

STUDENT DISPUTE RESOLUTION PROCEDURE OF THE LITHUANIAN UNIVERSITY OF HEALTH SCIENCES

CHAPTER I

GENERAL PROVISIONS

1. The Student Dispute Resolution Procedure of the Lithuanian University of Health Sciences (hereinafter referred to as the Procedure) establishes the general rules for the resolution of student complaints at the University, the procedure for resolution of student complaints when the complaints are considered by the Rector of the University or his/her authorised representative, the procedure for student complaint resolution at the committee for the resolution of student disputes with the administration and other staff (hereinafter referred to as the Dispute Committee), i.e. the procedure for preparing for dispute hearing, and the procedure for dispute resolution and making decisions on the disputes, as well as the rules for the enforcement of the decisions.

2. This Procedure has 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. For the purposes of this Procedure:

3.1. **Appeal Committee** shall mean the Appeal Committee provided for in the Study Regulations (hereinafter referred to as the Study Regulations) approved by the resolutions of the University Senate (hereinafter referred to as the Senate);

3.2. **Dispute-handling bodies** shall mean the entities referred to in clause 5 of this Procedure and the Senate;

3.3. **Student complaint** shall mean any statements, requests or complaints from students in relation to their disputes concerning resolution of violation of students' rights and legitimate interests related to research and study activities, that have arisen with the administration and other staff members. For the purposes of this Procedure, the term "student" shall also include non-degree learners at the University to the extent appropriate in accordance with the status of the non-degree learner as defined in the Regulations of Studies and other by-laws;

3.4. **Assessment Ethics Review Committee** shall mean the Committee provided for under the Study Regulations provide for handling of any assessment ethics violations.

4. This Procedure shall not apply in the following cases:

4.1. student proposals, applications or requests that do not involve a violation of students' rights or legitimate interests (which do not constitute a dispute of legal nature);

4.2. other student complaints that are not related to their rights and legitimate interests in the field of research and education, e.g. student complaints of a personal nature, etc.;

4.3. student appeals concerning the assessment of learning achievements and the crediting of learning outcomes, which shall be dealt with in accordance with the procedure laid down in the Study Regulations, except for student complaints as provided for in clause 7.4 of this Procedure.

CHAPTER II

GENERAL PROVISIONS ON STUDENT COMPLAINT RESOLUTION

5. A student who believes that his/her rights or legitimate interests have been violated has the right to apply to:

5.1. the Rector of the University or his/her authorised representative. The Rector of the University shall, by his/her order, designate authorised representatives to consider the student's complaint;

5.2. the Dispute Committee. The functions, rights and working procedures of the have been laid down in the Student Dispute Committee Regulations approved by the Senate Resolution No 46-12 of 16 May 2014 (hereinafter referred to as the Dispute Committee Regulations)

6. A student shall have the right to apply to the bodies referred to in clause 5 of this Procedure for the resolution of his/her disputes concerning the violation of his/her rights and legitimate interests related to research and study activities that have arisen with the administration and other staff members, except for the cases provided for in the Study Regulations.

7. The student also has the right to appeal to the Dispute Committee in the following cases:

7.1. if he/she is dissatisfied with a decision adopted by the Rector of the University or his/her authorised representative;

7.2. if the student has not received a reply from the Rector of the University or his/her authorised representative to the submitted complaint within 15 calendar days from the date of submission of the student's complaint;

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

7.4. on procedural violations in the handling of student appeals at the Appeal Committee;

7.5. on procedural violations in the handling of violations of ethics in student assessment at the Assessment Ethics Review Committee;

7.6. if he/she is dissatisfied with the decision of the Rector of the University or his/her authorised representative to refuse to consider the student's complaint.

8. The student shall have the right to apply to the entities referred to in clause 5 of this Procedure:

8.1. within 10 working days of becoming aware of a violation of his/her rights and legitimate interests provided for in the law;

8.2. in the case provided for in clause 7.1 of this Procedure, within 10 working days from the date of receipt of the decision of the Rector of the University or his/her authorised person on the student's complaint;

8.3. in the case provided for in clause 7.2 of this Procedure, within 10 working days from the last day on which he/she should have received the decision of the Rector of the University or his/her authorised representative on the student's complaint;

8.4. in the case provided for in clause 7.3 of this Procedure, within 10 working days from the date of receipt of the decision of the Rector of the University or the Dean of the Faculty of the University;

8.5. in the case provided for in clause 7.4 of this Procedure, within 10 working days from the date of receipt of the decision of the Appeal Committee;

8.6. in the case provided for in clause 7.5 of this Procedure, within 10 working days from the date of receipt of the decision of the Assessment Ethics Review Committee;

8.7. in the case provided for in clause 7.6 of this Procedure, within 10 working days from the date of receipt of the decision to refuse to consider the student complaint.

9. The time limits referred to in clause 8 of this Procedure may be extended upon submission a request by the student to the entities referred to in clause 5 of this Procedure (the entity to which the student's complaint is addressed) for the extension of the missed time limit, along with the data or documents supporting the reasons for the missed time limit. The request for an extension of the time limit shall be accompanied by the student's complaint.

10. The time limits referred to in clause 8 of this Procedure may be extended only if missed for important reasons. The following circumstances are generally not considered to constitute important reasons:

10.1. ignorance of the legislation governing the activities of the University;

10.2. student's lack of time;

10.3. student leave.

11. The entities referred to in clause 5 of this Procedure shall consider the request for extension within 3 working days.

12. The student may address the Rector of the University or his/her authorised representative and the Dispute Committee only in writing.

13. The 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 (by sending a scanned version of the complaint to the University's general email address or by fax);

- 13.3. by using the Dispute Committee contact section of the University's website.
14. The student's written complaint shall state the following:
 - 14.1. the name of the entity to which the student's complaint is addressed;
 - 14.2. date of the address;
 - 14.3. the student's name, surname, signature (except when applying under clause 13.3 of this Procedure), faculty, study programme, course, contact information (address, email address, telephone number);
 - 14.4. detailed description of the student's full position including the explanation of the violation of his or her rights or legitimate interests;
 - 14.5. a clear statement of the student's demand;
 - 14.6. copies of the documents supporting the student's claims in the complaint;
15. The student's written complaint shall be accompanied by copies of the documents supporting it (electronic copies in the case of an electronic application).
16. The rules set out in clauses 12 to 15 of this Procedure shall also apply to the student's application for an extension of time limits.
17. The bodies referred to in clause 5 of this Procedure shall have the right to refuse to consider a student's complaint if:
 - 17.1. the student complaint does not fall within the competence of the entities referred to in point 5 of this Procedure;
 - 17.2. the same student complaint (the same claims on the same grounds) is considered by another body referred to in clause 5 of these Regulations or by a court;
 - 17.3. the same student complaint (the same claims on the same grounds) has already been considered by the bodies referred to in clause 5 of this Procedure, except in the cases referred to in clauses 7.1, 7.2, and clause 7.4;
 - 17.4. the student's complaint does not include the student's full name and it is impossible to identify the student from the complaint submitted;
 - 17.5. the student's complaint is submitted after the time limit for submitting a student complaint set out in this Procedure, and no request for extension thereof has been submitted or the extension has been refused.
18. The issue of refusal to consider the student's complaint shall be resolved within 5 working days of the date of submission of the complaint. The issue of refusal to consider the student's complaint, if the complaint was addressed to the Rector of the University or his/her authorised representative, shall be decided by the Rector of the University or his/her authorised representative; if the student's complaint was addressed to the Dispute Committee, the question of refusal to consider the student's complaint shall be decided by the Chairperson of the Dispute Committee. The decision to refuse to consider the student's complaint shall be communicated to the complaining student by email to the email address specified in the student's complaint no later than 1 working day after the decision is taken. The decision to refuse to consider a complaint may be appealed within 10 working days of its receipt to the Dispute Committee if the decision is taken by the Rector of the University or his/her authorised representative, or to the Senate where the decision is taken by the Chairperson of the Dispute Committee.
19. The student's complaint shall be considered no later than 15 calendar days after its receipt by the University. The overall time limit for the consideration of the student's complaint may be extended only for important reasons and only by a reasoned decision of the body considering the student complaint up to a maximum of 10 working days. The decision by the complaint-handling body shall be finalised in writing and shall be sent to the student by email to the email address specified in the complaint no later than the following working day after its adoption.

CHAPTER III
THE PROCEDURE FOR STUDENT COMPLAINT RESOLUTION BY THE RECTOR OR HIS/HER AUTHORISED REPRESENTATIVE

20. The student complaint shall be submitted to the Rector of the University or his/her authorised representative in writing. The student complaint shall be submitted in accordance with clauses 12 to 15 of this Procedure.

21. The resolution of the student complaint shall be held in writing. In the course of the resolution of the student's complaint, the Rector of the University or his/her authorised representative shall have the right to request additional information from the student who has lodged the complaint, or from the University's structural units or employees.

22. After the student's complaint has been investigated, the decision taken by the Rector of the University or his/her authorised representative shall be formalised by the Rector of the University in the form of an order, or by his/her authorised representative in the form of a decision that is usually used to formalise the decisions by the authorised representative.

23. The decision taken by the Rector of the University or his/her authorised representative shall be emailed to the student on the following working day at the latest to the email address specified in the student complaint.

CHAPTER IV

STUDENT COMPLAINT RESOLUTION PROCEDURE AT THE DISPUTE COMMITTEE

SECTION I

PREPARATION FOR DISPUTE RESOLUTION AT THE DISPUTE COMMITTEE

24. In case the student complaint is submitted to the Dispute Committee, all student complaints submitted in a manner set out in clause 13 of this Procedure shall be immediately forwarded to the University employee appointed by the Rector of the University who is responsible for the technical support of the Dispute Committee (hereinafter referred to as the Secretary of the Dispute Committee). The Secretary of the Dispute Committee shall perform the functions defined in this Procedure and in the Regulations of the Student Committee.

25. Having received a student complaint, the Secretary of the Dispute Committee shall:

25.1. register the student complaint within 1 working day of receipt of the student complaint at the latest [...], indicating the date of receipt of the student complaint by the University, the person who submitted the complaint, and briefly specify the essence of the complaint;

25.2. notify the Chairperson and the members of the Dispute Committee of the receipt of the student's complaint no later than 1 working day after the receipt of the student's complaint.

26. The Chairperson or other members of the Dispute Committee, if any of the grounds for withdrawal from resolution the student's complaint referred to in clause 8.1 of the Regulations of the Dispute Committee exist, shall, upon receipt of the student's complaint, notify the Secretary of the Dispute Committee of his/her withdrawal by electronic means no later than within 1 working day. The Secretary of the Dispute Committee shall notify the Chairperson of the Dispute Committee upon receipt of a notification of withdrawal from a member or members of the Dispute Committee. If more than 3 members of the Dispute Committee have withdrawn themselves, the student's complaint shall be referred to the Senate. The Senate shall handle the student's complaint in accordance with the procedure laid down in the Rules of Procedure of the Senate.

27. In accordance with the Regulations of the Dispute Committee, the Dispute Committee shall have the following rights in the preparation for student complaint resolution by the Dispute Committee:

27.1. to request additional information from the applying student, as well as from the structural units and staff of the University. The Dispute Committee shall also have the right to seek the opinion of the legal department of the University regarding dispute resolution issues. The need for additional information shall be decided by the Chairperson of the Dispute Committee upon receipt of the student's complaint. The issue of the need for additional information shall be resolved within a reasonable period of time in order to ensure that the dispute can be dealt with within the established time limit. Where the Chairperson of the Dispute Committee determines that there is a need for additional information, he/she shall instruct the Secretary of the Dispute Committee to forward the requests and/or enquiries on information to the persons concerned, together with the time limits for the provision of the information. The information intended for the Secretary

of the Dispute Committee shall be provided in writing or by electronic means no later than the time limit set by the Chairperson of the Dispute Committee;

27.2. to invite the relevant staff members of the University to the meeting of the Dispute Committee for the provision of the necessary information or explanations on the issues related to the student's complaint and the circumstances specified therein. The need to invite a member of staff from the University to the meeting shall be decided by the Chairperson of the Dispute Committee. The University staff members invited to the meeting of the Dispute Committee shall be notified as early as possible but no later than 2 working days before the date of the meeting of the Dispute Committee. University staff members invited to the meeting shall be required to attend the meeting of the Dispute Committee, except where such attendance is infeasible for important reasons. The invitation to attend a meeting of the Dispute Committee, together with the date and time of the meeting of the Dispute Committee shall be sent by the Secretary of the Dispute Committee.

SECTION II DISPUTE RESOLUTION PROCEDURE AT THE DISPUTE COMMITTEE

28. 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 necessary, and in accordance with the time limits set out in clause 19 of this Procedure, the same student complaint may be heard at more than one meeting of the Dispute Committee.

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

29.1. 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;

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

29.3. at the student's request.

30. A student's complaint may also be considered by the Dispute Committee by electronic means in accordance with the procedures laid down in the Regulations of the Dispute Committee.

31. The meetings of the Dispute Committee shall be convened and the persons attending shall be notified of the meeting in accordance with the procedure laid down in the Regulations of the Dispute Committee. The meetings of the Dispute Committee shall be open unless a closed meeting is requested by the student whose complaint is being considered, or by the person whose acts and/or omissions are the subject of the student's complaint, and the Dispute Committee shall decide on the sufficiency of the grounds for considering the student's complaint in a closed meeting. If the Dispute Committee has met in a closed meeting, the members of the Dispute Committee, its Secretary, and persons present at the meeting shall be prohibited from making public the opinions expressed during the meeting or the results of the votes by individual members of the Dispute Committee.

32. The following persons shall be invited to attend the oral meeting of the Disputes Committee to hear the student's complaint:

32. 1. the student whose complaint is being considered;

32.2. the person whose actions and/or omissions are the subject of the student's complaint to the Committee;

32.3. as may be needed, the University staff member for provision of the necessary information or explanations;

32.4. other persons, if the Dispute Committee or the Chairperson decides that their presence is necessary for the purpose of the dispute.

33. The absence of the persons referred to in clause 32 of this Procedure shall not prevent the hearing of the student's complaint at the meeting.

34. If a member of the Dispute Committee is unable to attend a meeting of the Dispute Committee, he/she shall inform the Chairperson of the Dispute Committee by electronic means at least 1 working day before the scheduled date of the meeting.

If a member of the Dispute Committee is unable to attend the meeting, he/she shall have the right to express his/her views on the student's complaint in writing, clearly stating his/her vote (taking into account the decisions of the Dispute Committee referred to in clause 39 of this Procedure) in relation to the student's complaint. The member of the Dispute Committee shall submit his/her opinion on the student's complaint to the Chairperson or Secretary of the Dispute Committee.

35. The hearing of the student complaint by the Dispute Committee in an oral meeting shall take place in the following order:

35.1. the Chairperson of the Dispute Committee shall announce the beginning of the meeting, the composition of the Dispute Committee, the Secretary of the meeting, the student's complaint under consideration, identify the persons who are present at the meeting, and ask the participants of the meeting whether they have any grounds for withdrawal of a member of the Dispute Committee as set out in clause 8.1 of the Regulations of the Dispute Committee. In the event of an application for withdrawal, it shall be handled immediately at the meeting of the Dispute Committee;

35.2. the Chairperson of the Dispute Committee shall introduce the student's complaint to the participants of the meeting and shall invite the student to speak first, then the person whose acts / omissions are the subject of the student's complaint shall be given the floor. They may ask each other questions. Afterwards, other persons participating in the meeting are allowed to speak. Then, if the student or the person whose acts/omissions are the subject of the student's complaint wishes to make a further statement, they shall be allowed to do so;

35.3. The Chairperson of the Dispute Committee shall announce the end of the hearing of the student's complaint, the Dispute Committee shall adopt a decision in accordance with the procedure laid down in the Regulations of the Dispute Committee, separately from the persons present at the meeting, and, after adopting its decision, shall announce it to the persons present at the meeting, together with a brief statement of the reasons for the decision and the time limit for the student's right of appeal against the decision of the Dispute Committee to the Senate.

36. The Chairperson of the Dispute Committee may declare recesses in the meeting if necessary.

37. Separate minutes shall be kept for each student complaint hearing meeting. The minutes of the meetings of the Dispute Committee shall be taken by the Secretary of the Dispute Committee in accordance with the form of minutes set out in the Annex to this Procedure.

38. The following shall be recorded in the minutes:

38.1. date, place of the meeting;

38.2. composition of the Dispute Committee;

38.3. the start and end time of the meeting;

38.4. the essence of the student's complaint/dispute, including specification of both the person who submitted the complaint and the person whose acts and/or omissions are the subject of the complaint;

38.5. persons attending the meeting;

38.6. statements of withdrawals by participants in the meeting;

38.7. a brief summary of the contributions made by participants at the meeting;

38.8. the opinion of the members of the Dispute Committee who voted in writing on the student's complaint;

38.9. the decision adopted by the Dispute Committee in relation to the student's complaint, together with a brief statement of the reasons behind the decision.

39. Following the examination of the student complaint, the Disputes Committee may adopt one of the following decisions:

39.1. to satisfy the claim stated in the student complaint;

39.2. to partially satisfy the claim stated in the student complaint;

39.3. to dismiss the claim set out in the student complaint.

40. The minutes of the Dispute Committee shall be signed by the Chairperson and the Secretary of the Dispute Committee.

41. The decisions adopted by the Dispute Committee shall be formalised by the order of the Rector of the University. The minutes of the meeting of the Dispute Committee together with the draft

order of the Rector of the University on the formalisation of the decision of the Dispute Committee shall be submitted to the Rector of the University no later than within 2 working days after the meeting of the Dispute Committee. The draft order of the Rector of the University shall be reviewed by the Chairperson and the Secretary of the Dispute Committee. A copy of the decision of the Dispute Committee, already formalised by the order of the Rector of the University, shall be forwarded by the Secretary of the Dispute Committee to the student's e-mail address specified in the complaint by electronic means no later than within 1 working day from the date of signature of the order of the Rector of the University.

SECTION III APPEALING AGAINST THE DECISION OF THE DISPUTE COMMITTEE TO THE SENATE

42. A student who is dissatisfied with the decision of the Dispute Committee shall have the right to appeal against it to the Senate within 10 working days from the date of receipt of the copy of the Dispute Committee decision formalised by order of the Rector of the University. The Senate shall examine the student's appeal within 15 calendar days in accordance with the Rules of Procedure of the Senate.

43. The decision of the Senate on a student's complaint to the University shall be final. The student shall be informed of the decision of the Senate at the email address specified in his/her complaint no later than 1 working day after the decision of the Senate.

CHAPTER V ENFORCEMENT OF THE DECISIONS OF THE DISPUTE-HANDLING BODIES

44. The Rector of the University shall be responsible for the enforcement of the decision adopted by the dispute-handling body. The Rector of the University shall undertake the necessary measures and designate the persons responsible for the effective enforcement of the decision adopted by the Dispute Committee.