

NON-STATE HIGHER EDUCATION IN POLAND: CURRENT SITUATION AND PROSPECTS OF DEVELOPMENT

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The non-state higher education, rapidly evolving in Poland, has become an important topic of discussion in our country. It has been confirmed with numerous articles and studies as well as conferences and research. The transformation of private education, the scale and dynamism of this phenomenon and its impact on both social and economic life of the country still constitute an attractive field for further research. The researchers' involvement in private higher education system is the outcome of its fast development.

Private schools play an important role in the education systems in Europe and similarly to the situation in Poland they are in the spotlight of public opinion. In European countries education operates on the basis of national and international legal acts. Almost all constitutions or education laws and regulations in the western countries contain clauses concerning freedom of teaching. In Western Europe freedom of teaching means the existence of the school system in which there are two legally recognized sectors of education i.e. public and private in the country. The regulations of the constitutional freedom of teaching in different countries have different wording. As a rule, however, the constitutions entrust the regulation of all the private school related issues to ordinary legislation¹.

Private higher education institutions began to play an increasingly important role also in the Polish education system. Although this process has been evolving for just over a decade, the Polish tradition of non-state higher education dates back further to the interwar period. Cracow Academy is the oldest higher education institution which was founded in 1364. Then the University of Vilnius (1579) and the University of Lvov (1661) were established².

During the partitions of Poland private schools cultivated the Polish language and traditions, as well as they took care of national education. The authorities of individual partitions shaped the conditions for the functioning level of private schools in many different ways. Particularly private secondary schools developed intensively in the Kingdom of the Congress³.

¹ W. Rabczuk, *Szkolnictwo prywatne w Europie Zachodniej i w Polsce*, Warszawa 1992, p.11-15

² M. Geryk, *Rynek uczelni niepublicznych w Polsce*, Warszawa 2007, p. 9.

³ B. Przyborowska, *Szkoły niepubliczne w Polsce. Oczekiwania i rzeczywistość*, Toruń 1997, p. 29-31.

After Poland regained its independence in 1918 private higher education system was recognised to be an equal component of the state education system. It was reflected, *inter alia*, in the Academic School Act issued on 13 July 1920, in which it was stated that in addition to state schools it was possible to establish private academic schools the charters of which were subject to being approved of by the Minister of Education. The second act of that period is the Academic School Act issued on 15 March 1933, which specifically governed the rules of the higher education schools, including private ones. During the interwar period five universities functioned in Poland namely, in Krakow, Lvov, Warsaw, Poznan and Vilnius, two polytechnics: Lvov and Warsaw, the Academy of Veterinary Medicine in Lvov, Warsaw Agricultural University in Warsaw and the Academy of Mining in Cracow. Private higher education schools operated concurrently, i.e. Catholic University of Lublin, the Academy of Fine Arts in Krakow, Warsaw School of Economics and Free Polish University in Warsaw⁴.

During World War II the Polish higher education system was destroyed on the basis of the decision issued by the occupier and the function of schools including private ones was mainly based on a secret education system at all its levels⁵.

After 1945, for a short period, private schools filled the gaps in the national education system. In some regions the number of private secondary schools exceeded the number of state schools. But soon the situation changed. As a result of the prevailing social and political situation, private schools were pushed to the margins of the Polish education system. Private and religious schools were recognised until 1948. The complete elimination of private schools occurred in 1956 on the basis of the issued decree.

Although there were laws and regulations that permitted the existence of private schools, the possibility of their establishment was insignificant. The basic legal act regulating the terms and conditions of private schools and other education institutions was the Education Development Act issued on 15 July 1961 and the Regulation issued by the Minister of Education on 26 February 1965 modified by the Regulation issued on 14 April 1972. As stated in the above mentioned documents the permit to establish and conduct schools or other education institutions could be given to professional organizations, youth organisations, social institutions, other organizations and institutions, individuals or legal entities, provided that the establishment of the institution was socially or economically justified. Therefore, in that period there were few private schools established, mainly religious ones. At that time the only private higher education school was Catholic University of Lublin⁶.

Since 1989 there have been more pronounced changes in the regulatory frame-

⁴ B. Jaczewski, *Życie naukowe w Polsce odrodzonej*. W: *Życie naukowe w Polsce w drugiej połowie XIX i w XX wieku. Organizacje i instytucje*, red. B. Jaczewski, Warszawa 1987, p. 207 - 210.

⁵ S. Mauersberg, *Nauka polska i szkolnictwo wyższe w latach wojny (1939 - 1945)*. W: *Życie naukowe w Polsce...* p. 245 - 246.

⁶ W. Rabczuk, *Szkolnictwo prywatne w Europie Zachodniej i w Polsce*, Warszawa 1992, p.131-137.

work for non-state schools due to the changes in Polish political and economic system.

In the years between 1991 and 1997 non-state universities were established under the Higher Education Act issued on 12 September 1990, Act to Establish the State Committee for Scientific Research issued on 12 January 1991 and Scientific Degrees and Scientific Titles Act issued on 12 September 1990. Under those rules and regulations the non-state universities were established and run by religious and social organizations, or other legal entities and individuals.

In accordance with this Act the Minister of Education shall be obliged to specify the conditions to be met by the motion to obtain authorisation on the basis of the issued regulation. The Act includes the stipulation pertaining to the supervision of universities. In compliance with this Act, the Minister may request that the non-state university should provide the information on the conducted activities in case of activities contrary to the laws, statutes or authorisation and demand that these inconsistencies should be removed within a given period, and if they are not removed, he could suspend its functions or demand its liquidation on the basis of administrative decision⁷.

On 26 June the Parliament passed the Vocational Higher Education Act, which created different conditions for the functions of these schools. In case of vocational higher education institutions, the difference, as established in compliance with the Act issued in 1997, is expressed in the non-obligatory scientific research and increase of practical training in the curriculum among others. Teaching in these schools is not within majors but specialty. Moreover, these schools are not entitled to obtain the rights to educate at the master level.

Due to the negative assessment of these legal arrangements by vocational schools, the authorities of the Ministry of National Education took an initiative to merge the Higher Education Act and Vocational Higher Education Act in order to create uniform conditions for establishing the functions of the university. This is reflected in the Act issued on 20 July 2001 to change the higher education, the vocational higher education and change in some other acts, as well as the Act issued on 27 July 2002 amending the Higher Education Act and the Vocational Higher Education Act⁸.

In the above mentioned documents the most important changes in the functions of higher education institutions relate to:

- The State Accreditation Commission founded in January 2002,
- A change in the function of the Central Council of Higher Education,
- The introduction of the principle that the conditions for the establishment of majors, teaching standards, standards of teachers' education and the detailed conditions for the establishment of the branch or department shall be determined by the Minister of Higher Education,

⁷ Ustawa z dnia 12 września 1990 roku o szkolnictwie wyższym. Dz. U. nr 65, poz. 385 z późniejszymi zmianami.

⁸ J. Szablowski, *Rozwój szkolnictwa niepaństwowego w Polsce w latach 1991-2001*. W: *Księga 10-lecia. Uczelnie niepaństwowe w Polsce 1991-2001*. Warszawa 2001, p. 17.

- opportunities for higher vocational schools to apply for master course and establishment of branches⁹.

On 1 September 2005 the Higher Education Act issued on 27 July 2005 entered into force to modify the rules and regulations governing the functions of higher education system and repeal the Acts of 1990 and 1997. The new act introduced changes mainly in: the types of universities, their autonomy (including statutory freedom), mode and method of establishing the university, requirements for the entity to establish private schools, conditions concerning the operation time of the university, its entitlements and reasons for withdrawing the authorisation. Under this act private schools are subject to the same regulations as public schools in terms of organization, rules, and the quality of education. They are responsible for implementing education standards and subject to the control of the State Accreditation Commission. The present document also refers to laws and regulations under the Bologna process and the methods of transferring student achievements i.e. ECTS¹⁰.

At the time when non-state schools were established, Poland belonged to the countries in which there was the lowest percentage of the youth educated at the higher education level, because only about 8% of the population graduated from university whereas nearly 45% of the population completed education at the primary level.

In the document published by the Ministry of National Education in May 1996 "the guidelines of the long-established state education policy with particular emphasis on the higher education" included, among others, the statements concerning the need to achieve European standards of education in Poland as a basic factor for the development of Poles' civilization. It predicted the growth in the number of students to one million twenty-four thousand in 2002 and to one million three hundred and fifty thousand in 2007¹¹.

In the academic year 2001/2002 there were 329 higher education schools with the total number of one million six hundred and fifty thousand students. The degree of school attendance for 19-24 year olds increased to the level of 44%. It reached the value comparable with the EU countries.

Such a generalization of higher education would not be possible without the participation of non-state education. The first private university was established in 1991 in Warsaw. It was the College of Business and Administration. The dynamic development of education was possible to be observed in subsequent years. In 1993, there were 32 schools, in 1997-102 schools and in March 1998 the Ministry of National Education registered 147 schools.

Universities were established in different parts of the country and not only in big cities such as Warsaw, Poznan, Lodz, Krakow, Bielsko-Biala, Szczecin, but also in smaller towns, which had had no academic tradition before, such as Ryki, Zgierz,

⁹ *Ibid.* p.17.

¹⁰ Ustawa z dnia 27 lipca 2005r. Prawo o szkolnictwie wyższym., Dz. U. z 2005r. nr 164, poz. 1365.

¹¹ M.Adamczyk, *Przemówienie inauguracyjne roku akademickiego1996/1997*. W: Kronika Wszechnicy Świętokrzyskiej, Kielce 1996, p.14-15.

Ostroleka, Nisko Nowy Sacz, Sandomierz, Ostrowiec Swietokrzyski, Plock, Pultusk, Olecko and others¹².

The vast majority of non-state schools deal with professional training for the purpose of business management, economics and finance. In the second place there are schools providing specialists in law and administration, in the third place there are schools educating specialists in computer science. In addition to these universities there were also universities established with majors in sociology, humanities and even art¹³.

In 2002 there were 230 non-state universities, sixty eight of which offered master's degree and four of which had the right to offer doctoral degree. In those colleges there were more than 540 thousand students educated and more than 200 thousand students graduated with master's, Bachelor's and engineering degree. They also conducted classes for nearly 25 thousand students of postgraduate studies¹⁴.

However, in the academic year 2006/2007 there were 448 higher education schools, one hundred thirty of which were public institutions including 18 universities. The remaining 318 schools were private schools which educated 640 thousand students, which represents nearly 1/3 of all students¹⁵.

With such a rapid development of the non-state education sector it becomes necessary to present the background from which these schools originate. The main factors of the development of the non-state higher education in Poland include, inter alia, population boom, particularly marked in the nineties, political and social transformations, the transformation of economy and labour market as well as the transformation of state universities.

Political and economic independence, democratic freedom, multi-political party system, changes in international politics and market economy, less state interference in all spheres of social life that occurred in Poland after 1989 have brought radical changes in higher education system¹⁶.

However, it seems that globalization as well as the transformation of economy and job market are the main sources for the establishment of non-state universities. The development of market economy in Poland, the accession to the European Union and opening the borders for our citizens are associated with a significant increase in the role of education to determine labour market opportunities. With the economic transformation the demand has increased for knowledge and skills, as well as crea-

¹² M. Adamczyk, *Przemówienie inauguracyjne roku akademickiego 1998/1999*. W: Kronika Wszechnicy Świętokrzyskiej, Kielce 1998, p. 20-21.

¹³ Z. P. Kruszewski, *Dziesięciolecie wyższych szkół niepaństwowych*. "Edukacja Otwarta" 2001r., nr 3, p.14.

¹⁴ Raport o uczelniach niepaństwowych. "Perspektywy" 2002, nr 7/8, p. 37.

¹⁵ J. K. Thieme, *Szkolnictwo wyższe. Wyzwania XXI wieku*. Warszawa 2009, p. 218.

¹⁶ E. A. Wesotowska, *Společne uwarunkowania wyższych szkół niepaństwowych w Polsce*. W: *Przemiany szkolnictwa wyższego u progu XXI wieku*. Red. Z. P. Kraszewski, Plock 1999, p. 147-149.

tivity and conceptual work. Education has become the factor which determines the future and becomes an investment in itself. The newly established schools provide education mostly in the majors which are currently in demand on the job market.

Not without significance for the development of non-state schools are imperfections of the state higher education system. The evidence of this relates to the insufficient number of education opportunities in the regular study system conditioned by material, organizational and human resources of those universities and their distribution in large urban areas, which makes it difficult for a large part of the youth to access¹⁷.

To assess the functions of non-state universities from the perspective of just a dozen years, it can be concluded that this phenomenon involves a number of positive effects.

Above all, these schools are closely associated with the region in which they operate. They conduct courses of study needed in this region, ensure the region with graduates and improve the skills of workers by means of supporting and postgraduate studies. Of great importance is the fact that these schools acquire, repair and build facilities, thus establishing their own premises and equipment. The organization of the new premises and facilities contribute to their modernization and development in order to guarantee the quality of education.

An essential element of the university effectiveness is the teaching staff. Non-state schools try to acquire the valuable staff and provide them with the great potential for progress and establishment of a competent team to develop school advancement.

Recruitment is connected with the establishment of libraries, research and development, as well as organisation of conferences and preparing publications. These activities allow private schools to become a centre of science in order to enter the higher education system in a natural way and to apply new ideas and solutions to the higher education system owing to the new organization as well as easiness to reform the labour and introduce organizational and teaching innovation¹⁸.

These characteristics imply social functions of the non-state higher education. First of all, the reinforcement of the school network and opportunities of young people to progress with higher education should be emphasised. The establishment of schools in small towns gives young people the chance to study near their settlements, which, especially for poor people, is often the only opportunity to continue education.

In addition, the development of extramural and part time studies allows those who work to study and raises the prospect of professional improvement or change. What is more, these schools do not distract students and graduates from local areas

¹⁷ B. Przyborowska, *Wy:sze szkoły niepaństwowe jako nowy element rynku edukacyjnego w Polsce*. "Edukacja" 1998, nr. 1, p. 23-24.

¹⁸ Z. P. Kruszewski, *Rola i funkcje uczelni niepaństwowych w przemianach wyższego szkolnictwa w Polsce*. W: *Przemiany szkolnictwa wyższego*. p 132-134.

to new environments. Not only do non-state schools allow for graduating in the local environment, but also they give more possibilities for graduates to exist on the local job market, in science and culture.

Non-state colleges are more flexible and faster react to labour market needs. They may develop and introduce new education majors and specialties in a considerably easier and faster manner than state schools, thus responding to the real needs of the labour market. This gives graduates more opportunities of employment.

The flexibility of these schools also results in the introduction and popularisation of new forms of work, effective methods of education and study as well as the use of the latest technologies such as computers, the Internet, modern laboratories, auditoriums, etc. in these processes, which may not always be used in state schools.

An important social function is to develop the scientific community in the town and region, in which the non-state school functions. To create its own environment, the school is obliged to acquire specialists from distant universities with different forms of their scientific and cultural activity from which not only students but also residents of this village can benefit.

It should also be noted that an important function of these schools is to create jobs and not only for teachers and school administration. New jobs are related to students' life outside the university, and even accommodation facilities, student houses, car parks, local transportation, catering, sports and entertainment, etc.¹⁹.

Most non-state colleges also strive to achieve quality education, which is the overriding criterion for selection of university students. An increase in the quality of education beyond the material base requires the individualization of education, classes organised in small groups, teaching aids compiled and published, students' participation in the work of scientific circles as well as the improved system of knowledge assessment²⁰. Recently, such factors have influenced the quality processes as the education standards for particular majors prepared by the ministry, the assessment of education quality by the accreditation committee, the development of competition in the labour market, the cooperation of domestic universities with foreign education centres, the rapid flow of scientific and technical information, the development of research and its popularization, the development of their own housing base, the impact of globalization processes.

Certainly, non-state higher education faces changes. Significant impact on these changes will be exerted by such factors as:

- Gradual decrease in the number of candidates to study linked to the demographic slowdown since 2003,
- Changes in the Polish labour market, i.e. a noticeable increase in unemployment,

¹⁹ Z. P. Kruszewski, *Odbudowa wyższych szkół niepaństwowych w Polsce i ich nowe funkcje społeczno-edukacyjne*, Płock 2000, p. 195-202.

²⁰ A. Kryński, *Niepaństwowe szkolnictwo wyższe w Polsce w latach 1990-2000*, Częstochowa 2002, p. 63-68.

- The development of the internet technologies to facilitate the e-learning offers,
- Changes in the world economy to keep sustainable education²¹.

All these factors make the map of non-state higher education schools subject to changes and on the education market only those services remain which guarantee the highest quality of education.

²¹ K. Pawłowski, *Uniwersytet jako kapitał rozwojowy*, W: Uczelnie niepaństwowe w procesie rozwoju państwa polskiego, Stowarzyszenie rektorów i Założycieli uczelni niepaństwowych, Warszawa 2002, p. 25.