

RESOLUTION 26 /12

WHEREAS: The undersigned was appointed Minister of Higher Education by resolution of the Council of State on 7 May 2009;

WHEREAS: The ties of brotherhood and solidarity with other peoples are strong and growing; they are raised to a higher plane by the altruistic cooperative gesture of offering study grants for university places to citizens of other countries;

WHEREAS: The Ministry of Foreign Trade & Investment is the central government agency responsible for drawing up Cuba's plans for grants to foreign students, in line with government policy; it also issues the instructions to Cuba's diplomatic missions abroad and to the organisations and institutions involved, for processing applications for grant-aided and fee-paying studies at our centres of learning,

WHEREAS: Section 2.10 of Resolution 4001 of 24 April 2001 of the Executive Committee of the Council of Ministers ('CECM') empowers the Ministry of Higher Education to coordinate and monitor the handling of foreign students at our universities, in accordance with government policy and - in consultation with the other central government agencies - to issue directives covering the handling of foreign university students in Cuba and to report on this activity to the CECM;

WHEREAS: Regulations for foreign students at Cuban centres of learning were approved by Ministerial Resolution 186 of 18 July 2007, while regulations for foreign postgraduate students at higher-education centres and scientific institutions accredited in Cuba for the purposes of post graduate education were approved by Ministerial Resolution 51 of 23 March 2009;

THEREFORE: In exercise of the powers vested in me by virtue of Section 3.4 of Resolution 2817 of 25 November 1994 of the Executive Committee of the Council of Ministers,

I RESOLVE

I: To issue the following:

REGULATIONS FOR FOREIGN STUDENTS IN CUBAN CENTRES OF LEARNING

PART I

General

ARTICLE 1. These regulations apply to foreign citizens who undertake complete study programmes, short courses, training courses or study visits, at undergraduate or postgraduate level, at a Cuban university, accredited scientific

institution, or intermediate-level centre of learning. The regulations cover the complete cycle from the student's admission and stay to his/her departure, in accordance with the relevant rules.

ARTICLE 2. The bases on which foreigners may undertake studies at Cuban centres of learning are as follows:

- a) as a grant-aided student;
- b) as a fee-paying student;
- c) as a foreign student with enrolment approved by the Ministry of Higher Education's Entry & Placement in Employment Office;
- d) as a student covered by institutional convention;
- e) as a postgraduate student covered by an intergovernmental agreement, or as a postgraduate student financed by intergovernmental agreement.

PART II

Conditions for enrolment of foreign citizens at Cuban universities and other centres of learning

ARTICLE 3. Foreign citizens may take undergraduate courses at Cuban universities as grant-aided students, in disciplines and specialisations designated by the Ministry of Foreign Trade & Investment and to the extent covered by the study-grants plan for the academic year concerned.

Foreigners may also take such courses on a fee-paying basis, in accordance with the relevant policy, on terms to be agreed with the institution concerned.

ARTICLE 4. Foreign citizens applying to follow undergraduate studies at Cuban universities must:

- a) be 25 years of age or younger, in the cases of grant-aided students and those with enrolment approved by the Ministry of Higher Education's Entry & Placement in Employment Office;
- b) have a standard of education equivalent to Cuban pre-university, school-leaving or similar level.

ARTICLE 5. In the case of courses involving additional requirements (prerequisites for the exercise of a specific profession), foreign candidates must have attained the educational standard preceding that of the course concerned and demonstrate, by means of aptitude tests, suitability for the studies in question.

ARTICLE 6. Foreign citizens proposing to undertake postgraduate studies must be university graduates and must comply with the Cuban legislation relating to recognition of higher-education qualifications obtained abroad, and also that concerning postgraduate and scientific qualifications.

ARTICLE 7. Fee-paying foreign citizens and those enrolled under institutional convention may be admitted for short courses, study visits and training courses

that do not lead to bachelor's degrees or postgraduate qualifications, provided they meet the requirements of the centre of learning concerned.

ARTICLE 8. A foreign citizen wishing to follow a complete degree course at a Cuban university must submit the following documentation, authenticated by the Cuban mission in his or her country:

- a) in the case of grant-aided study, the course registration form signed by the relevant Cuban diplomatic officials in the country concerned and by the student;
- b) for the purposes of recognition to enable continuation of studies, documentation demonstrating completion of pre-university, secondary-school or equivalent education, plus certification of grades;
- c) health certificate including a statement that the holder is not a carrier of HIV or other infectious diseases, does not suffer from a physical or mental impediment that would prevent exercise of the relevant profession and, in the case of female candidates, that the holder is not pregnant;
- d) ten (10) photographs measuring 1" x 1";
- e) certificate of the absence of a criminal record;
- f) birth certificate.

ARTICLE 9. To be enrolled as a foreign grant-aided student on an undergraduate course at a Cuban higher-education centre, the student must be included on the Ministry of Foreign Trade & Investment official lists, or submit Form SI-9 (enrolment form issued by the Ministry of Higher Education), and supply additional documentation as required by the higher-education centre concerned.

ARTICLE 10. Foreigners applying for undergraduate courses on a fee-paying basis must submit documentary evidence of admission to the course issued by the approving institution, and a receipt for payment of the fees charged by the teaching body concerned.

ARTICLE 11. Foreign citizens must submit the documents enumerated in Art.8 to Cuba's consular offices in their country, for authentication, certification and return. In the case of grant-aided students, this service and any associated formalities is free of charge.

ARTICLE 12. Foreign citizens who comply with the requirements for study in Cuba, according to the documents submitted and the selection procedure adopted, will receive the response via the same route as that used for their application.

ARTICLE 13. Foreigners choosing music, dance or visual arts courses at the Higher Institute of Arts ('ISA') must have completed corresponding studies at intermediate level; they will also be required to take an entry test. In the case of the visual arts, they must bring a portfolio of examples of their work.

ARTICLE 14. Foreign citizens entering a university course who speak Spanish must arrive in Cuba between 20 and 30 August for the start of the academic year. Those needing the Preparation Faculty's Spanish language course must arrive between 20 and 30 September.

Grant-aided foreign students of medicine who speak Spanish must arrive in Cuba in the last week of February. Those who do not speak Spanish must arrive in the last week of August.

PART III

Foreigners applying to study at Cuban universities and scientific institutes accredited for postgraduate teaching: recognition of qualifications, assessment and admission

ARTICLE 15. Foreigners officially recognised as grant-aided postgraduate students are those in receipt of a grant from the Cuban government that includes accommodation, meals and free medical and dental treatment, in addition to the academic programme; such students have the same rights and duties (prescribed by the policy of the central government agency to which their centre of learning belongs) as Cuban postgraduate students.

ARTICLE 16. Foreigners officially recognised as postgraduate students under intergovernmental agreement are those whose studies are funded by virtue of an agreement between Cuba and one or more other countries. The particular agreement defines the terms for payment of the fees for the postgraduate programme and for the student's accommodation and meals. Such students are entitled to free medical and dental treatment and have the same rights and duties (prescribed by the policy of the central government agency to which their centre of learning belongs) as Cuban postgraduate students.

ARTICLE 17. Foreigners classified as fee-paying postgraduate students are those who pay the fees for their postgraduate programme and are responsible personally for the cost of their accommodation and meals. They are also required to pay for any medical or dental treatment they receive. Their rights and duties are prescribed by the regulations issued by the central government agency to which their centre of learning belongs.

Groups of students undertaking postgraduate studies under agreements with foreign ministries, agencies or education authorities may be admitted. The members of such groups are subject to the same conditions as those applying to individual fee-paying postgraduate students.

ARTICLE 18. All postgraduate programmes are open to foreign citizens, subject to the following requirements:

- a) Graduates of Cuban higher-education centres must submit their diplomas, whose details (university etc., date of graduation, volume and folio) will be registered. A photocopy of this document must also be provided; this is checked against the original and kept on file by the administration of the learning centre the student is to attend. In all cases, a record is kept of the name of the person who examines the diploma and the date on which this check is carried out;
- b) Graduates from foreign universities must submit their original diploma authenticated by the Cuban embassy in the country where it was issued,

obtain its authentication in Cuba by our Ministry of Home Affairs, and submit it for recognition to the legal department of the Ministry of Higher Education. A translation into Spanish of diplomas in other languages, also authenticated, must be provided;

- c) Compliance with the requirements for the postgraduate programme;
- d) In the case of fee-paying students applying to join programmes leading to a professional qualification, master's degree, specialisation or doctorate, a letter requesting enrolment addressed to the designated institution belonging to the Ministry of Higher Education, Ministry of Education, Ministry of Public Health, Ministry of Culture or other central government agency, as the case may be;
- e) An up-to-date curriculum vitae focussing primarily on the preceding five years;
- f) In the case of doctorate programmes, applicants may be required to sit an entry examination on arrival in Cuba;
- g) An authenticated medical certificate including a statement that the holder is not a carrier of HIV or other infectious diseases, and does not suffer from a physical or mental impediment affecting his or her ability to study. In the case of short courses, the state agency concerned may moderate this requirement;
- h) Ten photographs measuring 1" x 1";
- i) Certification of the absence of a criminal record, authenticated by the Cuban mission in his or her country;
- j) Approval by the accredited postgraduate institution concerned.

ARTICLE 19. The documents enumerated in the preceding article must be submitted in the first instance to the Cuban diplomatic mission in the student's country, for clearance, authentication and return to the student.

ARTICLE 20. The dossier containing all the above-mentioned documentation must be submitted via the prescribed route with the application for enrolment; acceptance or rejection of the application will be communicated by the same route.

ARTICLE 21. The process of recognising qualifications for the purposes of postgraduate study is carried out in accordance with Cuba's legislation on postgraduate qualifications and scientific grading, which also applies to the assessment, design and drafting of the thesis or final paper and to the dissertation, panel reviews and award.

ARTICLE 22. The legislation mentioned in the preceding article also governs the teaching and management aspects of postgraduate education.

PART IV

Study and discipline regime

ARTICLE 23. Foreign students are subject to the same study regime as the Cuban students at the same university or other centre of learning; accordingly, they are required to:

- a) follow the programmes of teaching and academic, scientific and work activities included in the study plan, and
- b) participate in the scheduled extracurricular activities (included in the interests of comprehensive training).

ARTICLE 24. The academic and disciplinary regulations at Cuban universities apply to all students, Cuban and foreign. All the students have the same rights and duties.

There are specific regulations in the medical faculties and other specialised higher-education centres; these reflect the content of their courses and, to the extent that they do not conflict with the present regulations, are binding on all their students.

ARTICLE 25. Each centre of learning has its own timetable for conducting aptitude and similar tests for foreign students.

ARTICLE 26. Requests to repeat an academic year, made for good reason, will be considered by the receiving agency or the centre of learning concerned (at the discretion of the former); approval will be subject to the student's having obtained any necessary extension to his or her temporary residence.

Requests to repeat an undergraduate academic year or any postgraduate programme will be denied in the event of negative factors such as a student's evident lack of interest in the studies, bad behaviour or repeated absence without good reason.

ARTICLE 27. The Ministry of Higher Education will only consider in exceptional circumstances requests to repeat or extend their studies by foreign students who have not successfully completed the preparatory course.

ARTICLE 28. The Ministry of Higher education will approve a change of undergraduate course only in very exceptional circumstances, following review of the particular case on the recommendation of the Ministry of Foreign Trade & Investment or the relevant embassy. Such requests must be submitted in the period May/June and be accompanied by the views of the centre of learning concerned.

ARTICLE 29. Higher-education centres and other institutions accredited for the purposes of postgraduate education are authorised to permit fee-paying students to switch from one postgraduate programme to another, subject to the approval of the academic committee for the programme (master's degree or specialisation) or doctorate, and provided the credits accumulated in the original programme are

valid for the other. In the cases of grant-aided students and those covered by an intergovernmental agreement, approval by the country, embassy or the institution that arranged the initial enrolment is also required.

The Ministry of Public Health has its own regulations regarding student mobility between higher-education centres or scientific institutions accredited for the purposes of postgraduate education; these rules are applicable where not inconsistent with the present regulations.

Approval by the governing body for the specialisation concerned is required in all cases.

ARTICLE 30. Breaches of discipline by foreign students are reviewed in the light of the disciplinary regulations for students in higher education; the measures taken are designed for maximum educational effect consistent with the table of measures and their application, taking account of the fact that the student and his or her family do not reside in Cuba.

ARTICLE 31. Where exceptional reasons dictate the transfer of a foreign student to another centre of learning, this is arranged in accordance with the relevant regulations of the institution concerned.

Higher education centres and other centres party to the transfer of a foreign student must immediately notify the immigration authorities accordingly, for the purposes of updating the student's identity card. The institution responsible for the student must notify the Ministry of Foreign Trade & Investment.

ARTICLE 32. Administrations of the centres of learning and central government agencies must initiate at the start of the last year of the course the procedure for the return of grant-aided students to their country of origin, to ensure the students' departure 30 (thirty) days after completing their studies.

ARTICLE 33. On completion of the studies or following approval of termination for any reason (including the student's illness, indiscipline or poor academic performance), the institution concerned notifies the Ministry of Foreign Trade & Investment and the Ministry of Home Affairs (immigration authorities), to facilitate arrangements for the student's departure within 30 (thirty) days. The institution must also take steps to ensure prompt authentication of the student's documentation.

Expiry of the thirty-day period mentioned marks the lapsing of the student's grant. At this point, the following actions are taken:

- a) The institution concerned is notified, so that it may act accordingly;
- b) Consultation takes place with the immigration authorities, the Ministry of Foreign Trade & Investment and those central government agencies whose responsibilities include receiving foreign students.

While the foreign student remains on Cuban soil, the centre of learning concerned continues to be fully responsible for him/her; in the case of grant-aided students, this includes continued financial and material support.

ARTICLE 34. In the cases of grant-aided undergraduate and postgraduate students and postgraduate students covered by an intergovernmental agreement, the centres of learning provide financial and material support in relation to the processing and authentication of their academic documentation (an original and one copy of each item).

On successful completion of his or her course, every student receives the following documents:

- Diploma
- Grades certificate
- Study plan.

Those qualifying in medicine receive a good practice certificate (one original). Those qualifying for the teaching profession receive a separate certificate relating to the 'concentrated working practice' element of the course (one original).

In the cases of fee-paying foreign students on undergraduate, postgraduate or other courses, study visits or training courses, the cost of processing and authentication of the corresponding documentation (originals and one set of copies) is included in their course fees.

ARTICLE 35. Authorisation of grant-aided postgraduate studies, exceptional requests to switch courses, and travel to a third country, require the written approval of the relevant embassy, the student's relatives or his/her country.

The same requirement applies in the case of non-urgent surgery.

PART V

Rights and duties of foreign students

ARTICLE 36. Foreign students have the same rights and duties as their Cuban counterparts; accordingly, their primary duty is to study and achieve good results.

ARTICLE 37. Foreign students have the following duties:

- a) to respect Cuba's laws, customs, traditions and norms of social coexistence;
- b) to comply with the legislation regarding the movement of foreign citizens within our national territory;
- c) to abide by the rules for student discipline;
- d) to acquire systematically an in-depth knowledge of theory and practice in their chosen specialisation;
- e) to maintain study discipline, attend all classes and comply with the obligations on the student embodied in the study plans and programmes; to take the associated tests at the scheduled stages;
- f) to abide by the rules applying in their place of study and their hall of residence (or other place of lodging);
- g) not to leave Cuba without official clearance;

- h) in the case of female students becoming pregnant, to return to their country of origin on discharge from their studies;
- i) to comply with Cuban epidemiological and other public-health legislation;
- j) to use their identity card as the sole valid means of identification and complete any formalities that may be needed during their stay; loss of the identity card is an offence which may incur a penalty;
- k) to comply with Cuban import and export regulations and any directives by state agencies that are implemented by the Cuban customs authority;
- l) in the case of fee-paying students, to pay for their courses on the terms specified in their academic services agreement;
- m) fee-paying students must also take out medical insurance, before arrival or in Cuba, including cover for repatriation in the event of death (including accidental death) or of disabling illness.

Foreign students must not form associations or other organisations not approved by Cuban legislation; they must not engage in activities (including publishing or distributing propaganda) that could threaten the political, economic, military or other interests of the Cuban state, or could affect Cuba's good relations with their country or organisation or with other states, organisations or international institutions.

ARTICLE 38. Foreign students proposing trips within Cuba involving overnight stays away from their hall of residence must request authorisation by the International Relations Authority or the official responsible for student affairs, giving the address and telephone number of the place where they will be staying. They must take with them the document issued by their centre authorising the trip.

Institutions agreeing to accommodate students in these circumstances must arrange this in advance with the students' centre.

ARTICLE 39. The Cuban government may withdraw the right to continue studies in Cuba in the case of a foreign student who does not fulfil his or her duties as enumerated in Part V. In serious cases, Cuba's deportation legislation may be applied.

ARTICLE 40. Foreign students have the following rights:

- a) to enjoy the advantages deriving from comprehensive instruction at Cuban universities and the country's other centres of learning;
- b) to participate in the academic and scientific work at the centres of learning, and in the Student Assistants' Movement ('MAA') and in work-experience activities;
- c) to join sporting and cultural associations;
- d) to keep their country's flag and similar emblems and display these on its days of national celebration, by arrangement with the administration at their centre of learning or hall of residence (or other lodgings);
- e) in the case of grant-aided students, to enjoy the benefits provided by the Cuban government for all such students, as well as those specifically for foreign grant-aided students;
- f) in the case of grant-aided students, free medical and dental treatment;

- g) in the case of fee-paying students, to choose whether to take out medical and dental insurance or pay for such treatment directly;
- h) in the cases of foreign grant-aided students and students covered by an intergovernmental agreement, to pay airport tax in non-convertible Cuban pesos (CUP), in respect of one departure per year;
- i) in the cases of foreign grant-aided students and students covered by an intergovernmental agreement, to lodge in homes authorised by the state for the purposes of accommodating foreigners.

Foreign students may join the University Students' Federation ('FEU') or the Federation of Pupils in Secondary Education ('FEEM') and participate in their activities.

ARTICLE 41. Foreign students may form nationality-based groups within their centre of learning; these must operate in close consultation with the teaching authorities and student organisations, with a view to:

- a) facilitating implementation of the study plans and respect for discipline;
- b) teaching support for students with academic difficulties;
- c) encouraging student participation in the educational project (monthly teaching review group);
- d) helping solve other problems the students may have;
- e) marking their country's days of celebration, anniversaries of historic events and similar patriotic activities, in consultation with the university, its organisations and the Cuban Institute for Friendship with the Peoples ('ICAP').

ARTICLE 42. The Cuban party does not pay for international travel by foreign students during the holidays. Students who do travel must return by the date indicated for the start of the new term.

ARTICLE 43. The terms on which Cuba receives grant-aided foreign students are as follows:

- a) The cost of air travel to Cuba and return to the country of origin is borne by the foreign party;
- b) Subsistence allowance in non-convertible Cuban pesos (CUP) is paid from the date of admission at the centre of learning until final return to the country of origin, in accordance with the relevant rules;
- c) The teaching centres provide single accommodation only; spouses, relatives or companions cannot be accommodated in the halls of residence;
- d) Grants cover teaching, accommodation and meals on the same basis as that applying to Cuban grant-aided students;
- e) In the event of death, Cuba will bear the cost of a funeral in Cuba; if the funeral is to take place abroad, all the associated costs, including that of repatriation, are borne by the government, organisation or institution that sent the student;
- f) Female grant-aided students, and female students covered by intergovernmental agreement, who become pregnant, are discharged for return at their expense to their country of origin. Concealment of pregnancy is grounds for withdrawal of grant;

- g) In the case of fee-paying foreign students, the terms are agreed on an individual basis.

Students joining after the start of the academic year do not receive subsistence allowance for the period of their absence.

ARTICLE 44. The following are among the services charged to grant-aided foreign students in non-convertible Cuban pesos (CUP): overland, local maritime and inter-provincial transport; sporting and cultural activities; other services regulated by the Ministry of Finance & Prices and other competent bodies.

ARTICLE 45. The entry formalities for foreign students include the following requirements:

- a) The student must hold a passport valid for the purposes of his/her entry and stay in Cuba, visaed by the Cuban embassy or consulate;
- b) Processing of visas for grant-aided foreign students by the Ministry of Foreign Trade & Investment and issue of these by the Ministry of Home Affairs' immigration authority, which also issues the visas for fee-paying students;
- c) Students must hand in their prescribed documentation at the teaching establishment they are to attend, which arranges its validation by the Ministry of Education.

ARTICLE 46. Cuba's study grants for university places for non-Spanish speaking students cover an extra year of Spanish language instruction. This is provided by the Ministry of Higher Education's Preparatory Faculties and other central government agencies equipped with the necessary facilities.

Students successfully completing the course receive a certificate of the studies undertaken.

ARTICLE 47. The arrangements described in the preceding article also apply to non-Spanish speaking fee-paying foreign students.

These also receive a certificate on successful completion of the course.

Students must obtain a pass in the preparatory course before proceeding to further university studies.

II. FINAL PROVISIONS

(i) These regulations apply to Cubans resident abroad who are authorised to study in Cuba.

(ii) These regulations apply to foreign students who follow specialisations and other courses at intermediate level in our centres of learning.

(iii) These regulations do not apply to grant-aided students whose studies are arranged by the Ministry of Defence or the Ministry of Home Affairs, which issue their own regulations.

(iv) The following earlier directives are hereby revoked: Ministerial Resolution 186 of 18 July 2007 ("Regulations for foreign students in Cuban centres of learning"); Ministerial Resolution 51 of 23 March 2009 ("Regulations for foreign postgraduate students in higher-education centres and institutions accredited in Cuba for the purposes of postgraduate education").

(v) These regulations shall take effect from the start of the 2012/13 academic year.

TO BE PUBLISHED IN THE OFFICIAL GAZETTE OF THE REPUBLIC.

ISSUED in Havana on 29 February 2012, "Year 54 of the revolution".

[Signed] Miguel Díaz-Canel Bermúdez, Minister of Higher Education.

Jorge Valdés Asan. Head of the Legal Affairs Department at the Ministry of Higher Education.

I CERTIFY: That this is an exact copy of Resolution 26, the original of which was signed by the Minister on 29 February 2012.