

APPROVED BY
Resolution No. S-2014-10-2 of 2 December 2014
of the Senate of Vilnius University
(version of Resolution No. SPN-27 as of 16 April 2019
of the Senate of Vilnius University)

REGULATION OF THE DISPUTE RESOLUTION COMMISSION OF CORE ACADEMIC UNITS OF VILNIUS UNIVERSITY

CHAPTER I GENERAL PROVISIONS

1. The Regulations (hereinafter referred to as the Regulations) of the Dispute Resolution Commission of the Core Academic Unit (hereinafter referred to as the Commission) of the core academic unit (hereinafter referred to as the unit) of Vilnius University (hereinafter referred to as the University) shall regulate the formation, competence and organisation of work of the Commission.

2. In its activity, the Commission shall adhere to the Statute of Vilnius University (hereinafter the Statute), other laws of the Republic of Lithuania, this Regulation, and other legal acts of the University.

CHAPTER II FORMATION OF THE COMMISSION

3. The Commission shall consist of 6 members: three members of the Commission shall be appointed from lecturers and research (art) fellows of the Unit and the remaining three members shall be appointed from parties authorised by the Students' Representation.

4. The council of the Unit shall form the Commission and appoint the Commission chairperson from its members, i.e. lecturers and research (art) fellows of the Unit, with consideration to proposals of the chairperson. Vilnius University Students' Representation (hereinafter referred to as the Students' Representation) shall appoint and remove students' representatives to (from) the Commission according to its established procedures. The chairperson of the Commission shall appoint the deputy chairperson from members of the Commission.

5. Members of the Central Dispute Resolution Commission of the University may not be appointed as members of the Commission.

6. Members of the Commission shall have equal rights, except in cases where, pursuant to these Regulations, the Commission chairman's vote is the decisive vote.

7. Members of the Commission, excluding delegated members of the Students' Representation, shall be appointed for a two-year term of office. The number of terms of office served by a member of the Commission shall be unlimited.

8. Only persons of impeccable repute may be appointed to be members of the Commission.

9. Persons who were appointed to be members of the Commission must sign a pledge of confidentiality and a declaration of impartiality, the forms of which are established by the Rector of the University or his authorized person.

10. A member of the Commission may be removed from this position prior to expiry of his/her term of office, if he/she commits a violation of academic ethics or another violation of legal or moral norms, which is incompatible with the position of a member of the Commission. The decision concerning removal of a member of the Commission shall be passed by the council of the Unit or the Students' Representation that appointed the member. Additional grounds and procedures for the removal of students' representatives from the Commission may be established by the Students' Representation.

11. Should a member of the Commission resign from his/her job or complete his/her studies at the University or present to the council of the Unit of the Students' Representation an application to

resign from the position of the member of the Commission, or is removed according to Paragraph 10 of the Regulation, the council of the Unit shall, according to the procedure prescribed by this Regulation, appoint a new member to the Commission for the remaining part of the term of office.

12. The material and organisational conditions necessary for the activities of the Commission shall be ensured by the head of the Unit, by whose decision the Secretary of the Commission shall be appointed. The secretary of the Commission shall not be a member of the Commission. The secretary of the Commission must participate in the meetings of the Commission. If the Secretary of the Commission is not able to participate in a meeting, another person appointed by the head of the Unit who is able to assume the functions of the Secretary shall participate in the meeting. The Secretary of the Commission or another person performing his/her functions shall be subject to the requirements set out in Paragraphs 8 and 9 of the Regulations.

CHAPTER III AREAS OF ACTIVITY OF THE COMMISSION

13. The Commission shall examine the following:

13.1. Appeals concerning disputes (hereinafter referred to as appeals) relating to research and studies between students studying study subjects (modules) of the Unit and other community members working in the Unit, except for disputes concerning academic ethics and disputes concerning labour relations;

13.2. Appeals from the Unit students concerning evaluation of academic achievements (hereinafter referred to as appeals):

13.2.1. Appeals concerning final evaluations of achievements in a particular academic subject (module) of the Unit, except for evaluations of final examinations and final thesis defence;

13.2.2. Appeals regarding violations of the intermediate assessments of the study subjects (modules) carried out in the Unit, passing the examination (credit), the final examination or the final work defence procedure;

13.2.3. other appeals regarding violations of the assessment of the achievements of study subjects carried out in the Unit, which may have affected the final assessment of the achievements of the study subject (module).

CHAPTER IV ORGANISATION OF THE WORK OF THE COMMISSION

14. The form of activity of the Commission shall be meetings organised upon receipt of a complaint or appeal provided for in Paragraph 13 of the Regulations. By decision of the chairman of the meeting, the meetings of the Commission may also be held by electronic means without the objections of the members of the Commission.

15. Meetings of the Commission shall be convened and chaired by the chairman of the Commission. If the chairman of the Commission withdraws due to circumstances provided in Paragraph 16 of these Regulations or is not able to participate in the meeting, the meeting shall be convened and chaired by a deputy chairman of the Commission or another member appointed by the chairman of the Commission if the Commission does not have a deputy chairman.

16. A member of the Commission shall be obliged to withdraw from the discussion of issues during the meeting under at least one of the following circumstances:

16.1. The discussed issue is directly related to the member of the Commission himself;

16.2. The discussed issue is related to persons who are close relatives, family members, spouses, partners or carers of the member of the Commission;

16.3. A member of the Commission, his/her spouse (cohabitant) or his/her close relatives are directly or indirectly interested in the outcome of the decision regarding the discussed issue;

16.4. There are also other circumstances which raise doubts about the impartiality of the member of the Commission.

17. Appeals and complaints shall be submitted to the Commission in the following ways:

17.1. printed and signed appeals and complaints are submitted to the secretary of the Commission or the administration of the Unit;

17.2. in the University information system;

17.3. Appeals signed and scanned or signed with a qualified electronic signature via the E-delivery system.

18. The Commission shall deal with disputes in accordance with the principles of party autonomy, procedural equality, adversarial proceedings, advocacy, confidentiality, economy, cooperation and expediency. The Commission must provide the parties to the dispute with an opportunity to be heard. This right shall be exercised in writing or orally.

19. Parties to the dispute shall be informed about the contents of the appeal. A depersonalised appeal may be submitted to the other party to the dispute by decision of the Commission.

20. Commission meetings shall be closed. The parties to the dispute shall be entitled to be present at the meeting of the Commission at which the appeal is being examined. The Commission shall have the right to invite other persons to attend the meeting at the request of the parties to the dispute or on its own initiative.

21. Minutes of meetings of the Commission shall be drafted. The minutes shall be drafted by the Secretary of the Commission within 3 working days from the meeting of the Commission. The minutes shall be signed by the chairman of the meeting and by the Secretary of the Commission. The minutes of the meetings of the Commission shall be kept in accordance with the procedure established by the legal acts of the University. An audio recording of the meeting shall be made during the meeting of the Commission. The audio recordings of the Commission's meetings shall be stored in accordance with the procedure established by the legal acts of the University.

CHAPTER V PARTICULARITIES OF CONSIDERATION OF APPEALS

22. The appeals may be submitted to the Commission by any student studying the subjects carried out by the Unit, who considers that his or her rights have been violated. The Commission shall only consider appeals concerning members of the University community working in the Unit.

23. An appeal may be lodged no later than within one month from the date when the possible violation was committed or established. This deadline may, by the decision of the Commission, be extended in the presence of valid reasons due to which the deadline was not met and in the presence of a motivated request of the applicant, provided that no more than six months have passed since the date on which the violation was committed or established.

24. The appeal shall include:

24.1. the name, surname of the applicant, the main study programme, the e-mail address provided by the University and the telephone number;

24.2. description of the violation and indication of the basis of the appeal, i.e. the circumstances justifying the fact of the violation;

24.3. the specific request of the applicant;

24.4. the applicant's signature, excluding cases when the complaint is submitted in the University's information system.

25. Anonymous, unjustified and groundless appeals and appeals that do not comply with other requirements specified in Paragraph 24 of the Regulations shall not be examined. The Commission shall have the right to return the appeal to the applicant to remedy the deficiencies within a reasonable period of time specified by the Commission, which shall not be less than 2 working days.

26. The Commission must examine the received appeal and make a decision no later than within 30 calendar days after its registration. The deadline specified in this paragraph does not include the holiday period provided for students in the legal acts of the University.

CHAPTER VI PARTICULARITIES OF CONSIDERATION OF APPEALS

27. Student appeals concerning final evaluation of achievements in an academic subject (module) may be lodged within 7 calendar days from the date the examination (course credit test) results are announced.

28. Appeals regarding violations of the interim assessment procedure, the final subject (module) study achievement assessment procedure, the final examination or the final thesis defence procedure may be lodged no later than within 3 working days after the interim assessments, final subject (module) study achievement assessment, final examination or the date of defence of the final thesis. An appeal against a violation of the examination (credit) procedure shall not exclude the possibility to file an appeal against the assessment of the achievements of the final subject (module).

29. Students shall have the right to get acquainted with the work of the exam (credit) and receive explanations about errors and shortcomings at the time set by the lecturer, which must be no later than 3 working days after the announcement of the assessments of the exam or the credit test.

30. The appeal shall include:

30.1. the name, surname of the applicant, position held or the unit where the applicant is studying, the e-mail address provided by the University and the telephone number;

30.2. the grounds of appeal, i. e. the circumstances justifying the disagreement of the applicant with the received final assessment of the achievements of the subject (module) or a specific violation of the procedure of interim assessment, examination (credit) or defence of the final thesis;

30.3. the specific request of the applicant;

30.4. The applicant's signature, excluding cases when the appeal is submitted in the University's information system.

31. Anonymous, unjustified and groundless appeals and appeals that do not comply with other requirements specified in Paragraph 30 of the Regulations shall not be examined. The Commission shall have the right to return the appeal to the applicant to remedy the deficiencies within a reasonable period of time (minimum 2 working days), specified by the Commission.

32. When the Commission receives an appeal concerning violations of the procedures of passing of examinations (course credit tests) or final thesis defence, the Commission shall independently evaluate the justifiability of the appeal.

33. In the case of an appeal regarding the assessment of the achievements of the final subject (module), an impartial expert commission of the study subject (module) (hereinafter referred to as the Expert Commission) must be formed to evaluate the student's examination (credit) work, the final assessment of which is contested in the appeal. The commission of experts shall be formed by the order of the head of the unit in which the relevant study subject (module) is implemented from at least three members. A lecturer whose final assessment is contested in the appeal and his/her family members or persons related to him or her as referred to in Sub-Paragraph 16.2 of these Regulations shall not be included in the Expert Commission. By the decision of the Commission, the applicant may not be disclosed to the Expert Commission and / or the contested final assessment.

34. The appeal may be submitted to the Expert Commission together with the work, the final evaluation of which is contested in the appeal. In this case, the explanations of the lecturer shall also be submitted to the Expert Commission, if the lecturer exercises his / her opportunity and submits such explanations regarding the work to the Commission. The conclusion of the Expert Commission must be prepared, signed by the Expert Commission and provided to the Commission within 10 calendar days from the date the Expert Commission is formed. The conclusion of the Expert Commission must specify the evaluation of the student's work and the arguments supporting the evaluation.

35. The Commission makes a decision on the evaluation of the achievements of the final subject (module) taking into account the conclusion of the Expert Commission. In any event, the Commission may not, by its decision, undermine the assessment under appeal.

36. In exceptional cases, having identified significant shortcomings in the formation of the Expert Commission, the Commission may re-apply to the head of the Unit for the formation of a new Expert Commission, providing detailed reasons for its request.

37. The commission informs the lecturer who has assessed the study achievements about the submitted appeal and its examination and, if it deems it appropriate, asks for explanations on the subject of the appeal. When informing the lecturer who has assessed the academic achievements about the submitted appeal, the Commission may not indicate the person who submitted the appeal.

38. When examining an appeal against an infringement of the interim assessment, examination (credit), final examination or final thesis defence procedure, the Commission shall assess whether the procedural irregularities may have had a material effect on the assessment of the interim assessment, examination (final test), final examination or final thesis.

39. Until the Commission makes a decision, no decisions of the Unit Administration related to the considered assessment of study achievements and examination or final thesis defence procedure shall be made with respect to the student, and enforcement of the decisions taken until then shall be suspended.

CHAPTER VIII COMMISSION DECISIONS

40. After examining the appeal, the Commission adopts a decision establishing the fact of violation or absence of violation of the University legal act.

41. After examining the appeal regarding the assessment of the achievements of the final subject (module), the Commission shall make a decision in accordance with Paragraphs 33 and 35 of these Regulations.

42. After examining the appeal regarding possible interim assessments, assessment of final subject (module) study achievements, passing the final examination or violations of the final thesis defence procedure, the Commission may cancel the appellant's assessment of study achievements if it finds that the identified procedural violations may have significantly affected the examination (credit), final thesis or final subject (module) assessment. If the Commission annuls the evaluation of academic achievements, it shall inform the head of the Unit of its decision and oblige the head of the Unit to form a commission for the student to be able to pass the examination (course credit test) or defend his/her final thesis once again. The composition of the Commission shall be approved by the head of the Unit, and the lecturer (s) whose evaluation results have been annulled may not be included in the composition of the Commission. The interim assessment or examination (credit) must be retaken or the final thesis must be defended not earlier than 5 and not later than 20 calendar days after the decision of the Commission. The specified period shall not include the period of leave for teachers and students. The amended assessment shall be entered in the journal and the University information system, based on the decision of the Commission, by the head of the Unit or a person authorized by him within 7 calendar days. Interested parties may appeal to the University Central Dispute Resolution Commission regarding non-performance of the decisions of the Commission referred to in this paragraph.

43. The Commission may take a decision on the recalculation of the assessment of the examination (credit), final thesis or final subject (module) assessment if it finds that there have been violations of the procedure for the interim assessment, examination (credit), final examination or defence of the final work, incorrect calculation of the assessment of the examination (credit), final work or final subject (module), and indicate in the decision the assessment established after the recalculation.

44. The Commission shall inform the head of the Unit if it finds that significant violations of the procedure of the interim assessment, examination (credit), final examination or defence of the final thesis, which may have affected the assessment of the achievements of other persons who have not appealed. The Commission may submit proposals to the head of the Unit regarding the organisation of research and study activities and the improvement of the assessment of study results.

45. Decisions of the Commission shall be valid if they are taken at a meeting attended by at least two-thirds of the members of the Commission.

46. Decisions of the Commission shall be passed by a simple majority of votes of members of the Commission attending the meeting. In the event of an equal distribution of votes, the vote of the chairman of the meeting shall be decisive.

47. The decision signed by the Chairman of the Commission shall be sent to the parties to the dispute and the head of the Unit by e-mail provided by the University no later than 7 working days after its adoption, and shall be deemed to have been delivered on the day following the day of dispatch.

48. The Commission' decision on the final assessment of the subject (module) shall be final. Other decisions of the Commission may be appealed against to the University's Central Dispute Resolution Commission within 7 calendar days from the date of their submission.
