



LEGAL BULLETIN

NICOLAUS COPERNICUS UNIVERSITY IN TORUŃ

Year 2023; item 328

RESOLUTION No. 37

of the Nicolaus Copernicus University in Toruń

of 26 September 2023

on the proceedings for the award of the degree of *doktor habilitowany*
at the Nicolaus Copernicus University in Toruń

Pursuant to art. 221.14 of the Act of 20 July 2018 - Law on Higher Education and Science (Journal of Laws of 2023, item 742 as amended) and art. 48.26 of Resolution No. 37 of 16 April 2019 - Statutes of the Nicolaus Copernicus University in Toruń (NCU Legal Bulletin of 2019, item 120 as amended)

i t i s r e s o l e d, as follows:

Chapter 1 General Provisions

Article 1

1. The resolution lays down detailed rules for conducting proceedings for the award of the degree of *doktor habilitowany* for which the entity awarding the degree of doktor habilitowany as referred to in art. 218 of the Act of 20 July 2018 - Law on Higher Education and Science shall be the University.
2. The Rector shall specify, by regulation, specimens of decisions to be taken in the proceedings for the award of the degree of doktor habilitowany.

Article 2

Whenever this resolution refers to:

- 1) **BIP** – it shall mean the Public Information Bulletin of the University;
- 2) **candidate** – it shall mean an individual applying for the award of the degree of doktor habilitowany;
- 3) **habilitation commission** – it shall mean the commission appointed by the scientific discipline council to conduct activities in proceedings for the award of a degree of doktor habilitowany;
- 4) **scientific discipline council** – it shall mean the competent scientific discipline council at the University;
- 5) **RDN** – it shall mean the Council for Scientific Excellence referred to in art. 232 of the Act;
- 6) **System POL-on** – it shall mean the Integrated Information System for Higher Education and Science referred to in art. 342 of the Act;

- 7) **University** – it shall mean the Nicolaus Copernicus University in Toruń;
- 8) **Act** – it shall mean the Act of 20 July 2018 - Law on Higher Education and Science (Journal of Laws 2023, item 742, as amended).

Article 3

1. The bodies of the University competent to conduct proceedings and award the degree of doktor habilitowany shall be the competent scientific discipline councils. Decisions of the scientific discipline council issued in proceedings shall be signed by the chair or another member of the scientific discipline council authorised by the chair.
2. The scientific discipline council shall adopt resolutions on the following matters:
 - 1) issuance of the consent to conduct proceedings for the award of the degree of doktor habilitowany;
 - 2) appointment of the habilitation commission;
 - 3) award of the degree of doktor habilitowany;
 - 4) recognition of an achievement constituting the basis for the award of the degree of doktor habilitowany.
3. In the matters referred to in art. 3.2, the members of the scientific discipline council who are professors and professors at the University shall have the right to vote.
4. The scientific discipline council shall adopt the resolutions referred to in art.3.2 by an absolute majority of votes in the presence of at least half of its members entitled to vote,
5. in an open vote.
6. At the request of a voting member of the scientific discipline council supported by at least one-fifth of its voting members, the chair of the scientific discipline council shall order a secret ballot.

Article 4

1. A degree of doktor habilitowany shall be awarded to an individual who:
 - 1) holds a degree of doktor;
 - 2) possesses scientific or artistic achievements that constitute a significant contribution to the development of a particular discipline, including at least:
 - a) one scientific monograph issued by a publishing house which, in the year of publication of the monograph in its final form, was included on a list drawn up in accordance with the provisions issued pursuant to art. 267.2.2(a), or
 - b) one series of thematically related scientific articles published in scientific journals or reviewed materials from international conferences, which, in the year of publication of the article in its final form, were included in a list drawn up in accordance with the provisions issued under the art. 267.2.2(b), or
 - c) one design, construction, technological or artistic unique achievement accomplished;
 - 3) shows significant scientific or artistic activity carried out in more than one higher education.
2. The achievement referred to in art. 4.1.2 may form part of a collective work if the study of a separate issue is an individual contribution of the person applying for the degree of doktor habilitowany.
3. The candidate shall provide a statement indicating their individual contribution to the dissertation and the statements of the other co-authors. If the collective work referred to in aart.4.2 has more than five co-authors, the candidate shall submit a statement indicating their individual contribution to that work and statements from at least four of the other co-authors. A model statement is set out in the Annex to this resolution.

4. The provisions of art. 4.3 shall apply accordingly to the achievements referred to in art. 4.1.2(b) and art. 4.1.2(c).
5. The candidate shall be exempted from the obligation to submit a statement of co-authorship in the event of death, presumed death, permanent disability or extraordinary circumstances preventing the required statement from being obtained.
6. The obligation to publish the achievements referred to in art. 4.1.2 shall not apply to achievements whose subject matter is covered by the protection of classified information.

Chapter 2

Initiation of the proceedings

Article 5

1. Proceedings for the award of the degree of doktor habilitowany shall be initiated upon an application submitted by the candidate to the University through the RDN.
2. The scientific discipline council, upon receipt of the candidate's application from the RDN, shall, without undue delay but no later than within 4 weeks, adopt a resolution to consent to the conduct of proceedings for the award of the degree of doktor habilitowany.
3. In the event that the scientific discipline council adopts a resolution not to consent to the proceedings for the award of the degree of doktor habilitowany, the application shall be returned to the RDN.
4. The scientific discipline council may not refuse to conduct the habilitation procedure on the basis of a preliminary evaluation of the candidate's scientific achievements.
5. In the case where the University has been designated by the RDN as an entity awarding the degree of doktor habilitowany after a previous refusal to conduct this procedure by another entity awarding the degree of doktor habilitowany, the resolution referred to in art. 5.2 shall not be issued.
6. The scientific discipline council shall forward to the RDN information on the consent or refusal to consent to the proceedings for the award of the degree of doktor habilitowany.

Chapter 3

Habilitation Commission

Article 6

The habilitation commission shall consist of seven persons, including:

- 1) four persons appointed by the RDN:
 - a) a chair;
 - b) three reviewers;
- 2) three persons appointed by the scientific discipline council:
 - a) a reviewer;
 - b) a secretary;
 - c) a member of the committee.

Article 7

1. The reviewer referred to in art. 6.2(a) shall be appointed by the scientific discipline council from among persons holding the degree of doktor habilitowany or the title of professor, having current academic or artistic output as well as an acknowledged reputation, including international one, who is not an employee of the University.
2. The persons referred to in art. 6.2(b-c) shall be appointed by the scientific discipline council from among the employees of the University who hold the degree of doktor habilitowany or the title of professor.

3. A reviewer may be a person who does not meet the requirements set out in art. 7.1, and who is an employee of a foreign higher education institution or scientific institution if the RDN or the scientific discipline council considers that that person has significant achievements with regard to issues related to the achievements of the person applying for a degree of doktor habilitowany.
4. A reviewer shall not be a person:
 - 1) in respect of whom there are reasonable doubts as to their impartiality;
 - 2) who is an employee of the University;
 - 3) who, within the period of the last 5 years, has twice failed to meet the deadline for the submission of a review referred to in art. 10.1.
5. A member of the habilitation commission referred to in art. 6 may not be a person punished with the disciplinary penalty referred to in art. 276.1.4 of the Act - for the duration of that penalty.

Article 8

1. Within 6 weeks of receiving the information on the members of the habilitation commission appointed by the RDN, the scientific discipline shall appoint, by way of resolution, the habilitation commission with the composition specified in art. 6.
2. Candidates for members of the habilitation commission appointed by the University shall be proposed by the chair of the scientific discipline council. Candidates may also be proposed by any member of the scientific discipline council who is a professor or a professor at the University 3 days before the date of the meeting of the discipline council. The proposal shall require a justification including, inter alia, an indication of the candidate's scientific achievements.
3. The habilitation commission shall be appointed by voting separately on each candidate and then voting to adopt a resolution appointing the entire commission.
4. Prior to the appointment of the habilitation commission, the chair of the scientific discipline council shall verify that the candidates for reviewers meet the requirements set out in art. 7.
5. If the scientific council discipline fails to appoint the candidate nominated by the RDN, the scientific discipline council shall not proceed to vote on the appointment of the entire commission and the chair shall inform the RDN of the result of the vote. The chair shall present to the RDN the circumstances and content of the discussion on the appointment of the candidate. Having obtained the RDN's opinion, the scientific discipline council shall act in accordance with that opinion.
6. Upon the appointment of the habilitation commission, the chair of the scientific discipline council shall:
 - 1) have the necessary contracts with the members of the habilitation commission concluded without delay;
 - 2) forward to the habilitation commission without delay the candidate's application including the attachments.
7. The contract with the reviewer shall include, in particular:
 - 1) the deadline for the review indicated in art. 10.1 of this resolution;
 - 2) the amount of remuneration for drawing up the review;
 - 3) contractual penalties for failing to meet the terms of the contract;
 - 4) the reviewer's statement that there are no legal obstacles to performing the function of a reviewer.
8. The scientific discipline council may dismiss a member of the habilitation commission in the event of circumstances preventing him/her from performing his/her function and failure to conclude the contract referred to in art. 8.6 and art. 6.7. The scientific discipline council may dismiss a member of the habilitation commission in the event of circumstances

preventing him/her from performing his/her function and failure to conclude the contract referred to in art. 8.6 and art. 8.7. In the case of a member of the commission referred to in art. 6.1, prior to the adoption of a resolution by the scientific discipline council, the chair of the scientific discipline council shall address the RDN and present the circumstances of the case. Prior to the adoption of the resolution, the scientific discipline council shall become familiar with the view of the RDN.

Chapter 4

Conduct of proceedings

Article 9

1. The chair of the habilitation committee shall direct the work of the habilitation commission.
2. The secretary of the habilitation commission shall, promptly after the appointment of the commission, present to its members the regulations in place at the University concerning the conduct of the proceedings.
3. The secretary of the habilitation commission shall be responsible for organizing the work of the habilitation commission and for the organisational cooperation of the habilitation commission with the chair of the scientific discipline council and the administration of the University.

Article 10

1. Within eight weeks of the date of receipt of the application, reviewers shall prepare reviews of the candidate's scientific achievements.
2. The review shall include a detailed reasoned evaluation of whether the candidate's academic performance meets the requirements set out in art. 4.1.2.
3. The review should be complete, reliable, accurate and objective, and its content and conclusion must be substantively consistent. The review should be completed with a conclusion, which must be exclusively positive or negative.
4. The reviewers shall immediately transmit the reviews to the chair of the scientific discipline council, who shall check whether the contract for review has been performed correctly in terms of procedure.
5. Once all reviews have been received, the chair of the scientific discipline council shall transmit the reviews to the members of the habilitation commission and to the candidate.

Article 11

1. The habilitation commission shall conduct a habilitation colloquium with regard to the scientific or artistic achievements of the candidate.
2. A habilitation colloquium shall not be held if at least 2 reviews are negative.
3. The chair of the habilitation commission, after consultation with the chair of the scientific discipline council, shall set the date of the habilitation colloquium.
4. The candidate shall be informed of the date of the habilitation colloquium at least 2 weeks before the date of the colloquium.
5. The information about the date of the habilitation colloquium shall be served on the candidate at least 2 weeks before the date of the colloquium.
6. The colloquium shall be held at the University subject to art. 11.6.
7. The habilitation colloquium may, after consultation with the chair of the scientific discipline council, be conducted away from the seat of the University using electronic means of communication ensuring, in particular:
 - 1) real-time transmission of the colloquium among the participants,

real-time, multi-participant communication where participants can express themselves during the colloquium - with the necessary safety rules in place.

8. In the event that the colloquium is held at the University, in particularly justified cases, the chair of the habilitation commission, after consultation with the chair of the scientific discipline council, may order that persons other than the candidate participate by means of technical devices permitting remote contact with simultaneous direct transmission of images and sound.
9. The provision of art. 11.7 shall not apply to the chair of the habilitation commission, as well as to employees of the University (unless such employees are outside Poland in connection with research or teaching activities) and the public.
10. The habilitation colloquium is of a public nature with the exception of the colloquium on achievements whose subject matter is covered by the protection of classified information.
11. Ten days before the date set for the habilitation colloquium, the University shall publish in the BIP information about the date, place and manner of the habilitation colloquium.

Article 12

1. The colloquium shall begin with the opening and presentation of the candidate's scientific profile by the secretary of the commission.
2. The candidate shall present the scientific or artistic achievements which constitute the basis for the application for the award of the degree of doktor habilitowany.
3. The chair shall order a discussion of the candidate's achievements, which shall begin with the statements of the reviewers.
4. During the discussion, the participant of the colloquium is entitled to ask the candidate questions concerning the scientific or artistic achievement presented.
5. When the discussion has ended, the chair shall close the colloquium.

Article 13

1. Following the colloquium and discussion, the habilitation commission shall adopt a resolution containing an opinion on the award of the degree of doktor habilitowany.
2. The resolution referred to in art. 13.1 shall be adopted by the habilitation commission by an absolute majority of the commission's members, in an open vote. No more than one member who is not a reviewer, secretary or chair and no more than one reviewer may be absent during the meeting.
3. At the request of the candidate, submitted no later than the beginning of the meeting of the habilitation commission, the commission shall adopt the resolution referred to in art. 13.1 by secret ballot.
4. The opinion of the habilitation commission may not be positive if at least two reviews are negative and no colloquium has been held.
5. The secretary shall keep minutes of the colloquium and discussions.
6. The minutes and the resolution referred to in art. 13.1 shall be signed by the chair of the habilitation commission and its secretary.
7. The resolution and the reasons for it, including the documentation of the proceedings, shall be transmitted immediately to the scientific discipline council.
8. The chair of the scientific discipline council shall make a formal appraisal of the documentation submitted by the habilitation commission. If in doubt, he or she may ask the chair of the habilitation commission to supplement it without delay.

Article 14

1. On the basis of the resolution referred to in art. 13.1, the scientific discipline council shall, within one month from the date of its receipt and following discussion, either award or refuse to award the degree of doktor habilitowany by means of an administrative decision.
2. A member of the habilitation commission may wish to present his or her views at a meeting of the scientific discipline council. This shall be communicated by the secretary of the habilitation commission without delay to the chair of the scientific discipline council, who shall take steps to enable the member of the habilitation commission to attend the meeting of the scientific discipline council. The absence of a member of the habilitation commission from a meeting of the scientific discipline council shall not prevent the matter from being considered.
3. The scientific discipline council shall refuse to award the degree of doktor habilitowany in the event that the opinion referred to in art. 13.1 is negative.
4. In justified cases, the scientific discipline council may give honours to an achievement forming the basis for the award of the degree of doktor habilitowany.
5. The vote on honouring an achievement shall take place after the degree of doktor habilitowany has been awarded.
6. The scientific discipline council may, by resolution, determine the conditions and procedure for honouring the achievement.

Article 15

1. The University shall make available in the BIP:
 - 1) the application including data resulting from art. 220. 2 of the Act of the person applying for the degree of doktor habilitowany;
 - 2) information on the composition of the habilitation committee;
 - 3) reviews;
 - 4) information on the date, place and manner of the habilitation colloquium;
 - 5) the resolution of the habilitation commission, including an opinion on the award of the degree with the justification;
 - 6) the decision on the award of the degree of doktor habilitowany or on the refusal to award the said.
2. The candidate's application, information on the composition of the habilitation commission, reviews, and information on the award or refusal to award the degree shall be entered into the POL-on system without delay after it has been made available.

Chapter 5 Appeals

Article 16

1. A decision to refuse the award of the degree of doktor habilitowany may be appealed to the RDN through the scientific discipline council which issued the decision within 30 days of its service.
2. The scientific discipline council shall adopt a resolution on the merits of the appeal within no more than two months of receipt of the said appeal. The chair of the scientific discipline council may instruct the members of the habilitation commission who are employees of the University to prepare a draft opinion.
3. On the basis of the resolution referred to in art. 16.2, the scientific discipline council:
 - 1) may overrule or amend the appealed resolution - if it decides that the appeal deserves to be taken into account in its entirety, in particular in the case of obvious formal and legal errors of the issued resolution, or

- 2) adopt the opinion referred to in art. 16.2 by resolution and transmit the appeal to the RDN including its opinion and the case file
- within 3 months from the date of filing the appeal.

Chapter 6

Fees

Article 17

1. A candidate who is not an academic teacher employed at the University shall pay a fee for the proceedings for the award of the degree of doktor habilitowany subject to art. 18.22. The fee shall be paid to the University
2. The amount of the fee shall not exceed the costs of the proceedings, which shall include the costs of salaries and the administrative costs of the proceedings.
3. The fee for the conduct of proceedings for the award of the degree of doktor habilitowany at the University shall consist of the following:
 - 1) the reviewer's salary shall be 33% of a professor's salary
 - 2) the members' of the habilitation commission salary shall be 17% of the professor's salary, or 33% of the professor's salary in the case when the member serves as chair or secretary of the habilitation commission;
 - 3) surcharges for social security contributions (ZUS) on the salaries referred to in points 1-2 calculated in accordance with the applicable regulations
 - 4) reviewers' and chair's travel and accommodation costs according to their actual amount determined in accordance with the rules on the settlement of business travel costs;
 - 5) fees to cover other costs of the proceedings amounting to 20% of the salaries and surcharges referred to in art. 17.3(1-3);
4. A professor's salary shall be understood as the amount of the minimum salary of a professor as determined by the regulation issued pursuant to art. 137.2 of the Act.
5. The reviewer's salary shall be paid after the review which shall meet the requirements referred to in art. 10 has been drawn up and submitted to the University, irrespective of the salary for serving as a member of the habilitation commission.
6. The fee covering the elements referred to in art. 17.3(1-3 and 5) shall be paid no later than the date of submission of the application for the initiation of the proceedings.
7. In the event of non-payment of the fee referred to in art. 17.3, the chair of the scientific discipline council shall call upon the candidate to pay the fee within the prescribed time limit.
8. The final amount of the costs of the proceedings shall be determined as at the date of completion of the proceedings in a decision issued pursuant to art. 264 of the Act of 14 June 1960 - Code of Administrative Procedure (Journal of Laws of 2023, item 775, as amended).

Article 18

1. In the case of an academic teacher employed at the University, the costs of the proceedings shall be borne by the faculty in which the employee is employed.
2. If the candidate is an academic teacher or researcher who is not an employee of the University, the cost of the proceedings shall be borne by the university, Polish Academy of Sciences, research institute or international institute in which the candidate is employed. An agreement to pay costs may be concluded with the entity that shall bear the costs of the proceedings.

3. In case of an academic teacher or researcher employed in more than one entity, the costs of the proceedings shall be borne:
 - a) by the entity which is the primary place of work of that teacher or employee unless the entities agree otherwise;
 - b) based on an agreement between the entities if none of them is designated as the primary place of work of that teacher or employee
4. Detailed rules for the payment of the fee for the conduct of the proceedings for the award of the degree of doktor habilitowany shall be determined by the Rector by means of a regulation.

Article 19

1. In particularly justified cases, the Rector may:
 - 1) exempt the candidate from the obligation to pay the fee in part or in full;
 - 2) divide the fee into instalments.
2. The Rector's decision shall be by way of a decision against which a request for reconsideration may be made.

Chapter 7 **Specific and final provisions**

Article 20

For academic advancement proceedings and procedures commenced by 30 April 2019 and not completed by 30 September 2019, the existing regulations shall apply, i.e. taking into account the provisions arising from the Act of 14 March 2003 on Scientific Degrees and Academic Title and on Degrees and Title in the Field of Art, except that after 1 October 2019 the degree shall be awarded by the scientific discipline council. Members of the scientific discipline council who hold the degree of doktor habilitowany or the title of professor are entitled to vote. Voting shall be by secret ballot and resolutions shall be passed by an absolute majority in the presence of at least half of the eligible members of the scientific discipline council.

Article 21

For proceedings initiated by 31 December 2020, the achievements listed in art. 4.1.2 shall also include the following:

- 1) scientific articles published:
 - a) in scientific journals or peer-reviewed materials from international conferences included in the list prepared in accordance with the regulations issued pursuant to art. 267.2.2(b) of the Act before the date of publication of that list,
 - b) before 1 January 2019 in scientific journals which were included in Part A or Part C of the list of scientific journals established pursuant to the regulations issued on the basis of Article 44(2) of the Act of 30 April 2010 on the principles of financing science (Journal of Laws of 2018, item 87, as amended) and announced by the Communication of the Minister of Science and Higher Education of 25 January 2017, or were included in Part B of that list whereas scientific articles published therein were allocated at least 10 points;
- 2) scientific monographs published by:
 - a) a publishing house included in the list prepared in accordance with the regulations issued pursuant to art. 267.2.2(a) of the Act before the date of publication of that list,

- b) the organisational unit of the entity whose publishing house is included in the list prepared in accordance with the provisions issued pursuant to Article 267.2.2(a) of the Act.

Article 22

1. For proceedings for the award of the degree of doktor habilitowany initiated and not completed by 30 September 2023, the habilitation commission may not hold a habilitation colloquium unless the person applying for the award of that degree has scientific achievements in the human, social and theological sciences.
2. The chair of the habilitation commission may put the request not to hold the habilitation colloquium to a vote. The request be approved by an absolute majority of votes.

Article 23

For proceedings for the award of the degree of doktor habilitowany initiated and not completed by 30 September 2023, the voting rights of the members of the scientific discipline board shall be determined on the basis of this resolution.

Article 24

Resolution No. 88 of the Senate of the Nicolaus Copernicus University in Toruń of 25 June 2019 on proceedings for the award of the degree of doktor habilitowany at the Nicolaus Copernicus University in Toruń shall be repealed (NCU Legal Bulletin of 2019, item 209 as amended).

Article 25

The Resolution becomes effective as of 1 October 2023.

Chair of the Senate

Prof. dr hab. Andrzej Sokala
R e c t o r