

## The Description of Procedures for Resolving Student Appeals and Complaints at Vilnius Gediminas Technical University

### Chapter 1. General Provisions

1. The description of procedures for resolving student appeals and complaints (hereinafter – ‘the description’) at Vilnius Gediminas Technical University (hereinafter – ‘the University’) regulates the appeals of students and applicants to the University considering performance assessment, including the breaches of assessment procedures, submitting and resolving student complaints about the actions taken by the authorities of the University, the formation and organizational arrangements of the Boards of Appeal.
2. The description does not apply to resolving appeals brought by the third-cycle degree students.
3. The order and procedures for student performance assessment are regulated by Procedure Description for Student Performance Assessment and Earning Credits at Vilnius Gediminas Technical University, the Description of the Final Thesis Preparation and Defence Procedure at Vilnius Gediminas Technical University and other internal laws issued by the University.
4. The order and procedures for running admission tests and the order for appealing against the breach of testing procedures are regulated by the Description of Procedures for Testing and Assessing Physical Fitness at Vilnius Gediminas Technical University and the Procedure for Conducting the Career Aptitude Test at Antanas Gustaitis Aviation Institute of Vilnius Gediminas Technical University.
5. The concepts used in the description:
  - 5.1. **Appeal** – a written request from the appellant to resolve a possibly incorrect assessment of knowledge and/or a possible breach of assessment procedures.
  - 5.2. **Appellant** – a current student or an applicant submitting an appeal.
  - 5.3. **Performance assessment** – the interim or final assessment of a course unit (module) calculating a score in line to the ten-point assessment scale of learning outcomes in consonance with the procedures established by the University
  - 5.4. **Complaint** – a request submitted to the University by the matriculated student to resolve and assess the actions or omissions of the University employee, department or management body potentially leading to the breaches of matriculated student rights or legitimate interests.
  - 5.5. **Applicant** – a person intending to study at the University and take an admission test.
  - 5.6. **Matriculated student** – a student or a listener of the first and second cycle, integrated and part-time studies.
6. The matriculated student shall have the right to submit
  - 6.1. an appeal for the performance assessment score;
  - 6.2. an appeal against the breaches of knowledge assessment procedures;
  - 6.3. a complaint about the actions of the executives, except for the complaints about the curriculum of study programs, academic ethics or employment relations.

7. The applicant shall have the right to appeal against the decision made by the Board of Appeal dealing with the requests for the breach of admission test procedures.

8. The Boards of Appeal of faculties are temporary and formed to resolve the received appeal. The Board of Appeal of the University is permanent.

9. Appeals for the final theses, the final credits awarded by commissions, the credits earned conforming to the established aviation standards and admission tests are only submitted on the condition of the breaches of performance assessment procedures.

## **Chapter 2. The Procedure for Submitting Appeals and/or Complaints by Matriculated Students**

10. Prior to submitting an appeal for performance assessment, the matriculated student shall contact the member-assessor of the teaching staff (Board) within 3 business days from the date of the provided assessment to have the opportunity for looking through and discussing written work.

11. The matriculated student, upon disagreements on the clarification and arguments made by the assessor (Board), shall submit a written appeal against the breaches of performance assessment within 5 business days from the date of entering the result into the information system of the University.

12. An appeal against the breaches of assessment procedures shall be submitted without delay and interaction with the member-assessor of the teaching staff (Board).

13. Appeals and complaints are submitted by e-mail [vgtu@vgtu.lt](mailto:vgtu@vgtu.lt).

14. An appeal or a complaint shall be submitted by a student or a group of students. On the condition that the appeal or complaint is submitted by a group of students, it shall be signed by all students, but no more than three students shall be nominated as the representatives of the group of students communicating directly with the Board of Appeal.

## **Chapter 3. The Procedure for Submitting Appeals by Applicants**

15. In the event of disagreement with the assessment of the admission test, applicants, in consonance with the established procedure, shall contact the Admission and Information

Centre of the University for clarifying the assessment of the admission test and the opportunity to submit an appeal that shall be resolved by a separate Board of Appeal formed for handling the breaches of admission test procedures.

16. This description covers only applicant appeals against decisions made by the Board of Appeal resolving the breach of admission test procedures.

17. Not later than 2 business days from the date of the issued decision, applicants shall submit the appeals against the judgements made by the Board of Appeal resolving requests for the breach of admission test procedures.

18. Appeals are submitted by e-mail [vgtu@vgtu.lt](mailto:vgtu@vgtu.lt).

19. The appeal shall be submitted by the applicant or his/her legal representative.

## **Chapter 4. The Content of Appeals and Complaints**

20. The appeal or complaint shall include
- 20.1. the name, surname, major study programme, phone number of the appellant or applicant (student, a representative of a student group) and the e-mail address provided to the appellant by the University;
  - 20.2. the object (course unit, admission test, assessment, assessor, form of credits and complaints about the actions of the executives in the case of grievance) of the appeal (complaint);
  - 20.3. the date of providing performance assessment in the University information system;
  - 20.4. the arguments substantiating the disagreement of the appellant(s) or applicant(s) with the results of performance assessment and/or the specified breaches of assessment procedures and/or the illegitimacy of complaints about the actions taken;
  - 20.5. the request made by the appellant(s) or applicant(s);
  - 20.6. the signature of the appellant (applicant).
21. The appeal or complaint shall not be considered a request made by the student or applicant for providing information or clarifying the descriptions of procedures and other regulatory documents issued by the University or for submitting proposals to enhance quality, advance processes and improve procedures.

## **Chapter 5. Forming the Board of Appeal**

22. The submitted appeal or complaint shall be referred by the Vice-Rector for Studies to the Board of Appeal of the Faculty or University for consideration.
23. The Board of Appeal of the University resolves the appeals and complaints regarding
- 23.1. the breach of assessment procedures or performance assessment on the condition that the appointed assessor was the Dean or Vice-Dean of the Faculty, the Rector or Vice-Rector of the University or the Head of the Department;
  - 23.2. the breach of assessment procedures or performance assessment on the condition that assessment was conducted by the Board;
  - 23.3. the decision made by the Board of Appeal of the Faculty or refusal to execute the decision made by the Board of Appeal;
  - 23.4. the decision made by the Board of Appeal of admission tests;
  - 23.5. the actions of the executives, except for complaints about the content of study programmes, academic ethics or employment relations.
24. The Boards of Appeal of faculties shall resolve requests for student performance assessment or for the breach of assessment procedures on the condition that, in line to Paragraphs 23.1–23.3, these appeals are not assigned to the competence of the Board of Appeal of the University.
25. The Board of Appeal of the Faculty is formed within 5 business days from the date of receiving the appeal by the decree of the Dean of the Faculty incorporating the Department offering the module of the course unit taught.
26. The Board of Appeal of the Faculty consists of 3 to 5 members one of which is appointed the Chairman of the Board.
27. The members of the Board of Appeal cannot be represented by the teaching staff involved in examinations or other employees the participation of which may lead to a conflict of interest or who may be engaged in an appropriate decision made by the Board of Appeal.

28. On the condition that the appeal refers to performance assessment, the recommended members of the Board of Appeal, on the assumption that their involvement excludes a conflict of interest, shall involve

28.1. the Vice-Dean for Studies; supposing that the Vice-Dean for Studies is unable to attend, appointing the Head of the Department is recommended;

28.2. the teaching or research staff of the field of study to which the study module is attributed;

28.3. other persons competent to resolve the appeal on the level of performance in a particular course unit.

29. On the condition that the appeal is submitted in line to the breach of procedures, in addition to the persons specified in Article 28 of the Description, the Board also includes a representative of the Law Department or Academic Affairs Office of the University and a representative appointed by the Student Body of the University.

30. The Board of Appeal of the University is a permanent structure formed by the order issued by the Rector of the University. The Board comprises 6 members, including 3 University employees appointed by the Rector and 3 student representatives appointed by the Student Body of the University.

31. The Chairman of the Board of Appeal is appointed by the Rector from the members of the Board. The Vice-Chairman of the Board is elected by the Board from the members of the Board on the proposal of the Chairman of the Board.

32. The members of the Board, except for the members of the Student Body, are appointed for a tenure of 2 years. The number of the tenures of the Board members is unlimited.

33. Only the persons of impeccable reputation and advanced learners are appointed to be the members of the Board.

34. A member of the Board is revoked from the office by the person who appointed him before the end of the tenure on the condition that the member has breached academic ethics or has committed another violation of legal or employment duties incompatible with the duties of the member of the Board.

35. In the event of the resignation or revocation of a member of the Board, the person who has appointed the revoked member appoints another member.

36. The decisions made by the Boards of Appeal are taken by simple majority. All members of the Boards of Appeal shall have one vote each and all members shall have equal voting rights unless the Chairman of the Board of Appeal shall have the casting vote in the event of a tie.

37. Material and organizational conditions required for activity conducted by the Boards are ensured by the Rector. The person forming the Board of Appeal also appoints the Secretary who shall ensure that Board meeting minutes are taken, and the prepared report of the meeting is signed. The Secretary of the Board is not a member of the Board. The Secretary of the Board shall attend the meetings of the Board. In the event the Secretary of the Board is unable to attend, another person shall be appointed to act at the meeting. The requirements set out in Article 33 of this description shall apply to the Secretary of the Board.

## **Chapter 6. Operating Principles of the Boards of Appeal**

38. The Boards of Appeal shall

38.1. resolve appeals and complaints accurately and impartially;

38.2. respect the rights of the persons present at the meeting, observe the principle of equality with regard to all participants involved in the dispute;

- 38.3. endeavour, on the condition that circumstances so require, to reconcile the parties involved.
- 39. A member of the Board of Appeal shall
  - 39.1. attend the meetings of the Board and vote on all issues under discussion;
  - 39.2. inform the Chairman of the Board in writing and withdraw from resolving appeals or complaints on the condition there are indications of a conflict of interest;
  - 39.3. vote impartially and without bias;
  - 39.4. not to disclose to third parties any information that has come to his/her knowledge as a result of work for the Board of Appeal;
  - 39.5. comply with academic ethics, GDPR requirements, confidentiality obligations.
- 40. A member of the Board of Appeal shall be obliged to withdraw from the issues discussed at the meeting in the event of at least one of the following circumstances:
  - 40.1. the resolved issue is of direct concern to the member of the Board;
  - 40.2. the resolved issue is of concern to the persons the member of the Board has a close relationship or is involved in marriage, partnership, in-laws or care relations;
  - 40.3. the member of the Board, his/her spouse (cohabitant) or his/her close relatives show a direct or indirect interest in the outcome of the resolved issue;
  - 40.4. circumstances that call into question the impartiality of the Board.

## **Chapter 7. Resolving Appeals and Making Decisions**

- 41. The Board of Appeal of the University, not later than within two business days from the date the Vice-Rector for Studies assigned to resolve the appeal (complaint) and the Board of Appeal of the Faculty, not later than within two business days from the date the Dean of the Faculty issued the order for forming the Board shall convene for a meeting. The meeting is accepted to be valid on the condition that at least 2/3 of the members but not less than 3 members of the Board are present.
- 42. If required, the Board of Appeal, in respect of the appellant/applicant, may submit a request from the person who came to a decision, the Board members who assessed performance or other University staff who agreed on the actions being reported for clarification and additional information, including evidence provided by other students and listeners of the University. Clarification and/or additional information shall be provided within a reasonable period of time specified by the Board, but not shorter than 2 business days. The appellant and other persons concerned shall be entitled to attend the meeting of the Board.
- 43. The Board of Appeal shall have the right to give back the appeal (complaint) to the applicant for resubmission to eliminate deficiencies within a reasonable term specified by the Board, but not shorter than 2 business days.
- 44. Anonymous appeals shall not be resolved unless the Board of Appeal, having assessed the relevance of the facts set out in the appeal, decides otherwise.
- 45. Upon the receipt of an appeal or complaint, the Board forwards it by e-mail to the other party to the dispute, sets a time limit not shorter than 10 calendar days for submitting clarifications and, in consonance to the procedure provided, informs the parties of the estimated time of the resolved appeal or complaint and notifies of the meeting place in the event the appeal or complaint is resolved following other than the written procedure. Only the depersonalised application or complaint shall be submitted to other party to the dispute.
- 46. The Board shall resolve the submitted appeal or complaint and reach a decision not later than within time limit of 30 calendar days from the date the document was reported at the University conforming to the established procedure.

47. If required, the same appeal or complaint shall be resolved at more than one meeting of the Board within time limits specified in the description.

48. In the absence of the meeting of the Board, another meeting shall be convened shortly to resolve the appeal (complaint) within time limits specified in the description. The members of the Board shall be notified of the next meeting by e-mail.

49. The meetings of the Board are held in-camera. The parties to the dispute shall be entitled to attend the meeting of the Board at the invitation of the Board. The Board shall have the right to invite other persons to attend the meeting at the request of the parties involved or on the individual initiative of the Board itself.

50. The Board resolves appeals or complaints pursuant to the principles of party autonomy, equality of arms, adversarial proceedings, disposition, confidentiality, cooperation and expediency. The Board shall provide the opportunity for the parties to the dispute to be heard. This right is exercised in writing or orally.

51. Board meeting minutes shall be taken and signed by the Chairman of the meeting and the Secretary of the Board within 3 business days from the held meeting of the Board. An audio recording is made during the meeting of the Board. Audio recordings of the Board meetings are stored pursuant to the procedure established by the legal acts of the University. The Secretary of the Board informs all involved parties of the meeting about the audio recording at the beginning of the meeting.

52. Having resolved the appeal for performance assessment or the breach of performance assessment procedures or the complaint, the Board of Appeal shall

- 52.1. satisfy the appeal (complaint);
- 52.2. partially satisfy the appeal (complaint);
- 52.3. reject the appeal (complaint).

53. The reached decision shall include the part stating the legislation the decision has been based. The final part of the decision made shall specify how and to whom the decision may be appealed.

54. All minutes shall be taken for the meetings of the Board. Board meeting minutes setting out the final decision on the appeal (complaint) shall specify

- 54.1. the date, time and place of the meeting;
- 54.2. the parties present at the meeting;
- 54.3. agenda;
- 54.4. a brief statement of the views and arguments of the speakers;
- 54.5. the results of Board voting;
- 54.6. the decision made.

55. A copy of the minutes taken, including the decision made, shall be submitted by the Chairman of the Board to the Dean of the Faculty the appellant (applicant) studies and to the appellant (applicant) him/herself.

56. The decision made by the Board of Appeal shall be taken by a majority vote applying the open ballot system, the decision reached is transcribed in the minutes of the meeting. In the event of a tie, the Chairman of the Board shall have the casting vote.

57. In the event the Board of Appeal arrives at a decision on upholding the appeal against the breaches of performance assessment procedures, appellant's performance shall be reassessed.

Appellant's performance shall be assessed by the other member of the teaching staff appointed by the Chairman of the Board.

58. The appellant shall agree on the timing of performance reassessment with the member of the teaching staff appointed by the Chairman of the Board. Performance reassessment shall be completed within a period of 1 month from the date of the decision made by the Board but cannot be conducted during the holiday period of the teaching staff.

59. The Board, not later than 3 business days from the date of the decision made, excluding the subjects provided in Article 55 of this description, provides information using University e-mails on the resolved appeal or complaint and the decision taken for

59.1. the appellant (applicant);

59.2. an employee of the University, the Head of a Department, the Board or other body operating at the University against the written decision of which the appeal shall be submitted;

59.3. the Vice-Dean for Studies of the Faculty the appellant studies on the condition that the Vice-Dean is not a member of the Board.

60. The Head of the Department shall enter the modified performance assessment score into the University information system within 3 business days from the date the Board of Appeal made the decision.

## **Chapter 8. Concluding Remarks**

61. The appointed members of the Boards of Appeal shall sign confidentiality pledges kept together with appeal documents conforming to the procedure established by the University.

62. The decisions taken by the Boards of Appeal of faculties may be appealed to the Board of Appeal of the University within a period of 5 business days. The decision taken by the Board of Appeal of the University is final. On the condition that the appellant does not agree with the decision made by the Board of Appeal of the University, the dispute may be resolved in other competent institutions as stated in the procedures established by the legislation of the Republic of Lithuania.

63. Regarding the issues of improving the format of research and study activities, the Board of Appeal may refer to the decisions made to submit proposals to University or Faculty executives.

64. Student appeals and complaints and decisions made are stored in student files.

65. The appeals of applicants are kept together with Board of Appeal minutes and other documents.

66. Board of Appeal minutes and other documents are kept as stated in the procedure established by the University.

67. The personalized decisions made by the Boards of Appeal are provided on the internal network (Intranet) of the University and sent by e-mail to the Student Body of the University.