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University)

REGULATIONS OF DISPUTE SETTLEMENT COMMISSION OF ACADEMIC DIVISION OF VILNIUS UNIVERSITY

CHAPTER 1

GENERAL PROVISIONS

1. The Regulations of the Dispute Settlement Commission of an Academic Division of Vilnius University (hereinafter referred to as the Regulations) shall stipulate the set-up, the competence and the activity organization of Dispute Settlement Commission (hereinafter referred to as the Commission) of an Academic Division (hereinafter referred to as the Division) of Vilnius University (hereinafter referred to as the University).
2. The Commission shall operate under the Statute of Vilnius University, the legislation of the Republic of Lithuania, these Regulations and other legal acts of the University.

CHAPTER 2

PROCEDURE OF COMMISSION SET-UP

3. The Commission is composed of 6 members: 3 teachers and research (art) staff members of the Division and 3 student representatives.
4. The Commission is set up and its chairperson is appointed from the teachers and research (art) staff members of the Division by the Council of the Division on a proposal by Council's chairperson. Student representatives are appointed to and removed from the Commission by the University Students' Office (hereinafter referred to as the Students' Office) on the basis of the procedure established by the Students' Office. The deputy chairperson is appointed by the chairperson of the Commission from its members.
5. The members of the University Central Dispute Settlement Commission shall not be appointed to the Commission.
6. The members of the Commission enjoy equal rights, with the exception of the cases when the chairperson of the Commission shall have a casting vote on the basis of these Regulations.

7. The members of the Commission, except for the members appointed by the Students' Office, are appointed for a two-year term of office. The number of times that the period of two years in office can be renewed is unlimited.

8. Only persons with good repute shall be appointed to the Commission.

9. Persons who have been appointed to the Commission shall sign the confidentiality agreement and impartiality declaration as established by the Rector of the University or by the person authorized to represent the Rector.

10. A member can be removed from the Commission before the end of his/her term provided that s/he has committed a violation of academic ethics or any other violation of legal or moral norms, which is incompatible with the position of the Commission member. The decision of removing a member of the Commission shall be made by the delegating authority, i.e. either the Council of the Division or the Students' Office. Additional grounds and procedure for removing the students' representative from the Commission can be established by the Students' Office.

11. As a member of the Commission leaves his/her employment or finishes the studies in the University and submits the letter of resignation to the delegating authority – the Council of the Division or the Students' Office, or if a member of the Commission is removed in line with paragraph 10 of the Regulations, a new member of the Commission shall be appointed for the remaining term under the procedure laid down in the Regulations.

12. Material and organizational resources which are necessary for the operation of the Commission shall be provided by the head of the Division, who shall also appoint the secretary of the Commission. The secretary of the Commission shall not be its member. The secretary of the Commission must be present in the meetings of the Commission. Should the secretary be unable to attend the meeting, the head of the Division shall delegate another person who performs the functions of the secretary to be present in the meeting. Requirements laid down in paragraphs 8-9 apply to the secretary of the Commission or another person who performs the functions of the secretary of the Commission.

CHAPTER 3 COMMISSION'S AREAS OF ACTIVITY

13. The Commission shall deal with the following:

13.1. Statements of disputes (hereinafter referred to as Statements), which are related to research or study activity, and which arise between the students who take the study subjects (modules) offered by the Division and other members of the community who work in the Division, except for disputes about academic ethics or disputes about employment relationship.

13.2. Students' appeals (hereinafter referred to as Appeals) against the assessment of study achievements of study subjects delivered in the Division:

13.2.1. Appeals against the final assessment of the achievements of the study subjects (modules) delivered in the Division, except for the assessment of the final examinations and assessment of the defence of the final paper.

13.2.2. Appeals against the interim assessments of the study subjects (modules) delivered in the Division, and regarding procedural violations of sitting an examination (a credit test), defending the final examination or the final paper.

13.2.3. Other Appeals regarding violations of assessments of achievements of the study subjects delivered in the Division which might have had an influence on the final assessment of achievements of the study subject (module).

CHAPTER 4 ACTIVITY ORGANISATION OF THE COMMISSION

14. The activity of the Commission shall take the form of meetings, which shall be organized upon the receiving a Statement or an Appeal referred to in paragraph 13. The meetings of the Commission can also be held via electronic means by the decision of the chairperson, provided that none of the members of the Commission object to it.

15. The meetings of the Commission are summoned and chaired by the chairperson. In the event that the chairperson withdraws due to circumstances laid down in paragraph 16 or is unable to participate in the meeting, the meeting is summoned and chaired by the deputy chairperson of the Commission, or, if s/he is unavailable, by another member of the Commission appointed by the chairperson.

16. The member of the commission must withdraw from the matters discussed in the meeting in the event of one of the following circumstances:

16.1. the matter under consideration is directly related to the member of the Commission himself/herself;

16.2. the matter under consideration is related to persons who are close relatives by blood, marriage, partnership or guardianship to the member of the Commission;

16.3. the member of the Commission, his/her spouse (partner) or his/her close relatives are directly or indirectly interested in the outcome of the matter being addressed;

16.4. other circumstances exist which cast doubt on the impartiality of the member of the Commission.

17. Statements and Appeals are submitted to the Commission in the following manners:

17.1. printed and signed to the secretary of the Commission or to the administration of the Division;

17.2. in the information system of the University;

17.3. signed and scanned or signed with a qualified e-signature via e-delivery system.

18. The Commission shall examine disputes according to the principles of autonomy of the parties, procedural equality, competition, disposition, confidentiality, cost-effectiveness, cooperation and timeliness. The Commission must provide the parties with the possibility to be heard. This right shall be exercised in a spoken or written form.

19. The parties of the dispute shall be informed about the content of the Statement. The Commission may decide to provide depersonalized data to the other party to the dispute.

20. The meetings of the Commission shall be organized behind closed doors. The parties to the dispute shall have the right to be present in the meeting where the dispute matter is addressed at the invitation of the Commission. Upon the request of the parties to the dispute or on its own initiative, the Commission shall have the right to invite other persons to the meeting as well.
21. Minutes shall be taken of the meetings of the Commission. The secretary of the Commission shall draw up the minutes of the meeting of the Commission within 3 working days. The minutes are signed by the chairperson of the meeting and the secretary of the Commission. Minutes of the meetings of the Commission shall be filed in accordance with procedure established by the University legal acts. The meetings of the Commission shall be sound-recorded. The records shall be stored in accordance with the procedure established by the University legal acts.

CHAPTER 5

FEATURES OF EXAMINING STATEMENTS

22. Any student who takes the study subjects delivered at the Division and who thinks that his/her rights are violated can submit their Statements to the Commission. The Commission shall examine the Statements that involve only the members of the University community that work in the Division.
23. The Statement shall be submitted within no more than 1 month from the day when the violation was committed or revealed. The Commission may renew the term provided that the reasons for missing the deadline are compelling and the applicant submits a motivated request, if the violation was committed or revealed less than 6 months ago.
24. The Statement shall include:
 - 24.1. applicant's name, surname, the main study programme, University e-mail address and telephone number;
 - 24.2. the description of the violation and its grounds, i.e. the circumstances that give ground to the fact of committing the violation;
 - 24.3. specific request by the applicant;
 - 24.4. applicant's signature, except for the cases when the Statement is submitted via the University information system.
25. Anonymous, poorly substantiated and / or ungrounded Statements or Statements that do not meet other requirements laid down in paragraph 24 shall not be examined. The Commission shall have the right to return the Statement to the applicant for further corrections to be made within a reasonable period of time indicated by the Commission, which is no less than 2 working days.
26. The Commission must examine the received Statement and to adopt a decision no later than 30 calendar days from the date of the registration of the Statement. The period indicated in this paragraph shall not include students' holidays provided for in the University legal acts.

CHAPTER 6

FEATURES OF EXAMINING APPEALS

27. Appeals against the final assessment of achievements of the study subject (module) can be lodged no later than within 7 calendar days from the date of the announcement of the examination (credit test) results.
28. Appeals regarding violations of procedures of interim assessments and of the final assessment of the study subject (module) achievements as well as of procedures of sitting an examination or of defence of the final paper can be lodged no later than within 3 working days from the day of the assessment of interim tests or the final study subject (module) achievements test, final examination or defence of the final paper. An Appeal regarding the violations of procedure of sitting an examination (credit test) shall be without prejudice to the possibility of lodging an appeal against the final assessment of achievements of the study subject (module).
29. The student shall have a right to have access to his/her work of examination (credit test) and to receive teacher's explanations about the mistakes and shortcomings of the work at the time to be decided by the teacher, but no later than 3 working days from the date of announcement of examination or credit test results.
30. The Appeal shall contain the following:
- 30.1. appellant's name, surname, the main study programme, University e-mail address and telephone number;
 - 30.2. the description of the ground of appeal, i.e. the circumstances that give ground to the applicant's disagreement with the final assessment of achievements of the study programme (module) or a specific violation of sitting an interim test or examination (credit test) or defending the final paper;
 - 30.3. specific request by the appellant;
 - 30.4. appellant's signature, except for the cases when the Statement is submitted via the University information system.
31. Anonymous, poorly substantiated and / or ungrounded Appeals or Appeals that do not meet other requirements laid down in paragraph 24 shall not be examined. The Commission shall have the right to return the Statement to the appellant for further corrections to be made within a reasonable period of time indicated by the Commission, which is no less than 2 working days.
32. If the Appeal is lodged regarding a violation of procedures of sitting an examination (credit test) or defending the final paper, the Commission shall evaluate the soundness of the Appeal.
33. If the Appeal is lodged against the final assessment of achievements of the study subject (module), an impartial commission of experts of the study subject (module) shall be set up (hereinafter referred to as the Expert Commission) to assess the work of examination (credit test) whose final assessment is appealed against. The Expert Commission shall be set up by the order of the head of the Division in which the study subject (module) is delivered, and shall consist of at least three members. The Expert Commission shall not include the teacher whose final assessment is appealed and his/her close relatives or other persons related to him/her as defined in paragraph 16.2. The name of the appellant and/or the final assessment appealed may not be revealed to the Expert Commission by the decision of Commission.
34. The Expert Commission may also be given access to the Appeal itself, together with the work whose final assessment is appealed against. In such a case teacher's explanations may also be provided to

the Expert Commission provided that the teacher has taken the opportunity to provide such explanations regarding student's work to the Commission. The conclusion of the Expert Commission shall be drawn and signed by its members and submitted to the Commission within 10 calendar days from the day of setting up the Expert Commission. The conclusion of the Expert Commission shall contain the assessment of the student's work and the arguments for such assessment.

35. The Commission shall make the final decision regarding the final assessment of achievements of the study subject (module) having taken the Expert Commission's conclusion into account. In all cases the Commission shall not give a lower assessment than the assessment that was appealed against.

36. In exceptional cases, should substantial shortcomings of setting up the Expert Commission be established, the Commission may contact the head of the Division again with a well-argued request to set up a new Expert Commission.

37. The Commission shall inform the teacher who assessed the study achievements about the Appeal that has been lodged and its examination; if it finds it necessary, the Commission also requests the teacher to provide his/her explanations about the subject matter of the Appeal. Upon informing the teacher who assessed the study achievements about the Appeal that has been lodged, the Commission may decide not to indicate the name of the appellant.

38. When the Appeal regarding violations of procedure of sitting an interim test or examination (credit test) or defending the final examination or the final paper is examined, the Commission shall assess whether these procedural violations might have had influence on the assessment of the interim test, examination (credit test), final examination or final paper.

39. Until the Commission has adopted a decision, the administration of the Division shall not make any decisions related to the assessments of study achievements or procedures of examinations and final paper defence which are being examined in the Commission, and the enforcement of the decision made hitherto shall be suspended.

CHAPTER 7

DECISIONS OF THE COMMISSION

40. Having examined the Statement the Commission shall adopt a decision which establishes the fact of either infringement or absence of infringement of the University legal act.

41. Having examined the Appeal against the final assessment of achievements of study subject (module) the Commission shall adopt a decision pursuant to paragraphs 33 and 35 of these Regulations.

42. Having examined the Appeal regarding possible procedural violations of sitting an interim test, final assessment of the study subject (module), sitting the final examination or defending the final paper, the Commission may revoke the assessment of appellant's study achievements if it finds that procedural violations which have been established might have had a substantial impact on the assessment of the examination (credit test) or final paper or final assessment of study subject (module). Having revoked the assessment of study achievements the Commission informs the head of the Division about its decision and imposes an obligation to set up a commission for repeated sitting of an interim test or examination (credit

test) or defence of the final paper. The members of the commission shall be approved by the head of the Division; the commission shall not include the teacher(s) whose assessment is revoked. The interim test and examination (credit test) shall be taken or the final paper shall be defended no earlier than 5 calendar days and no later than 20 calendar days after the Commission's decision. This period shall not include teachers' or students' holidays. A modified assessment shall be recorded into the assessment sheet and into the University information system within 7 calendar days by the head of the Division or his/her authorized representative in accordance with the decision of the Commission. The persons concerned may appeal against the failure to enforce the Commission's decisions as provided for in this paragraph before the University Central Dispute Settlement Commission.

43. Should the Commission establish the existence of procedural violations of sitting an interim test or examination (credit test) or defending the final examination or the final paper which are related to incorrect calculation of the assessment of examination (credit test), the final paper of the final assessment of study subject (module), it may decide on recalculating the assessment of examination (credit test), the final paper of the final assessment of study subject (module); in such a case, a recalculated assessment shall be indicated in the decision of the Commission.

44. Should the Commission establish the existence of substantial procedural violations of sitting an interim test or examination (credit test) or defending the final examination or the final paper which might have had influence on the assessment of other students who have not lodged an Appeal, it shall inform the head of the Division about such a finding. The Commission may provide suggestions to the head of the Division about organizing research and study activities and about improvements to be made to the assessment system.

45. The decisions of the Commission shall be legitimate if they were adopted in a meeting with the presence of no less than two thirds of the members of the Commission.

46. The decisions of the Commission shall be adopted by a simple majority of those members present in the meeting. The chairperson of the Commission shall have a casting vote in the event of a tie.

47. The decision of the Commission signed by the chairperson shall be sent to the University emails of the parties to the dispute and the head of the Division within no more than 7 calendar days from the day of its adoption. The decision shall be deemed to have been served the following day after it has been sent.

48. The decision of the Commission regarding the final assessment of the subject (module) shall be final. Other decisions of the Commission can be appealed against before the University Central Dispute Settlement Commission within no more than 7 calendar days from the day of serving the decision.