

APPROVED

By the Senate of the Lithuanian University of Health Sciences, Resolution No. 46-12 of 16 May 2014

## STUDENT DISPUTE COMMITTEE REGULATIONS OF THE LITHUANIAN UNIVERSITY OF HEALTH SCIENCES

### CHAPTER I

#### GENERAL PROVISIONS

1. The Regulations of the committee for the resolution of student disputes with the administration and other staff of the Lithuanian University of Health Sciences (hereinafter referred to as the Dispute Committee) (hereinafter referred to as the Regulations) shall define the functions, rights and duties of the Dispute Committee, the rights and duties of the members of the Dispute Committee, and the procedure of the organisation of the work of the Dispute Committee.

2. These Regulations have been adopted in accordance with the following legislation:

2.1. the Law on Science and Studies of the Republic of Lithuania;

2.2. the Statute of the Lithuanian University of Health Sciences.

3. Definitions used in these Regulations:

3.1. **Student complaint** shall mean students' claims, requests or complaints concerning the resolution of disputes with the administration and other employees concerning violation of students' rights and legitimate interests in relation to research and study activities.

3.2. **Member of the Dispute Commission** shall include the Chairperson of the Dispute Commission, except as otherwise provided in these Regulations.

### CHAPTER II

#### THE FUNCTIONS, RIGHTS AND DUTIES OF THE DISPUTE COMMISSION, THE RIGHTS AND DUTIES OF THE MEMBERS OF THE DISPUTE COMMISSION

4. The Dispute Commission shall consider student complaints as defined in the Procedure for the Consideration of Student Disputes with the Administration and Other Employees of the Lithuanian University of Health Sciences (hereinafter referred to as the Dispute Resolution Procedure), defined in the Resolution of the Senate of the University of Health Sciences of Lithuania No. 46-13 of 16/05/2014.

5. The Dispute Committee shall have the following rights:

5.1. to contact the student who has filed a complaint in order to obtain additional information necessary to consider the student complaint, during the preparation for the Dispute Committee meeting;

5.2. to obtain all information relevant to the student complaint and necessary to resolve the dispute from University departments and employees;

5.3. to obtain an opinion from the Legal Department of the University (hereinafter referred to as the Legal Department) on the student complaint;

5.4. to invite University employees to the meeting of the Dispute Committee in order to obtain information and/or clarifications;

5.5. other rights provided for in these Regulations and the Dispute Resolution Procedure.

6. The Dispute Committee shall:

6.1. consider student complaints objectively and impartially;

6.2. respect the rights of the persons participating at the meeting and the principle of equal treatment of all parties to the dispute;

6.3. handle student complaints in a cost-effective and cooperative manner;

6.4. perform any other duties provided for in these Regulations and the Dispute Resolution Procedure;

6.5. make efforts to reconcile the parties, if possible considering the respective circumstances.

7. A member of the Dispute Committee has the following rights:

- 7.1. to ask questions and seek clarifications at the meeting of the Dispute Committee during the hearing of a student complaint;
- 7.2. if unable to attend a meeting of the Dispute Committee, to give a written opinion on the student complaint;
- 7.3. other rights provided for in these Regulations and the Dispute Resolution Procedure.
- 8. A member of the Dispute Committee shall:
  - 8.1. withdraw himself/herself from the consideration of the student complaint in the event of any of the following circumstances:
    - 8.1.1. the member is one of the parties to the student complaint considered at the Dispute Committee.
    - 8.1.2. The member is related by blood or marriage to at least one of the parties to the student complaint considered at the Dispute Committee. For the purposes of these Regulations, relation by blood is understood to mean a relation between persons whereby one descends from another or both descend from a common ancestor. For the purposes of these Regulations, relation by marriage shall be understood as a relation between one spouse and relatives of the other spouse and between relatives of both spouses;
    - 8.1.3. The member is related by marriage or guardianship to any of the parties to the student complaint considered at the Dispute Committee.
    - 8.1.4. The member, member's spouse (partner) or close relatives have a direct or indirect interest in the outcome of the dispute. For the purposes of these Regulations, close relatives shall include parents and children, grandparents and grandchildren, brothers and sisters.
    - 8.1.5. Other circumstances which cast doubt on the bias of the member of the Dispute Committee are present.
  - 8.2. attend a meeting of the Dispute Committee, unless important reasons, which shall be reported by the member to the Chairperson of the Dispute Committee, prevent the member from attending;
  - 8.3. vote at the meeting of the Dispute Committee to decide on the resolution of the student complaint;
  - 8.4. not disclose information obtained in the performance of the duties of a member of the Dispute Committee.
  - 8.5. perform any other duties provided for in these Regulations and the Dispute Resolution Procedure.

### **CHAPTER III COMPOSITION OF THE DISPUTE COMMITTEE**

9. The Dispute Committee shall consist of 6 persons: 3 persons of the administration nominated by the Rectorate of the University and 3 persons nominated by the University Student Union. The Dispute Committee shall be formed by order of the Rector of the University for a period of 2 years.

10. If a member of the Dispute Committee is unable to perform his/her duties in the Dispute Committee, he/she shall be replaced under the same principle as the one applied during the appointment. A new member of the Dispute Committee shall be appointed for the remainder of the full term of office of the Board. If more than half of the members of the Dispute Committee have been replaced during the term of office of the Dispute Committee, the Dispute Committee shall be re-elected in a new way, with a new term of office for the Dispute Committee.

11. The members of the Dispute Committee shall elect the Chairperson and the Deputy Chairperson of the Dispute Committee from among the members for the duration of the term of office of the Dispute Committee. The Chairperson of the Dispute Committee shall be elected in accordance with the procedure laid down in these Regulations. In the case of the election of the Chairperson of the Dispute Committee, the meeting shall be chaired by the meeting chairperson elected by the members of the Dispute Committee for the respective meeting.

- 12. The Chairperson of the Dispute Committee shall:
  - 12.1. set the agenda, place and time of the Dispute Committee meetings;
  - 12.2. chair the Dispute Committee meetings;
  - 12.3. organise and be responsible for the activities of the Dispute Committee;
  - 12.4. decide on the need to request further information from the student who has filed the complaint;
  - 12.5. decide on the need to request information from the University departments and

staff as may be necessary for the investigation of the student complaint;

12.6. decide on the need to refer to the Legal Service for a conclusive opinion on the issues considered;

12.7. perform the other functions set out in the Dispute Resolution Procedure.

13. In the absence of the Chairperson of the Dispute Committee, the Deputy Chairperson of the Dispute Committee shall perform all his/her functions.

#### **CHAPTER IV ORGANISING THE WORK OF THE DISPUTE COMMITTEE**

14. The Dispute Committee shall act in the form of meetings. A student complaint will normally be considered in an oral hearing meeting of the Dispute Committee. If technically feasible, the oral hearing meeting of the Dispute Committee may also be organised by video-conference or other electronic means. If the Dispute Committee meeting is organised by video-conference or other electronic means, all members of the Dispute Committee shall be provided with the possibility to participate in the meeting.

15. The student complaint shall be resolved in writing, i.e. without convening the dispute parties or other persons to the meeting, only in the following exceptional cases:

15.1. where it is apparent from the circumstances set out in the student complaint and other documents that an oral hearing of the student's complaint is not necessary;

15.2. where this is necessary in order to consider the complaint within the time limits laid down in the Dispute Resolution Procedure;

15.3. at the student's request.

16. The student complaint may also be considered by the Dispute Committee by electronic means. In such a case, each member of the Dispute Committee shall, not later than 1 working day before the date of the meeting, submit a written opinion on the student complaint in question to the Chairperson of the Dispute Committee or the Secretary acting under these Regulations and the Dispute Resolution Procedure; the option shall clearly state his/her vote (in the light of the Dispute Committee decisions as referred to in clause 39 of the Dispute Resolution Procedure) regarding the student complaint.

17. The Dispute Committee may also hear more than one student complaint during a single meeting, but another student complaint shall be heard only after a decision is made regarding the pending student. If necessary, and in accordance with the time limits set out in the Dispute Resolution Procedure, the same student complaint may be heard at more than one meeting of the Dispute Committee.

18. The Secretary of the Dispute Committee shall be appointed by order of the Rector of the University for the provision of technical support for the activities of the Dispute Committee. The Secretary of the Dispute Committee is not a member of the Dispute Committee. The Secretary of the Dispute Committee shall attend the meetings of the Dispute Committee. If the Secretary of the Dispute Committee is unable to attend the meeting, another person acting in his/her capacity shall be present at the meeting.

19. The Secretary of the Dispute Committee shall:

19.1. register a complaint received from a student addressed to the Dispute Committee;

19.2. notify the Chairperson and members of the Dispute Committee of the student complaint;

19.3. coordinate the place, and time of the meeting with the Chairperson of the Dispute Committee;

19.4. draw up the agenda for the Dispute Committee meetings, in coordination with the Chairperson of the Dispute Committee;

19.5. convene the members of the Dispute Committee to the meeting, by presenting the agenda, place and time of the meeting agreed with the Chairperson of the Dispute Committee, and the materials for the meeting to the members of the Dispute Committee;

19.6. contact the persons concerned in order to obtain the information necessary for the examination of the complaint at the instruction of the Chairperson of the Dispute Committee;

19.7. perform other functions provided for in these Regulations and the Dispute Resolution Procedure.

20. A meeting of the Dispute Committee shall be valid if the quorum of least 2/3 of the members of the Dispute Committee is present. In the event of the failed meeting of the Dispute Committee, the date of the next meeting shall be set at the failed meeting of the Dispute

Committee.

The next meeting of the Dispute Committee shall be convened as soon as possible in order to consider the student complaint within the time limits set out in the Dispute Resolution Procedure. The persons who did not attend the failed meeting shall be notified immediately of the next meeting of the Dispute Committee by e-mail.

21. The Secretary of the Dispute Committee shall convene the members of the Dispute Committee to the meetings of the Dispute Committee by e-mail, specifying the agenda, place and time of the meeting, and shall provide the members of the Dispute Committee with the materials of the meeting. Invitations convening to the meeting with all the materials for the meeting shall be sent to the members of the Dispute Committee at least 2 working days before the meeting.

22. Decisions of the Dispute Committee shall be adopted by the majority of votes by the members of the Dispute Committee present at the meeting. In the event of equal distribution of votes among the members of the Dispute Committee, the vote of the Chairperson of the Dispute Committee shall be the determining vote (or, in the absence of the Chairperson, the vote of the Chairperson of the meeting of the Dispute Committee). The votes of the members of the Dispute Committee who were absent from the meeting and who expressed their views in writing shall also be taken into account during the counting of the votes of the Dispute Committee.

## **CHAPTER V GENERAL PROVISIONS**

23. The Rector of the University shall ensure the necessary organisational conditions for the functioning of the Dispute Committee. The Rector of the University shall ensure that funds are allocated for the proper functioning of the Dispute Committee and that the Dispute Committee has the capacity to hold its meetings in suitable premises at the University.