

## **Guidance Note for Higher Education Institution**

### **Higher Education Temporary Tuition Fee Support Scheme for Displaced Persons (Ukraine) in academic year 2022/23**

#### **Criteria FAQ for the Higher Education Institutions 5<sup>th</sup> September 2022**

##### **Note for STUDENTS**

The Temporary Tuition Fee Support Scheme for displaced Ukrainian Students in academic year 2022/23 is an administrative scheme of the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS).

##### **Background**

In accordance with the Government Decision in March 2022, Ireland has responded to the needs of displaced Ukrainian citizens in accordance with the Temporary Protection Measure under the EU Commission's Directive (2001/55/EC). This Directive was transposed by Section 60 of the International Protection Act 2015.

The temporary protection measure is for a period of one year, with scope to extend this by 2 further periods of 6 months.

The technical/legal status of these persons is "beneficiaries of temporary protection under the EU Directive". This requires, inter alia, that qualified persons (unless otherwise specified, this term will be used to denote beneficiaries) under this Act will be able to access education on the same basis as Irish citizens.

The Temporary Tuition Fee Support Scheme will provide for free EU tuition fees for students that meet the inter alia criterion of the scheme.

#### **FREQUENTLY ASKED QUESTIONS (FAQS)**

##### **Eligibility and Criteria**

Full details of the eligibility criteria are set out in the scheme.

##### **1. What is the scheme duration?**

This scheme is an interim arrangement for the academic year 2022/23 only and will be subject to further consideration prior to academic year 2023/24.

##### **2. How will eligibility be determined**

Eligibility under this scheme is determined at date of entry to the approved higher education course by the approved institution a student is attending.

Higher education Institutions (HEIs) must be satisfied that the applicant meets the criteria of the scheme and an institution may require a student to provide such information as may be reasonably necessary for the performance of its functions under this scheme. It will be the responsibility of a student to ensure that all information provided in relation to their application is full, complete and accurate in every respect and the HEI may require a written declaration to be signed by a student for this purpose.

The onus is on the applicant to provide the evidence required by the HEI to ascertain eligibility. Where a student refuses or is unable to provide information that is required by the institution, the institution may refuse the application to which the information relates.

### **3. Processing of Personal Data**

Institutions shall not process the personal data of a student or other person for the purposes of this scheme unless the student or other person has consented to such processing. The consent of a student or other person to the processing of their personal data for the purposes of this scheme shall be provided in such manner as the institution may determine. The institutions shall process personal data for the purposes of this scheme in accordance with the Data Protection Acts and the General Data Protection Regulation.

### **4. What is Temporary Protection?**

The Temporary Protection Directive (2001/55 EC) has been activated by EU Council Decision EU 2022/382 of 4 March 2022, to provide immediate protection in EU countries for people displaced by the Russian invasion of Ukraine. This requires, among other, that qualified persons under this Act will be able to access education on the same basis as Irish citizens.

<https://www.gov.ie/en/publication/0f773-temporary-protection/>

### **5. Does the temporary scheme provide for supports for persons that were studying in Ukraine but not of Ukrainian Nationality?**

In order to be considered for eligibility under the nationality criteria of the scheme (subject to compliance with the other conditions of the Temporary Scheme) students must be:

- a. a person in respect of whom a permission to reside in the State has been granted by the Minister for Justice pursuant to section 60 of the International Protection Act 2015, or
- b. Irish Nationals who were attending a Higher Education Institution in the Ukraine during the 2021/2022 academic year; has now returned to Ireland due to the conflict and have taken up a place on an authorised transition scheme during 2022/2023 (being finalised for Appendix 1)

Students not meeting the above criteria are outside the scope of this scheme.

### **6. What is the residency criteria of the scheme?**

For the purpose of this scheme students must be legally resident in Ireland.

### **7. Can students not currently resident in Ireland apply for support under the scheme?**

Only those currently resident in Ireland can meet the residency criteria of the scheme.

### **8. Will tuition fees be paid support where students have qualified under the National Framework of Qualifications regarding previous courses they have undertaken:**

Tuition fees will not be paid in respect of students who already hold a postgraduate qualification (Major Award equivalent to the Irish National Framework for Qualifications (NFQ)) and undergraduate Tuition fees will not be paid in respect of students who already hold a level 8 (Major Award or equivalent to the Irish NFQ).

Students seeking to progress in their chosen area of study, for example progress to a level 8 course having completed a related level 7 course may be eligible for the add on years.

The scheme only provides for tuition fee supports and does not provide for other fees charged by an institution, for example student levy or examination fees.

**9. Does the scheme apply to students accessing only some modules on courses or part-time study?**

The scheme applies to full-time undergraduate; full-time postgraduate or authorised transition schemes tuition fees in an approved Higher Education Institutions only.

As further and higher education needs of qualified persons become clear over time, consideration may need to be given to alternative forms of provision. For example, to facilitate continued remote engagement with a Ukrainian institution, models of support may need to include flexible higher education provision complemented by supports including access to libraries, access to broadband facilities etc. This will require further engagement with Institutions and any agreements would be subject to separate arrangements outside the terms or purpose of this scheme.

**10. Are Ukrainian students currently studying in Ireland eligible for the scheme?**

If a student has temporary protection under section 60 of the International Protection Act 2015 they can assessed for free tuition fees under the terms of the scheme.

The temporary scheme is not limited to new entrants. Subject to the other criteria of the scheme where a student currently attending (enrolled prior to 22/23) acquires the relevant Temporary Protection under Section 60 permission, as provided by the Department of Justice, in advance of the 22/23 academic they may be eligible for supports under the scheme.

Students who acquire temporary protection after the commencement of the academic year and before 31st January in an academic year may be reassessed and potentially entitled to free tuition fees from the second half of the academic year.

Where students do not hold the required temporary protection, they would not be eligible under this scheme and it is a matter for each institution as an autonomous body to determine the relevant fee rate for these students.

**11. Are Irish and EU nationals that were studying in the Ukraine eligible for support under the scheme?**

Irish nationals that were attending a Higher Education Institution in the Ukraine during the 2021/2022 academic year and have now returned to Ireland due to the conflict without completing their course of study and have taken up a place on an authorised transition scheme during 22/23 (Appendix 2) are eligible under this scheme.

Other Irish/EU/EEA/Swiss/UK students travelling to Ireland may be eligible for supports under the Departments Fee Fees Schemes and Student Grant Scheme.

**12. What are the authorised transition schemes**

The Department is liaising with the specific institutions in relation to authorised transition schemes for eligible Irish and Ukrainian students and under the temporary scheme, which will be made available in due course.

These identified students will be assessed on an individual basis by the HEIs and fee levels set in agreement with the Department.

Appendix 1:

**Institutions to which this Scheme applies**

Atlantic Technological University

Dublin City University

Dún Laoghaire Institute of Art, Design and Technology

Dundalk Institute of Technology

Mary Immaculate College, Limerick

Munster Technological University

National College of Art and Design

National University of Ireland, Galway

Maynooth University

St. Angela's College, Sligo

South East Technological University

Technological University Dublin

Technological University Shannon: Midlands Mid-West

Trinity College, Dublin

University College Cork - National University of Ireland, Cork

University College Dublin - National University of Ireland, Dublin

University of Limerick

**Limited approved courses only:**

RCSI University of Medicine and Health Sciences

National College of Ireland.

Pontifical University of Maynooth

St. Patrick's College, Carlow

Coláiste Mhuire, Marino, Dublin (As approved and funded by Department of Education)

**Authorised transition schemes**

**Authorised transition schemes to be confirmed**