

The Description of Procedures for Resolving Student Appeals and Complaints

Chapter 1. General Provisions

1. The description of procedures for resolving student appeals and complaints (hereinafter – ‘the description’) regulates the appeals of students and applicants to the Vilnius Gediminas Technical University (hereinafter – ‘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 Appeals Commissions.

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 and other internal documents issued by the University.

4. The procedure for the organisation of the entrance examination of artistic landscape architecture skills (hereinafter - the entrance examination), the procedures for appealing against the assessment result and/or the infringement of procedures for the conduct of the examination are regulated by the Description of the Procedure for the Preparation, Conduct and Evaluation of the Tasks of the Entrance Examination of Artistic Landscape Architecture Skills of the Vilnius Gediminas Technical University.

5. The procedures for the organisation of the professional fitness and physical fitness entrance tests (hereinafter - tests) and the procedures for appealing against the infringement of the assessment result and/or the procedures for the conduct of the test shall be regulated by the Description of the Procedures for the Organisation and Assessment of the Physical Fitness Test of the Vilnius Gediminas University of Technology and the Procedure for the Conduct of the Professional Fitness Test of the Vilnius Gediminas University of Technology Antanas Gustaitis Aviation Institute.

6. The concepts used in the description:

6.1. **Appeal** – a written request from the appellant to resolve a possibly incorrect assessment of knowledge and/or a possible breach of assessment procedures.

6.2. **Appellant** – a current student or an applicant submitting an appeal.

6.3. **Joint Admissions Information System (JAIS)** – an interactive system designed to collect, compile, process and provide data and information by means of information technologies for the centralised selection and admission of applicants to Lithuanian higher education institutions and vocational training institutions in accordance with the requirements established by the Minister of Education, Science and Sport, higher education institutions and vocational training institutions.

6.4. **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.

6.5. **Complaint** – a request submitted to the University by the matriculated student to resolve and assess the actions or omissions of the University employee or management body potentially leading to the breaches of matriculated student rights or legitimate interests.

6.6. **Applicant** – a person intending to study at the University and take an admission test or test.

6.7. **Matriculated student** – a student or a listener of the first and second cycle, integrated and part-time studies.

Chapter 2. The Procedure for Submitting Appeals by Applicants

7. The description of procedures governs appeals against decisions taken by:

7.1. the Appeals Commission, which examines appeals regarding the result of the evaluation of the Entrance Examination of Artistic Landscape Architecture Skills and/or the breaches of the administration procedures;

7.2. the Appeals Commission, which hears appeals regarding the result of the assessment of a professional fitness test and/or the breaches of administration procedures;

7.3. the Appeals Commission, which hears appeals regarding the result of the assessment of a physical fitness test and/or breaches of administration procedures.

8. Appeals against technical errors and breaches of procedures in the assessment of the entrance examination for artistic architectural education jointly conducted by Kaunas University of Technology, Vilnius Academy of Arts and Vilnius Gediminas Technical University are organised in accordance with the procedures established in the description of the procedure for the preparation and conduct of the tasks of the entrance examination for artistic architectural education jointly conducted by Kaunas University of Technology, Vilnius Academy of Arts and Vilnius Gediminas Technical University.

9. In the event of disagreement with the assessment of the admission test, applicants must first contact the Admission and Information Centre in accordance with the established procedure, so that the assessment of the entrance exam or test and the possibility of submitting an appeal in accordance with the valid procedure descriptions would be explained. Appeals regarding the entrance exam or test are first examined in separate the Appeals Commission established to examine the evaluation result of the entrance exam or test.

10. Applicants must submit appeals against decisions taken by the Appeals Commission that hear appeals against the assessment result of an entrance examination or test and/or breaches of the administration procedures no later than 24 hours after the results of the entrance examination or test have been published in Joint Admissions Information System (JAIS).

11. Appeals against the assessment of an entrance examination or test and/or against the procedures for the administration of the examination or test shall be submitted to the Director of the Admission and Information Centre.

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

Chapter 3. The Procedure for Submitting Appeals by Matriculated Students

13. The student has the right to submit:

13.1. an appeal for the performance assessment score;

13.2. an appeal against the breaches of knowledge assessment procedures;

13.3. a complaint about the actions and omission of an employee and executives of the University, with the except of complaints about the curriculum of study programs, academic ethics or employment relations.

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

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

16. The matriculated student, upon disagreements on the clarification and arguments made by the assessor (commission), 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.

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

18. Appeals and complaints are submitted by email vilniustech@vilniustech.lt.

19. 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 Appeals Commission.

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 or the applicant's personal email address;

20.2. the object (course unit, admission test, assessment, assessor, form of credits and in complaints about the actions or omission of an employee or governing body of the University 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, 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 Appeals Commission

22. The submitted appeal or complaint shall be referred by the Vice-Rector for Studies to the Appeals Commission of the Faculty or University for consideration.

23. The Appeals Commission of the University is permanent.

24. The Appeals Commission of faculties to hear appeals received against possible inadequate assessment of knowledge and/or possible breach of assessment procedures are temporary and formed to resolve the received appeal.

25. The Appeals Commission of the University resolves the appeals and complaints regarding:

25.1. 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;

25.2. the breach of assessment procedures or performance assessment on the condition that assessment was conducted by the commission;

25.3. the decision made by the Appeals Commission of the Faculty or refusal to execute the decision made by the Appeals Commission;

25.4. the decision made by the Appeals Commission, which hears appeals regarding the result of the evaluation of the Entrance Examination of Artistic Landscape Architecture Skills and/or the violation of the administration procedures;

25.5. the decision of the Appeals Commission hearing appeals against the result of an assessment of a professional fitness test and/or a breach of the administration procedures;

25.6. a decision of the Appeals Commission hearing appeals against the result of an assessment of the physical fitness test and/or a breach of the administration procedures;

25.7. the actions or omissions of the University employee or management body, except for complaints about the content of study programmes, academic ethics or employment relations.

26. The Appeals Commission of faculties shall resolve requests for student performance assessment or for the breach of assessment procedures on the condition that, in line to sub-paragraphs 25.1–25.3, these appeals are not assigned to the competence of the Appeals Commission of the University.

27. The Appeals Commission 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.

28. The Appeals Commission of the Faculty consists of 3 to 5 members one of which is appointed the Chairman of the Appeals Commission.

29. The members of the Appeals Commission shall not include the teaching staff involved in examinations or other employees whose participation may lead to a conflict of interest or who may be engaged in an appropriate decision made by the Appeals Commission.

30. On the condition that the appeal refers to performance assessment, the recommended members of the Appeals Commission, on the assumption that their involvement excludes a conflict of interest, shall involve:

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

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

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

31. On the condition that the appeal is submitted in line to the breach of procedures, in addition to the persons specified in Article 30 of the Description, the Bord 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.

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

33. The Chairman of the Appeals Commission is appointed by the Rector from the members of the Commission. The Vice-Chairman of the Appeals Commission is elected by the Commission from the members of the Commission on the proposal of the Chairman of the Commission during the meeting.

34. Only the persons of impeccable reputation and advanced learners are appointed to be the members of the Commission.

35. A member of the Commission can be 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 Commission.

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

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

38. The person forming the Appeals Commission also appoints the Secretary who shall ensure that Commission meeting minutes are taken, and the prepared report of the meeting is signed. The Secretary of the Commission is not a member of the Commission. The Secretary of the Commission shall attend the meetings of the Commission. In the event the Secretary of the Commission is unable to attend, another person shall be appointed to act at the meeting. The requirements set out in Article 34 of this description shall apply to the Secretary of the Commission.

Chapter 6. Operating Principles of the Appeals Commission

39. The Appeals Commission shall

39.1. resolve appeals and complaints accurately and impartially;

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

39.3. endeavour, on the condition that circumstances so require, to reconcile the parties involved.

40. A member of the Appeals Commission shall

40.1. attend the meetings of the Commission and vote on all issues under discussion;

40.2. inform the Chairman of the Commission in writing and withdraw from resolving appeals or complaints on the condition there are indications of a conflict of interest;

40.3. vote impartially and without bias;

40.4. not to disclose to third parties any information that has come to his/her knowledge as a result of work for the Appeals Commission;

40.5. comply with academic ethics, GDPR requirements, confidentiality obligations.

41. A member of the Appeals Commission shall be obliged to withdraw from the issues discussed at the meeting in the event of at least one of the following circumstances:

41.1. the resolved issue is of direct concern to the member of the Commission;

41.2. the resolved issue relates to persons with whom the member of the Commission is related by close consanguinity, affinity, marriage, partnership or guardianship;

41.3. the member of the Commission, his/her spouse (cohabitant) or his/her close relatives show a direct or indirect interest in the outcome of the resolved issue;

41.4. circumstances that call into question the impartiality of the Commission.

42. Meetings of the Appeals Commission may be recorded and the recording shall be used only for the purpose of preparing the minutes.

43. If necessary, meetings of the Appeals Commission may be organised by hybrid or remote means.

Chapter 7. Resolving Appeals and Making Decisions

44. The Appeals Commission shall meet as follows

44.1. the Appeals Commission of the University shall consider the appeal (complaint) under sub-paragraphs 25.1-25.6 no later than within 3 business days from the date of the Vice-Rector of Studies' assignment to consider the appeal (complaint);

44.2. the Appeals Commission of the Faculty, not later than within 3 business days from the date the Dean of the Faculty issued the order for forming the Commission;

44.3. The Appeals Commission of the University shall, no later than within 5 working days from the date of the Vice-Rector of Studies' assignment to hear the appeal (complaint) in accordance with paragraph 25.7.

45. The meeting is legal if at least 2/3 of the Commission members, but not less than 3 members, participate in it.

46. If required, the Appeals Commission, in respect of the appellant/applicant, may submit a request from the person who came to a decision, the Commission members who assessed performance or other University staff who agreed on the actions being reported for clarification and additional information in writing, including evidence provided by other students and listeners of the University. In the case of an appeal concerning the assessment of knowledge, the Commission may ask for clarification from the teacher who assessed the knowledge only after the student's work has been reassessed by the members of the Commission (specialists). Clarification and/or additional information shall be provided within a period of time specified by the Commission, but not shorter than 2 business days.

47. In the event of an appeal against the result of an achievement assessment, the Appeals Commission of the Faculty must include at least 2 impartial specialists in the subject of the appeal. Each professional must individually re-evaluate the personalised paper(s) with a grade and provide a reasoned explanation for his/her evaluations. Their assessments are recorded in the minutes and the final score is derived as the average of the assessments of these experts. To ensure objectivity, several impersonal works may be submitted to the experts for evaluation. When assessing the assignments, the specialists must take into account the assessment criteria specified in the course card.

48. The Appeals Commission shall have the right to give back the appeal (complaint) to the applicant for resubmission to eliminate deficiencies within a period of time specified by the Commission, but not shorter than 2 business days.

49. Anonymous appeals shall not be resolved unless the Appeals Commission, having assessed the relevance of the facts set out in the appeal, decides otherwise.

50. Upon the receipt of an appeal or complaint, except for appeals against the assessment of knowledge, the Commission 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.

51. The Commission 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.

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

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

54. The meetings of the Commission shall be private. The parties to the dispute shall be entitled to attend the meeting of the Commission at the invitation of the Commission. The Commission 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 Commission itself.

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

56. Having resolved the appeal for performance assessment or the breach of performance assessment procedures or the complaint, the Appeals Commission shall

56.1. satisfy the appeal (complaint);

56.2. partially satisfy the appeal (complaint);

56.3. reject the appeal (complaint).

57. The Commission shall keep minutes of its meetings. The requirements for the minutes of the appeal commission are presented in the appendix of this procedure description.

58. The decision made by the Appeals Commission 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 Commission shall have the casting vote.

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

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

61. In the event the Appeals Commission 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 Commission.

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

63. The Commission, 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

63.1. the appellant (applicant);

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

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

64. 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 Appeals Commission made the decision.

Chapter 8. Concluding Remarks

65. The appointed members of the Appeals Commission shall sign confidentiality pledges which shall be kept in accordance with the procedures established by the University.

66. The decisions taken by the Appeals Commission of faculties may be appealed to the Appeals Commission of the University within a period of 5 business days. The decision taken by the Appeals Commission of the University is final. On the condition that the appellant does not agree with the decision made by the Appeals Commission 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.

67. In its decisions, the Commission may submit to the administration of the University or the faculty proposals for the improvement of the organization of research and study activities.

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

69. The appeals of applicants are kept together with the Appeals Commission minutes and other documents.

70. Appeals Commission minutes and other documents are kept as stated in the procedure established by the University.