

**PROCEDURE FOR THE ANALYSIS OF DISPUTES BETWEEN STUDENTS
AND THE ADMINISTRATION AND OTHER EMPLOYEES OF THE
LITHUANIAN UNIVERSITY OF HEALTH SCIENCES**

**Chapter I
GENERAL PROVISIONS**

1. The Procedure for the analysis of student disputes with the administration and other employees (hereinafter, the Procedure) of the Lithuanian University of Health Sciences (hereinafter, the University) establishes general rules for consideration of student complaints at the University, the procedure for the analysis of student complaints when complaints are analyzed by the Rector of the University or a person authorized by him/her, the procedure for the analysis of student complaints about disputes with the administration and other employees in the Commission (hereinafter, the Dispute Resolution Commission); this is the procedure of preparation for resolution of disputes and resolving disputes and making decisions, as well as the rules for execution of those decisions.
2. The Procedure has been adopted in accordance with the following legal acts:
 - 2.1. The Republic of Lithuania Law on Higher Education and Research;
 - 2.2. The Statute of the Lithuanian University of Health Sciences.
3. Definitions used in the Procedure:
 - 3.1. **Appeals Commission** – the appeals commission provided for in the Study Regulations (hereinafter, the Study Regulations) approved by the resolution of the University Senate (hereinafter, the Senate);
 - 3.2. **Dispute settlement bodies** – the entities specified in article 5 of the Procedure and the Senate;
 - 3.3. **Student complaint** – statements, requests or complaints of students about the settlement of their disputes regarding the violation of students' rights and legitimate interests related to research and study activities with the administration and other employees. The term "student" used in the Procedure also includes students guest listeners of the University to the extent that it is appropriate in accordance with the status of the student guest listener as defined in the Study Regulations and other internal documents;
 - 3.4. **Commission for Assessment of Ethics Violations** – the Commission for Assessment of Ethics Violations provided for in the Study Regulation.
4. The Procedure shall not apply in the following cases:
 - 4.1. Student proposals, statements or requests that are not related to the violation of students' rights or legitimate interests (which are not disputes of a legal nature);
 - 4.2. Other student complaints that do not relate to their rights and legitimate interests in research and studies, such as personal student complaints, etc.;
 - 4.3. Student appeals regarding the assessment of study achievements and crediting of study results, which are examined in accordance with the procedure provided for in the Study Regulation, except for student complaints provided for in article 7.4 of the Procedure.

CHAPTER II

GENERAL PROVISIONS FOR THE ANALYSIS OF STUDENT COMPLAINTS

5. A student who considers that his or her rights or legitimate interests are violated has the right to selectively apply to:

5.1. The Rector of the University or a person authorized by him/her. The Rector of the University, by his order, appoints authorized persons for the analysis of the student's complaint;

5.2. Dispute Resolution Commission. The functions, rights and work organization of the Dispute Resolution Commission shall be established by the regulations of the University Dispute Resolution Commission with the administration and other employees (hereinafter, Regulations of the Dispute Resolution Commission) approved by the Senate resolution No. 46-12 of 16 May 2014.

6. The student has the right to apply to the bodies specified in article 5 of the Procedure for resolution of his/her disputes regarding the violation of his/her rights and legitimate interests related to research and study activities with the administration and other employees, except for the cases provided for in the Study Regulations.

7. A student has the right to apply to the Dispute Resolution Commission in the following cases:

7.1. if he/she is dissatisfied with the decision made by the Rector of the University or his/her authorized person;

7.2. if the Rector of the University or his/her authorized person has not received a response to the submitted complaint within 15 calendar days from the day of filing the student's complaint;

7.3. if he/she is dissatisfied with the decision made by the Rector of the University or the Dean of the University Faculty regarding the imposition of a disciplinary sanction or incentive;

7.4. in the case of procedural infringements in the analysis of student appeals by the Appeals Commission;

7.5. in the case of procedural infringements in the analysis of violations of student evaluation ethics in the Commission for Assessment of Ethics Violations;

7.6. if he/she is dissatisfied with the decision of the Rector of the University or his/her authorized person to refuse to analyze the student's complaint.

8. The student has the right to apply to the bodies specified in article 5 of the Procedure:

8.1. within 10 business days as of becoming aware of a violation of his or her rights and legitimate interests provided by law;

8.2. in the case provided for in article 7.1 of the Procedure, within 10 business days from the day of receipt of the decision of the Rector of the University or his/her authorized person to the student's complaint;

8.3. in the case provided for in article 7.2 of the Procedure, within 10 business days from the last day when he/she should have received the decision of the Rector of the University or his/her authorized person to the student's complaint;

8.4. in the case provided for in article 7.3 of the Procedure, within 10 business days from the day of receipt of the decision of the Rector of the University or the Dean of the University Faculty;

8.5. in the case provided for in article 7.4 of the Procedure, within 10 business days from the day of receipt of the decision of the Appeals Commission;

8.6. in the case provided for in article 7.5 of the Procedure, within 10 business days from the day of receipt of the decision of the Commission for Evaluation of Ethics Violations;

8.7. in the case provided for in article 7.6 of the Procedure, within 10 business days from the day of receipt of the decision to refuse to analyze the student's complaint.

9. The deadlines specified in article 8 of the Procedure may be renewed upon submission of a request by the student to the bodies specified in article 5 of the Procedure (the body to which the student's complaint is addressed) for renewal of the missed deadline, providing data or documents substantiating the reasons. The student's complaint shall be submitted together with

the request to renew the missed deadline.

10. The terms specified in article 8 of the Procedure may be renewed only if they are missed for important reasons. The following are not generally considered to be important reasons:

- 10.1. Ignorance of the legal acts regulating the activities of the University;
- 10.2. Student employment;
- 10.3. Student leave.

11. The bodies specified in article 5 of the Procedure shall examine the application for renewal of the term within 3 business days.

12. A student may apply to the Rector of the University or a person authorized by him/her and to the Dispute Resolution Commission only in writing.

13. A student has the right to submit a written complaint in the following ways:

- 13.1. by submitting a written complaint in person or by post;
- 13.2. by electronic means of communication (providing a scanned version of the complaint to the general e-mail address of the University or by fax);
- 13.3. using the section on the University website regarding the application to the Dispute Resolution Commission.

14. The student's written complaint shall specify:

- 14.1. the name of the body to which the student's complaint is addressed;
- 14.2. date of application;
- 14.3. student's name, surname, signature (except when applying as indicated in article 13.3 of the Procedure), faculty, study program, course, contact information (address, e-mail address, telephone number);
- 14.4. the student's detailed position on how his or her rights or legitimate interests have been violated;
- 14.5. a clearly stated student's requirement;
- 14.6. a list of copies of documents substantiating the requirements set out in the student's complaint.

15. Copies of the documents supporting it shall be attached to the written complaint of the student (electronic copies when applying electronically).

16. The rules specified in articles 12-15 of the Procedure shall also be applied when the student submits a request for renewal of terms.

17. The bodies specified in article 5 of the Procedure have the right to refuse to analyze the student's complaint if:

- 17.1. the requirements set forth in the student's complaint do not fall within the competence of the bodies specified in article 5 of the Procedure;
- 17.2. if the same student complaint (same claims on the same basis) is analyzed by another body or court specified in article 5 of the Procedure;
- 17.3. if the same student complaint (same requirements on the same basis) has already been examined by the bodies specified in article 5 of the Procedure, except for the cases specified in articles 7.1, 7.2 and 7.4;
- 17.4. there is no student's name and surname indicated in the complaint, and it is not possible to identify the student from the submitted complaint;
- 17.5. if the student's complaint is submitted after the deadline for filing the student's complaint established by the Procedure, and it is not requested to be renewed, or its renewal has been refused.

18. The issue of refusal to analyze the student's complaint shall be resolved within 5 business days from the date of submission of the complaint. The issue of refusal to analyze the student's complaint if the complaint was addressed to the Rector of the University or his/her authorized person shall be decided by the Rector of the University or his/her authorized person; if the student's complaint has been addressed to the Dispute Resolution Commission, the issue of refusal to analyze the student's complaint shall be resolved by the Chairman of the Dispute Resolution Commission. The student who has submitted the complaint shall be informed about the

decision to refuse to analyze the student's complaint by sending him/her the information by e-mail specified in the student's complaint no later than one business day after the decision is made. The decision to refuse to analyze a complaint within 10 business days of its receipt, when the decision is made by the Rector of the University or a person authorized by him/her, may be appealed to the Dispute Resolution Commission; when the decision is made by the Chairman of the Dispute Resolution Commission, it may be appealed to the Senate.

19. The student's complaint shall be analyzed no later than within 15 calendar days from its receipt by the University. The general term for the analysis of a student's complaint may be extended only for important reasons and only by a reasoned decision of the body analyzing the student's complaint for a maximum of 10 business days. The decision of the body analyzing the student's complaint shall be presented in writing and sent to the student by e-mail specified in the complaint no later than the next business day after its adoption.

CHAPTER III

PROCEDURE FOR ANALYSIS OF THE STUDENT'S COMPLAINT WHEN ANALYZED BY THE RECTOR OR HIS/HER AUTHORIZED PERSON

20. The student's complaint shall be submitted to the Rector of the University or his/her authorized person in writing. The student's complaint shall be submitted in accordance with the procedure established in articles 12-15 of the Procedure.

21. The student's complaint shall be analyzed in writing. In preparation for the analysis of the student's complaint, the Rector of the University or his/her authorized person has the right to request the necessary additional information from the student who submitted the student's complaint, structural departments or employees of the University.

22. After analyzing the student's complaint, the decision made by the Rector of the University or his/her authorized person shall be formalized by the order of the Rector of the University, and the decision of the Rector's authorized person shall be formalized in the way, in which decisions of the authorized person are generally formalized.

23. The decision made by the Rector of the University or his/her authorized person shall be sent to the student no later than the next business day via e-mail specified in the student's complaint.

CHAPTER IV

PROCEDURE FOR ANALYSIS OF STUDENT COMPLAINTS IN DISPUTE RESOLUTION COMMISSION

SECTION I PREPARATION FOR DISPUTE RESOLUTION IN THE DISPUTE RESOLUTION COMMISSION

24. If a student complaint is submitted to the Dispute Resolution Commission, all student complaints submitted in the manner specified in article 13 of the Procedure shall be immediately forwarded to the University employee appointed by the Rector of the University, who is responsible for technical support of the Dispute Resolution Commission (hereinafter referred to as the Secretary of the Dispute Resolution Commission). The Secretary of the Dispute Resolution Commission shall perform the functions defined in the Procedure and the Regulations of the Dispute Resolution Commission.

25. Upon receipt of the student's complaint, the secretary of the Dispute Resolution Commission shall:

25.1. register the received student complaint [...] no later than within one business day from the receipt of the complaint, indicating the date of receipt of the student complaint at the University, the person who submitted the complaint and briefly indicating the essence of the complaint;

25.2. no later than within one business day from the receipt of the student's complaint, inform the Chairman and members of the Dispute Resolution Commission about the received student's complaint.

26. The Chairman of the Dispute Resolution Commission or other members, if there is at least one of the grounds for withdrawal from the student's complaint referred to in article 8.1 of the Dispute Resolution Commission, shall inform the Secretary of the Dispute Resolution Commission electronically about his/her withdrawal within one business day upon receipt of the students' complaint. The Secretary of the Dispute Resolution Commission, upon receipt of the notifications of the member or members of the Dispute Resolution Commission regarding their withdrawal, shall inform the Chairman of the Dispute Resolution Commission thereof. If more than three members of the Dispute Resolution Commission withdraw, the analysis of the student's complaint shall be referred to the Senate. The Senate analyses the student's complaint in accordance with the procedure set forth by the Senate Regulations.

27. In accordance with the regulations of the Dispute Resolution Commission, the Dispute Resolution Commission, preparing for the analysis of the student's complaint at the meeting of the Dispute Resolution Commission, has the right to:

27.1. request the necessary additional information from the applying student, as well as the structural departments and staff of the University. The Dispute Resolution Commission also has the right to apply to the University Legal Service for a conclusion on dispute resolution issues. The need for additional information is decided by the Chairman of the Dispute Resolution Commission upon receipt of the student's complaint. The need for additional information must be resolved within a reasonable time to ensure that the dispute is dealt with within a specified time. After establishing the need for additional information, the Chairman of the Dispute Resolution Commission shall instruct the Secretary of the Dispute Resolution Commission to forward the requirements and/or requests for information to the relevant persons, together with the deadlines for the submission of information. Information regarding disputes shall be submitted to the Secretary of the Dispute Resolution Commission in writing or electronically no later than by the deadline set by the Chairman of the Dispute Resolution Commission;

27.2. invite the necessary employees of the University to the meeting of the Dispute Resolution Commission, who could provide the necessary information or explanations on the issues related to the student's complaint and the circumstances specified therein. The Chairman of the Dispute Resolution Commission shall decide on the need to invite the required employee of the University to the meeting. University employees invited to the meeting of the Dispute Resolution Commission shall be informed as early as possible but no later than two business days before the day of the meeting of the Dispute Resolution Commission. University employees invited to the meeting shall participate in the meeting of the Dispute Resolution Commission, except when such participation is not possible due to important reasons. The invitation to participate in the meeting of the Dispute Settlement Commission together with the date and time of the meeting of the Dispute Settlement Commission shall be sent by the Secretary of the Dispute Settlement Commission.

SECTION II

DISPUTE RESOLUTION PROCEDURE AT THE DISPUTE RESOLUTION COMMISSION MEETING

28. The student's complaint is usually considered at an oral hearing of the Dispute Resolution Commission. Subject to technical conditions, an oral hearing may also be held by videoconference or other electronic means. If necessary, in accordance with the terms specified in article 19 of the Procedure, the same student's complaint may be considered at more than one meeting of the Dispute Resolution Commission.

29. A student's complaint shall be examined in writing only in the following exceptional cases:

29.1. when the circumstances indicated in the student's complaint and other documents show that an oral analysis of the student's complaint is not necessary;

29.2. when it is necessary to analyze the complaint within the time limits established in the Procedure;

29.3. when the student so requests.

30. The student's complaint may also be analyzed in writing by organizing a meeting of the Dispute Resolution Commission electronically in accordance with the procedure established by the regulations of the Dispute Resolution Commission.

31. Meetings of the Dispute Resolution Commission shall be convened and the persons participating therein shall be informed about the meeting in accordance with the procedure established in the regulations of the Dispute Resolution Commission. Meetings of the Dispute Resolution Commission are open, unless a closed meeting is requested by the student whose complaint is being considered or the person whose actions and/or lack of such are the subject of the student's complaint, and the Dispute Resolution Commission decides that there are sufficient arguments to consider the student's complaint in closed session. If the meeting of the Dispute Resolution Commission was held in closed session, the members of the Dispute Resolution Commission, the Secretary and persons present at the meeting are prohibited from publishing the

opinions expressed during the meeting and the voting results of specific members of the Dispute Resolution Commission.

32. The following shall be invited to the meeting of the Dispute Resolution Commission of the student's complaint analyzed orally:

32.1. the student whose complaint is under consideration;

32.2. the person due to whose actions and/or lack of such the student has applied to the Dispute Resolution Commission;

32.3. if necessary, a University employee to provide the necessary information or explanations;

32.4. other persons if the Dispute Resolution Commission or the Chairman decides that their participation is necessary for the settlement of the dispute.

33. Failure to attend the meeting shall not prevent the persons specified in article 32 of the Procedure from analyzing the student's complaint at the meeting.

34. If a member of the Dispute Resolution Commission is unable to participate in the meeting of the Dispute Resolution Commission, he or she shall inform the Chairman of the Dispute Resolution Commission thereof electronically no later than one business day before the scheduled date of the meeting. If a member of the Dispute Resolution Commission is unable to attend the hearing, he or she has the right to express an opinion on the student's complaint in writing, clearly indicating how he/she votes regarding the student's complaint (taking into account the decisions of the Dispute Resolution Commission specified in article 39 of the Procedure). A member of the Dispute Resolution Commission shall submit his or her opinion on the student's complaint to the Chairman or Secretary of the Dispute Resolution Commission.

35. A meeting of the Dispute Resolution Commission, when the student's complaint is analyzed orally, shall be held in the following order:

35.1. The Chairman of the Dispute Resolution Commission announces the beginning of the meeting, announces the composition of the Dispute Resolution Commission, announces who the Secretary of the meeting is, what student's complaint is being considered, identifies the persons present at the meeting, asks the participants of the meeting whether they have any withdrawals of the members of the Dispute Resolution Commission on the grounds specified in article 8.1 of the Regulations of the Dispute Resolution Commission. In the case of applications for withdrawal, they shall be immediately examined at the meeting of the Dispute Resolution Commission;

35.2. The Chairman of the Dispute Resolution Commission acquaints the participants of the meeting with the student's complaint, gives the right to speak first to the student, then to the person whose actions/lack of such are related to the student's complaint; these persons are asked questions, they can ask questions to each other, then other participants are allowed to speak; if, after these statements, the student or the person whose actions/lack of such are the subject of the student's complaint wishes to make an additional statement, they are given the right to speak;

35.3. The Chairman of the Dispute Resolution Commission announces the end of the analysis of the student's complaint; the Dispute Resolution Commission makes a decision separately from the persons present at the meeting in accordance with the Dispute Resolution Commission regulations; after making a decision announces it to the persons present at the meeting together with a brief statement of reasons and specifying the time limit within which the student has the right to appeal the decision of the Dispute Resolution Commission to the Senate.

36. If necessary, the Chairman of the Dispute Resolution Commission may announce breaks during the meeting.

37. Separate meeting minutes shall be written for each student complaint hearing. The minutes of the meetings of the Commission shall be written by the Secretary of the meeting of the Dispute Resolution Commission in accordance with the form of the minutes specified in the Annex to the Procedure.

38. The minutes shall record:

38.1. Date and place of the meeting;

- 38.2. Composition of the Dispute Resolution Commission;
 - 38.3. The time of the beginning and the end of the meeting;
 - 38.4. The essence of the student's complaint (dispute), also indicating the person who submitted the complaint and the person whose actions and/or lack of such are the subject of the complaint;
 - 38.5. Persons participating at the meeting;
 - 38.6. Statements of abstentions by the participants of the meeting;
 - 38.7. A brief summary of the participants' speeches;
 - 38.8. Opinion of the members of the Dispute Resolution Commission who voted in writing on the issue of the student's complaint;
 - 38.9. The decision made by the Dispute Resolution Commission in relation to the student's complaint, along with a brief statement of the reasons for its acceptance.
39. The Dispute Resolution Commission, after examining the student's complaint, may take one of the following decisions:
- 39.1. to satisfy the requirement specified in the student's complaint;
 - 39.2. partially satisfy the requirement specified in the student's complaint;
 - 39.3. reject the claim specified in the student's complaint.
40. The minutes of the meeting of the Dispute Resolution Commission shall be signed by the Chairman and the Secretary of the Dispute Resolution Commission.
41. Decisions adopted by the Dispute Resolution Commission shall be formalized by the order of the Rector of the University. Minutes of the Dispute Resolution Commission meeting together with the draft of the Rector's order regarding the formalization of the decision of the Dispute Resolution Commission prepared by the University shall be submitted to the Rector of the University no later than within two business days from the meeting of the Dispute Resolution Commission. The draft of the Rector's of the University order is approved by the Chairman and Secretary of the Dispute Resolution Commission. A copy of the decision of the Dispute Resolution Commission formalized by the order of the Rector of the University shall be sent to the student electronically by the Secretary of the Dispute Resolution Commission no later than within one business day from the signing of the order of the Rector of the University to the e-mail provided in the complaint.

SECTION III

APPEAL TO THE SENATE OF THE DECISION OF THE DISPUTE RESOLUTION COMMISSION

42. A student dissatisfied with the decision of the Dispute Resolution Commission has the right to appeal to the Senate within 10 business days from the receipt of a copy of the decision of the Dispute Resolution Commission executed by the order of the Rector of the University. The Senate shall examine the student complaint in accordance with the Procedure rules of the Senate within a period of 15 calendar days.

43. The decision of the Senate regarding the student's complaint at the University is final. The student shall be informed about the adopted resolution of the Senate by e-mail specified in his/her complaint no later than within one business day from the day of adoption of the Senate resolution.

CHAPTER IV

IMPLEMENTATION OF DECISIONS OF THE DISPUTE SETTLEMENT ENTITIES

44. The Rector of the University is responsible for the implementation of the decision adopted by the body analyzing the disputes. The Rector of the University shall take the necessary measures, appoint responsible persons for the effective implementation of the decision made by the dispute resolution body.