirmation of coverage by the insurer for medical expenses in the territory of Poland.
- has the financial resources to cover the costs of his stay in Poland and the cost of the return journey to the country of origin or his previous residence.

The first permit is issued for 15 months. If the academic year is shorter, the permit is issued for its duration and an additional period of three months. Afterwards, a residence permit may be issued for a period of up to three years (no longer than until the end of the studies, renewable for a period of three months).

In many situations, a permit may not be issued. This happens in situations where:

- a foreign national does not meet the requirements above,
- foreigner's details are not in the list of foreigners who are undesirable in Poland or in the SIS for the purposes of refusing entry,
- this is necessary due to the security of the State or the need to protect public order,
- a foreigner has submitted information or documents that are false
- a foreigner must undergo treatment because of the Polish rules on infectious diseases and he/she does not consent to the treatment
- a foreigner has submitted his/her application when staying in Poland illegally or stays illegally on the territory of Poland.

A foreigner will not have the possibility of obtaining another temporary permit if he failed the examinations in the first year of his studies. The decision in this case depends on the individual situation of a foreigner.

In the case of the legalization of stay of a student, the Office of Voivodeship issuing the residence permit and the student's university are in contact for all matters relating to the stay of the foreigner in Poland. The Office shall inform the University of its intention to issue a residence permit. The University is required to advise the Agency when the student no longer has the status of a student or when he/she failed his/her year.

Residence permit due to other circumstances (for part-time students, students and professional trainees and graduates from Polish universities looking for employment) is issued according to the same rules. Yet, the issuance of a residence permit is optional rather than mandatory.

A student shall attach a certificate of the school or institution concerning admission to the school for a course or studies to his/her application for legalization of stay. In addition, the foreigner shall demonstrate that:

- he/she has health insurance within the meaning of the provisions on universal health insurance or a confirmation of coverage by the insurer for medical expenses in the territory of Poland.
- he/she has the financial resources to cover the costs of study, life in Poland and the return to his/her country of origin or residence
- he/she has a guaranteed place of stay in Poland.

Other requirements apply to the Polish graduates seeking employment. They are not required to demonstrate that they have sufficient funds to cover the cost of life and learning. They shall, however, have a stable and regular income source.

The residence permit is not issued when (among others):

- the foreign national does not meet the requirements above,
- the foreigner's details are in the list of foreigners who are undesirable in Poland or in the SIS for the purposes of refusing entry,
- this is necessary due to the security of the State or the need to protect public order,
- the foreigner has submitted information or documents that are false
- the foreigner must undergo treatment because of the Polish rules on infectious diseases and he/she does not consent to the treatment,
- the foreigner has submitted his/her application in Poland while staying illegally or stays illegally on the territory of Poland.

This type of permit can be issued for a period of no more than a year.

Poland also provides for a separate type of permit to conduct research in Poland. To obtain this permit, it is necessary to establish a formal cooperation with a research centre approved in accordance with the law.

Legalization of stay for students, learners and researchers is set out in Section V of the Act.

Chapter 6 contains the provisions on the legalization of residence for full-time students.

The provisions relating to residence permits issued due to other circumstances are set out in Chapter 11.

Chapter 7 describes the problem of legalization of residence for conducting scientific research.