



Poland in the EU - selected issues and their influence on educational policy

Redakcja naukowa:

Krystyna Leszczewska, Małgorzata Wenclik

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Redakcja naukowa:

dr Krystyna Leszczewska
dr Małgorzata Wenclik

Recenzent:

dr hab. Patrycja Suwaj

Projekt okładki i skład:

Jacek Bochenko

Wydawca:

Państwowa Wyższa Szkoła
Informatyki i Przedsiębiorczości w Łomży
ul. Akademicka 14
18-400 Łomża

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Wstęp

Publikacja „Polska w UE - wybrane zagadnienia i ich wpływ na kształtowanie polityki edukacyjnej” jest próbą prześledzenia zmian jakie zaszły w jednej z polityk publicznych – to jest polityce edukacyjnej na poziomie wyższym.

Biorąc pod uwagę obszerność poruszanego zagadnienia autorzy skupiają się na zawężonej tematyce dążąc przede wszystkim do zaakcentowania tych zagadnień, które mogą być istotne z perspektywy zmian w polityce edukacyjnej na poziomie wyższym, obierając Państwową Szkołę Informatyki i Przedsiębiorczości w Łomży jako punkt odniesienia.

Wpływ Unii Europejskiej na kształtowanie wybranej polityki publicznej został ukazany wielowymiarowo, gdyż autorzy niniejszej publikacji reprezentują różne dyscypliny badawcze – nauki społeczne, prawo, nauki o zarządzaniu. Metody badawcze zastosowane w pracy są zatem typowe dla poszczególnych dziedzin. Zastosowano metodę historyczną, opisową oraz klasyczną metodę dogmatyczną. W części pracy odnoszącej się do doświadczeń PWSiP w kształtowaniu polityki edukacyjnej wykorzystana została metoda empiryczna.

Konstrukcja publikacji nie jest przypadkowa. Pierwsza część pracy składająca się z trzech rozdziałów dotyczy zagadnień natury ogólnej. Druga część pracy, ma przede wszystkim walory empiryczne.

Rozdział pierwszy *On the way to the European Union – unification tendencies in Europe over the years*, stanowi wprowadzenie do tematyki niniejszej publikacji. Jest to próba refleksji nad aktualnością idei, która przyświecała utworzeniu Unii Europejskiej. Autor przedstawia szereg historycznych uwarunkowań, które stały się podstawą i fundamentem wizji wspólnej Europy bez granic.

Dwa kolejne rozdziały dotyczą elementów partycypacyjnych opartych na zasadach współdecydowania wszystkich członków Wspólnoty o jej kształcie. Rozdział *Normatywne aspekty wyborów do parlamentu europejskiego w Polsce* dotyczy problematyki wyborczej. Jest próbą analizy przepisów prawnych określających tryb wyborów eurodeputowanych, krajowych przedstawicieli w Parlamencie Europejskim, w oparciu o przepisy wynikające z funkcjonującego w Polsce Kodeksu Wyborczego. Natomiast rozdział *Fundamentals of inter-sectoral cooperation based on the principle of partnership and subsidiarity* dotyka problemu zasad subsydiar-

ności i partnerstwa, które są nie tylko fundamentem funkcjonowania całej Unii Europejskiej, ale też mają swój lokalny wymiar. Dotyczą mianowicie budowania partnerstw publiczno-społecznych, co ma swoje przełożenie na skuteczniejsze wykorzystanie funduszy europejskich. Odniesienie się do pryncypiów funkcjonowania Unii Europejskiej opartych na zasadach równości członków wspólnoty, subsydiarności struktur unijnych wobec państw członkowskich, współdecydowania mieszkańców wspólnoty za pomocą form demokracji bezpośredniej wydaje się istotne z perspektywy oceny już bardziej szczegółowych rozwiązań nadających kształt polityce edukacyjnej.

Druga część pracy i trzy kolejne rozdziały stanowią próbę analizy wieloaspektowego wpływu UE na dostępność nowoczesnego systemu kształcenia na poziomie wyższym. W rozdziale *Implementation of the principles of access to educational services in Poland on the example of disabled students*, autorki przedstawiają problematykę dostępności, edukacji na poziomie wyższym, w stosunku do osób niepełnosprawnych. Realizacja polityk horyzontalnych UE związanych z wyrównywaniem szans, zaleceniami związanymi z dostępnością przestrzeni publicznej (również edukacyjnej) jest istotną zmianą w podejściu do osób niepełnosprawnych podejmujących studia wyższe.

W tematyce wpływu UE na zmiany w systemie kształcenia wyższego pozostaje rozdział *Training and development of local human resources in the experiences of the PWSIiP in Łomża*. Autorka zwraca uwagę na wpływ Unii Europejskiej i systemu bolońskiego na nowoczesny system kształcenia zawodowego na podstawie doświadczeń Państwowej Wyższej Szkoły Informatyki i Przedsiębiorczości w Łomży.

Kolejny rozdział publikacji *The role of Erasmus in internationalization of higher education institution* dotyczy wpływu programu Erasmus na internacjonalizację systemu kształcenia i wymiany studenckiej. Autorka przedstawia genezę i rozwój tego programu oraz wpływ na wymianę kulturową, poszerzanie horyzontów adeptów nowoczesnej edukacji akademickiej. Analiza programu wymiany studenckiej Erasmus jest poparta doświadczeniami organizacyjno-administracyjnymi Państwowej Wyższej Szkoły Informatyki i Przedsiębiorczości w Łomży. Studenci PWSIiP uczestniczą w programie niemal od początku funkcjonowania uczelni. PWSIiP ma też ogromne doświadczenie w przyjmowaniu studentów z całej Europy na kierunki jakie oferuje uczelnia.

Problematyka skutków integracji Polski z UE z perspektywy dwunastu lat

członkostwa naszego kraju w strukturach Wspólnoty Europejskiej wykracza daleko poza ramy niniejszej publikacji. Autorzy przedstawili jedynie wycinek dotyczący polityki edukacyjnej. Wyrażamy jednak nadzieję, że zaprezentowane w monografii analizy staną się przyczynkiem do dalszych badań naukowych podejmujących zagadnienia wpływu integracji europejskiej na zmiany w otaczającej nas rzeczywistości.

Krystyna Leszczewska

Małgorzata Wenclik

Admission

The publication „Poland in the EU - selected issues and their influence on educational policy” is an attempt to trace the changes that have taken place in one of the public policies - that is educational policy at a higher level.

Taking under consideration that the research area is very wide, we focus on perspective of changes in educational policy at a higher level, choosing the National School of Computer Science and Business Administration in Lomza as a reference point.

The impact of the European Union on the development of selected public policy has been shown in many dimensions. As the authors of this publication represent the various research disciplines - social sciences, law, management science, therefore research methods used in the publications are therefore not specific for particular domains. The authors use historical method, descriptive method, and classic dogmatic method. As part of the work relates to the experience of PWSiP on a field of educational policy empirical method was used in that part of publication.

The design of the publication is not accidental. The first part consists of three chapters is dedicated to issues of a general nature. The second part of the work is mainly empirical values.

The first chapter of “On the way to the European Union - unification tendencies in Europe over the years”, is an introduction to this publication. This is an attempt to reflect on the actuality of ideas which inspired the creation of the European Union. The author presents a series of historical conditions, which became the basis and foundation of the vision of a common Europe without borders.

Two more chapters deal with participatory elements based on the principles of co-decision of all members of the community about its shape. Chapter “Normative aspects of the elections to the European Parliament in Poland” concerns the issue of the election. It is an attempt to analyze the legal definition of procedures for the election of MEPs, national representatives in the European Parliament, based on the provisions resulting from functioning in Poland Election Code. While Chapter “Fundamentals of inter-sectoral cooperation based on

the principle of partnership and subsidiarity” touches the problem of the principles of subsidiarity and partnership, which are not only the foundation of the functioning of the entire European Union, but also have their local dimension. They refer namely to build public-social partnerships, which has its impact on the effective use of European funds. The reference to the principles of the functioning of the European Union based on the principles of equality of members of the community of subsidiarity, the EU structures to Member States, involving residents of the community by using forms of direct democracy seems to be important case from the perspective of the evaluation of more specific solutions that have impact on education policy.

The second part of the publication - the next three chapters are an attempt to analyze the multifaceted impact of the EU on the availability of a modern system of higher education. The chapter “Implementation of the Principles of access to educational services in Poland on the example of disabled students”, presents the problems of accessibility of higher education in relation to disabled people. Implementation of the EU horizontal policies related to equal opportunities, the recommendations relating to the availability of public space (including education) is a significant change in the approach to persons with disabilities that decided to take part in education process on a higher level.

The chapter “Training and development of local human resources in the experiences of the PWSliP in Lomza” remains in a issues of EU influence on changes system of higher education. The author draws attention to the impact of the European Union and the Bologna system on a modern system of vocational education based on the experience of the State Higher School of Computer Science and Business Administration in Lomza.

The next section of publications “The role of Erasmus program in internationalization of higher education institution” concerns the impact of the Erasmus program on the internationalization of education and student exchange. The author shows the genesis and development of this program and the impact on cultural exchange, broadening the horizons of students of modern academic education. The analysis of the student exchange program Erasmus is supported by organizational and administrative experience of the State Higher School of Computer Science and Business Administration in Lomza. Students PWSliP participate in the program almost from the beginning of the institution. PWSliP also has extensive experience in accepting students from all over Europe on the

directions offered by the university.

The issue of the impact of Polish integration with the EU from the perspective of twelve years of membership of our country in the structures of the European Community goes far beyond the scope of this publication. The authors present only a fraction concerning educational policy. We hope that the analysis, presented in the monograph will be a contribution to further research taking the issue of European integration impact on changes in reality around us.

dr hab. Krzysztof Sychowicz, prof. PWSliP w Łomży

Instytut Społeczno-Humanistyczny PWSliP w Łomży

On the way to the European Union – unification tendencies in Europe over the years.

Key words:

EU, unification, commitment, conflict

History quite often showed that the lack of unity and agreement in Europe usually led into events having tragic consequences. It involved not keeping, in the name of individual interests, taken commitments guaranteeing safety for European nations. As the time showed, earlier and later it was necessary to pay a very high price.

The idea to unite Europe appeared over the years many times, it was promoted by numerous thinkers and scholars also statesmen. At the beginning the aim was, first of all, to keep peace on the basis of the strongest country in that area. It could be mentioned here about the medieval attempts to build the Latin empire, uniting the Christian countries, or it is worth to notice the universal idea supported by the emperor Otton III.¹ Among the chosen few visionaries there was the Czech king George from Podiebrad. The project, pointed by him, finally was shaped in 1464 and it assumed a calling to the European life the union of countries in order to assurance the peace and to create strong anti-Turkish front. The members-founders of the federation would like to become: the French king and the princes, the German kings and the princes, the princes of the Italian republic, the kings of Spain and Portugal. The emperor in the planning federation would be treated as the one of the equal union leaders. The discussing plan seemed to be quite modern in the medieval times, however, it could not be realized because of the marginal position of the empire and the weak position of the Pope in it.²

¹ T. Manteuffel, *Średniowiecze powszechne*, Warszawa 1958, s. 178; A. Waszkiewicz, *Wspólnoty europejskie 1951–2002*, Toruń 2003, s. 12.

² S. Zonenberg, *Europa ku Polsce*, http://www.bu.kul.pl/integracja-europy-w-ujeciu-histerycznym-historia-integracji,art_11458.html, 20 VIII 2014 r.

In this place it should be mentioned about the process of integration between Lithuania and Poland which took place in XV and XVI century. The Lubelska Unia gave the grounds for the relationship between Poland and Lithuania in 1569 (but there was another act in Krewa, in 1385). The event put pressure on the extended and multicultural country in the next centuries.³ It put pressure, in large part, on history of Central and Eastern Europe, and history of many countries in the part of Europe, too.⁴ Despite of the all positive actions the dominant side, among other things, in terms of demography and culture the Polish Kingdom was becoming on the high position. The long period of building common identity, by Lithuania and Poland, was started from the moment of cooperation between the countries. The problem with Polish-Lithuanian Union became the field for disputes and controversies which appeared after its collapse, and they have been lasting so far. For some Polish people the Union is almost myth, in which some temporary polish historians are able to look for the germ of the European Union.⁵

The role of religious beliefs is essential in the process of creating Europe and individual European countries, and Poland as well. Christianity was the most important and the ideas formulated by Christian intellectuals. The history of Europe cannot be understood without Christianity because it is was the factor of nation unity, moreover it created the system of European values. Not clear views were becoming the ones accompanied to the Napoleon Bonaparte's actions, who influenced all over the Europe. No matter if it was an attempt to realize the integration idea, surely he contributed to connect many broken nations. Moreover, the XIX century is a period when many separated German nations were unified, too.⁶

The clearly seen and not successful attempt of unification the European continent was taken by one organisation shortly after the First World War. The organisation was founded by the President of the United States of America Wilson Woodrow. He started the League of Nations which statutes was established during the peaceful conference in Wersal 28th June, 1919. The League of Nations

³ S. Kutrzeba, *Charakter i wartość unii polsko-litewskiej* [w:] *Księga pamiątkowa ku uczczeniu czterechsetnej rocznicy wydania pierwszego statutu Litewskiego*, red. S. Ehrenkreutz, Wilno 1935, s. 1–14.

⁴ J. Bardach, *Krewa i Lublin. Z problemów unii polsko-litewskiej*, „Kwartalnik Historyczny” 1969, nr 3, s. 583–616.

⁵ E. Meilnas, *Litwa – Polska: od Unii do Unii* [w:] *Unia Lubelska dziedzictwo wielu narodów*, red. A. Gil, Lublin 2010, s. 18–27.

⁶ A. Noble, *Przewodnik po Unii Europejskiej*, Warszawa 2000, s. 16–17; A. Waszkiewicz, *op. cit.*, s. 14–15.

was housed in Geneva, its aim was to keep the peace around the world.⁷ In the interwar period the French Foreign Secretary Aristide Briand, the co-founder of the Treaty of Versailles (so called the Pact Briand-Kellog dated 27th August, 1928) presented a memorandum on 7th September 1929 at the forum of the League of the Nations which involved creating an European countries association with federation character, so called European System of Federal Union. It worked within the League. This project presupposed respecting of sovereignty of member countries and did not contain national elements. Finally, the project did not receive the support of twenty six partners, whom was sent to be discussed.⁸ Lack of abilities in enforcement its decisions the League gradually started to lose its meaning. It did not functioned not longer during the World War II and formally was dissolved in 1946 because of coming into being the United Nations.⁹

The deciding paralysis of the League of Nations and impossibility to counteract in breaking the law by the stronger nations made in a larger part the development of the Third Reich expansion and fascist Italy; the same effect was to hold the communist Soviet Union outside the structures. Additionally, the short-sighted policy of France and Great Britain – the allies of the II Republic of Poland fulfilled the picture of decay of the idea, resulting in the outbreak of World War II and all the actions connected with that.¹⁰

Europe was emerging from the fumes of the war conflict which was finished in 1945, was not alike to the one from the 1939 year. During the six years inhabitants of our continent suffered from fascist repression, also from communist regime, racial and social class hate, genocide crimes or all nations displacement.¹¹ It is difficult in many cases to acknowledge as fair that the borders which were marked out after the war in aggressive way, quite often having nothing in common with the reality and the historic past of the individual areas.¹² The next element was

⁷ *Liga Narodów*, <http://encyklopedia.pwn.pl/haslo/3932501/liga-narodow.html>, 20 VIII 2014 r.; Ł. Maczekiewicz, *Liga Narodów – pierwszy system światowego bezpieczeństwa*, <http://www.jpilsudski.org/artykuly-ii-rzeczpospolita-dwudziestolecie-miedzywojnie/polityka-zagraniczna-dyplomacja/item/2123-liga-narodow-pierwszy-system-swiatowego-bezpieczenstwa>, 20 VIII 2014 r.

⁸ J. B. Duroselle, *Historia narodów Europy*, 1996, s. 358–360; *Integracja europejska. Powstanie i rozwój Unii Europejskiej*, Warszawa, s. 5; A. Waszkiewicz, *op. cit.*, s. 17.

⁹ *Liga Narodów*, <http://encyklopedia.pwn.pl/haslo/3932501/liga-narodow.html>, 20 VIII 2014 r.

¹⁰ M. Gałęzowski, *Polska w czasie II wojny światowej* [w:] *Od niepodległości do niepodległości. Historia Polski 1918–1989*, Warszawa 2010, s. 103–201.

¹¹ Zob.: A. Beevor, *II wojna światowa*, Kraków 2013; N. Davies, *Europa walczy 1939–1945*, Kraków 2008.

¹² W. Materski, *Teheran, Jalta, San Francisco, Poczdam*, Warszawa 1987; Relacja prezydenta Roosevelta z konferencji krymskiej, 1 III 1945 r. [w:] *Wybór tekstów źródłowych do historii powszechnej po II wojnie światowej*, t.

more often appearing political division of Europe and becoming stronger and stronger conflict between the East and the West. Not without meaning were the huge losses in people or material of the European countries, it is worth to notice the industrial devastation, which preventing the fast production resumption. Besides, appeared an addiction from the United States of America, what was the guarantee of borders sovereignty and life style.¹³

Increasing ideology conflict resulted in Europe dilemma into two opposite political sides for many years. It was reflected in the public speech of western politicians, presented until today as a symbol of the risen division. It involves of course the Winston Churchill's utterance who in Fulton (USA) on 5th March, 1946 claimed:

*From Szczecin over the Baltic Sea to the Triest over the Adriatic Sea an iron curtain was left across the continent. Outside the line there are all the capital cities of central and eastern Europe: Warsaw, Berlin, Prague, Vienna, Budapest, Belgrad, Bukarest and Sophia, all the famous cities and people living around them, they there are, as I express myself, in the Soviet zone and all of them, in this or that way are under the soviet influence, they are controlled by Moscow in high and gradually rising degree. The police ruling is penetrating from Russia.*¹⁴

This utterance is so essential because it was the first time when officially the issue of existing two zones of impact in Europe was brought up. The next symbol of this period is another utterance of the American Secretary of State James Byrnes on 6th September, 1946 in Stuttgart. He presented the American's political principles towards Germany, namely about the steady presence of the United States of America there. He touched up the subject of the border at Odra and Nysa Łużycka, which was defined as temporary until the peaceful conference.¹⁵ This statement was used a communist propaganda in Poland in the campaign against the United States of America, German, so indirectly against Western Europe. From international standpoint, the words seemed to be well-chosen but they were painful for the Polish. The Poles were deprived of the eastern grounds thanks to decisions taken by CSSR collectively with the USA and Great Britain.

1. 1945–1955, cz. 1, opr. A. Basak, T. Marczak, Wrocław 1992, s. 7–11.

¹³ A. Noble, *op. cit.*, s. 18; A. Waszkiewicz, *op. cit.*, s. 20.

¹⁴ Przemówienie Churchilla w Fulton, 5 III 1946 r. [w:] *Wybór tekstów źródłowych do ...*, s. 69.

¹⁵ Stuttgarckie przemówienie sekretarza stanu USA Byrnesa, 6 IX 1946 r. [w:] *Wybór tekstów źródłowych do ...*, s. 99–107.

The political crisis between the East and the West found its reflection in other statements in Zurich, on 19th September 1946. In his speech he among other things spoke favor of the European interaction in such words: “to a some degree as it is possible and inside the same structure, which would be able to assure peace, security and freedom”.¹⁶

By the time of such unification it was necessary to rebuild the economy of individual countries which were destroyed by the war. The helping element was a plan prepared by the United States. The plan was presented on 5th June 1947 at the Harvard University by the States Secretary general George Marshall. The declaration was called the Marshall Plan of Marshall's name. It was an economic assistance declaration for European countries including support of mineral sources, food products, loans and investment goods. The plan was formulated at the European countries meeting in summer 1947. The offer was pointed toward the USSR and its satellites, regrettably was rejected mainly by Moscow pressure, by Poland and Czechoslovakia, too; even though the two nations accepted it tentatively. The plan was passed by the US congress on 3rd April, 1948 exactly the same day when it was signed by the president Harry Truman. It was carried out by four years from April 1948 to June 1952 and eighteen countries of western Europe were embraced. In that time about 13 milliard dollars were donated (it is less or more 107 milliard dollars of present currency). Besides the rebuilding, there was additionally established OEEC.¹⁷

Soon after the Marshall's Plan introduction, it became clear that economy rebuilding is not sufficient, and the essential condition for balance in Europe is its military security. The I Berlin crisis shown it in June 1948, namely made by lack of agreement among the Allies about future German lots. When it was closer to the union of western zones and creating the West German country, Moscow was stronger striving for forming a strong nation. Absence of collaboration between the two world powers (USSR and USA) caused dramatic consequences in Berlin divided into eastern and western part. The second part of Berlin lay in the Soviet zone, was surrounded by Soviet divisions, so that it was an easy aim for Stalin. Such blockade gave the possibility to keep under pressure the western powers. The I Berlin crisis 1948-1949 presented the failure of Poczdam Treaty resolutions from 1945, which envisaged the German division into occupation zones. But the

¹⁶ A. Waszkiewicz, *op. cit.*, s. 24–25; A. Noble, *op. cit.*, s. 19.

¹⁷ A. Waszkiewicz, *op. cit.*, s. 33–35; Putrament o problemach politycznych Francji, planie Marshalla i konferencji paryskiej [w:] *Wybór tekstów źródłowych ...*, s. 168–173; Polska i Czechosłowacja wobec planu Marshalla [w:] *Wybór tekstów źródłowych ...*, s. 174–176.

direct reason of the blockade was the German currency reform in the western zones, in the sectors of western Berlin. On 24th June, 1948 the Union of Soviet Socialist Republic stopped railway transport and food goods delivery to the western sectors. Answering to the actions, president Truman decided to activate air bridge to Berlin. It was functioning for over one year, delivering food and the most necessary products for about 2,5 million inhabitants of the blockaded zone. The planes delivered about 13 tonnes of food products and petrol regular. Finally, the USSR acknowledged that the holding the situation was useless, so cancelled it in May 1949.¹⁸ Indirectly, the I Berlin crisis contributed to cooperation among western Europe nations in face of external danger. The action coincided with the European Congress which took place from 7th to 10th May, 1948 in Haga, in which participated about 750 participants from 26 countries. The Congress submitted the idea of creating political and economic union. All European nations respecting democratic systems could participate in the union. This plan was not realized but European Council was formed immediately after the Congress. The European Council was the first common organisation after the WW II (5th May, 1949) next to NATO (4th April, 1949). The aim of the organisation was integration of European nations.¹⁹

Ideology conflict in the structures of the United Nations caused that France took up the initiative of integration in western Europe. The action was taken because of France needed warranty, after the WW II, that the rebuilt the Federal Republic of Germany would never behave as the Third Reich. It was to be facilitated by connecting together iron-coal industry of France, Germany and other countries of western Europe. Rebuilt heavy industry in France (Monnet's Plan)²⁰, development in the sector of coal and iron industry made that the country was looking for new markets. In such atmosphere the French Foreign Secretary Robert Schuman in his speech on 9th May, 1950 presented the idea of linking coal industry and iron industry. Lastly, the industry would be subordinated to the international institution (Schuman's Plan). Finally, on 18th April, 1951 six nations: France, Belgium, the Netherlands, Luxembourg, Western Germany and Italy signed the European Treaty of Coal and Steel. The Treaty came into effect

¹⁸ Zob. m.in.: B. Mikulska-Górska, *Kryzys berliński 1948–1949*, Warszawa 1980.

¹⁹ Kongres haski. Dążenia integracyjne w Europie Zachodniej [w:] *Wybór tekstów źródłowych ...*, s. 246–249; Szerzej: D. Milczarek, *Przebieg procesów integracji europejskiej* [w:] *Integracja europejska wybrane problemy...*, red. A. Z. Nowak, s. 29–54; J. B. Duroselle, *op. cit.*, s. 384; A. Waszkiewicz, *op. cit.*, s. 25, 28.

²⁰ Na olbrzymi wpływ idei Jeana Monneta na praktykę polityczną tego okresu i poglądy Roberta Schumana wskazuje m.in. Irena Popiuk-Rysińska (I. Popiuk-Rysińska, *Unia Europejska*, Warszawa 1998, s. 8–9).

on 23rd July, 1952 for next fifty years.²¹ It was the first step on the way towards common Europe, countries–members of the organisation partly gave up their sovereignty.²²

After the success of the mentioned organisation, there were taken attempts of forming other ones. However, the attempt of creating the European Military Community and the European Political Community were unsuccessful. For this reason, the western countries of Europe were focused on economy integration; mainly on trade liberalisation. On 5th August, 1955 in Messyna there was held the conference of all countries-members of the European Community of Coal and Steel. Each country was presented by Foreign Secretary. During the conference, committee was held, the leader became Paul Spaak – the Belgium Foreign Secretary. His role was to prepare plans about common market and nuclear energy. Two Treaties were signed at the conference in Roma on 25th March, 1957 on the basis of Spaak's plan and further diagnosis: the first one about the European Economy Community (EEC) and the second one about the European Atomic Energy Community (EAEC). The EEC was colloquially called common market whereas the EAEC – Euratom.²³

The two Treaties known as Roman Treaties, were signed by six members – countries, came into effect on 1st January, 1958. They were signed indefinitely. According to the Roman Treaty, the integration aims could be gradually achieved in time of twelve years. In the meantime, duty chamber (1968), common rural politics (1962-1968), common trade politics introduced. It worked slowly in the 1970s, but it gave the beginning of cooperation in many fields. As an example could be European Political Cooperation (foreign policy). I was changing and concreting for years. Successively the European Council was appointed (1974), its members were presidents and prime ministers as well as foreign secretaries. The element of integration was appointment in 1979 the European Monetary System which was aimed at currency of European countries.²⁴ All the events were the consequence of forming the political structures of the European Union. There

²¹ W 1991 r. Komisja Wspólnot wypowiedziała się przeciwko przedłużeniu jego obowiązywania na dalszy okres.

²² Robert Schumann: „Początki, cele i przygotowanie Wspólnoty Węgla i Stali” [w:] *Wybór tekstów źródłowych do historii powszechnej po II wojnie światowej, t. 1. 1945–1955, cz. II*, opr. A. Basak, T. Marczak, Wrocław 1992, s. 376–382; J. B. Duroselle, *op. cit.*, s. 394–395; I. Popiuk-Rysińska, *op. cit.*, s. 9; A. Noble, *op. cit.*, s. 21–24; A. Waszkiewicz, *op. cit.*, s. 38–39; *Integracja europejska. Powstanie ...*, s. 9–10.

²³ J. B. Duroselle, *op. cit.*, s. 398; A. Waszkiewicz, *op. cit.*, s. 42–43; Treść traktatu zob.: http://www.eures.praca.gov.pl/zal/podstawy_prawne/Traktat_rzymski.pdf, 20 VIII 2014 r.

²⁴ I. Popiuk-Rysińska, *op. cit.*, s. 11–14.

were two conceptions: federal and functional. The first significant step towards mentioned aim was signed the Uniform European Act on 17th February, 1986; but on 28th February, 1986 the Act was signed by three countries belonging to the contemporary “twelve countries” - Italy, Greece and Denmark. It took effect on 1st July, 1987. The Treaty contained some changes besides it was the groundwork for the second pillar of the European Union. All countries wanted to convert the achieved attitudes among countries - members into the European Union. The structure could be based on the existing Communities and the European Political Community. The Act gave the law foundation and created frame of functioning the European Council. The members of the European Council were presidents or prime ministers of countries-members, leaders of Community Committee assisted by Foreign Secretaries and one member of Committee. The Act formalised all the conferences in which participated all the presidents and prime ministers of countries-members. The role of European Parliament was reinforced (this name was introduced to common usage) by law cooperation. Finally, the law became the part of common law . The Act was ratified by all members according to constitution and came into the first day of the next month when the last document was ratified on 1st July, 1987.²⁵

At the session in Hanover in June 1988 the Europe Council took decision to complete the Internal Market by the Economy Union and the Monetary Union as quickly as possible. At the same time on the European stage appeared new political problems, so during the conference in Dublin in June 1990 there was taken decision to reinforce the cooperation in the field of foreign policy and security. The projects prepared during the two conferences were connected into one document about the European Union Treaty at the European Council session in Maastricht on 9-10 December, 1991. The common document was signed by twelve countries-members on 7th February, 1992. It was ratified by all sides and was to take effect on 1st January, 1993. However, the Danish referendum was held on and gave negative result. The European Council during the session in Edynghbour took another regulations about citizenship in the European Union, the Economy and Monetary Union, too.²⁶

In March, 1996; the conference of countries-members of the European Union began, its aim was to prepare institutional reform for the European Com-

²⁵ *Ibidem*, s. 14–15; A. Waszkiewicz, *op. cit.*, s. 53–54.

²⁶ I. Popiuk-Rysińska, *op. cit.*, s. 14–17; A. Waszkiewicz, *op. cit.*, s. 54–55; Szerzej: A. Noble, *op. cit.*, s. 131–139.

munities and the Union. The formulated project was accepted at session of the European Council in Amsterdam in 1997. The Amsterdam Treaty presented a new version of the Treaty about the European Union and after ratification it came into on 1st May, 1999. However, assumptions of the reform were not fully realized. Agreement in the matter of composition of the Committee was not gained as the system of majority in the Cabinet, either. The principles on which the Union is based: the principle of freedom, democracy, respect for human rights the basic liberties, were determined. The range of the European Jurisdiction of Justice Tribunal increased significantly.²⁷ Among the aims of the Union there were: support of economy and social progress, high level of employment, well-balanced and permanent development, international identity, real common foreign and security policy, law and interests protection of all citizens of countries-members by introduction Union citizenship. It should be emphasized that the Union respect the national identity of countries-members.²⁸ The Treaty of Nicea (2001) and the Treaty of Lisbon (2007) supplemented the contemporary resolutions.²⁹

Poland entered into two first commercial and economical agreement with the European communities in 1989. There were some political and economic changes in that times so they were the stimulus to mutual contacts. Tadeusz Mazowiecki and his government were the initiator of including Poland to the processes of western Europe integration. Polish Prime Minister from the thoughts went quickly to efforts of full membership. The beginnings of conversation about common agreement took place in the end of 1990s. The final result was the European Agreement signed on 16th December, 1991; which came into on 1st February, 1994. Thanks to it, Poland became associated country. However, it did not guarantee that Poland would become the rightful member. Polish authorities tried to gain more accurate declarations. It made that the European Council agreed in Copenhagen in 1993 to accept in future the associated countries.³⁰

Pope John Paul II took part in the discussion about Poland and its future membership in the structures of the European Union; in his speech in Roma he described the attempts in the words “ from the Lubelska Union to the European Union”. This utterance clipped four hundred years of history in the Central and Eastern Europe. Pope John Paul II underlined in his statement that nations

²⁷ I. Popiuk-Rysińska, *op. cit.*, s. 17–18; A. Noble, *op. cit.*, s. 183–190; A. Waszkiewicz, *op. cit.*, s. 56–57.

²⁸ I. Popiuk-Rysińska, *op. cit.*, s. 32–45.

²⁹ http://europa.eu/legislation_summaries/institutional_affairs/treaties/treaties_eec_pl.htm, 20 VIII 2014 r.

³⁰ I. Popiuk-Rysińska, *op. cit.*, s. 114–116.

which came into being on the territory of old Republic of Poland had their separate history. It was different in relation to countries of Western Europe.

After the WW II, after the cold period when Western and Eastern Europe were divided by so called “iron curtain”, the period of political and cultural unification started coming into. At the beginning of 90s, as a result of rapid transforms and shocks, the regime of powerful countries collapsed so Central Europe and Eastern Europe relived total political changes. The disintegration of USSR made that on the old territory of the Republic of Poland some Baltic countries: Lithuania, Latvia and Estonia regained independence; moreover, Belarus and Ukraine appeared³¹. Western Europe integration in XX century was held in order to the eliminate the effects of WW II, it took place for fear of economy-military power of Germany and USSR, yet for values creating European identity.

Changes on the political map of Europe after 1989 made that the Polish-Russian problems came into. Poland pursued the West on political and economic road while Russia presented its imperialism. Poland was the biggest satellite of the USSR and became the direct neighbour of Russian Federation. The border between Poland and the USSR was becoming the main pivot of division in Europe which was running between the western world and the Russian zone of impact. It is a rivalry about economy and political domination in Ukraine, Belarus and Baltic countries. The Polish-Russian attitudes at the turn of XX and XXI century were in large part a problem.³² The Eastern border of Poland became the Eastern border of the UE and NATO. There is a conflict between the two countries involving the course of the western world borders. Poland is not the most important subject but thanks to historic context and geographical location, it belongs to the countries of the cultural borderland. Polish-Russian relationship in 1990 were dominated by dispute about Polish sovereignty, dispute about Polish membership in NATO, cooperation with the USA and integration with the UE. It is worth to mention about the energy conflict, what was the attempt of natural resources domination. The example of the Russian domination was the northern gas pipeline - North Stream,³³ avoiding Poland. There were Polish protests against the investment but without results. Russian Federation and Germany were connected

³¹ M. Hroch, *Małe narody Europy. Perspektywa historyczna*, Wrocław 2003, s. 5; P. Rietbergen, *Europa. Dzieje kultury*, Warszawa 2001, s. 444–454.

³² Szerzej: K. Pełczyńska-Nałęcz, *Dokąd sięgają granice Zachodu? Rosyjsko-polskie konflikty strategiczne 1990-2010*, Warszawa 2010.

³³ K. Pronińska, *Konflikty surowcowe we współczesnych stosunkach międzynarodowych*, „Sprawy Międzynarodowe” 2005, nr 3, s. 38–55.

across the Baltic Sea in 2011.³⁴

References

- Bardach J., *Krewa i Lublin. Z problemów unii polsko-litewskiej*, „Kwartalnik Historyczny” 1969, nr 3
- Beevor A., *II wojna światowa*, Kraków 2013; N. Davies, *Europa walczy 1939–1945*, Kraków 2008.
- Duroselle J. B., *Historia narodów Europy*, 1996
- Gałęzowski M., *Polska w czasie II wojny światowej [w:] Od niepodległości do niepodległości. Historia Polski 1918–1989*, Warszawa 2010
- Hroch H., *Małe narody Europy. Perspektywa historyczna*, Wrocław 2003, s. 5; P. Rietbergen, *Europa. Dzieje kultury*, Warszawa 2001
- Łoskot-Strachota A., Ł. Antas, *Nord Stream na liberalizującym się rynku gazu UE*, „Punkt Widzenia”, III 2010; Cziomer E., *Polityka zagraniczna Niemiec w dobie nowych wyzwań globalizacji, bezpieczeństwa międzynarodowego oraz integracji europejskiej po 2005 roku*, Warszawa – Kraków, 2010.
- Kongres haski. Dążenia integracyjne w Europie Zachodniej [w:] *Wybór tekstów źródłowych do historii powszechnej po II wojnie światowej, t. 1. 1945–1955, cz. 1*, opr. A. Basak, T. Marczak, Wrocław 1992
- Kutrzeba S., *Charakter i wartość unii polsko-litewskiej [w:] Księga pamiątkowa ku uczczeniu czterechsetnej rocznicy wydania pierwszego statutu Litewskiego*, red. S. Ehrenkreutz, Wilno 1935
- Manteuffel T., *Średniowiecze powszechne*, Warszawa 1958
- Materski W., *Teheran, Jałta, San Francisco, Poczdam*, Warszawa 1987; Relacja prezydenta Roosevelta z konferencji krymskiej, 1 III 1945 r. [w:] *Wybór tekstów źródłowych do historii powszechnej po II wojnie światowej, t. 1. 1945–1955, cz. 1*, opr. A. Basak, T. Marczak, Wrocław 1992
- Meilnas E., *Litwa – Polska: od Unii do Unii [w:] Unia Lubelska dziedzictwo wielu*

³⁴ A. Łoskot-Strachota, Ł. Antas, *Nord Stream na liberalizującym się rynku gazu UE*, „Punkt Widzenia”, III 2010; E. Cziomer, *Polityka zagraniczna Niemiec w dobie nowych wyzwań globalizacji, bezpieczeństwa międzynarodowego oraz integracji europejskiej po 2005 roku*, Warszawa – Kraków, 2010.

narodów, red. A. Gil, Lublin 2010

Mikulska-Górska B., *Kryzys berliński 1948–1949*, Warszawa 1980.

Noble A., *Przewodnik po Unii Europejskiej*, Warszawa 2000.

Pronińska K., *Konflikty surowcowe we współczesnych stosunkach międzynarodowych*, „Sprawy Międzynarodowe” 2005, nr 3

Przemówienie Churchilla w Fulton, 5 III 1946 r. [w:] *Wybór tekstów źródłowych do historii powszechnej po II wojnie światowej, t. 1. 1945–1955, cz. 1*, opr. A. Basak, T. Marczak, Wrocław 1992

Stuttgarckie przemówienie sekretarza stanu USA Byrnasa, 6 IX 1946 r. [w:] *Wybór tekstów źródłowych do do historii powszechnej po II wojnie światowej, t. 1. 1945–1955, cz. 1*, opr. A. Basak, T. Marczak, Wrocław 1992

Schumann R.: „Początki, cele i przygotowanie Wspólnoty Węgla i Stali” [w:] *Wybór tekstów źródłowych do historii powszechnej po II wojnie światowej, t. 1. 1945–1955, cz. II*, opr. A. Basak, T. Marczak, Wrocław 1992

Szerzej K. Pełczyńska-Nałęcz, *Dokąd sięgają granice Zachodu? Rosyjsko-polskie konflikty strategiczne 1990-2010*, Warszawa 2010

Waszkiewicz A., *Wspólnoty europejskie 1951–2002*, Toruń 2003

http://europa.eu/legislation_summaries/institutional_affairs/treaties/treaties_eec_pl.htm,

http://www.eures.praca.gov.pl/zal/podstawy_prawne/Traktat_rzynski.pdf

<http://encyklopedia.pwn.pl/haslo/3932501/liga-narodow.html>

<http://encyklopedia.pwn.pl/haslo/3932501/liga-narodow.html>,

<http://www.jpilsudski.org/artykuly-ii-rzeczpospolita-dwudziestolecie-miedzywojnie/polityka-zagraniczna-dyplomacja/item/2123-liga-narodow-pierwszy-system-swiatowego-bezpieczenstwa>

http://www.bu.kul.pl/integracja-europy-w-ujeciu-histerycznym-historia-integracji,art_11458.html

dr hab. Krzysztof Prokop, prof. PWSiP w Łomży

Instytut Prawa i Administracji PWSiP w Łomży

Normative aspect of elections to the European Parliament in Poland

Key words:

the European Parliament, elections, the Republic of Poland, the Electoral Code, eurodeputy

The Republic of Poland became a member of the European Union on 1 May 2004. The first step, which led to achieving this goal, was signing the Association Treaty (1991), which came into force in 1994. From 1997 to 2002, negotiations were held concerning the conditions of entering the European Community by Poland. The Accession Treaty was signed on 16 April 2003. It came into force after being ratified by all European Union member states of that time and the candidate states. A couple of weeks after the accession, the Poles were able to participate in the first elections to the European Parliament that took place on the territory of the Republic of Poland (13 June 2004). For this purpose, the act of 23 January 2004 was passed on *Elections to the European Parliament*¹. Poland lacks – until the present – constitutional acts regulating the membership of the Republic of Poland in the European Union², including the elections of eurodeputies. The issues concerning the election of members of the European Parliament are a purely statutory matter. The Constitution of the Republic of Poland of 2 April 1997³ determines only the general rules for the disposition of the active electoral law (art. 62) – and not in full scope⁴. This situation is caused by the fact that in the Constitution of 1997, since its entry into force, there is only a general European Clause (Article 90), which became the constitutional basis for the accession

¹ Journal of Laws No.25, Item 219 as amended.

² For many years there have been problems related to this, which can be solved by the Constitutional Tribunal only partly by implementing the rule of favour by Polish Law over the European Union law (cf. verdict of the Constitutional Tribunal of 27 May 2003, K 11/03); K. Działocha, *Podstawy prounijnej wykładni Konstytucji RP*, „Państwo i Prawo” 2004, No. 11, pp. 28-33.

³ Journal of Laws No.78, Item 483 as amended.

⁴ Verdict of the Constitutional Tribunal of 20 July 2011, K 9/11.

process in 2003⁵.

This situation could not be altered by the act of 5 January 2011 – *the Election Code*⁶. By virtue of this act, the regulations of electoral law, scattered among various acts, were codified. The Electoral Code also regulated the issues concerning the elections of deputies to the European Parliament. Due to this, the electoral law of 2004 lost its binding force. The analysis conducted in this book on defining the procedures for electing eurodeputies is based on the provisions of the Electoral Code.

The European Parliament, commonly referred to as the EuroParliament, is the only institution in the European Union elected by its citizens by direct universal suffrage. At the beginning, the European Parliament was a consultative body. The significance of the European Parliament has gradually increased together with the subsequent treaties reforming the European Union (the European Community). These were mostly the Maastricht Treaty (1992) and the Amsterdam Treaty (1997) which granted to the European Parliament a number of decisive competencies, especially when it comes to imposing legislation and establishing budget and also controlling competencies. At present, the constitutional position of the European Parliament is mainly determined by the provisions of the Reform Treaty of Lisbon (the so-called Treaty of Lisbon adopted by the European Council on 13 December 2007, which entered into force on 1 December 2009)⁷. The changing significance of the European Parliament among the European Union institutions is caused by a complex character of the Union itself. It reveals the features of a transnational institution, where the international legal norms can be applied, but also the union of countries resembling the complex state structures regulated by the constitutional law⁸.

The most significant role of the European Parliament is fulfilling the legislative function. It cannot be equaled with the legislative function of the national parliaments, because the Parliament fulfills it together with the Council composed of

⁵ See more: K. Prokop, A. Jackiewicz, *European Clauses in the Constitutions of the Visegrad Group Member States*, [in:] *Ten Years of the Visegrad Group Member States in the European Union*, ed. A. Piekutowska, I. Wrońska, Oficyna Wydawnicza ASPRA, Warsaw – Białystok 2015, pp. 36-40.

⁶ Journal of Laws No.21, Item 112 as amended.

⁷ J. Barcz, *Pozycja Parlamentu Europejskiego w toku reformy ustrojowej UE*, [in:] *Institucje prawa konstytucyjnego w dobie integracji europejskiej. Księga jubileuszowa dedykowana Prof. Marii Kruk-Jarosz*, ed. J. Wawrzyniak, M. Laskowska, Wydawnictwo Sejmowe, Warszawa 2009, pp. 344-354.

⁸ L. Garlicki, *Polskie prawo konstytucyjne. Zarys wykładu*, LexisNexis, Warszawa 2014, p. 398.

the representatives of member states. The role of the Parliament in the legislative field had been increasing within the consecutive years. After the Treaty of Lisbon entered into force, the legislative function is realized in the course of normal legislative procedure (it replaced the current co-deciding procedure) and special legislative procedure (it replaced the current procedure of approval and consultation). The basic meaning for the performance of function under discussion is the realization of normal legislative procedure. It is about adopting a regulation, directive or decision jointly by the European Parliament and the Council on a proposal issued by the Commission⁹.

The European Parliament also performs the controlling function. It is mainly addressed to the Commission. It must inform the Parliament about the activity of the European Union and the deputies can address questions to the commissioners. The Parliament must adopt, by a two-thirds majority vote, a censure against the Commission (but not against particular commissioners). The Parliament also gives a discharge to the Commission in respect to its implementation of the budget – according to the Council's recommendation. There is also an Ombudsman in the Parliament, who is appointed by the chamber for the period of its term of office. An important sign of fulfilling the controlling function is the possibility to appoint the temporary Committee of Inquiry to investigate the alleged contraventions or maladministration of the European Union law. Another form of performing the controlling function is receiving petitions from private individuals inhabiting the area of the Union, which concern cases related to the Union's activity that directly affect them.

The European Parliament also performs the creative function – it chooses the President of the European Commission. Within its framework, it accepts the act of appointing the President of the European Commission and the remaining composition of the Commission. The European Parliament appoints the European Ombudsman. It expresses the opinion on appointing members of the Court of Auditors by the Council and on appointing the president, vice-president and other members of the European Central Bank's board by the European Council.

Currently, the European Parliament is composed of 751 deputies. The number of electoral mandates per country is determined on the basis of degressive proportionality, which means that in the biggest countries the number of man-

⁹ A. Doliwa-Klepacka, *Stanowienie aktów ustawodawczych w Unii Europejskiej*, Aspra-Jr, Warszawa 2014, *passim*.

dates to be distributed is lower than it results from the pure proportionality relationship¹⁰. 51 eurodeputies are elected in the Republic of Poland. Members of the European Parliament are elected for a 5-year term of office. They do not represent member states, but the people from the whole European Union regardless of the country they were elected in¹¹.

The basic regulations of the elections to the European Parliament are determined by the *Act on the election of Members of the European Parliament by means of universal and direct vote* (1976). The first general and direct elections to the European Parliament took place in 1979. The rule of general and direct election of eurodeputies was approved in Article 190 of the Treaty establishing the European Community. Under the provisions of this article, the European Parliament was obliged to prepare electoral laws, or alternatively electoral rules, which describe the manner in which eurodeputies are to be elected in every member state. The European Parliament did not adopt electoral laws for the selection of all the eurodeputies. It was only restricted to the amendment of the Act on selection of members to the European Parliament of 1976 by implementing the rule of electing eurodeputies under the proportional system.

Electoral systems implemented in member states of the European Union used in order to select members of the European Parliament reveal a number of differences. It is caused to a great extent by the fact that the European Union law demand only election of eurodeputies according to the proportional rule. It does not determine the rule of converting votes into seats. In the meantime, science developed a number of different methods that can be classified as the group of quota methods (e.g. method of Hare, Hagenbach-Bischoff, Hare-Niemeyer) as well as to the group of the highest ratios methods (e.g. method of d'Hondt, or Sainte-Laguë in its classic and modified version)¹². The choice of a particular method has a huge significance for the final result of elections and can modify the political shape of the European Parliament. It is known e.g. that the d'Hondt method that is used in Poland influences the overrepresentation of the strongest parties over the weaker ones. The European Union law does not determine the

¹⁰ A. Jackiewicz, *Rzeczpospolita Polska w Unii Europejskiej*, [w:] *Prawo konstytucyjne*, ed. S. Bożyk, Białystok 2014, p. 452.

¹¹ See: J. Szymanek, *Stosunek przedstawicielski na poziomie Unii Europejskiej (próba opisu charakteru mandatu)*, „Przegląd Sejmowy” 2011, No. 3, pp. 91-111.

¹² The difference in implementing the quota method (Hare-Niemeyer) and the method of the highest ratios (d'Hondt) is to be described below in the part concerning the establishment of results of votes to the European Parliament in Poland.

size of electoral districts. In some countries, a district covers the area of the whole country and in some the area is divided into a couple of electoral districts. It is obvious that the smaller the electoral district, the weaker the chances of small parties for obtaining mandates. The European Union law does not include a strict regulation of electoral thresholds that eliminate the weakest parties. There is only a ban on imposing higher electoral threshold than 5%. Some countries use this kind of thresholds (Poland also) and in some countries they are lower and in some they simply do not exist. In Germany, the Federal Constitutional Tribunal declared that imposing electoral thresholds is unconstitutional. Moreover, it did it twice. First time it related to the threshold of 5% (it is used in the elections to Bundestag) and the second to the threshold of 3%¹³.

For the purpose of electing members of the European Parliament, the member states very strongly modify the institutions of their electoral law. In Great Britain, the deputies for the House of Commons are chosen in single mandate districts on the basis of relative majority¹⁴. Meanwhile, the elections to the European Parliament enforced the creation of multi-member constituencies and implementation of proportional system. It was similar in France, where in 1958 the deputies to the National Assembly (first chamber of parliament) are elected in single-mandate districts on the basis of absolute majority¹⁵. From this point of view, Polish solutions that anticipate the distribution of mandates according to the d'Hondt method (similarly as in elections to Sejm), are not so much revolutionary, but the allocation of mandates among electoral lists is made in the scale of the whole country and not in a district.

Elections to the European Parliament take place during one day. Regulations of the European law allow to conduct elections within four days (from Thursday to Sunday). This rule was imposed in order for the election results in one country not to have a decisive significance for the electoral procedure in other countries. In Poland, elections are ordered by the President for a non-working day (that is Sunday) no later than 90 days before the day of elections. Elections to the European Parliament in Poland are held in the electoral period determined by the European Union provisions. The decision of the President includes also the so-called electoral calendar, i.e. terms in which the electoral activities are to be

¹³ See more: Sz. Bachrynowski, *Ujednoczenie ordynacji wyborczych do Parlamentu Europejskiego*, „Państwo i Prawo” 2010, No. 3, pp. 53-61.

¹⁴ It is the tradition that goes back to the Middle Ages.

¹⁵ Cf. D. Rudkowski, *Wybory do Parlamentu Europejskiego – problemy systemu wyborczego*, [in:] *Parlamenty a integracja europejska*, ed. M. Kruk, E. Popławska, Warszawa 2002, p. 73-75.

performed – they are determined by the Electoral Code.

Elections to the European Parliament are general, equal, direct, proportional and voted by secret ballot. The principle of universality provides that voting rights are vested in every adult citizen of the given state. The scope of activities and the passive voting right are determined by the provisions of Article 19 Item 8b of the Treaty establishing the European Community as well as the Council Directives 93/109/WE of 6 September 1993 that lay down the detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a member state of which they are not nationals. The provisions of the directive were transferred into the Polish law (originally the provisions of electoral laws of 2004 and currently of the Electoral Code of 2011). According to Article 62 of the Constitution, voting right is vested in each citizen of Poland, who no later than on the day of the elections attained the age of 18 years and who was not deprived of this right with a valid court ruling or with an adjudication of the State Tribunal. In the light of the Electoral Code, voting right is also vested in the citizens of the European Union who are not the citizens of Poland, who no later than on the day of the elections attained the age of 18 years and who permanently reside in Poland. Voting right is not vested in people who were deprived of this right in the member state they are citizens of. The right to be elected is vested in each person possessing the right to vote who no later than on the day of the election attained the age of 21 years, who does not possess a criminal record for a crime committed intentionally, is not prosecuted by public prosecution and who resides permanently in Poland or within the territory of another member state of the European Union for at least 5 years¹⁶. The so determined scope of active and passive electoral law was originally the result of electoral law to the European Parliament (2004) and currently of the provisions of the Electoral Code (2011). Just after the electoral law of 2004 entered into force, the Constitutional Tribunal examined the issue of compatibility of those rules with Article 62 of the Constitution. The main concern was about granting the voting right to the European Union citizens not residing in Poland¹⁷. The Constitutional Tribunal in its judgement of 31 May 2004¹⁸ admit-

¹⁶ See: K. Urbaniak, *Prawa wyborcze obywateli Unii Europejskiej w wyborach do Parlamentu Europejskiego*, „Przegląd Europejski” 2003, No. 2, pp. 87-102.

¹⁷ See: M. Dąbrowski, *Obywatelstwo polskie a obywatelstwo Unii Europejskiej*, „Państwo i Prawo” 2005, No. 2, pp. 64-77; J. Sandorski, *Obywatelstwo polskie a członkostwo Polski w Unii Europejskiej*, [in:] *Wolności i prawa jednostki oraz ich gwarancje w praktyce*, ed. L. Wiśniewski, Wydawnictwo Sejmowe, Warszawa 2006, p. 52-86.

¹⁸ K 15/04.

ted the compliance of those provisions with the Constitution of the Republic of Poland¹⁹.

The principle of equality ensures a relatively equal influence of all voters in the final outcome of the elections. It is considered in two aspects: the formal and material one. The principle of equality in the formal aspect means that each voter holds the same number of votes. In the elections to the European Parliament in Poland, it results in the following formula: one voter – one vote. In the material aspect, the principle of equality means that the power of each vote should be identical. It should be highlighted that respecting the principle of equality in elections to the European Parliament does not stem from legal norms of the European Union law. It can be explained either by diversity of electoral systems in particular countries (which must be based on proportionality rule) and by implementing the mechanism of digressive proportionality when distributing mandates among the member states²⁰.

The principle of direct election means that voters shall vote in person and cast their votes directly for a particular candidate. Votes can be cast solely in a voting station, by putting an “x” sign next to the name of a supported candidate. In case of elections to the European Parliament, by voting for a candidate, one also supports the political party that the candidate represents. The Polish electoral law does not allow voting through the Internet, but it is possible to do it by mail. The elderly and the disabled can vote through a plenipotentiary.

The principle of secrecy of vote means that voters must select their candidates in a voting station, in a specially designated voting booth that assures secrecy of voting. Keeping the vote secret is considered to be a duty of a voter. It guarantees a vote in accordance with the voter’s conscience. The only exception to this rule are people with disabilities being assisted by other people in making the electoral act. This assistance cannot be provided by a member of a district electoral committee or a returning officer, but only by another voter.

Elections to the European Parliament are conducted by the State Electoral Commission. It is a permanent body, which conducts also parliamentary elections, presidential elections, local government elections and referenda. The Com-

¹⁹ Cf. Działocha, *Zgodność zmian w prawie wyborczym z Konstytucją RP (w związku z przystąpieniem Polski do Unii Europejskiej)*, „Państwo i Prawo” 2003, No. 11, pp. 13-21.

²⁰ Cf. P. Sarnecki, *Regulacje ustawowe dotyczące wyborów na terenie Rzeczypospolitej Polskiej posłów do Parlamentu Europejskiego*, „Przegląd Sejmowy” 2004, No. 3, p. 14.

mission consists of 9 members: 3 judges of the Constitutional Tribunal, 3 judges of the Supreme Court and 3 judges of the Supreme Administrative Court. Members of the State Electoral Commission are appointed by the President on application from the Presidents of particular courts. Members of the State Electoral Commission elect from among themselves a chairperson and two deputy chairpersons. The State Electoral Commission pronounces the results of elections, issues guidelines binding for the electoral officers and electoral commissions of lower level as well as explanations for other bodies of government and local government administration. Apart from the State Electoral Commission, also electoral officers are permanent electoral bodies. An electoral officer is a proxy of the State Electoral Commission appointed for a territory, which constitutes a voivodship or a part of one voivodship. The officers are appointed by the State Electoral Commission. On the other hand, constituency commissions are created autonomously for elections to the European Parliament or other elections. Their composition consists of court judges from the courts of the given territory. The electoral officer is ex officio the chairperson of the commission. Members of the commission are appointed by the State Electoral Commission on application from the Minister of Justice. Constituency commissions register constituency lists of candidates for deputies, settle the results of elections within the constituency and supervise the work of district commissions. In the elections to the European Parliament, it is anticipated to appoint a regional commission (it does not exist in elections to Sejm and Senat), which can be explained by the size of constituencies²¹. Voting is conducted by district commissions. District commissions are appointed from among the voters by votes (mayors, town presidents). District commissions conduct the voting, settle its results in the district, transfer the results to a constituency (regional) electoral commission and pronounce the results to the public.

Candidates who stand for the MEPs may be proposed by political parties, coalitions of political parties or by voters. The Members of the European Parliament are elected in 13 constituencies²². The number of eurodeputies elected in particular constituencies is not determined in advance. It depends on a voters' turnout and is determined only at the stage of mandates' distribution. The Election Committee may register the list of its candidates in every constituency. The

²¹ T. Strzałkowski, *Wybory do Parlamentu Europejskiego w Polsce*, „Studia Prawnoustrojowe” 2008, Vol. 8, p. 145.

²² Alternative methods of electing eurodeputies in constituencies were proposed. See e.g. S. Gebethner, K. Urbaniak, *Przyszły polski system wyborczy do Parlamentu Europejskiego w świetle analizy prawnoporównawczej*, „Przełąd Legislacyjny” 2003, No. 1, pp. 28-29.

list can include from five to ten people and must be supported by signatures of at least ten thousand voters who permanently reside in the particular constituency. If the Election Committee registered the district lists in at least half of constituencies, it can report further lists without the necessity to provide signatures.

Together with the President's decision on announcing elections, the election campaign commences. It lasts up to twenty four hours prior to the beginning of voting day – it is the period of the so-called 'election silence'. This is the time when publishing exit polls is prohibited. The manner in which the campaign is conducted is to be decided by election committees and the candidates themselves. The Electoral Code imposes, however, a number of bans on various forms of electioneering. It is not allowed to conduct election campaign in government administration offices and in offices of local self-government as well as in courts, in workplaces in a way and form that interfere with their normal functioning as well as in military units and other organizational units subordinated to the Minister of National Defence and civil protection units and the barracked units subordinated to a proper minister of internal affairs. Electioneering pupils at schools is also prohibited.

If the widespread election materials include untrue information, the candidate for eurodeputy or election proxy of the concerned election committee has the right to file a motion to the Regional Court for issuing its judgement on prohibition of widespreading such information, writ to rectify false information or apologize the person, whose personal rights were infringed. The Regional Court examines such a motion within twenty four hours in non-contentious proceedings by a single judge. The proceedings of the Regional Court can be appealed within hours to the Court of Appeal, which also examines it within twenty four hours. The aforementioned procedure does not exclude the responsibility resulting from the Civil and Penal Codes provisions.

The voting is held within one day, without any breaks, between 7 a.m. and 9 p.m. A voter elects just one constituency list by means of writing an "x" sign on the ballot paper in a square on the left of the name of one of the candidates from that list. By means of this, the voter points to this person's priority to obtain the seat. Writing more than one 'x' sign on two different electoral lists in the elections to Sejm or on ballot papers to Senat or not writing the 'x' sign on any paper makes the vote null and void. However, if the voter writes more than one 'x' sign on one local election list in the elections to Sejm, the vote is valid and assigned to that list

and to the candidate holding the highest place on the list. Writing other names or personal notes or remarks on the ballot paper does not influence the validity of the vote as long as it is readable which candidate was selected. After voting, the voter places the completed ballot paper to the ballot box located in a conspicuous and readily accessible place in the polling station.

The results of votes in the district cannot be made public before the conclusion of voting in the rest of the European Union member states. The State Electoral Commission informs the general public and the district commission about the hour at which the results of votes can be presented to the voters in the district. Immediately after receiving the voting protocol in the district, the regional commission checks the accurateness of establishing the results of votes in the district. If irregularities in establishing the results of votes are detected, the commission orders their re-establishment before the district election commission and informs the proper constituency commission. The regional electoral commission, on the basis of a voting protocol in the districts, determines the results of votes in its area. The head of the regional electoral commission immediately passes to the proper constituency commission the data from the protocol related to the number of valid votes casted jointly to all the candidates' lists and valid votes casted to particular candidates. The constituency commission, on the basis of the voting protocol in the regions, determines the results of votes for the particular candidates and draws up two copies of the voting protocol in a local constituency.

After receiving the voting protocol from every local constituency, the State Electoral Commission determines the nationwide results of votes and ascertains which lists of candidates from election committees fulfill the conditions that entitle them to participate in the allocation of mandates. Such an entitlement is granted only to those committees which received minimum 5% of valid votes in the whole country²³. All of the seats are divided by the State Electoral Commission between the election committees in proportion to the number of votes given to particular lists in the entire country, according to d'Hondt's system. The result acquired by the voting list nationwide is divided by the consecutive natural numbers: 1, 2, 3, 4 etc. until arranging so many highest ratios as there are mandates to allocate. The distribution of mandates among the lists is made according to the consecutively received highest ratios. If a couple of election committees received ratios equal to the last number from the numbers arranged in this way and the

²³ Electoral threshold of 5% is implemented either to election committees of political parties as well as to election committees of political parties coalitions. It is different in case of elections to Polish Sejm, where the coalition must achieve a higher threshold of 8%.

number of committees is lower than the number of mandates to be allocated, the priority is given to the election committees ranked according to the general number of casted votes for the lists of candidates belonging to these committees. In case of casting the same number of votes for the lists of candidates belonging to two or more election committees, the priority is given to the number of constituencies in which there were more votes for the lists of the particular committee.

Next, the seats obtained by a particular election committee are divided among constituencies' lists of this committee in proportion to the number of votes they obtained in particular constituencies – according to Hare-Niemeyer procedure. The number of acquired votes by election committees in a constituency is multiplied by the number of mandates, which are given to this committee and the obtained sum is divided into the number of votes received nationwide. The numbers received by this operation indicate the number of mandates, which are received by the committee in a constituency. The mandates which were not distributed as a result of this operation are allocated to these constituencies in which the calculated ratios have the highest value after the decimal point (largest remainder method). The mandates are allocated to candidates according to the number of votes received by them. The election system designed in this way causes that the number of deputies elected in a constituency really depends on the turnout rate. In an extreme situation, it may happen that certain constituencies will not receive any representation or it will be very small²⁴.

After establishing the results of votes in every constituency, the State Electoral Commission prepares a protocol concerning the election of members to the European Parliament. The State Electoral Commission announces in the Journal of Laws of the Republic of Poland and makes the results of votes of members to the European Parliament public. The Supreme Court composed of the entire Chamber of Work, National Insurance and Public Affairs declares the binding force of the election. However, the decision on the validity of each mandate is made by the European Parliament. For this purpose, the Commission for Regulations presents a report based on the official information transmitted by each member state.

The Electoral Code defines the supplementation of the European Parliament composition if any eurodeputy's mandate expires or when he or she loses the mandate. The expiry of mandate takes place due to death or resignation. The loss of mandate, however, is possible by losing eligibility for elections or when it did

²⁴ P. Sarnecki, *Regulacje...*, *op. cit.*, s. 25.

not exist on the day of elections, but also by holding a post or fulfilling a function covered by *incompatibilitas* rule on the day of elections, being appointed during the term of office on a post or being offered a function covered by *incompatibilitas* rule, being elected for the MP to Sejm or Senat as well as by the annulment of MEP election to the European Parliament. The loss of mandate due to holding a post or fulfilling a function covered by *incompatibilitas* rule on the day of elections takes place if an eurodeputy does not hand to the Marshal of the Sejm, within 14 days from the day of announcing by the State Electoral Commission the results of votes to the European Parliament, the statement on resigning from the post held or function performed. The loss of MEP's mandate is ascertained by the resolution of the Marshal of the Sejm. The Marshal should immediately inform the President of the European Parliament about the loss of mandate by the member of the European Parliament. The Marshal's resolution on the loss of mandate by a member of the European Parliament together with explanation should be delivered immediately to the MEP. The MEP has the right to appeal to the Supreme Court within 3 days from the day the resolution was delivered. An appeal may be brought via the Marshal of the Sejm. The Supreme Court - Chamber of Work, National Insurance and Public Affairs examine the appeal and give a ruling within 7 days in the non-contentious proceedings.

On the basis of information provided by the State Electoral Commission, the Marshal of the Sejm notifies the next candidate from the same list of candidates, who was the second to receive the biggest number of votes, about his priority to the mandate in cases when: the mandate of a member of the European Parliament expires, the President of the European Parliament states that the time limit to appeal from the Marshal's resolution on the loss of mandate expires as well as when the Supreme Court does not consider the appeal from the Marshal's resolution on the loss of mandate.

The statement on adoption of mandate should be handed within 7 days from the day the notice is delivered. Not handing the statement within the term provided in the above sentence implies the relinquishment of the priority to be provided with mandate. The candidate has the right to resign from the priority to mandate in favour of the next candidate from his list. If the mandate allocation of a member of the European Parliament happened to be impossible in the above manner due to a lack of candidates, who could be granted with mandate, the Marshal of the Sejm informs the other candidate from a different list belonging to the same electoral committee, who received the highest number of votes in the

elections (unless he did not receive mandate) about his priority to take a seat of a MEP.

The Electoral Code imposes for eurodeputies the *incompatibilitas* rule, which forbids connecting his mandate with the mandate for the member of Sejm or Senat as well as fulfilling the function of the President of the National Bank of Poland, the President of the Supreme Chamber of Control, the Ombudsman, the Ombudsman for Children, member of the Monetary Policy Council, member of the National Radio and Television Council, ambassador. Eurodeputy cannot be the member of the Council of Ministers, the Secretary or the Under-Secretary of State. He cannot be employed in the Chancellery of the President of Poland, the Chancellery of Sejm and Senat as well as in the government administration. Mandate of member of the European Parliament cannot be combined with holding a post or fulfilling a function stated in the provisions of the European Union law. Mandate of the member of the European Parliament cannot be combined with the function of: the MP of the Member State, member of the European Commission, judge, the Advocate General, the Registrar of the Court of Justice of the European Union or a member of the Court of Auditors.

Eurodeputies hold their mandate according to the rules characteristic to free mandates. They represent all European Union's citizens and not the countries they were elected in. In the European Parliament, the eurodeputies create fractions according to political criteria. Eurodeputies are guaranteed physical integrity and freedom of movement. The fulfillment of eurodeputy's duties has a payable nature²⁵.

Deputies in the European Parliament create parliamentary fractions (political groups) on the basis of political belonging and not nationality. A political group must be composed of at least one fourth of the member states. The minimum number of MEPs to create such a group is twenty five and one MEP can belong to only one political group. There are currently eight political groups in the European Parliament.

Elections to the European Parliament in Poland are held with respect to the rules applicable in the whole European Union. It is allowed to elect eurodepu-

²⁵ See more: J. Maliszewska-Nienartowicz, *Status deputowanego do Parlamentu Europejskiego (z uwzględnieniem postanowień statutu posła z 2005 r.)*, „Przegląd Sejmowy” 2009, No. 1, pp. 245-253; E. Dydak, *Status członków Parlamentu Europejskiego w prawie wspólnotowym*, [w:] *Konstytucja, wybory, partie*, Ed. A. Materska-Sosnowska, K. Urbaniak, Dom Wydawniczy Elipsa, Warszawa 2013, pp. 197-218; D. Lis-Staranowicz, J. Galster, *Immunitet posła do Parlamentu Europejskiego*, „Przegląd Sejmowy” 2006, No. 6, pp. 9-31.

ties in a couple of multi-member constituencies, but it is also true that in most European Union's countries, the territory of the whole country constitutes one constituency. Contrary to the elections to the Sejm of the Republic of Poland, the distribution of mandates is held in the scale of the whole country and not in constituencies. The characteristic feature of Polish solutions is also relatively high electoral threshold (5%). It is worth mentioning that the German Federal Constitutional Court claimed twice that holding a threshold is against the constitution (firstly of 5% and then 3%) with the Basic Law of 1949, although the elections to Bundestag are held for many years with the threshold of 5%. In Poland, this element of electoral law in elections to the European Parliament is not questioned. It also occurs in several other countries.

In practice, the most significant problem connected with elections to the European Parliament in Poland is a very low electoral turnout. The elections were held three times and the turnout never exceeded 25% of the persons entitled to vote: in 2004 it was only 20.8%, in 2009 – 24.5% and in 2014 – 23.8%. The turnout in parliamentary elections is usually twice higher. The result of such a low turnout is a very weak representation of the results of votes to the European Parliament. However, Polish electoral law does not condition the validity of elections to the turnout and due to that the so conducted elections cannot be questioned from the formal point of view.

References

- The Constitution of the Republic of Poland of 2 April 1997 (Journal of Laws No.78, Item 483 as amended)
- The Act from 23 January 2004 – Elections to the European Parliament (Journal of Laws No.25, Item 219 as amended)
- The Act from 5 January 2011 – *the Electoral Code* (Journal of Laws No. 21, Item 112 as amended)
- Verdict of the Constitutional Tribunal of 27 May 2003, K 11/03
- Verdict of the Constitutional Tribunal of 31 May 2004 K 15/04
- Verdict of the Constitutional Tribunal of 20 July 2011, K 9/11
- Bachrynowski Sz., *Ujednolicenie ordynacji wyborczych do Parlamentu Europejskiego*, „Państwo i Prawo” 2010, No. 3

- Barcz J., *Pozycja Parlamentu Europejskiego w toku reformy ustrojowej UE*, [in:] *Institucje prawa konstytucyjnego w dobie integracji europejskiej. Księga jubileuszowa dedykowana Prof. Marii Kruk-Jarosz*, ed. J. Wawrzyniak, M. Laskowska, Wydawnictwo Sejmowe, Warszawa 2009
- Dąbrowski M., *Obywatelstwo polskie a obywatelstwo Unii Europejskiej*, „Państwo i Prawo” 2005, No. 2
- Doliwa-Klepacka A., *Stanowienie aktów ustawodawczych w Unii Europejskiej*, Aspra-Jr, Warszawa 2014
- Dydak E., *Status członków Parlamentu Europejskiego w prawie wspólnotowym*, [w:] *Konstytucja, wybory, partie*, Ed. A. Materska-Sosnowska, K. Urbaniak, Dom Wydawniczy Elipsa, Warszawa 2013
- Działocha K., *Podstawy prounijnej wykładni Konstytucji RP*, „Państwo i Prawo” 2004, No. 11
- Działocha K., *Zgodność zmian w prawie wyborczym z Konstytucją RP (w związku z przystąpieniem Polski do Unii Europejskiej)*, „Państwo i Prawo” 2003, No. 11
- Garlicki L., *Polskie prawo konstytucyjne. Zarys wykładu*, LexisNexis, Warszawa 2014
- Gebethner S., Urbaniak K., *Przyszły polski system wyborczy do Parlamentu Europejskiego w świetle analizy prawno-porównawczej*, „Przegląd Legislacyjny” 2003, No. 1
- Jackiewicz A., *Rzeczpospolita Polska w Unii Europejskiej*, [w:] *Prawo konstytucyjne*, ed. S. Bożyk, Białystok 2014
- Kosowska-Gąstoł B., *Zasady tworzenia grup politycznych w Parlamencie Europejskim ze szczególnym uwzględnieniem tzw. frakcji technicznych*, „Przegląd Sejmowy” 2011, No. 6
- Lis-Staranowicz D., Galster J., *Immunitet posła do Parlamentu Europejskiego*, „Przegląd Sejmowy” 2006, No. 6
- Maliszewska-Nienartowicz J., *Status deputowanego do Parlamentu Europejskiego (z uwzględnieniem postanowień statutu posła z 2005 r.)*, „Przegląd Sejmowy” 2009, No. 1
- Prokop K., Jackiewicz A., *European Clauses in the Constitutions of the Visegrad Group Member States*, [in:] *Ten Years of the Visegrad Group Member States in*

the European Union, ed. A. Piekutowska, I. Wrońska, Oficyna Wydawnicza ASPRA, Warsaw – Białystok 2015

Rudkowski D., *Wybory do Parlamentu Europejskiego – problemy systemu wyborczego*, [in:] *Parlamenty a integracja europejska*, ed. M. Kruk, E. Popławska, Warszawa 2002

Sandorski J., *Obywatelstwo polskie a członkostwo Polski w Unii Europejskiej*, [in:] *Wolności i prawa jednostki oraz ich gwarancje w praktyce*, ed. L. Wiśniewski, Wydawnictwo Sejmowe, Warszawa 2006

Sarnecki P., *Regulacje ustawowe dotyczące wyborów na terenie Rzeczypospolitej Polskiej posłów do Parlamentu Europejskiego*, „Przegląd Sejmowy” 2004, no 3

Strzałkowski T., *Wybory do Parlamentu Europejskiego w Polsce*, „Studia Prawnoustrojowe” 2008, Vol. 8

Szymanek J., *Stosunek przedstawicielski na poziomie Unii Europejskiej (próba opisu charakteru mandatu)*, „Przegląd Sejmowy” 2011, No. 3

Urbaniak K., *Prawa wyborcze obywateli Unii Europejskiej w wyborach do Parlamentu Europejskiego*, „Przegląd Europejski” 2003, No. 2

dr Małgorzata Wenclik

Instytut Przedsiębiorczości PWSliP w Łomży

Fundamentals of inter-sectoral cooperation based on the principle of partnership and subsidiarity.

Key words:

inter-sectoral cooperation, partnership, subsidiarity, European Union

Introduction

Government, especially at the municipal level, has to perform more and more tasks and scope of these tasks is very varied and often demanding novel and even innovative solutions. Given the consistently high level of current expenditures of municipalities (related to the provision of salaries, maintenance of infrastructure, ensuring media) administration increasingly takes the challenge of implementing public tasks, together with partners from outside the public finance sector, aiming to build partnerships. Common tasks, or total transfer them to the realization of external partners also stems from the idea promoted by the European Union.

The public nature of the local government requires openness to various forms of engaging residents and civic groups in the decision-making processes, but also to build an effective system of social control. Openness to entities acting in the local environment, such as entrepreneurs, non-governmental organizations, provides a basis for local development and building strong social capital. Today, as one of the key factors in the management of local development points to build partnerships between the public authority, local institutions and civil society organizations interested in joint activity in an effort to satisfy the needs of the local environment and solve local problems.¹

Intersectoral collaboration in Poland has undergone significant evolution.

¹ A. Potoczek, Theoretical and practical issues of public participation in local development - an introduction to the issues, (in : Social determinants of local development, ed. A. Brook, and J. Stepien, Department of Social Sciences, Agricultural University. A. Cieszkowskiego in Poznan / School of Humanities and Economics in Wrocław, Poznan Wrocław 2003,

The cooperation of local governments with non-governmental organizations in Poland was finally settled in 2003 Act on Public Benefit and Volunteer Work.² The Act introduced the necessary definitions and principles and forms of cooperation; He defined as the subject of cooperation between the public and non-public benefit.

Article 5 of the Act provides that the activities in the field of public tasks should be carried out by public authorities in cooperation with non-governmental organizations, churches, associations, local government, social cooperatives, sports clubs. Assumed by the legislature collaboration can take various forms, different levels of complexity and depth of participation. On the constructed axis are both relatively undemanding assumptions for mutual informing about its activities relatively selectively treated consultation and full partnership confirmed agreement or a separate organizational form.

It is therefore essential it becomes to present the possibilities of cooperation between the administration of publicity at municipal and non-governmental organizations based on the principles of partnership and subsidiarity regarded by the author as the most important, and to create which largely affect the standards developed by the European Union in the transfer of public funds to Polish administration.

Implementation of the principle of subsidiarity in building public-private partnership

One of the basic principles associated with the possibility of absorption of EU funds is the principle of partnership. The principle of these can be related not only to the relationship between the structures of the EU and the Member States, but above all to the relationship existing between the parties applying for EU funds. Partnership implemented by private and public entities in order to carry out public tasks in the literature are referred to as public-private partnerships. While partnerships between the public partners and non-governmental organizations are referred to public-social. For this study come down to analyze the opportunities for cooperation between local authorities and non-governmental organizations, forming a so-called public-social. Building partnerships based on the principle of subsidiarity.

² Act on Public Benefit and Volunteer Work of 24 April 2003. Dz. U. 2014 No. 1118.

The idea of subsidiarity is one of the most important principles affecting the functioning of local government in Poland. It has become particularly important in the transition.³

The genesis of the idea of subsidiarity is multi-threaded. The term “subsidiarity” comes from the Latin word *subsidy*, which means “help, support, power reserve”. Its origins can be traced to the Bible (Exodus), the history of political thought (especially in the concept of natural rights). The principle that wrote Aristotle, Plato St. Thomas Aquinas. It was developed by the creators of federalism, representatives of liberalism (John Locke) and Catholic social thought.⁴ In the social teaching of the church subsidiarity principle (subsidiarity) was discussed by Pope Leo XIII in *Rerum Novarum*, (1891), while in *Quadragesimo Anno* (1931), Pius XI eloquently stated: “What a man can work on his own initiative and his own forces, this should not be taken for the benefit of the society; similarly, it is the injustice, the social damage and disruption of the system to take away from smaller and lower communities those tasks which they can fulfill, and to delegate the task to communities which are larger and higher. Every social action with its purpose and in its essence is a subsidiary; should help members of the social organism, and not to destroy or absorb them.”⁵

The principle of subsidiarity comes down to the assumption that the community of a higher order should not interfere in the life of a community of a lower order, by imposing them ready-made solutions or help them out in action, activity and creativity. Communities on the same lower level best to identify and solve their problems, if only to have it provided with adequate opportunities. As emphasized in the “Model of cooperation” between public administration and non-governmental organizations⁶, local public authorities should “provide help for self-help” in supporting what individual or social group itself is not able to make. This assistance should be limited, but only to give a chance for self-satisfaction of their needs. The role of the organization of higher order is rather to support, coordinate or lower social groups for the common good. According to this idea, neither the state nor any larger society should substitute individual

³ Regulski J., *Reforming State. My experience*, Publisher School of Public Administration in Szczecin, Szczecin 2007

⁴ A. Dylus, *Subsidiarity: old ideas for new times*, *Praxeology* No. 153/2012, pp. 153-154.

⁵ Pius XI, *Encyclical Quadragesimo Anno* [in] documents the social doctrine of the Church, Vol. I, Ed. teachings. M. Radwan, L. Dyczewski, L. Kaminski A. Stanowski, Rome-Lublin 1996, p. 127.

⁶ www.pozytek.gov.pl/files/Biblioteka/BPP/model_wspolpracy.pdf as of March 25, 2016 - Model of cooperation between public administration and non-governmental organizations - was created through the implementation of

activity and responsibility. The idea of subsidiarity encourages reasoning tasks for the benefit of the community by the taxpayer that is lowest, rather close to the residents of this community.

It is worth emphasizing the role of non-governmental organizations operating in the community, as entities created by the people⁷, acting for the common good, but also those that have the ability to meet the needs and tasks traditionally performed by the public administration. Relations between local government embodies public administration and non-governmental organizations can be illustrated as a directory of mutual obligations. Local government should delegate tasks with the necessary resources to NGOs, if these organizations are able to carry out tasks in accordance with the specified standard. Local government should also support civil initiatives in situations where self-help is essential. In contrast, non-governmental organizations should undertake only those tasks that are able to independently perform for the benefit of the local community. The task of non-governmental organizations should also be supporting civic initiatives in situations where the aid is necessary, acting in such a way as to strengthen the inhabitants of the same decide their own affairs. Therefore, the role of the state (public administration) is to stimulate civic initiatives and encouraging other actors to work for the common good and building a civil society.⁸ Such an understanding of the relationship between the party of power and the inhabitants of the commune enables conversion of citizens into clients of the state - or rather, public administration members of civil society who are able to identify the needs of their community and to satisfy them in the way as the most rational - efficiently, quickly, and with guaranteeing high standards.

Financial and non-financial forms of inter-sectoral cooperation

Today is visible desire to build relationships between public administration and non-governmental organizations with regard to the principle of subsidiarity and based on partnerships. Building cross-sector partnerships is among other documents of a strategic nature, such as the National Development Strategy 2020⁹,

⁷ the system project of the Department of Public Benefit. Measure 5.4 Development of the potential of the third sector, Sub-measure 5.4.1 System of support for the third sector, Human Capital National Cohesion Strategy

⁸ Ch. Millon-Delsol, principle of subsidiarity. Assumptions, history, contemporary issues [in] Milczarek D. (ed.), Administration and Administrative Law at the threshold of the third millennium, Lodz 2000, p. 39

⁹ The National Development Strategy 2020 adopted Resolution No. 157 of the Council of Ministers dated

Social Capital Development Strategy 2020,¹⁰ Strategy for Better Government 2020¹¹ The idea of local partnerships should also be to the principles adopted and complied with for the European Union.¹² Building partnerships, according to the said Regulation of the European Parliament should be taken into account at all stages of co-operation from planning, through implementation, monitoring and evaluation of joint ventures.

At the local level basis for building cooperation in the implementation of public tasks it is mainly in the Law on Public Benefit and Volunteer Work.¹³ On the basis of art. 5 paragraph. 5 of the Act can be distinguished cooperation of financial and non-financial. Document defining the elements of financial and non-financial co-operation in units of local government are taken in the form of resolutions of the annual programs of cooperation of municipalities, counties, provinces with NGOs. The Act on Public Benefit and Volunteer commits governments to adopt the annual program of cooperation with non-governmental organizations. Although the content of the law leaves no doubt as to the obligatory nature of this record, in the first years after its entry into force of the fulfillment of this obligation was not common. Relying on research presented by M. Gumkowska¹⁴, according to data compiled by the Ministry of Labour (with 873 municipalities), the end of 2004 programs passed just over half of them. The data collected in the 2006 survey indicate, however, about the spread of the practice of creating cooperation programs. 836 municipalities (81% of those who participated in the survey) declares that approved the cooperation program for 2005.¹⁵

As the most common forms of cooperation, declared in this initial period, the exchange offices to exchange information and to finance the activities of the organization by the administration. Less frequently cooperation took the form of consulting legal acts or appoint joint teams.

25 September 2012. (M. P. pos. 882)

¹⁰ Social Capital Development Strategy 2020 adopted Resolution No. 61 of the Council of Ministers of 26 March 2013. (M. P. pos. 378);

¹¹ Strategy for Better Government in 2020 adopted Resolution No 17 of the Council of Ministers of 12 February 2013. (M.P. item. 136

¹² Regulation of the European Parliament and of the Council (EU) No 1303/2013 of 17 December 2013. Laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ. office. EU 20.12.2013, p. 320 L 347 of as amended. d.)

¹³ The Act on Public Benefit and Volunteer Work of 24 April 2003. Dz. U. 2014 No. 1118.

¹⁴ M. Gumkowska, NGOs as a partner of public administration, Social Economy 2006, p. 8

¹⁵ There p. 8 and next

Recent studies condition of the third sector in Poland, including the issues of cooperation show that the main partner declared by non-governmental organizations the government - 92%.¹⁶ Contacts with the local government holds 92% of the organization, and for 42% they are sustainable.

Tools occurring within the non-financial cooperation can be divided into the following categories:

- Substantive,
- Providing access to physical resources,
- The use of promotional tools,
- Diagnosis of local problems and needs

In the case of substantive cooperation non-governmental organizations often need legal assistance related to the interpretation of the regulations. Also helping to explain the intricacies of accounting and financial it may be desired by the organization. Local government administration offices are equipped with a professional staff that can find assist NGOs, especially on such issues as information about the rules and how to account for grants received from public funds. Such cooperation is usually carried out by operating the offices of NGO Support Centers, Office of Civil Affairs - in larger cities. However, in the case of smaller towns with fewer human resources office this role can perform delegated employees eg. The department of accounting and finance. Substantive cooperation Non-financial might translate well to the quality of financial cooperation makes it possible to make the current correction in the course of ongoing public tasks, especially when lack of knowledge or mistakes on the side of the NGO could cause offense outside the scope of the agreement signed with the local government unit which would result in the repayment of the grant. Such cooperation substantive leads to a better understanding of the professional staff of the problems faced by non-governmental organizations carrying out tasks for the local community, and non-governmental organizations have the opportunity to familiarize themselves with the procedures and standards operating in the office, including those resulting from the subordination, but also related to the rules of the functioning of the public finance sector.

Another aspect of the non-financial cooperation can also be a question of the use by NGOs of premises, which are at the disposal of the community. When

¹⁶ P. Adamiak, B. Charycka, M. Gumkowska, Polish non-governmental organizations 2015 Klon Jawor 2015, p. 16, www.fakty.ngo.pl

organizing meetings of members of the organization, training, informational and consultative barrier organizations are often deficits housing. NGOs can use the premises belonging to the municipality, provided that the activity is carried on utility value dl throughout the local community.

When discussing non-financial cooperation worth mentioning also the cooperation consists in the possibility of sharing equipment, which is at the disposal of the municipal office (county, state), or organizational units, eg. The equipment houses of culture (sound equipment, musical instruments, stage constructions), sports facilities (sports clothes, gates, signs point), furniture and office equipment (tables, chairs, tables), but also cars and office equipment (overhead projectors, computers, notebooks).

Non-financial cooperation can take place also in the field of promotion. May rely on the use of web platforms, portals municipal newsletters of local information. All kinds of relays, which has a local government unit, which may contribute to the rapid flow of information and reach the widest possible audience. This is primarily the visibility of events and projects prepared by the social organizations. The cooperation of a promotional nature may also involve obtaining honorary patronage municipal authorities (county, provincial), for projects implemented by NGOs. Honorary Patronage can be both a part of elevating the prestige of ongoing initiatives, as well as gives them in the eyes of the local community more weight. A lot of help from the local government may be sending information by e-mail to the residents of the community, other NGOs, entrepreneurs. The flow of information is often an essential element in determining the success of implemented by NGOs projects. As part of the promotion can be also presenting on the website of the municipality of so-called best practices, projects implemented by non-governmental organizations, enrolling in own tasks of local government units. This kind of presentation make it possible to authenticate the activities of NGOs in the eyes of the local community, but also serve the purpose of information and strengthen the knowledge of the average citizen about the administration tasks performed in cooperation with entities outside the structures of the public. The cooperation of local government and non-governmental organizations may also focus on a common diagnosis of local problems and needs. Information and diagnosis of the needs they perform non-governmental organizations for the implementation of their projects can be a valuable source of information for local governments by identifying the needs residents of the community. Instruments of diagnosis can prevent obtaining a reliable picture of the local community, also

indicate development opportunities, but also threats. To this end, governments appoint the body of a consultative and advisory body such as the Council of Elders, Youth City Council, Sports Council, Council. Persons with Disabilities, and finally the most comprehensive Public Benefit Council. These entities composed of representatives of social groups and non-governmental organizations representing the interests of certain residents are used not only to diagnose the needs and expectations of the residents of the community, but also to cooperate with the administration to create local law as well as strategies and plans for the development of the local community

Financial cooperation

It seems that the most advanced form of cooperation between local and non-governmental organizations is the outsourcing of public tasks. The Act on Public Benefit and Volunteer distinguishes two solutions in this area:

- Delegation (government fully funds the task), and
- Support tasks (government subsidizes the project).

The law specifies the mode of transfer of funds to NGOs by local governments - it should take place through an open tender. In the first years of the Act on Public Benefit and Volunteer it happened, however, that the aid is passed without competition or de facto with breaking the law (8.5% of offices admitted to such assistance)¹⁷. Some local governments accuse the law, that formalizing contacts (eg. Imposing conducting competitions) hinders them. However, experience in other areas of functioning local governments (EU funds, public procurement), that the benefits (eg. That organizations know the rules for granting aid) outweigh the costs in this field.

Already at the beginning of the operation of the Act on Public Benefit and Volunteer possibility of financial cooperation, and the de facto financial support for non-governmental organizations declared about 60% of municipalities and counties in Poland (similar results were obtained in 2004 and 2005.).

Recent studies show that more and more organizations applying for a financial support from the local governments. According to the survey in 2014, 52% of the associations and foundations applied for grants from local governments,

¹⁷ M. Gumkowska,, NGOs as opus cit...

and in the case of 43% of organizations, these efforts have been successful.¹⁸

Most often carried out by NGO-s services are in areas such as culture, education, sports, promote the community and business development. These tasks overlap with the area of interest for NGO-s throughout the country - according to the report Klon Jawor "Polish NGOs 2015".

References

- Adamiak P., B. Charycka, M. Gumkowska, Polish non-governmental organizations 2015 Klon Jawor 2015
- Barczewska-spout A. Non-State actors in the sphere of tasks of local administration, [in] J. Parchomiuk, B. Uljasz, E. Kruk (ed.) Ten years of political reform of public administration in Poland,, Wolters Kluwer, Warsaw 2009
- A. Dylus, Subsidiarity: the old idea for a new era, Praxeology No. 153/2012,
- M. Gumkowska, NGOs as a partner of public administration, Social Economy 2006
- Millon-Delsol Ch., Principle of subsidiarity. Assumptions, history, contemporary issues [in] Milczarek D. (ed.), Administration and Administrative Law at the threshold of the third millennium, Lodz 2000
- M. Kulesza, principle of subsidiarity as the key to the reform of the administrative system of the countries of Central and Eastern Europe (for example, Polish), [in] Mielczarek D. (ed.) Subsidiarity, Publishing House "Ellipse", Warsaw 1996,
- Potoczek A., Theoretical and practical issues of public participation in local development - an introduction to the issues, (in :) Social determinants of local development, ed. A. brook, and J. Stepien, Department of Social Sciences, Agricultural University. A. Cieszkowskiego in Poznan / School of Humanities and Economics in Wrocław, Poznan Wrocław 2003,
- Pius XI, Encyclical Quadragesimo Anno [in] documents the social doctrine of the Church, Vol. I, Ed. teachings. M. Radwan, L. Dyczewski, L. Kaminski A. Stanowski, Rome-Lublin 1996

¹⁸ P. Adamiak, B. Charycka, M. Gumkowska, Polish non-governmental organizations 2015 Klon Jawor 2015, p. 16, www.fakty.ngo.pl

J. Regulski, Reforming State. My experience, Publisher School of Public Administration in Szczecin, Szczecin 2007

Act on Public Benefit and Volunteer Work of 24 April 2003. Dz. U. 2014 No. 1118.

The National Development Strategy 2020 adopted Resolution No. 157 of the Council of Ministers dated 25 September 2012., M.P. Pos. 882

Social Capital Development Strategy 2020 adopted Resolution No. 61 of the Council of Ministers of 26 March 2013., M.P. Pos. 378;

Strategy for Better Government in 2020 adopted Resolution No 17 of the Council of Ministers of 12 February 2013., M.P. Pos. 136

http://fakty.ngo.pl/files/fakty.ngo.pl/public/kondycja_2015/KondycjaNGO2015.pdf

www.fakty.ngo.pl

<http://przedsiębiorczepodlasie.pl/model-zmiany-wieloletniego-kontraktowania-uslug-spoecznych/>

dr Anna Edyta Jurczuk

Uniwersytet w Białymstoku

dr Małgorzata Wenclik

Instytut Przedsiębiorczości PWSliP w Łomży

Implementation of the principles of access to educational services in Poland on the example of disabled students.

Key words:

disability, educational service, European Union, human rights

The concept of disability

Disability has always been a serious challenge for a man and the whole society. Since the 1990s more and more attention concerning entities dealing with performance of tasks in the field of public administration of the disabled has been noticed. The problems of the disabled are taken into consideration in law regulations both international law according to Polish law and national law such as the Constitution of the Republic of Poland, many times reapproved Act of Vocational and Social Rehabilitation and Employment of Persons with Disabilities of the 27th August 1997, Mental Health Protection Act, Social Assistance Law; new rules of social insurance, granting pensions and invalidity allowance, amended rules and the procedure for disability, the Cards Law Persons with Disabilities adopted by the Polish Parliament.

However, the implementation of even the best solutions alone is not a sufficient factor of improving the situation of people with disabilities. There are certain problems which are not resulted from the law, but rather from a good will not only civil clerks from public administration, but all of us.

According to the Act of Vocational and Social Rehabilitation and Employment of Persons with Disabilities, a disabled person is the person whose physical or/and mental state hinders, restricts or prevents to carry out life tasks and social roles according to the law and social norms constantly or periodically. Neverthe-

less, the creation of the full definition of disability requires the consideration of some factors:

- Disability is differently understood in different cultures, because people differ from each other in many ways, for example, in the range of their views, orientation, discipline and culture; it means that disability does not have an absolute character.
- Prejudice and discrimination have a strong influence on people's lives and achievements. However, it could happen that the feature that is considered to be as a serious disability in one society, does not have to be treated the same in another one. It might not handicap or restrict the chances and possibilities of a man.
- Disability has been accompanying a mankind for centuries.

The definition of a disabled person, which is used in Poland, was adopted by the Polish Parliament in the Act of 1st August 1997 *The Cards Law Persons with Disabilities* (MP from 1997 no. 50, pos. 475). From paragraph 1. of the Cards : *'The Sejm of the Republic of Poland recognizes disabled people as the persons whose psychical, physical or mental skills hinder, restrict or prevent everyday life, education, work and fulfillment of social roles constantly or periodically according to the law and customary standards. They have rights to live independently, self-reliantly and actively. What is more, they cannot be discriminated.'*

Nowadays the approach of prosocial **Policy of Equal Opportunities** appears. This approach is expressed in the perception of disabled persons as the full rights citizens who have the same rights as healthy members of the society. It is possible to consider disability as temporary or permanent, homogenous or multiple disability in medical, law and social terms, 'Mental, psychical and physical skills can be distinguished while defining the concept and the level of disability. Apart from health and body state in general (its organs), social life conditions play a significant role in a disclosure of deficiency or dysfunction of peoples' life.'¹ The issue of disability should always be considered in the context of a given culture or scientific and technological progress. Therefore, political, legislative, philosophic, ethic, psychological, material and technical conditions have a decisive influence on the success of the integration of persons with disabilities with a society.²

¹ W. Dykcik, Wprowadzenie w przedmiot pedagogiki specjalnej jako nauki, [in:] Pedagogika specjalna, ed. W. Dykcik, Poznań 2005, p. 13–64.

² S. Przybylski, Refleksje nad barierami występującymi przy wdrażaniu integracji osób niepełnosprawnych w Polsce na początku nowego tysiąclecia, [in:] Z. Kazanowski, Integracja osób niepełnosprawnych w edukacji

As generally understood, while defining disability a great attention is paid, above all, to the context of medical criteria. However, the importance of environmental impediments relating to physical (e.g. architectural barriers) and social (e.g. prejudice and stereotypes) surroundings is emphasized not enough. Medical classifications assume that the source of physical and mental disability is body injury. Moreover, a disabled person should adapt to the environmental conditions during treatment and rehabilitation. It seems to be essential for public environment (both technical and social infrastructure) to be adapted to the needs of disabled persons. The adaption of the environment to the needs of disabled persons has to be a strong desire of integration not an actual elimination of disabled members of the society

The involvement of the European Union for people with disabilities

Disabled people take advantages of the powers that other people have on the strength of international and national law. The international law regulations concerning the issues of disability appeared in inter-state law only after the Second World War. The foundation of the United Nations in 1945 played a key role in this process. From the beginning of its foundation this institution has been striving for improving of living conditions for people with disabilities. The main principles of the United Nations activity reflected in **the United Nations Charter** (UN Journal from 1947, No 23, item 90), **Universal Declaration of Human Rights**³, confirmed the right of the disabled to enjoy civic, political, social and cultural rights equally with people without disabilities.

The European Union has also indisputable merits in the field of reducing barriers concerning disabled people. It is an essential question, as in 2003 before Polish access to the European Union, European Disability Forum indicated that there were 37 million of persons with disability (about 10% of the population) among 375 million population of the EU.⁴ Nevertheless, the EU concern of disabled people started much earlier, in the mid- 1970s. The Resolution of 9th 1974

i interakcjach społecznych, ed. D. Osik-Chudowska, Lublin 2003, p 15–25.

³ It is a collective name for two international agreements adopted by the United Nations General Assembly on 16th December 1966, i.e. The International Covenant on Civil and Political Rights *Praw Obywatelskich i Politycznych*, the International Covenant on Economic, Social and Cultural Rights.

⁴ T. Majewski, *Aktywność zawodowa osób niepełnosprawnych w UE*. Access mode <http://www.niepelnosprawni.pl/ledge/x/2500#.U1DqitAWTxc> (14.04.2014).

constituted the program which promoted professional rehabilitation of persons with disabilities in European Communities. This Resolution can be considered to be the first document dealing with problems of disabled persons. Another document dealing with the problems of the disabled would be EU Commission Recommendation of 24 June 1986 on the employment of persons with disabilities.⁵ The basic regulations of this document were the issues of employment of disabled people in sheltered workshops or in the positions which were specially created for this purpose. In addition, this document also predicted the necessity of taking actions by all the European Communities in order to employ people with disabilities in specially created sheltered workshops supposing that the level of disability made the employment on general terms impossible. The EU institutions were not interested only in problems related to employment of disabled people, but also in the problems of integration in the wide sense of this word and also in anti-discrimination actions which include access to the information regarding persons with reduced mobility as well.

It is important to emphasize the fact that economic issues were always dominated ones. Moreover, they also had a priority importance during the 50 years' period of Community existence. As for social issues, they were definitely raised more seldom and were remained within the competence of the Member States. Social politics itself was even called "an unwanted child of integration process"⁶

In the 1980s the European Commission issued the Decision to create the two programs *Helios* (1988–1991) and *Helios II* (1993–1996).⁷ These programs enabled to perform projects for disabled people. The problem of disability started functioning permanently in the context of public policy of the European Union.

The next initiatives of the European Union were *Horizon* within *Employment Initiative* (1996–2000) and *Equal Initiative* (2000–2006). Both of them strengthened the position of disabled people. But the large part of the activity for disabled people remained within the competence of national public policies. It means that every country follows its independent policy in this field. Therefore, different systems to support these people are created. It seems that one of the

⁵ Journal of Laws 225, 12.8.1986, p. 43.

⁶ W. Weidenfeld, W. Wessels, Europa od A do Z, Podręcznik integracji europejskiej, ed. 'Wokół nas', Gliwice 1999.

⁷ The Community Charter of Fundamental Social Rights for Workers, European File. Office for Official Publications of the European Communities, Luxemburg 1990.

essential problems that can be identified is the lack of common definition of disability. Every country has its own definition of this concept which was created for the needs of national legislation. As it is said on the webpage of Government Plenipotentiary for Disabled People Office ⁸, the differences are resulted from the problem of collecting homogeneous methodological data about disabled people in the European Union and Member States. The differences also resulted from the defining of biological disability and identification of legal disability.

On the basis of the definition of biological disability the data are collected within the European Health Examination Survey (EHIS)⁹

However, according to a legal definition, the data concerning disabled people relates to current national rules within the national law system. Thus, they are not the same in individual countries. There may be several definitions of disability created for different purposes in individual countries of the European Union, for instance, for social and professional rehabilitation, pensions and invalidity allowance.

In the initial phase the European Union Policy in respect of disabled people (like national policies) was concentrated, first of all, on a kind of social “ gratification” of the disabled through focusing on charity action. The next stage was to create specialized care services, in a sense, on the margins of social activity. The model of medical perception of the disabled was definitely dominating. It was far from the integration approach. It seems to be undisputable that care of disabled people resulting from this model came from good intentions. However, this kind of approach marginalised the attempt of disabled people’s activation in all spheres of social life for many years. Moreover, it was far from a personal approach to the issues concerning disabled people.

Currently one of the basic challenges dealing with disabled people that the European Union face is an attempt to highlight individual needs and differences among people with disabilities and, therefore, to create equal opportunities (no matter whether we deal with disabled people or non-disabled people) in

⁸ <http://www.niepelnosprawni.gov.pl/niepelnosprawnosci-w-liczbach-/zrodla-danych-na-temat-osob-niep/as> at the date 14.04.2013

⁹ The sample of surveys were conducted by GUS in 1996 and 2004. They were prepared according to the recommendations of the international organizations dealing with health statistics. In 2009 this type of the research was conducted in Poland for the first time. They were based on the European Health Examination Survey (EHIS). The results were published in the publication ‘Stan zdrowia ludności polskiej w 2009 http://www.stat.gov.pl/cps/rde/xbcr/gus/ZO_stan_zdrowia_2009.pdf

different EU areas. These days there is the belief that policies for disabled people should be the integrated part of all economic and social processes which take into consideration the main directions of the development both the European Union and Member States. This approach applies to all the disabled and also benefits without regard to the kind or degree of disability.

The increase in interest of the issue of people with disabilities owes, first of all, to the Treaty establishing the European Community ¹⁰, which introduced a famous Article 13 which establishes general rules for **prohibition of discrimination**. This Article states that *”without prejudice to the other provisions of this and within the limits of the powers conferred by it to upon the Community, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, **disability**, age or sexual orientation.”*. It should be emphasized that the significance of this Act is connected with the fact that the Treaty is a primary legislation, so it is obligatory for all the EU Member States. Due to the implementing changes, the concept of disability was introduced to treaty rules for the first time. This regulation became the foundation to start a number of activities in order to combat discrimination of people with disabilities.

European Disability Strategy of 15th November 2010 is the document which has a planning character and describes an action plan for people with disabilities in the European Union (COM 2010 636). This document relates to current problems which Europeans faced during the economic crisis. No doubt, deteriorating economic situation has a negative impact on the status of people with disabilities. What is more, disabled people are often marginalized and excluded more quickly than people without disabilities, for instance, when unemployment and the lack of prospects for employment are taken into consideration. The European Committee established eight basic areas : accessibility, participation, equality, employment, education and training, social protection, health and external action. , ,’Accessibility” means that people with disability have an access (on an equal basis with others) to the physical environment, transportation, information, and communication technologies and systems, and other facilities and services. *Europe 2020* is the strategic document where combating poverty and social exclusion are emphasized as one of the priorities.¹¹

¹⁰ Treaty establishing the European Community published in Dz.Urz. UE 2006 C 321E. http://oide.sejm.gov.pl/oide/index.php?option=com_content&view=article&id=14436&Itemid=436

¹¹ http://ec.europa.eu/europe2020/europe-2020-in-a-nutshell/targets/index_pl.htm as at the date 14.04.2014

The principles of Polish Law related to the prohibition of discrimination based on constitutional regulations

The Constitution of the Republic of Poland of 1997 includes the main legal principles related to the attitude of the Polish State to people with disabilities.. The fundamental law contains a number of provisions of social character. It is worth emphasizing the fact that the provisions in the Preamble to the Constitution refer to such values as the obligation of solidarity with others, the principles of common good, the principle of subsidiarity. The provision of inherent dignity of the person is especially significant. It demonstrates a personalized orientation of the Constitution. The Article 2 of the Constitution of the Republic of Poland says that the Republic of Poland shall be a democratic state ruled by law and implementing the principles of social justice. This provision relates to one of the basic principles of social policy which should be harmonised with policy on the disabled people, namely the principles of social justice. This principle points out that the acts of public authorities should have an amending character. Moreover, it should value social reality from the point of view of its actual distance to specific law standards accepted through the democratic procedures. In addition, the provision of the Constitution related to dignity of the person that demands respecting social justice. An expression of this is the necessity of social care ensured by a state that corresponds to dignity of the person. ¹²

Principles of respect for human dignity

Protection of human dignity seems to be the most universal law principle, therefore, it is necessary to emphasize its special role in the context of the issues related to people with disabilities. Protection of human dignity is covered by the regulations of some coexisting system: state, international and regional. It results directly or indirectly from legal rules. The Constitutional guarantee (for the first time in the Polish Constitutionalism) of the principles of human dignity protection (recognition and respect) led to the changes in relations between a state and an individual.

A great prominence of this principle results from the recognition of a man with an intrinsic dignity by law and the value of legal protection. The results of these principles can be seen both in a process of state-making (for example, So-

¹² J. Auleytner, *Polityka społeczna czyli ujarznienie chaosu socjalnego*, Warszawa 2002, p. 308.

cial Welfare Law) and implementation or respecting the law.

The concept of human dignity is interpreted and explained differently in the literature. Although it is a legal concept, a single legal definition does not exist yet. A two-dimensional approach of the subject related to human dignity is recognized. The first approach deals with so called personal dignity or, in other words, personal and empiric dignity which can be acquired, lost or improved during the life cycle by a man. This kind of dignity is given to a man not because of a ration of humanity. It is rather closer to the self-esteem and self-respect. Moreover, it is connected with respect from others. Such concepts as honour, pride and reputation are also connected with it.

The second approach of dignity deals with so called personal dignity which has its foundation in ancient and medieval laws of nature. This kind of dignity is understood as an objective value that every human has, regardless of his current property, education, physical or intellectual abilities or the lack of them. This dignity constitutes a natural not acquired attribute of a human being.¹³.

The United Nations Charter of 1945, Universal Declaration of Human Rights of 1948 and European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 appeal to the principless of dignity. The primacy of human dignity, which is considered to be the highest value, is appreciated by the European Union law, in which protection of human dignity and its many aspect dimension have an absolute character. Inviolability, respect for human rights and protection of human dignity found their expression in *The Chapter of Fundamental Rights of the European Union* (2007/C 303/01) approved in Nice on 7th December 2000 and later in the slightly updated *Chapter of Fundamental Rights* which was solemnly proclaimed in 2007. This Chapter got a binding force similar to treaties.

The Preamble of the Constitutuon of the Republic of Poland refers to fundamental value, as far as human dignity is concerned. It emphasizes two values of human life : freedom and dignity. The Preamble calls on everybody to apply the Constitution and take care of inherent dignity of a man, his rights for freedom and obligation of solidarity with others and respect these principles on an inviolable base.

¹³ Z. Duniewska i in, *Prawo administracyjne, pojęcia, instytucje, zasady w teorii i orzecznictwie*, ed. M. Stahl, Warszawa 2009, p. 127.

The Article 30 of the Constitution of the Republic of Poland initiates general principles in the Chapter II, 'The freedom, rights and obligations of people and citizens' inherent and inalienable dignity of a person shall constitute a source of freedoms and rights of persons and citizens. It shall be inviolable. The respect and protection thereof shall be the obligation of public authorities. This regulation should be a base for all the other law regulations and norms of the Polish law.

Other constitutional provisions also regard to human dignity, inter alia, the Article 2 of the Constitution of the Republic of Poland. The Article 233 Act 1 of the Constitution of the Republic of Poland regards to inherent and inalienable dignity in its content.

The threat of human dignity violation and the necessity of its protection guarantee appear, first of all, when a man is characterised with a certain weakness (mental, physical or economic). People with disabilities belong to this group. It is no accident that human dignity is reflected (and repeatedly) in the Social Assistance Act of 12 March 2004 (consolidated text Journal of Laws of 2008, No. 115, item 728 as amended)

Principle of equality as a constitutional principle.

According to the Article 32 of the Constitution of the Republic of Poland, everyone is equal before the law. Everyone shall have the right to equal treatment by public authorities (the Article 32 Act 1 of the Constitution of the Republic of Poland). No one shall be discriminated against in political, social or economic life for any reason whatsoever. (the Article 32 Act 2 of the Constitution of the Republic of Poland). This principle forms the foundation for all the public institutions. Thus, this principle also works for disabled applicants in the institutions. What is more, it has preferred and basic meaning.

Many times the principle of equality was interpreted from the point of view of the range of its recipients and exemptions from this principle by the Constitutional Court. Interpreting the Article 32 of the Constitution of the Republic of Poland of 28th March (P. 10/01), the Constitutional Court stated that the subsection 1 of this Article formulates the principle of equality as a constitutional norm addressed to all the public authorities in general. On the other side, the subsection 2 specifies the meaning of constitutional principle of equality. It expresses the universal nature of this principle. What is more, it defines the limit

of permitted variation of legal entities more precisely. No criteria could be the basis in order to introduce unjust differences which discriminate definite subjects.¹⁴ Here dignity is referred to a man, a person, a child and residents of the Social Care Homes.

According to the Constitutional Court, the conformity assessment with the principle of equality needs establishing whether it is possible to define a common essential feature, either factual or legal, which justifies equal treatment of legal entities. (C. 17/95). This establishment should be based on the aim and general content of principles, which include. controlled norms.

The principle of non-discrimination could be derived from the principle of equality. According to the Article 32 of the Constitution of the Republic of Poland, *"no one shall be discriminated against in political, social or economic life for any reason whatsoever."* (the Article 32 Act 2) *"Everyone shall have the right to equal treatment by public*

authorities" (the Article 32. Act 1). All people have to be treated equally, without discrimination and favouritism. However, so-called positive discrimination, which deals with preferential treatment of certain social groups (for example, people with disabilities) in order to have equal social status, is legal. As for the disabled, these preferences may consist, for example, of public funding for employment these people. These activities seemingly lead to discrimination of other social groups (for example, unemployed non-disabled people, the employment of which is not subsidised). But on the other hand, they cannot be recognized as in contrary to the principle of equality before the law. This example demonstrates not favouritism of one group (disabled people), but rather the attempt to eliminate factual inequality which results from being a disabled person. Differentiation becomes a discrimination only then it is not justified. Only 447 000 of working age people among 2,8 mln of disabled people work. The employment of these people is not subsidised even by public institutions: only 1,2% of total employees are disabled people. As for intellectually disabled people within this group, it is only a small percentage.¹⁵

¹⁴ J. Oniszczyk, *Konstytucja Rzeczypospolitej Polskiej w orzecznictwie Trybunału Konstytucyjnego na początku XXI w.*, Kraków 2004, p. 571.

¹⁵ In the second half of the year 2012 initial data concerning disabled persons was published from the National Population and Housing Census 2011 that took place from 1st April to 30th June 2011 roku (presented data according as at 31th March 2011). Available in the publications of the Polish Central Statistical Office: "The National Population and Housing and Housing Census 2011. The report of the results." http://www.stat.gov.pl/gus/5840_15569_PLK_HTML.htm as at the date 10.04.2014.

Absence of equal treatment of people with disabilities in Poland is also a result of the reduction in opportunities to take part in educational process. Polish educational system is not still tailored to the needs of this group. Psychological and Pedagogical Counselling Centres make a decision concerning to which educational centre disabled children should be sent. But the final decision belongs to parents. However, Psychological and Pedagogical Counselling Centres decide on the needs of individual teaching what is convenient for local governments (there is no need to organize children's commuting to schools or create special schools or integrated classes. As for teachers, they can "complete" their full-time employment in this way). So children learn less and lose contacts with peers and outside world. Children from small places and villages are especially lacking of access to special and integrated education. Absence of equal treatment and as a result the reduction in educational opportunities involve these students. According to the Report of Foundation Institute of Regional Development "Accessibility of Polish universities for people with disabilities"¹⁶ among 427 of public and private universities, half of universities declare that they employ a person whose responsibility is to deal with people with disabilities. As for the adaptation such spheres as the ways of examining, availability of didactic material, specialized equipment to make education easier to the needs of people with disabilities, it has not achieved a 100% adaptation of opportunities for disabled people to participate in educational process. Not to mention the equipment for multimedia libraries in universities (for example, for the blind) or removing architectural barriers (what is often connected with the fact that universities are located in historic buildings which are not adapted to the needs of students with mobility disabilities). Basically, only the largest universities have the position of the Rector's Plenipotentiary for the Disabled Students. All people with disabilities have fundamental problems with participation in public life, access to cultural property and transport. Even the Chamber of plenary sittings of the Polish Parliament is not adapted to the needs of people with disabilities.

The Article 69 of the Constitution of the Republic of Poland has a key meaning for people with disabilities. It states that "**public authorities shall provide, according to the statute, aid to disabled persons to assure their subsistence, adaptation to work and social communication**". Conditions and support to fulfill these roles on a possible highest level are assured.

¹⁶ The report is a part of the study which was prepared by the Ombudsman prepared "The accessibility of public infrastructure for disabled persons – analysis and recommendations.", Warszawa 2011. http://www.brpo.gov.pl/sites/default/files/Biuletyn_Rzecznika_Praw_Obywatelskich_2011_nr_%205_0.pdf as at the date 14.04.2014

The support can concern:

- adaption of the law which respects the needs of people with disabilities without their discrimination; the law that assures integration in the broad sense;
- state subsidising or other forms of support to employ disabled people in the open labour market and also the assurance of different forms of professional rehabilitation;
- conducting social campaigns in order to combat the stereotypes relating to persons with disabilities and to shed light on their problems and needs to other members of the society.
- Aspiration to assure persons with disabilities a decent existence of living.

The principle of social justice

Several times the Constitutional Court paid attention to the connection between the principle of equality and the principle of social justice. Both these principles to a larger extent overlap. The principle of justice especially requires equal treatment of legal entities which are characterized by a given essential feature. Differentiation of legal entities is acceptable on the ground of the principles of social justice and also with other constitutional principles. On the other hand, the principle of equality is declared to be an unconstitutional discrimination (privilege) if it does not have a suitable support in these principles.

The issue of infringement of the principle of justice by discriminatory omission of a certain group of people (where the identity of features - relatively legally significant, on the account of which the legal regulation was introduced, supports equal treatment) was examined in the judgement of 30th 2002 (C.41/01). The allegation of non-constitutionality concerning „disabled sportsmen omission” of Article 28a Act 1 of Physical Education Act (Journal of Laws of 1996, No.25, item 113, as amended) was examined. According to the Constitutional Court, discriminatory omission of a certain group of people (where the identity of features - relatively legally significant, on the account of which the legal regulation was introduced) may give rise to start the competence of a „negative legislator”, namely the Constitutional Court. In this case a non-actionable gap in the law does not exist. In the present case a legislative provision was contested. This legislative provision has to lie in the origin of alleged discrimination through the fact that there is an omission of a certain group of people(according to the conclu-

sion, in the same situation) in it itself. If the allegation of discrimination carried out by the Constitutional Court confirmed after the analysis of the situation, the fact elimination of this provision would be the condition which is not enough but necessary to achieve a postulated state of non-discrimination.

Taking into consideration the declarations above, bringing up the question of the accessibility of young people with disabilities to academic education seems to be essential. Low levels of education among people with disabilities in Poland is connected with lack of accessibility of higher education institutions for disabled persons.

Adaptation of the higher education system to the needs of people with disabilities

Alarming data concerning a low share of the disabled on higher educational market was the inspiration for the topic which deals with accessibility of higher education institutions for disabled persons. According to the figures from the Polish Central Statistical Office, during the years 2009-2013 the share of disabled persons with higher education remains on a relatively slow level.

Table. The education structure of the population aged 15 and older.

Specification	Level of education				
	university	post-secondary and secondary vocational	general secondary	basic vocational schools	gymnasium, primary, incomplete primary and without education
in %					
year 2009					
People aged 15 and older	16,6	23,0	10,6	25,5	24,3
People legally disabled	5,9	18,8	7,4	30,4	37,5
Non-disabled people	18,0	23,5	11,0	24,8	22,7
year 2010					
People aged 15 and older	18,1	23,2	10,6	24,7	23,4
People legally disabled	6,6	19,8	7,3	30,3	36,0
Non-disabled people	19,5	23,6	11,0	24,0	21,9
year 2011					
People aged 15 and older	19,0	23,1	10,5	24,8	22,6
People legally disabled	7,1	20,1	7,2	31,0	34,6
Non-disabled people	20,4	23,5	10,8	24,1	21,2

year 2012					
People aged 15 and older	19,7	23,0	10,4	24,9	22,0
People legally disabled	7,5	20,3	7,7	31,8	32,8
Non-disabled people	21,2	23,3	10,7	24,1	20,7
year 2013					
People aged 15 and older	20,6	23,1	10,4	24,6	21,2
People legally disabled	7,7	20,3	7,5	31,7	32,8
Non-disabled people	22,2	23,5	10,8	23,8	19,8

Source : the Labour Force Survey, the Polish Central Statistical Office.

According to the table above, the education of people with disabilities relatively often stop on the basic vocational level, gymnasium or primary schools. Respectively 31,7% and 32,8% of people with disabilities have these levels of education. As for non-disabled people, - 23,8% and 19,8%.

There is a substantial difference against people with disabilities on the university level. In the year 2013, as much as 22% of non-disabled people at the age of 15 and older had university education while there were only 7,7% among disabled people. There is a relatively smaller difference on the level of post-secondary, secondary vocational and general secondary education: relatively 23,5% of non-disabled people and 20,3% of people with disabilities.

The disproportion of education level between non-disabled and disabled people also clearly demonstrates a relatively faster growth rate of disabled people with university degree in a group of non-disabled people. Within the years 2009-2013 the participation of non - disabled people with university degree decreased by more than 4 p.p. (from 18% to 22,2 %), while the participation of disabled people with university degree only by 1,8 p.p. (from 5,9% to 7,7%). The maintenance of this level in a longer perspective may mean further marginalisation of the participation of people with disabilities in the higher educational market.

There might be a lot of reasons of such a comparatively small number of disabled people with university degree. The barriers in access to higher education including the barriers in access to infrastructure and information could be one of these reasons. This conclusion could be confirmed by the results of the research which was conducted in May and June 2007 by VGR Institute of Marketing and Social Research. The aim of the research was to assess the access to higher educa-

tion by people with disabilities.¹⁷ According to the research above, in 2007 only half of the institutions declared that they employed a person whose responsibility is to deal with disabled candidates. 16,9% of the institutions among 427 (both public and private) declared that a disabled candidate has to report to the recruitment board as other students, while 12,9% of them declared that a disabled candidate has to report to a Rector, a Vice-Rector or a Rector's Assistant. The same number of higher education institutions declared that they do not have an employee to deal with disabled candidates. A slightly smaller percentage of the institutions declared that they have a Rector's Plenipotentiary or the Centre for Disabled Persons (10,8%), while 10,3% of the them suggest to contact a specially designated staff member. Every fourth institution declared that a disabled candidate has to contact the Executive of the selected course of study (9,8%), Dean or the Dean of the selected course of study (8,2%) or the Chancellor of the higher education institution (8%). The fewest number of the institutions suggested that disabled candidates should report to the Education Department or the Office for Student Affairs of the university (3,7%) and also a spokesman for students or the disabled. The authors of www pages in most cases neglect the basic elements which influence on navigation and identification. About 14% of the public higher education institutions support disabled candidates through the same recruitment board as other students. About 11% of the public universities have neither a structure nor a separate post for disabled students to solve the problems of the candidates with dysfunction of sight.

It has been 7 years since the last research concerning which higher education institutions could and should take an advantage on increase of their assessibility for people with disabilities. Therefore, the comparative analysis of the selected aspects concerning the degree of realization of the accessibility principle seems to be reasonable.

The research, which was conducted for this publication, focused on the issues resulted from the functioning of official websites of public academic higher education institutions and also the State Higher Vocational Schools supervised by Minister of Science and Higher Education. The institutions where the health status is the condition of admission such as military academies, naval academies, police academies, physical education colleges etc. were excluded from the research. The research group which consisted of of 53 academic universities and 36

¹⁷ The accessibility of Polish higher education institutions to the needs of disabled persons, the Foundation Institute For Regional Development, VGR Strategia Institute of Marketing and Social Research, Kraków 2007, p. 24-25. Access mode: <http://www.firr.org.pl/uploads/PUB/FIRR>

the State Higher Vocational Schools were distinguished on the basis of the criteria above¹⁸.

The first step was to identify whether there is a person or an organizational structure to deal with disabled candidates and solve their problems in a given higher education institution or not. If there was such a structure or a person, the appropriate contact data was added to the database.

Table. The extent of organizational structure implementation taking into account a separate post to solve the problems of disabled people [% of higher education institution with a separate post for disabled people]

	Higher education institution						
	universities	technical	ekonomic	pedagogical	agricultural and Life Science	theological	vocational
The post to solve the problems of disabled students	94,4	66,7	80,0	80,0	50,0	0,0	38,9

Source: the study based on the results of own research.

According to the research at 5th of June 2014 almost 61% of the higher education institutions had a separate post for disabled persons. Universities are the best. Almost 95% of the universities which are supervised by the Ministry of Science and Higher Education added contact data of Plenipotentiary for Disabled Persons to their websites. The economic and technical higher education institutions comply with this obligation in the second place. The next are economic and pedagogical higher education institutions. As many as 80% of surveyed institutions have contact data on their webpages.

Relatively small number of respondents have a special post for disabled persons among the State Higher Vocational Schools supervised by Minister of Science and Higher Education. Only 14 (39%) of them provided contact data of Plenipotentiary at their webpages.

There is only one theological university supervised by Ministry of Science and Higher Education in this group. Unfortunately, this theological university has no information concerning a special post for disabled persons on its webpage.

The second step of the research was to assess the activity of Plenipotentiaries for disabled persons through the assessment of accessibility level of webpages to

¹⁸ Data at 8 th May 2014. Access mode : <http://www.nauka.gov.pl/uczelnie-publiczne/>

the needs of disabled students. Unfortunately, according to the research, only a few of the respondents enable disabled students to increase the size of the font and also improvements of contrast of the displayed content.

Table. The range of accessibility of public institutions webpages to the needs of disabled people [% of institutions whose webpages have a given indication]

Indication	Higher education institution						
	universities	technical	economic	pedagogical	agricultural and Life Science	theological	vocational
button INCREASE A FONT SIZE	38,9	16,7	60,0	40,0	50,0	0,0	19,4
Button INCREASE CONTRAST	61,1	16,7	0,0	60,0	50,0	0,0	5,6

Source: the study based on the results of own research.

Almost 30% of respondents among public institutions have the button INCREASE A FONT SIZE on their websites. Every fourth institution enable their disabled students to increase the contrast of text and background on their websites.

Universities have the highest level of webpages accessibility to the needs of disabled persons because they enable them to increase a font and a contrast. About 40% of the university websites have special buttons to increase a font while 60% of them have special buttons to increase the contrast of text and background.

Technical and vocational higher educational institutions have relatively the smallest level of involvement in websites adaption to the needs of disabled persons. Only 7 vocational institutions among 36 have the buttons INCREASE A FONT SIZE, and only two of them have the button INCREASE CONTRAST. Only 3 technical higher educational institutions among 18 decided to place both buttons.

The assessment of website accessibility for disabled persons through the range of the information which is particularly necessary for this group is diverse. Less than 44% of respondents have a separate tab with detailed content which are necessary for the disabled. The rest of institutions neither place the separate information for disabled students or place only the advertisements for them.

About 80% of surveyed university websites have the description of accessibility to technical infrastructure and IT resources for disabled students. Pedago-

gical higher education institutions are also active in presenting information for the disabled. Only one institution of this type does not have such information. Only 61 % of technical higher education institutions, 66 agricultural and Life Science institutions and 40 % of economic ones give the information concerning adjusting infrastructure to the needs of disabled persons. Vocational institutions of higher education are the least active in giving the information concerning adjusting infrastructure to the needs of disabled persons. Only every fifth of them placed the description of the facilities for people with various level of disability on their websites.

References

Auleytner J., *Polityka społeczna czyli ujarzmienie chaosu socjalnego*, Warszawa 2002,

Duniewska Z. , *Prawo administracyjne, pojęcia, instytucje, zasady w teorii i orzecznictwie*, ed. M. Stahl, Warszawa 2009, p. 127.

Dykcik W., *Wprowadzenie w przedmiot pedagogiki specjalnej jako nauki*, [in:] *Pedagogika specjalna*, ed. W. Dykcik, Poznań 2005

Journal of Laws 225, 12.8.1986, p. 43.

Oniszczyk J., *Konstytucja Rzeczypospolitej Polskiej w orzecznictwie Trybunatu Konstytucyjnego na początku XXI w.*, Kraków 2004

Przybylski S. , *Refleksje nad barierami występującymi przy wdrażaniu integracji osób niepełnosprawnych w Polsce na początku nowego tysiąclecia*, [in:] Z. Kazanowski, *Integracja osób niepełnosprawnych w edukacji i interakcjach społecznych*, ed. D. Osik-Chudowolska, Lublin 2003

Publications of the European Communities, Luxemburg 1990.

Weidenfeld W., W. Wessels, *Europa od A do Z, Podręcznik integracji europejskiej*, ed. , 'Wokół nas", Gliwice 1999.

The Community Charter of Fundamental Social Rights for Workers, European File.
Office for Official

http://www.stat.gov.pl/gus/5840_15569_PLK_HTML.htm

http://www.brpo.gov.pl/sites/default/files/Biuletyn_Rzecznika_Praw_Obywatel-

skich_2011_nr_%205_0.pdf as

<http://www.firr.org.pl/uploads/PUB/FIRR>

<http://www.nauka.gov.pl/uczelnie-publiczne/>

T. Majewski, *Aktywność zawodowa osób niepełnosprawnych w UE. Access mode*

<http://www.niepelnosprawni.pl/ledge/x/2500#.U1DqitAWTxc>

<http://www.niepelnosprawni.gov.pl/niepelnosprawnosc-w-liczbach-/zrodla-danych-na-temat-osob-niep/as>

http://www.stat.gov.pl/cps/rde/xbcr/gus/ZO_stan_zdrowia_2009.pdf

http://oide.sejm.gov.pl/oide/index.php?option=com_content&view=article&id=14436&Itemid=436

http://ec.europa.eu/europe2020/europe-2020-in-a-nutshell/targets/index_pl.htm

dr Krystyna Kubik

Instytut Przedsiębiorczości PWSliP w Łomży

Training and development of local human resources in the experiences of the PWSliP in Lomza

Key words:

European Union, human resources, development, PWSliP in Łomża, education

Introduction

Along with the development of the Polish knowledge based economy there came a large role and the demand for highly skilled creative professionals at the companies, who are able to seek and introduce innovative ventures. Competitive advantage in the modern economy is achieved by those organizations which appreciate the role of human resources and are able to effectively manage a team of employees. Managing people is to control the emotions of the entire team. Therefore, the management in a conventional manner with the implementation of indicators, procedures, hard incentives, rarely leads to the desired results. Employees, in order to become engaged and to identify with the organization in which they work must trust their superior and recognise his commitment and personal responsibility for the effects as well as see his ability to bear the consequences for his decisions.

The main objective of the paper is to identify the role played by the State College of Computer Science and Business Administration in Lomza in the process of personnel training for the needs of the regional economy.

In Poland, after 1989 there was a rapid economic and social development. The transformation extended to all fields of socio-economic and political life. One of its manifestations was the dynamic development of higher education.

1998 was also the year when, the first state vocational colleges were established in Elblag, Konin, Gorzow Wielkopolski, Legnica, Tarnow, Nowy Sacz, Su-

lechow, and in 1999 in Kalisz, Krosno, Leszno, Walbrzych and Plock. Currently in Poland there are 36 state higher vocational schools. One of them is the State College of Computer Science and Business Administration in Lomza. The institution was established by the *Act of 26 June 1997 on higher vocational schools*. The intention of the Act of 1997 was to compensate those cities which would lose the provincial capitals' status. In 1998, the number of provinces was reduced from 49 to 16, and therefore 33 cities lost their status as provincial capitals. This Act was passed in order to create the possibility of establishing a state higher vocational schools in those cities, whose task was to fill the void in the area of economy and culture following the liquidation of the province. However, the school in Lomza had not been established until 2004, i.e. seven years after the adoption of the Act.

In 2003, 77.45% of Poles participating in the referendum, which took place on 1 May 2004, voted in favour of the Polish accession to the European Union. This decision had a significant impact on the political, economic and social situation in Europe, Poland and its regions, particularly the poorest. It is worth noting that in the Lomza district only 45.32% of the voters were in favour of the accession to the European Union and it was one of the most sceptical results in Poland.¹ The fate of the College of Computer Science and Business Administration in Lomza had been associated with the European Union from the very beginning.

A particularly important event for higher education was the signing of the Bologna Declaration by the Ministers of Education from 29 countries, including Poland. This document contained a set of tasks and tools to unite the higher education systems of European countries. Higher education was then officially recognized as one of the areas of competence of the EU. In accordance with Title VIII, Paragraph 126.1 of the Treaty on European Union (TEU) says *the Community shall contribute to the development of quality education by encouraging co-operation between Member States and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of Member States for the content of teaching and organization of education systems and their cultural and linguistic diversity*.²

In the era of a rapid flow of information, goods and capital, the people are the most important factor of competitiveness, both for enterprises and regions. The

¹ www.pkw.gov.pl

² Treaty on European Union, O.J. C 191, dated 29.7.1992.

investment attractiveness of the regions depends on the quality of their human capital. The regional development is dependent on the potential of the society in a particular area. The human factor is the main driving force in the process of local and regional development.³

Accession to the European Union has brought to the Lomza region many benefits, but it also forced competition on a Community market. Competing not only in products or services, but above all in the quality of human capital. The ongoing process of changes and challenges of the global market is inevitable and necessary.

In the Lomza region the process of socio-economic changes is supported and developed by the local community, where an important role is played by the State College of Computer Science and Business Administration in Lomza.

The mission of PWSliP in Lomza

The mission of the school emphasizes its local nature and links with the economy of the region. The school is to educate to meet the needs of local businesses. The original mission of the State College of Computer Science and Business Administration in Lomza was contained in the justification of the Directive of the Council of Ministers dated 22 June 2004 (Journal of Laws of 2004 No. 150, item. 1570), which reads: *“The initiative to create the College of Computer Science and Business Administration in Lomza was born out of the needs of socio-economic and demographic conditions of the city and district of Lomza. As a result of the administrative reform, Lomza lost its status as a provincial capital. That resulted in increase in unemployment, falling incomes of the population, reduction of entrepreneurship. (...) A significant part of the able young people from poor families is unable due to financial reasons to start studies in distant, large administrative centres, or in the functioning in the city and in the region non-state schools. Creation and operation of a local state school would enable young people to acquire vocational education at the engineer and bachelor of art level.”* The establishment of a state school in Lomza became a stimulus which has strengthened the socio-economic development of the city and region. Education profiles at the school are tailored to the needs of the regional labour market. The graduates obtain qualifications and people who are already employed have an opportunity to improve their knowledge and to

³ Kotarski H. *Kapitał ludzki i kapitał społeczny a rozwój województwa podkarpackiego*, Rzeszów, Published by Rzeszów University, 2013, ISBN 978-83-7338-890-1.

adapt their abilities to the current needs and demands of the labour market.

The mission of the State College of Computer Science and Business Administration in Lomza, as specified by the Senate Resolution No. 1/1/2004 dated 5.11.2004 is:

1. To support the development of the region and the well-being of its people through education of the talented young people at the bachelor of arts and engineer levels, many of who, coming from poor families, due to financial reasons, are unable to undertake studies at distant and large academic centres.
2. To educate professionals and provide graduates with competence in the field of their training, which are significant from the cognitive standpoint and are closely linked with the economy of the region and the country.
3. During the study to reveal students' predispositions and prepare them for:
 - Work at existing companies,
 - creation of new small and medium-sized enterprises.
4. To develop creativity and to support efforts of students and staff for continuous scientific and professional development.
5. To form the minds of young people in a spirit of responsibility for the personal future, and the future of the region, Poland and Europe through education, transfer of knowledge and the search for truth.

The reform of higher education increasing the autonomy of the schools, which was introduced on 1 October 2011, and the changing social and economic conditions have given rise to the formulation of a new mission and vision of the school. The new mission of the School is: WE EDUCATE PRACTITIONERS. So formulated mission is realized through the introduction in all fields of study of a practical profile, hiring researchers with practical experience and practitioners who are developing themselves scientifically, cooperation with businesses, local authorities and institutions, project implementations. Thus defined mission ought to encourage the students to undertake studies and to enable them to meet the challenges of the labour market.

Cooperation with the City of Lomza authorities, local governments, businesses and institutions contributes to the integration of the school with the local community. Thanks to the involvement of the whole community, and especially of the school authorities, directors of various institutes, faculty staff, we achieve very good education results. Our achievements had been appreciated by the Mi-

nistry of Higher Education, which granted the entire school a scientific category “B”, as only the one state higher vocational school in Poland. This means that our scientific activities and related statutory projects are financed from the funds of the Ministry of Higher Education.

The role of higher education in contemporary economy

Modern economy is focused on knowledge, which means that every organization should have the ability to act and deal in the surrounding turmoil caused by the predatory competitiveness, not always conducted in an ethical manner. Human Resources of an organization, equipped with current knowledge and ability to use it, to implement strategies, determine the success of the team. The decisive role in stimulating economic and social development of each region is played by higher schools, which are aware of the needs of the quality of education of their students and prepare them to face these challenges. The driving force for the success are the changes and the search for new innovative solutions. Therefore, the impact of schools on the environment is also changing. However, it should be realized that innovative changes are inevitable in any modern organization. The role of schools, including the State College of Computer Science and Business Administration in Lomza, is most often considered on four levels as: an economic unit, a producer of knowledge, a human capital training institution and an institution which is a „regional actor.”⁴

Schools thanks to the academic community, infrastructure and political independence have the ability to impact a greater community. You can talk about the impact of schools on society through numerous forms of activities of academic institutions and the people working in them. The best and most important schools in the world have transnational reach of impact. The impact of Polish schools is smaller, particularly, of small regional centres, but the effort to sustain this interaction and to rise to ever higher levels must not be overlooked.

The school is also a centre, which is responsible for taking care of the cultural heritage. The school through a variety of projects it organises, seeks to define the cultural canon. It is here that the most important questions and answers on our common identity are formed. All employees, regardless of their positions are not only obligated to care for the prestige of the school, but they also have the duty

⁴ Wozniak M.G., *Determinanty rozwoju regionalnego w kontekście procesów globalizacji*, Warsaw, Polish Agency for Enterprise Development, 2012, ISBN: 978-83-7338-834-5

to respect, to be loyal, and to care for the good name of the workplace and the employer. Academic communities, serve to provide theoretical knowledge in the first place, perceiving the integration of the student community with the world of industry and local business as a secondary goal. The professionalism and culture of academic staff should be an exemplary model for other social groups. Currently, when the relations of the academic world and the world of business are dominated by mutual distrust, the first step should be expected from the circles that constitute the social elite, as membership in that circle obligates each employee to be an example to others, always and everywhere. Schools should promote openness of thought. The equal status of sides of the debate and mutual respect is the foundation of a scientific dispute. Its realization in social life can bring significant benefits to the people.

An academic discussion, the desire to know the truth through the choice of substantive arguments and competing hypotheses, is a model that may contribute to the overall lifting capacity of human communication. A scientific discussion assumes a common goal, by striving to know the truth, and our discussant is not an enemy or adversary but a partner. The school shapes the ability to a substantive debate. Literature and life experience teach us how to solve every problem, if one appears, and it is not in the form of personal attacks, since these are improper to take place among the social elites.

A higher school has an obligation to promote ethical values. This is especially important during the crisis of authority, when it is sometimes difficult to find the source of moral norms. The school, as an institution designed for the transmission of scientific truth, must be an active participant in the formation of social attitudes. Putting the pursuit of truth as the supreme imperative of men of science, and therefore of the school, it is necessary to underline the importance of non-conformism. Undeniably, this attitude enables scientific progress, but also prevents many harmful social phenomena. Accordingly, the school can function as a promoter of such attitudes.⁵

The aforementioned functions of the school fit in the range of high values. As a consequence, the school has a chance to become their promoter, but it must itself, absolutely adhere to the values it aims to promote. In addition, the functioning of the schools in certain locations, triggers a variety of consequences in their spatial arrangement, and it is often a boost to the infrastructure of the city. This

⁵ Marszałek, A. *Rola uczelni w regionie*, Warsaw, DIFIN, 2010, ISBN: 978-83-7641-221-4.

article attempts a brief characterization of the external features of the school that benefit the nearest community, with a particular emphasis on the activities directed towards the local human capital. Its essence is the intentional undertaking of actions which are consistent with the problems and specific tasks for a particular educational and social sphere. This approach, so to speak, is a consequence of the processes of globalization, which in the recent years have been taking place at an extraordinary pace, as well as by decentralization, democratization, self-management and regionalization of social life.

A school which is indifferent to the needs, values and the culture of the surrounding environment, is a lifeless institution without a future. Deliberate and conscious actions which meet the needs and expectations of the local environment, usually result in deepening of mutual relationships. Their scope and content largely depend on the commitment of both sides: on the initiative and resilience of functioning of the local community, the level of its awareness as to the role and importance of higher education in the development of human capital and social environment. Regional functions, therefore, take the form of bilateral relations of tasks, involving activities carried out by the schools, which have an impact on the economic, social, cultural and pedagogical processes taking place in the region, and on the other hand, the objectives set by the region for the school, which cause changes in its internal functioning. It can therefore be assumed that these bilateral activities consist of roles which are servile with respect to each other: the higher school versus the community and the local environment versus the school. The performance of such a mission by the school raises its rank, validity and prestige, thus confirming its social usefulness. In response to public demand, it widens its educational offer, and extends the planes of its activity. Moreover, in a situation of multiplicity and far-reaching unification of higher schools by implementation of regional functions, the school builds and strengthens its own identity and individuality.

The role of PWSIIP in the development of human resources in the Lomza regions

The State College of Computer Science and Business Administration in Lomza, is a prestigious school with the highest reputation in the region and being recognized in the country as a centre for training of specialists - practitioners in various fields. Therefore, the schools attracts young people and adults, not only

from the Lomza sub-region and the north-eastern provinces of Poland, but also from all over the country and abroad. The studies take place in various customized forms: full-time and part-time studies, postgraduate courses, seminars, conferences, trainings and others. Special educational and implementation programs prepared jointly with businesses, governments and institutions, represent a large part in the activities of the school.⁶

A natural sphere of the school's involvement is education above all, not only academic, but also activities for the benefit of the local economy. The authorities of the PWSiP create a favourable climate and conditions for the improvement of qualifications of the young staff employed by the school, which afterwards acquires doctoral degrees and qualifications as university professors. Training of the academic staff, active involvement in developing and reviewing of curriculum, writing and evaluating school textbooks, as well as research projects, that occupy an important place in the activity of employees. The school creatively supports secondary schools in the promotion of knowledge, and science as an essential component of culture. The school's involvement in secondary school education is neither a way for the realization of the lofty mission, nor a form of substituting for the secondary school. It is an investment in the youngest part of the society. The PWSiP conducts a Preschool Academy, as well as numerous activities for people who will soon commence studying.

The school is also predestined to make all the efforts which popularize knowledge. We do this on a grand scale, as can be seen in each Institute. The task of scientists is not only to make scientific discoveries, but also explain their meaning and application. To achieve this objective, we use various forms of popularization, starting with the organization of competitions (see math competition), through public appearances of a popular personalities, being present in the media where we show presentations and comments on the achievements of science. All these activities enable us to disseminate knowledge. Education of the society allows for a more conscious, creative and active participation in the creation of an integrated community that is able to be flexible and tolerant, and open to the process of social changes.

PWSiP is a school of a regional nature. It has an excellent infrastructure: modernly equipped laboratories, lecture halls, a library, administrative facilities. This is undoubtedly a competitive advantage and it helps to increase young people's

⁶ The vision of the College of Computer Science and Business Administration in Lomza

interest in taking up studies at the PWSliP. The school's excellent facilities offer the possibility of organizing conferences, seminars, open lectures addressed to the business community and the local government. The school organizes regular conferences and training courses, which aim to unite the world of science and business, and to promote the latest scientific findings among local entrepreneurs. The most important events are presented in Table 1

Table 1. The most important conferences, seminars and workshops in 2008-2014 at the PWSliP in Lomza

Year	Subject
2014	First Meat Industry Forum A Seminar on Inclusive Education - equal opportunities for all
2013	Vocational guidance –a key teacher and school counsellor's skill – training First methodological workshops for teachers of entrepreneurship Nationwide culinary competition. Tradition in modern Polish cuisine. I edition: Potato Inspirations Support for economic activities in the field of electronic commerce – Measure 8.1 IE OP - information seminar The common agricultural policy of the EU and the principles of the development strategy of the Podlasie region
2012	Lomza meetings with the economy –a meeting at the PWSliP Conference on the diversity of forms of co-operatives in the modern world. Tradition and modernity. "Milk and Health" Conference Panel meeting for employers under the "Nursing and Cosmetology studies from EU funds" "Paid three-month internships" International Conference on Technology Days Workshop Conference of the eTwinning Program Clinical nutrition of patients - scientific and training conference
2011	Open Lecture - "Ideon Technological Park, in Lund, Sweden, ie, science, patents, risk, money" Open lecture "Challenges of corporate governance in the era of globalization" "Methods of programming parallel architectures" Workshops Seminar: Developing the quality of meat and meat products
2010	First Nationwide Scientific Conference "Dimensions of the social and economic differences" Europe in the face of global challenges - an open lecture by Dr. Józef Oleksy Safe food on our plates Entrepreneurship of young people – a recipe for a richer Poland - meeting with Dr. A. Olechowski
2009	Small and medium-sized enterprises in the local economy
2008	Hygiene and food safety Small and medium-sized enterprises as a factor of local development. Theory and practice A conference ending a Podlaski Cluster Innovation Project Agro - Food Processing of - Podlaski Food Cluster - how to organize cooperation in the Podlasie sector of food processing industry?

Source: own work, based on data from the Department of Information and Promotion of PWSliP in Lomza

The school is one of the institutions having a direct influence on the overall quality of life in the area of its operation. Availability and top level of services offered are among the key ingredients that create the quality of a given space,

actively influencing its formation. Profound changes taking place in our country in the political, economic, social and cultural spheres, not only as a result of the integration processes in Europe, led to significant changes in the environments surrounding schools.

In addition to the functions set by the state, which are specified in the legislation of a higher order (including the Higher Education Act), the PWSiP takes a much broader activity, mainly because of its relationship with the social environment and the desire to respond to the expectations and the needs of the local labour market. This kind of activity is the result of a growing decentralization process of assumed functions. At its core lie at least two reasons. The first is the result of moving forward trends in European higher education of widening of the field of institutional autonomy and liberalisation of strategies of state control over this sector. The second is related to the increasingly higher dynamics of changes. Schools are forced to make quick, socially important decisions, to inspire changes in line with social expectations. As a result, the content and the scope of functions and tasks that had been identified and implemented earlier, being replaced by the new ones. Also, their hierarchy is changing.

The PWSiP in Lomza has identified its strengths which enable it to operate effectively for the benefit of the local community. Among them are:

- an excellent infrastructural base and very modern equipment in classrooms, workshops and laboratories,
- young, yet experienced staff,
- the only school in the sub-region with the status of a state school,
- a high position in national rankings of higher vocational schools
- organized forms of cooperation between school and enterprises, governments and socio-economic institutions,
- a strong authority of the Rector and ability to hold strategic leadership,
- IT systems of education process management,
- a positive image in the local community,
- extensive experience in the acquisition and implementation of EU projects.

There are also, as in any organization, especially as large, employing about 400 people, weaknesses at the school, the existence of which is known to the authorities and corrective action are being taken.

Being able to work at school is a noble service for the benefit of the students.

All activities were subordinated to the development of the school and the needs of students who are the subject of the school. Such an approach to the students allows them to feel safe, confident and responsible for the actions taken by the Student Government. They are also aware that the school operates thanks to them. The creation of an integrated team of employees looking after the school's development is a long process and it needs time. Therefore, a school development program has been created at the PWSiP, which sets very ambitious goals and objectives for further activities:

- The College of Computer Science and Business Administration in Lomza implements curricula incorporating elements of close cooperation of the school with business, local government and private entities.
- Takes all measures to achieve and maintain leadership position on the higher education institutions market in the city of Lomza, in the Lomza region and in the area of Podlasie voivodship in unique study fields offered at the school, i.e. Food Technology and Human Nutrition, and Physical Education.
- Creates new fields of study and specializations taking into account preferences of the candidates, the requirements of the labour market and the needs of the regional economy; fields offered: cosmetology, English Philology, other philologies, international relations, economic fields, fields related to forest and wood management.
- Adjusts the training programs not only to national standards, but also to the European standards of education and labour market needs.
- Carries out the Bologna process through the introduction of second cycle education, firstly in following fields: nursing, management, and computer science.
- It seeks to obtain the status of the Lomza Academy by obtaining permission to conduct the third cycle studies in at least one field–by year 2018.
- It has created conditions for studying for candidates holding the Polish Card.
- Supports the formation and activities of students' scientific clubs.
- commences the process of e-learning use, as one of the rightful forms of education through the development of programs and materials, and implementation of programs (higher education, postgraduate courses).
- Establishes cooperation with employers in strengthening the practical ele-

ments of learning (internships and student placements), and increasing the involvement of employers in the process of preparing thesis topics for the needs of specific businesses.

An important element of the system of education is lifelong learning. In this respect, the PWSIiP in Lomza takes such measures as:

- creation of offers of postgraduate studies, courses and training including the use of e-learning methods tailored to the needs of the regional market,
- preparation of the educational offer addressed to the students of primary, middle and secondary schools in the form of “pupil academy”.

Library resources, scientific publications of our own employees, and school's own publishing activities represent an important criterion in assessing the quality of education. For the PWSIiP in Lomza to satisfy the needs of students and the community in this area the school should:

- take care of the development of the Library of the PWSIiP in Lomza,
- create an electronic library at the PWSIiP in Lomza,
- create an electronic database of diploma theses at the PWSIiP in Lomza,
- enable the Library of the PWSIiP in Lomza to join in an electronic library network,
- increase the number of publications by the school's academic staff,
- develop a system of publishing own teaching aids in the form of scripts for students
- publish the results of scientific research by the staff of the school.⁷

The State College of Computer Science and Business Administration in Lomza aims to work for the education of human resources at various levels in the Lomza region. This contributes not only to the implementation of national education policy, but also to the functioning of the local education system, including the creation of its structure, a selection of appropriate teaching staff, modernization of educational practice by hiring practitioners.

The most important activity of the school for the local community is to help equalize educational and life opportunities of individuals through increased access to higher education, participation in building a society based on knowledge, and of information society. Today, the school is educating in 12 fields of study.

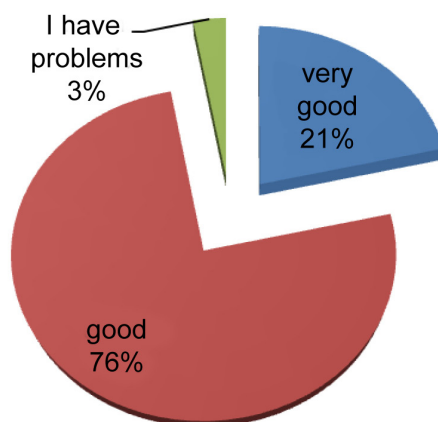
⁷ Development Strategy of the College of Computer Science and Business Administration in Lomza

Table 2. Study programs at the PWSliP in Lomza

First cycle (bachelor of art):	First cycle (bachelor of science):	Second cycle (master of arts):	Postgraduate:
administration, social work, physical education, nursing, cosmetology, English philology with information technology, management, dietetics, physiotherapy	automation and robotics, food technology and human nutrition, IT	nursing,	Socio-therapy, vocational and educational counselling with elements of coaching, family assistant, English language in business and legal translations, pedagogical therapy, teaching qualification, management in local government

Source: own work based on data from the Department of Student Affairs at the PWSliP in Lomza

Since its foundation, 2 958 people have obtained their degrees at the state school in Lomza, of that number 744 persons were residents of Lomza, and the vast majority of the rest were from the Lomza region.⁸ The School Careers Office conducts successive research on the professional fate of the graduates. The studies carried out by the Careers Office in 2012 provided information about the needs of adapting the fields of study and training programs to the requirements of the labour market. These studies are particularly important from the point of view of the role of the school in the development of human resources in the region. They show that 33% of students studying at the PWSliP have already been employed in the profile of their studies.



Graph 1. Evaluation of preparation by the PWSliP for further education

⁸ Department of Student Affairs at PWSliP in Lomza

A major achievement of the school is the fact that 97% of students have rated good or very good educational preparation by the PWSliP for their further studies at the second cycle studies.

Table 2. The current employment situation of graduates

Status on the labour market	Information Technology	Nursing I	Nursing II	Physical Education	Food Technology and Human Nutrition	Management	Overall
I work	81,25%	100%	95,24%	83,33%	60,71%	69,57%	78,74%
I don't work	18,75%	-	4,76%	16,67%	39,29%	30,43%	21,26%

Source: Careers Office at the PWSliP in Lomza

Nearly 79% of graduates are working, 21% are not working. Nursing I graduates do not have employment problems, as 100% of respondents are working. 81% of Information Technology graduates and 83% of Physical Education graduates are working. The worst results are in the field of Food Technology and Human Nutrition. Here only 61% of the respondents are employed.

The principal place of employment of the PWSliP graduates is Lomza - 39%, outside of the Podlasie province work nearly 31% of the graduates, while 25% of graduates are employed in the Podlasie province (outside of Lomza). Only 5% of graduates work abroad.

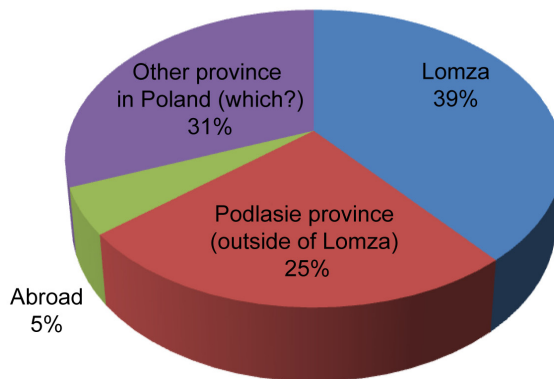


Figure 1. Location of employment of the PWSliP graduates

The studies on the fate of the PWSliP graduates confirm assumptions of school creators that, the school educates for the needs of the local market. The school's Careers Office besides studying the fate of students, organizes numerous courses and workshops to improve skills of students, among them:

- Communication and assertiveness in work search, and more.
- Coping with stress and difficult emotions.
- Self-awareness workshop.
- Social skills workshop.
- Burnout prevention skills workshop.
- “My Company” workshop (personality traits facilitating business activities, formalities which must be respected when conducting business, where one can obtain advice and financial support).
- Entering the labour market (characteristics of the labour market, job search methods, application documents, interview).
- Job search methods.
- Modern forms of employee recruitment - recording your own presentation using the Video CV device.
- The strategy of building relationships.
- Changing beliefs.
- Persuasion and body language.
- The expectations of employers and employees - how to do well in an interview.
- Establishment and operation of spin-off/spin-out companies
- Job-coaching
- Copywriting
- How to achieve dreams - effective setting of life goals.
- “Effective self-presentation during the interview”
- Individual meetings with a professional counsellor, psychologist and expert on labour law
- HOPS labour solution –vocational training abroad.⁹

The education of students provides supply of highly qualified personnel for local companies. As a result, the school participates in the creation of local intellectual elite, which in the future will be able to bear the responsibility for the

⁹ Careers Office at the PWSliP in Lomza

overall development of the community.

The PWSliP in Lomza caters to social and educational needs of the community, creating the most desirable fields of study and specializations. Thanks to a variety of open lectures, conferences, meetings with prominent figures it provides the residents of the region with conditions for lifelong learning. By recognizing the need to expand an educational offer with post-secondary schools by the school authorities, an Academic Post-secondary School was founded in 2012. This school educates persons who wish to get an attractive profession for free. The latest initiative is the State General Secondary School, by this means satisfying the educational needs of a growing part of the population.

The PWSliP implements the inclusion of school teams into the local work environments, improving workers' skills, while developing its own teaching staff. Vocational trainings at enterprises is a compulsory element in all fields of study.

The school also tightens the ties with local schools, cultural and educational institutions and social organisations. Besides, it initiates cooperation in order to support long-term development of the local environment.

The aim of the school is also to stimulate creativity, awaken ambitions and educational aspirations, especially in children and young people, and willingness to improve qualifications. This purpose is served by the regular events and projects implemented with the EU funds. A good example is the Preschool Academy, thanks to which hundreds of children participated in scientific activities or "New aspirations" program, whose aim was to increase the educational aspirations of young people and increase their competence.

An important element of working for benefit of the Lomza region is integrating the college with the life of the local community, such as participation in events and forms of school's work, sharing facilities, databases, students' work for the benefit of the city, active participation of school staff and students in the preservation and multiplication of the region's cultural heritage.

The developing school has become one of the major employers in the city. In addition to its academic staff, the school employs people who perform administrative and support functions. This has resulted in the directly improvement of the employment situation in the region, increased consumption and the revival of the local market, leading to the multiplier effects which caused an increase in income and local GDP.

A Development Strategy of the PWSIiP in Lomza for years 2012-2020, drawn up in 2012, emphasizes the school's strong ties with the region. It contains the provisions which set out the objectives contained in the strategic documents prepared in relation to higher education at the national level, as well as the objectives set out in the Strategy for the Development of the Podlaskie Region until year 2020 and the Sustainable Development Strategy for the City of Lomza until year 2020.

Conclusion

Over the 10 years of economic integration of Poland with the European Union investments in human capital, knowledge, skills, qualifications through continuous development and popularization of higher education have become particularly important. Human resources are not subject to the copying process, and therefore constitute the competitiveness of the company, and of the entire economy. This is especially important in the modern market economy, where knowledge is seen as one of the resources which can lead to competitive advantages in both cities and regions, when effectively.

A special role in the development of human resources in the Lomza region is played by the only state higher education school in the Lomza region. Its operation is an important factor in influencing the education and development of human resources and improvement of the quality of learning of the local economy workforce. The objectives of the school are consistent with the local community objectives drawn up in the Strategy for the Development of the Podlaskie Region until year 2020 and the Sustainable Development Strategy for the City of Lomza until year 2020. For 10 years the PWSIiP in Lomza has been supporting its students, staff and the entire community of Lomza. The school has also contributed to the personal success of many people and the growth of the entire region.

The Lomza Region can effectively compete in the European market thanks to the State College of Computer Science and Business Administration. The PWSIiP development strategy assumes the competitiveness of the city of Lomza, as a significant centre of education and innovation, as well as of the Lomza sub-region, as a specific cluster of education with the leadership role of the school.

In conclusion, it can be stated that the quality of education at the school reflects on the quality of labour resources at enterprises, government institutions,

and this results in the success of the companies, of the region, and of the country. On the occasion of the jubilee of the school, the Rector of the PWSliP in Lomza, prof. dr. Robert Charmas said: “10 years of experience mobilises all students, teachers, school staff to jointly and dynamically go towards the challenges of the future.” The Rector emphasized that the mission of the school is to educate practitioners. Present activities and constant cooperation of the local community give hope for the implementation of this mission.

References

- Bukowski I.S. (ed.) *Globalizacja i integracja regionalna a wzrost gospodarczy*, Lodz, publisher, CeDeWu.pl, 2010, ISBN: 978-83-7556-360-3.
- Kotarski H. *Kapitał ludzki i kapitał społeczny a rozwój województwa podkarpackiego*, Rzeszow, Published by Rzeszow University, 2013, ISBN 978-83-7338-890-1.
- Marszałek, A. *Rola uczelni w regionie*, Warsaw, DIFIN, 2010, ISBN: 978-83-7641-221-4.
- Wozniak M.G., *Determinanty rozwoju regionalnego w kontekście procesów globalizacji*, Warsaw, Polish Agency for Enterprise Development, 2012, ISBN: 978-83-7338-834-5.
- The mission of the College of Computer Science and Business Administration in Lomza.
- Development Strategy of the College of Computer Science and Business Administration in Lomza 2012-2020.
- Treaty on European Union, O.J. C 191, dated 29.7.1992.
- The vision of the College of Computer Science and Business Administration in Lomza
- www.pkw.gov.pl

Lilianna Rywacka

Koordynator Programu Erasmus PWSIiP w Łomży

The role of Erasmus in internationalisation of higher education institution

Key words:

Erasmus, higher education, mobility, students, European Union, PWSIiP w Łomży

1. The erasmus phenomenon

1.1. Background

The Erasmus name has become over the years a recognizable brand mark. Since 1987, it has been the most successful educational European programme that enabled almost three million students from over four thousand higher education institutions (HEI) to participate in study and placement mobility abroad. The phenomenon of Erasmus created a new European generation, quoting after Peter Lang: “Designed to contribute to the People’s Europe and thus being more than just an academic initiative, it has become a successful political instrument for shaping generations of European students”.

According to professor Sofia Corradi, Italian educational expert, the genesis of establishment of the programme was very long, preceded by long-standing series of meetings and discussions of academic professors from different countries in order to develop sufficient cooperation between universities. Preparatory period lasted from 1963 till 1986. Erasmus - *The European Action Scheme for the Mobility of University students* - was finally adopted in 15th June 1987 by Council Decision of European Community. Over the years programme functioned in four phases of development¹:

¹ Erasmus in Poland, Poland in Erasmus, Publication on the occasion on the 25th anniversary of Erasmus Programme, Publisher; Fundacja Rozwoju Systemu Edukacji, Warszawa 2012 r, Beata Skibińska Road to Erasmus str 22-23.

- In years 1987 – 1995 as an independent programme, focused on students and academic staff exchange, development of study programmes and intensive programmes.
- In years 1995 – 2006 second phase of the programme, Erasmus became a part of Socrates programme. The following activities were covered: students mobility, academic teachers mobility, multilateral projects concerning development of curricula, intensive programmes, intensive language courses, launching of ECTS and thematic networks.
- In years 2007 – 2013 third phase of the programme, Erasmus was a part of Lifelong Learning Programme (LLP). The following activities were financed and continued: mobility of students (studies and placements), mobility of academic teachers (teaching assignments), mobility of academic staff for training, intensive programmes (IP courses), intensive language courses (EILC) and Erasmus network.
- In 2013 European Commission designed new Erasmus+ Programme in the fields of: education, training, youth and sport for the period 2014 – 2020. The programme will continue the mobility of individuals (KA1), will focus on cooperation for innovation and the exchange of good practices (KA2) and will support policy reforms (KA3). The biggest aim is redundancy of unemployment among young people, encouragement them to participate actively in society, in democratic life of Europe under the provisions of Lisbon Treaty. Erasmus+ in its long perspective will support Programme countries, formal, non-formal learning, cooperation and mobility in the fields of higher education, will promote the creation and development of European networks, promote the systemic reforms and policy in the participating countries and the exchange and transfer of knowledge and know-how in different areas of sport and physical activity². The seven year programme will have a budget of 14,7 billion Euro and will provide opportunities for over 4 million Europeans to study, train, gain work experience and volunteer abroad. Erasmus+ will support transnational partnerships among Education, Training, and Youth institutions and organisations to foster cooperation and bridge the worlds of Education and work in order to tackle the skills gaps we are facing in Europe³.

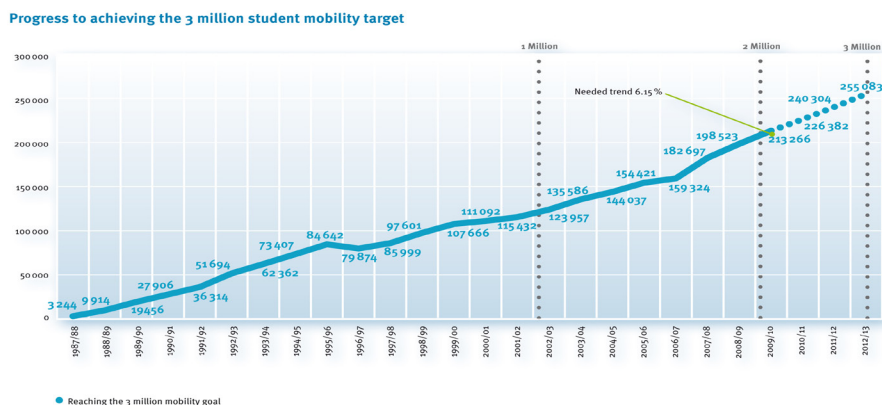
² European Commission Erasmus+ Programme Guide, January 2014

³ http://ec.europa.eu/programmes/erasmus-plus/index_en.htm

1.2. Erasmus in numbers

Programme attracts 33 participating countries, about 4900 higher education institutions. The population of exchange students who have benefited from the Erasmus programme have been growing consistently since its launch in 1987 and the total number is expected to reach over 3 million of beneficiaries during the 2013/2014 academic year.

Chart 1.1. Progress to achieving the 3 million students mobility target⁴.



Source: europa.eu/rapid/press-release_MEMO-12-54.

Poland has participated in the programme since 1998/99 academic year. The popularity of the programme among our students and staff shows systematic growth. Poland is ranked first in Europe in terms of the number of Erasmus staff mobility. The number of Polish Higher Education Institutions (HEI) eligible to benefit from the programme increases every year as well as the number of participating exchange students. The most popular destination in the past academic years were: Spain, Germany, Italy, France, Portugal, Czech Republic, Turkey, Norway, Slovakia, Hungary Greece, Lithuania and Great Britain.

Table 1.1. Number of outgoing/incoming student/staff mobility.

Year	Polish HEIs Erasmus Charter holders	Number of Polish outgoing students*	Number of incoming students from abroad*	Number of outgoing Polish academic staff teaching/training	Number of incoming academic staff from abroad teaching/training
1998/99	46	1426	220	359 / -	n.a.
1999/2000	74	2813	466	605 / -	n.a.
2000/01	98	3691	614	678 / -	488 / -
2001/02	98	4322	750	800 / -	573 / -

⁴ http://europa.eu/rapid/press-release_MEMO-12-54_en.htm

2002/03	120	5419	996	884 / -	640 / -
2003/04	151	6278	1459	946 / -	749 / -
2004/05	187	8388	2332	1394 / -	1026 / -
2005/06	217	9974	3063	1740 / -	1291 / -
2006/07	240	11 219	3730	2030 / -	1406 / -
2007/08	256	12 854*	4446*	2460 / 651	1596 / 155
2008/09	264	13 402	4923	3079/ 1262	1683 / 221
2009/10	288	14 021	6070	2974 / 1476	1819/ 294
2010/11	302	14 234	7583	3381 / 1834	2034 / 342
2011/12	315	15 315	8972	4017 / 2318	2138 / 473
2012/13	324	16 221		4442 / 2800	
Total	331	139 577	45 624	29 789 / 10 341	15 443 / 1 485

* Since 2007/08 academic year the total number outgoing/incoming students for study and placement. Source: FRSE, Narodowa Agencja Programu Uczenie się przez całe życie.: 978-83-62634-85-9

The Erasmus has become the biggest mobility programme over the years, since 1987, it has been the most successful educational European programme. The above table presents the numbers of participating HEIs, outgoing/incoming students, outgoing and incoming academic staff in the past years. There are 331 eligible institutions, the holders of Erasmus Charter in Poland. Almost 140 thousand exchange students, over 40 thousand of academic staff outgoing abroad, and more than 45 thousand students and 15 thousand staff incoming to Poland.

Erasmus express its impact on developing international relations among universities by funding short subject related programmes of study (off between 10 days and 6 weeks in length) called Intensive Programmes. The idea of these programmes is bringing together students and teachers from at least three European countries to provide them the knowledge not available in their home institutions. Teachers involved in such programmes have an unique opportunity to exchange ideas on course content, approaches of new curricula and test teaching methods in an international classroom environment. These programmes emphasize the significant influence on internationalization of HEI. Another priceless action funded by Erasmus are specialized courses in the less widely used and taught languages. The aim of this idea is to provide incoming students the linguistic preparation and cultural introduction to the host country.

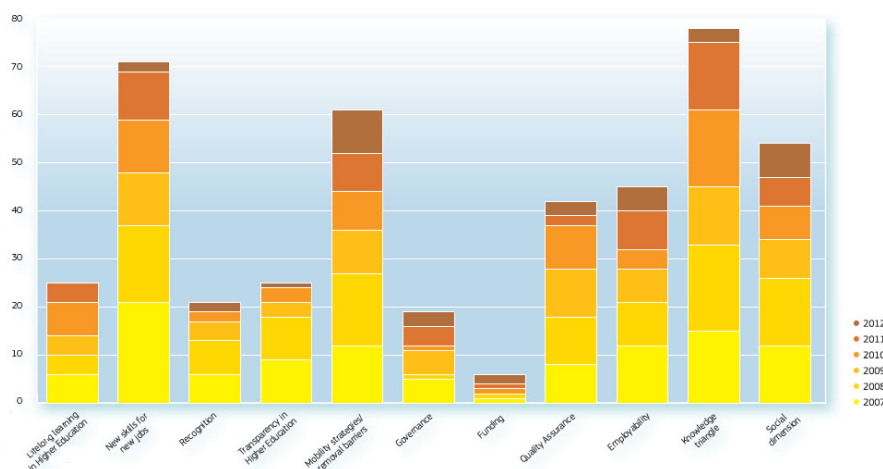
1.3. Other Erasmus actions

The role of Erasmus in creating international area indicates in supplying apart mobility, various possibilities of so called “Centralised actions” such as networks,

multilateral projects and accompanying measures, which are managed by the EU's Education, Audiovisual and Culture Executive Agency. They contribute to the development of specific activities among higher education institutions and other institutions (such as businesses) to modernization of higher education and implementation of cooperation projects in this sector.

Chart 1.2. Focus of policy priorities by Erasmus university cooperation projects from 2007 to 2012⁵.

Higher Education policy priorities addressed by Erasmus University Cooperation Projects from 2007 to 2012



Source: European Commission Erasmus – Facts, Figures & Trends.

Table 1.3. Focus of funded Erasmus university cooperation projects from 2007 to 2012

Type of action		Number of applications received	Number of applications approved	Applications success rate
Multilateral Projects	Cooperation between Higher Institutions and enterprises	67	12	17.9%
	Mobility strategies and removal of barriers to mobility in Higher Education	19	7	36.8%
	Social dimension of Higher Education	20	5	25.0%
	Fostering excellence and innovation in Higher Education	32	5	15.6%
	Support to the modernization of Higher Education	63	15	23.8%
	Total	201	44	21.9%

⁵ European Commission Erasmus – Facts, Figures & Trends. The European Union support for student and staff exchanges and university cooperation in 2011-12 Luxembourg: Publications Office of the European Union 2013 — 30 pp. — 25.0 x 17.6 cm. ISBN 978-92-79-30652-5 , doi:10.2766/43672

Academic Networks		26	8	30.8%
Accompanying Measures		23	5	21.7%
Total		250	57	22.8%

Source: European Commission Erasmus – Facts, Figures & Trends

According to European Commission Report, the priorities of submitted Erasmus Higher Education Cooperation projects were focused on three main actions: Multilateral Projects, Academic Networks and Accompanying Measures. Most of projects funded in 2012 were linked to the following EU Higher Education policy areas: developing mobility strategies and the removal of barriers to mobility in higher education, promoting employability, and addressing the social dimension of higher education. According to the European Commission source many of these projects has realized important policy development for example: ECTS (The European Credit Transfer and Accumulation System) project became later a major tool in fostering the mobility throughout the Europe⁶.

1.4. International - social aspect of Erasmus

The Erasmus exchange of students has a big contribution in bringing internationalization to the local communities. Integration process has positive impact on both: Higher education institution and the city. Foreign students bring their international culture to the local environment, colleagues, residents. Their involvement in social activities link education, volunteering activities in host country and involvement in local public life. They play active role in local life, show their solidarity with the hosting country and become the real ambassadors of the city and the region of their Erasmus adventure. Especially for small towns and small communities the international exchange brings benefits in terms of economy, promotion and culture.

The skills and experience acquired during study or placement abroad have an added value in individual CV's of young people applying for a job often they have a positive impact on their professional life in the future. Programme learns independence, creates abilities of making decisions, develops communication skills, remains an inspiration in gaining self-confidence. The mobility under Erasmus is

⁶ European Commission Erasmus – Facts, Figures & Trends, p 19-21. The European Union support for student and staff exchanges and university cooperation in 2011-12 Luxembourg: Publications Office of the European Union 2013 — 30 pp. — 25.0 x 17.6 cm. ISBN 978-92-79-30652-5 , doi:10.2766/43672

an excellent occasion to broaden the horizons, knowledge, broaden cultural competences, discover new countries, their culture and customs. Allows for better understanding of social and economic processes appearing around the global world.

2. Internationalisation of higher education

2.1. Meaning and definitions

S. Bergan from Council of Europe wrote: “That internationalization of higher education has become a burning issue of policy and practice in the first decade of 21st century may seem like something of a paradox”.⁷ There are no one precise definition, no consensus among the researchers in the literature on the subject of internationalisation, though the theme is receiving widespread attention at academic publications across the world. The topic interpreters indicate two perspectives: internationalisation as an idea and internationalisation as a process, and they point different aspects of internationalisation in the era of globalization. Higher education has undoubtedly become a part of globalization process, and internationalisation imperative in higher education has gravely increased. Global competency described by American researchers, understood as “*having an open mind while actively seeking to understand cultural norms and expectations of others, leveraging this gained knowledge to interact, communicate and work effectively outside one’s environment*”⁸ must be provided by internationalised higher education⁹.

According to J. Knight the debate and discourse about defining the internationalisation has been lead for over 20 years. For centuries the term has been used in political and governmental international relations, but its popularity in educational sector has been successfully rising since 1980. In the late 1980s internationalisation was commonly defined at the institutional level in terms of set of activities. By the mid-1990s, a process or organizational approach was introduced by Knight (1994, p. 7) to illustrate that internationalisation was a process which needed to be integrated and sustainable at the institutional level. In the 1990s the discussion on international education term centered on different forms like

⁷ Bergan S.: “Internationalization of higher education: a perspective of European values”, w Internacjonalizacja studiów wyższych, FRSE p.11, 2011

⁸ Hunter, B., White, G.P., & Godbey, G.C.: “What does it mean to be globally competent?” *Journal of Studies in International Education*, 10 (3) p.270 (2006).

⁹ Dewey P., Duff S.: “Reasons before passion: faculty views on internationalization in higher education”, Published online, Springer Science+Business Media B.V. 2009

comparative education, global education, and multicultural education¹⁰.

One of the most often used citation of internationalisation is the definition described by Knight as “the process of integrating an international, intercultural or global dimension into the purpose, functions or delivery of post-secondary education”.¹¹

According to Söderqvist who have analysed conceptual confusion in existing understandings, in the context of Finish higher education (2001, 97) “internationalisation is claimed to be the factor influencing holistic functions of higher education institution, and requires active participation and development with institutions from other countries”.¹² In further deliberations she points that “Internationalisation is a holistic phenomenon, with its language competence, needs and multiculturalism ideals represents the challenge to the directors of the institutional change process who have to develop their own and their employees’ preparedness, as well as to develop an international network”.¹³

De Wit in 2011 stated: “The international dimension and the position of higher education in the global arena are given greater emphasis in international, national and institutional documents and mission statements than ever before (...) In the literature and in practice, it is still quite common to use term that only addresses a small part of internationalisation and/or emphasize a specific rationale for internationalization. Most of the used terms are either curriculum related: international studies, global studies, multicultural education, intercultural education, peace education, etc., or mobility related: study abroad, education abroad, academic mobility, etc.”.¹⁴

Philip Altbach, Liz Reisberg and Laura Rumbley (2009:7) in their report to the UNESCO World Conference on Higher Education state: “Universities have

¹⁰ Knight, J.: A time of turbulence and transformation for internationalization. Research Monograph no. 14. Canadian Bureau for International Education. Ottawa, Canada. (1999a).

¹¹ Knight, J.: “*Internationalization: Elements and Checkpoints*” Research Monograph No. 7 Ottawa: Canadian Bureau for International Education.” 1994

¹² Söderqvist : “*The Internationalisation and strategic planning of higher education institutions. An analysis of Finnish EPS strategies*” Helsinki School of Economics and Business Administration, 2007, p.97

¹³ Söderqvist : “The Internationalisation and strategic planning of higher education institutions. An analysis of Finnish EPS strategies” Helsinki School of Economics and Business Administration, 2007, p.98

¹⁴ De Witt H.: “Globalization and Internationalisation of Higher Education”, introduction online monograph. Revista de Universidad Sociedad del Conocimiento (RUSC). Vol. 8, No. 2, pp. 241-248. UOC. <http://rusc.uoc.edu>, ISSN1698-580X.

always been affected by international trends and to a certain degree operated within a broader international community of academic institutions, scholars, and research. Yet, 21st century realities have magnified the importance of the global context. The rise of English as the dominant language of scientific communication is unprecedented since Latin dominated the academy in Medieval Europe. Information and communications technologies have created a universal means of instantaneous contact and simplified scientific communication. At the same time, these changes have helped to concentrate ownership of publishers, databases, and other key resources in the hands of strongest universities and some multinational companies, located almost exclusively in the developed world”.¹⁵

Based on recent research over mobility and cooperation in the framework of European programmes, Ulrich Teichler observes three areas of learning and research related to internationalisation¹⁶:

- knowledge transfer,
- international education and research,
- border-crossing communication and discourse.

The new approach in defining currently internationalisation is being used, such as: transnational education, borderless education, offshore education, cross-border education, as well as transnationalisation, multinationalization, regionalization. These descriptors relate to the border and differ from previous descriptors, they show that higher education has now become a real part of the globalization process.

S. Bergan noticed: “No other programs have reached the size of the Erasmus program of the European Union, supplemented by an Erasmus Mundus aimed at improving mobility between the European Union and other parts of the world”.¹⁷

New Erasmus+ is designed to cover all education, sport, training and youth sectors in a holistic manner, brings together seven 7 existing programmes into a single framework. The Strategy is aimed to reduce the crisis that has afflicted many of member countries.

¹⁵ Altbach, P. G., Reisberg L., Rumbley L.E.: “*Trends in Global Higher Education: Tracking an Academic Revolution*” Report prepared for the UNESCO 2009 World Conference on Higher Education. 2009.

¹⁶ Teichler U.: “*The changing debate on internationalisation of higher education*” p.10 , Higher Education 48: 5–26, 2004.2004 Kluwer Academic Publishers. Printed in the Netherlands.

¹⁷ Bergan S. :“Internationalization of higher education: a perspective of European values”, w Internacjonalizacja studiów wyższych, FRSE p.15, 2011, ISBN 978-83-62634-20-0

2.2. Internationalisation process in PWSiP

The State Higher School of Computer Science and Business Administration in Łomża means prestige, wide possibilities of development, unlimited contacts and the certainty of good education. A splendid team of tutors, dynamically developing academic facilities but also the achievements of the students are the best representation of our institution. Our mission is stated “ Education of practitioners”.

Founded in 2004, The State Higher School of Computer Science and Business Administration in Łomża (PWSiP) is young and modern Higher School, recognizable in the country and the region as a center of education of specialists – practitioners. In significant way the School contributes to the economic and intellectual development of the region, raises up the level of education of its citizens and growth in number of graduates. The School attracts students from North – Eastern Poland and abroad by its wide educational opportunities. PWSiP provides different levels and forms of education such as: bachelor and master degree programs, postgraduate programs, courses, seminars and conferences for both intramural and extramural studies. Twelve accredited Bachelor’s and one Master’s degree programmes cover the fields of business, management, administration, computer science and automation/engineering, food technology and gastronomy, medical, social sciences and physical education. Internationalisation is perceived as important factor of developed in all study fields. Statistics rates shows the involvement of all School’s departments in internationalisation process, by increasing number of both outgoing and incoming participants.

Currently PWSiP has 57 agreements and MOUs with universities from EU countries, cross-border countries, Asia and America. Becoming a part of European Higher Education Area is an important goal for us and being awarded the Erasmus Charter is an invaluable asset in that regard. Keeping up with the Bologna Process is another important object for our School. Undoubtedly the Erasmus programme has contributed to the development of our School, opened up a world opportunity for students, teachers and staff, contributed to the development of relationships with our partner universities, modernisation and flexibility of educational paths of our students.

The first Erasmus Standard Charter was granted to the College on the 18th of May 2006. The PWSiP Erasmus Policy is based upon the learning and teaching strategies of the College, the modernity, relevance and flexibility of its curricula

and the knowledge and competence of its professors and teaching staff. Activities in the international arena are being developed, based on its international policy. The College has significantly enlarged its inter-institutional agreements, increased the number of outgoing and incoming both students and teachers within the scope of Erasmus Program.

Table 3.1 Outgoing students and staff

	2013/14	2012/13	2011/12	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	2004/05
SMS	20	23	15	23	23	10	6	0	0	0
SMP	13	14	4	0	0	0	0	0	0	0
STA	7	12	9	14	13	10	4	2	0	0
STT	11	8	7	4	6	4	1	0	0	0
OM	2	2	1	2	4	0	0	0	0	0
IP	8	9	2	0	0	0	0	0	0	0
Total	61	66	48	43	46	24	11	2	0	0
Total numer - 301										

Source: own research based on statistics of International Relations Office

Table 3.2. Incoming students and staff

	2013/14	2012/13	2011/12	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	2004/05
SMS	13	13	9	20	7	1	3	2	0	0
SMP	2	0	0	0	0	0	0	0	0	0
STA	5	7	8	6	4	8	3	2	0	0
STT	5	7	0	4	0	0	0	0	0	0
	0	0	0	12	0	1	11	0	4	2
Total	25	27	17	42	11	10	17	4	4	2
Total numer - 159										

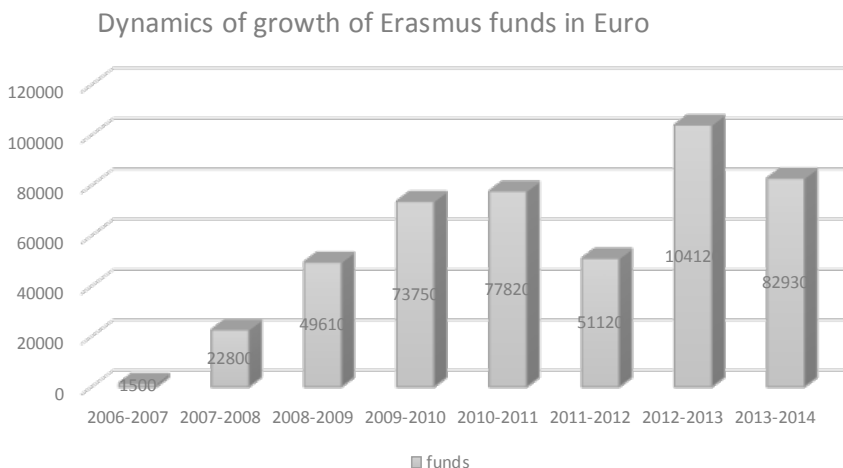
Source: own research based on statistics of International Relations Office

Based on inter-institutional cooperation agreements, PWSIP was able to send to partner institutions over 301 students and academic staff. The above tables show the total number of beneficiaries participated in the programme for the last ten years and the total number of 159 received students and staff from abroad. The new agreements and contacts are created during individual or departmental meetings, visits abroad, international conferences, contact seminars and participation in international weeks.

Apart the exchange program the individual units/departments are being involved in cross-border cooperation with universities of Eastern European countries in the terms of joint teaching, research, access to reference materials and sharing of best practices and experiences. PWSIP is also international conferences

and seminars center.

Chart 3.1 Dynamics of growth of Erasmus funds in Euro.



Source: own research based on statistics of International Relations Office.

The school's international cooperation funds are based mostly on participation in European education programs such as Erasmus. The above chart presents the funds growth dynamics over last eight years. Total budget of received financial support amounts 463.650 Euro.

2.3. Focus on PWSiIP internationalisation policy priorities.

PWSiIP puts the enhancement of internationalisation indexes as its strategic goal, the intended priorities have reflection in School's Erasmus Policy Statement. Further development of internationalisation will focus on the following activities:

- Extension of the didactic offer in the scope of inter-institutional cooperation agreements.
- Increasing the number of mobile students and academic staff by promotion of teaching and training mobility and the recognition of such activities in professional individual career.
- Participation in the international projects, intensive courses, summer schools and study visits to create joint study programs and degrees.
- Development of new forms of cooperation by cross-border exchange and

mobility.

- Assurance of efficient acknowledgement of ECTS, diploma supplement and other achievements, within the European Qualifications Framework.
- Provision of study programs available in foreign languages, mainly in technical studies and humanities.
- Putting the e-learning and distance learning education into practice.
- Increasing the disabled and underrepresented mobility.

Every participating academic department has an Erasmus Coordinator to support incoming and outgoing students and staff with their exchange activities. The Institutional Erasmus Coordinator has supervision of the entire Program. We are fully committed to a comprehensive Equal Opportunities Policy in order to create working and learning environment. Study programs are described on the basis of learning outcomes and are graded with the ECTS. All programs are validated through the School quality assurance process. Incoming students receive details about specific course options and credit values from the IRO and Departmental Coordinators. Free English language classes are available at the Foreign Language Department. The internationalisation is included in PWSIP Development Strategy Statement as follows:¹⁸

- the internationalisation of education offer,
- adaptation of the program requirements implemented courses of study to international standards,
- supporting the development of organizational structures of universities responsible for international cooperation,
- developing of motivating systems in organizational units of universities to develop degree programs in foreign languages, especially in the fields of study: Computer Science, Automation and Robotics,
- implementation of a mechanism for obtaining overseas students,
- the creation of a special offer training for candidates from Eastern Europe,
- creating opportunities to improve English language skills by students and university staff,
- to offer different classes of foreign language for example: English, German, Russian.

All students and staff have the privilege to participate in the exchange pro-

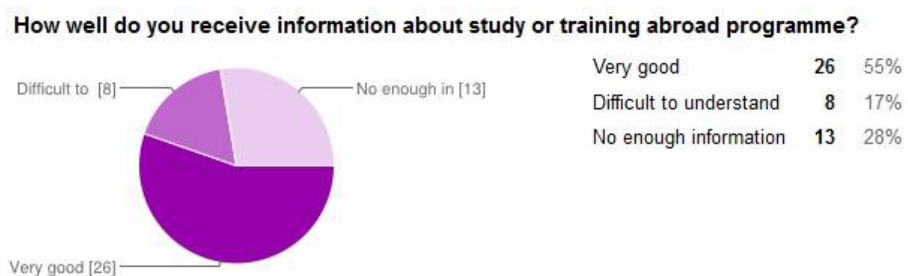
¹⁸ <http://www.pwsip.edu.pl/bip/index.php?option=content&view=article&id=871>

gramme. The School respects activities for gender quality by equal access to education, equal access to participation in exchange programmes for both students and staff. The School policy promotes full equality, justice and human rights. Neither a physical disability, nor a social or economic disadvantage can influence their chance to study, to work at our School and to have a chance to participate in exchange programmes.

Mobile staff and students are given sufficient linguistic and cultural preparation for mobility periods. Different forms of this activity such as: lectures on intercultural communication, meetings with former mobile participants, Erasmus Days are used. In order to supply helpful and accurate information the exchange students and teachers are provided with updating information on school's website, via e-mails or direct contacts. The International days are organized as well as so called Open Days for all outgoing students.

The International Relations Department (IRD) ensures that all exchange students receive the support and information they need on, for example, application procedures, available courses and credit transfer. Outgoing students receive information on mobility programmes and eligible partner institutions (posters, handouts). Teaching staff mobility as very important factor is supported by IRD by setting up contacts, help with housing and travel arrangements. The below chart shows

Chart 4 Information about study abroad programme¹⁹.



Source: Calistus Mbachu Chidi: "Bachelor's thesis of Degree Programme in Business Management.

Incoming students take part in language preparation, cultural and social programmes. PWSIP is prepared to finance a part of its international activities.

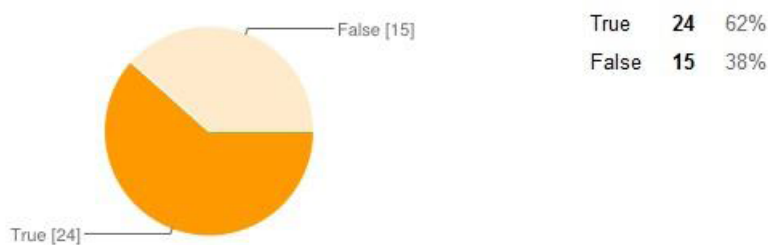
¹⁹ Mbachu Chidi C.: "Bachelor's thesis of Degree Programme in Business Management, Bachelor of Business Administration p. 29, Tornio 2014

Individual counseling is offered and the tutoring system exists. Polish language and culture courses have been arranged for incoming students at the beginning of each semester. Incoming Staff receive necessary support and guidance.

2.4. Chances and challenges of being international institution.

The review of PWSIP internationalisation made by Finish trainee Calistus Mbachu in his Bachelor thesis has emphasized new aspects of further development of PWSIP internationalization, such as: developing a joint degree programme with international partners, designing internationalisation strategies every third year and make them a part of an organisational strategies and improvement of marketing and promotion activities in order to meet the need to increase in-bound mobility of students²⁰. Mbachu pointed out the assessment of how the institutional community understands itself to be international. The below graph shows the opinions of PWSIP students and staff on global working environment²¹.

PWSiIP has prepared me adequately to enter a global working environment.



Source: Mbachu Chidi C.: "Bachelor's thesis of Degree Programme in Business Management.

Erasmus impact on internationalization of PWSIP as a main object of this article is presented from the perspective of International Relations Office. It is important to emphasize that international activities carried out by other educational institutions over the world are diversified, based on potential offer of global education market. The range of possibilities, chances and opportunities in terms of students and staff mobility, study programmes and research, creates huge possibilities of further development. As Eva Agron-Polak states the opinion that:

²⁰ Calistus Mbachu Chidi: "Bachelor's thesis of Degree Programme in Business Management, Tornio 2014.

²¹ Calistus Mbachu Chidi: "Bachelor's thesis of Degree Programme in Business Management, Tornio 2014.

“The school community should come to understand internationalisation to mean school-wide involvement in research, innovative work, exchanges, networks, professional development, curricular development, study abroad programs, and institutional partnerships”²². Internationalisation process requires involvement of entire academic society according to Patricia Dewey: “Passion for internationalisation is not enough. If it is an institutional strategic priority, internationalisation requires resources, support, and strategic coordination. Internationalisation must be addressed systemically and systematically. There must be mutual understanding of institutional goals, rationales, and objectives of comprehensive internationalisation. The faculty alone does not have the capacity and responsibility to take on full implementation of an institution-wide priority area. University administrators cannot implement a comprehensive internationalization process without coordination with, support of, and participation by the faculties”²³.

References

- Altbach, P. G., Reisberg L., Rumbley L.E.: *“Trends in Global Higher Education: Tracking an Academic Revolution”* Report prepared for the UNESCO 2009 World Conference on Higher Education. 2009.
- Bergan S. : *“Internationalization of higher education: a perspective of European values”*, w Internacjonalizacja studiów wyższych, FRSE p. 11-15, 2011, ISBN 978-83-62634-20-0
- Dewey P., Duff S.: *“Reason before passion: Faculty views on internationalization in higher education”*. Published on-line: 17 February 2009, p.503. Springer Science+Business Media B.V. 2009
- De Witt H.: *“Globalization and Internationalisation of Higher Education”*, introduction online monograph. Revista de Universidad Sociedad del Conocimiento (RUSC). Vol. 8, No. 2, pp. 241-248. UOC. <http://rusc.uoc.edu> , ISSN1698-580X.
- Egron- Polak E.: *“IN FOCUS: Re-thinking Internationalization of Higher Education – an introduction”*, p15, IAU Horizons Vol. 17 N° 3 + 18 N° 1, February

²² Eva Egron- Polak: “IN FOCUS: Re-thinking Internationalization of Higher Education – an introduction”, p15, IAU Horizons Vol. 17 N° 3 + 18 N° 1, February / March 2012

²³ P. Dewey, Steven Duff: Reason before passion: “Faculty views on internationalization in higher education”. Published on-line: 17 February 2009, p.503. Springer Science+Business Media B.V. 2009

/ March 2012

Erasmus in Poland, Poland in Erasmus, Publication on the occasion on the 25th anniversary of Erasmus Programme, Publisher; Fundacja Rozwoju Systemu Edukacji, Warszawa 2012 r, Beata Skibińska Road to Erasmus str 22-23.

European Commission Erasmus – *Facts, Figures & Trends*, p 19-21. The European Union support for student and staff exchanges and university cooperation in 2011-12 Luxembourg: Publications Office of the European Union 2013 — 30 pp. — 25.0 x 17.6 cm. ISBN 978-92-79-30652-5 , doi:10.2766/43672

European Commission: “ *Erasmus+ Programme Guide*”, January 2014

FRSE Narodowa Agencja programu Uczenie się przez całe życie. ISBN: 978-83-62634-85-9

Hunter, B., White, G.P., & Godbey, G.C.: “ *What does it mean to be globally competent?*” *Journal of Studies in International Education*, 10 (3) p.270 (2006).

Knight, J.: *A time of turbulence and transformation for internationalization*. Research Monograph no. 14. Canadian Bureau for International Education. Ottawa, Canada. (1999a).

Knight, J.: “ *Internationalization: Elements and Checkpoints*” Research Monograph No. 7 Ottawa: Canadian Bureau for International Education.” 1994

Mbahu Chidi C.: “*Bachelor’s thesis of Degree Programme in Business Management*” , Bachelor of Business Administration, Tornio 2014.

Söderqvist : “*The Internationalisation and strategic planning of higher education institutions. An analysis of Finish EPS strategies*” Helsinki School of Economics and Business Administration, 2007,

Teichler U. “*The changing debate on internationalisation of higher education*” p.10 , *Higher Education* 48: 5–26, 2004.2004 Kluwer Academic Publishers. Printed in the Netherlands.

<http://www.pwsip.edu.pl/bip/index.php?option=content&view=article&id=871>

http://ec.europa.eu/programmes/erasmus-plus/index_en.htm

http://europa.eu/rapid/press-release_MEMO-12-54_en.htm

