

VILNIAUS KOLEGIJA APPEALS REGULATIONS

CHAPTER I GENERAL

1. The Vilniaus kolegija Appeals Regulations (hereinafter referred to as the “Regulations”) regulate the procedure for lodging appeals by students and listeners (hereinafter referred to as the “student”), the establishment of the Appeals Commission, the examination of appeals and the adoption of decisions at Vilniaus kolegija (hereinafter referred to as the “VIKO”).

2. For the purposes of the Regulations:

2.1. **Appeal** means a written, reasoned request by a student for a review of the assessment of learning outcomes, the assessment procedure for learning outcomes or the crediting of learning outcomes.

2.2. **Appellant** means the student who has lodged an appeal.

3. Other terms used in the Regulations shall be understood as they are defined in the Statute of VIKO, VIKO Study Procedure and other legal acts of VIKO.

4. Appeals against final theses (projects) (hereinafter referred to as "final theses") and other examinations in which the assessment of the learning achievements is carried out on a collegial basis, i.e. by a board of examiners, may only be lodged on the grounds of procedural irregularities in the assessment of learning achievements. No appeals shall be lodged against the marks awarded for these works.

CHAPTER II APPEALS PROCEDURE

5. Appeals can be lodged against:

5.1. the mid-term and/or final assessment of the course unit;

5.2. a breach of the mid-term and/or final assessment procedures for the course unit;

5.3. infringement of the procedure for defending the thesis;

5.4. crediting of learning outcomes achieved at another higher education establishment or in other study programmes of VIKO;

5.5. the assessment and recognition of learning achievements acquired through non-formal

and informal learning (referred to as the "assessment of learning achievements").

6. Before submitting an appeal, the student has the right to review his/her assignment and to obtain explanations regarding the mid-term and/or final grade of the course unit from the lecturer who assessed him/her, as well as to get access to the conclusions of the decision made in respect of him/her in the cases referred to in sub-paragraphs 5.4 and 5.5 of the Regulations and to obtain explanations from the staff members of VIKO who made the decision. An appeal shall be lodged when, even after receiving explanations from VIKO staff referred to in this paragraph, the student is still left with reasonable grounds for possible irregularities.

7. The student may lodge an appeal no later than:

7.1. within 3 working days of the date of publication of the evaluation, for the cases referred to in sub-paragraphs 5.1 and 5.2 of the Regulations;

7.2. the working day following the announcement of the results for the case referred to in sub-paragraph 5.3 of the Regulations;

7.3. within 3 working days of receipt of the decision, for the cases referred to in sub-paragraphs 5.4 and 5.5 of the Regulations.

8. The date of publication of the assessment and receipt of the decision shall not be counted towards the time limits referred to in paragraph 7.

9. Appeals shall be lodged to:

9.1. the Dean of the Faculty, in the cases referred to in sub-paragraphs 5.1 to 5.3 of the Regulations;

9.2. the Director of VIKO, in the cases referred to in sub-paragraphs 5.4 to 5.5 of the Regulations.

10. An appeal shall state:

10.1. the student's name, surname, programme of study, course, email address provided by VIKO, telephone number, date of appeal;

10.2. the specific request from the student;

10.3. clear and objective arguments in support of the appeal;

10.4. signature of the appellant.

11. An appeal shall be registered at the office of the faculty or VIKO as appropriate.

12. The Dean of the Faculty or the Director of VIKO shall assess whether the appeal received should be examined. An appeal shall not be examined if it is:

12.1. unreasoned and based solely on the student's subjective opinion;

12.2. lodged for cases not covered by paragraph 5 of the Regulations;

12.3. lodged after the deadlines set out in paragraph 7 of the Regulations ;

12.4. anonymous.

13. If the appeal is not examined, the student shall be informed of the reason(s) for not examining the appeal via the email address provided by VIKO.

CHAPTER III SETTING UP THE APPEALS COMMISSION

14. The Appeals Commission (hereinafter referred to as the "Commission") shall be set up no later than 3 working days from the date of receipt of the appeal.

15. The Commission shall be composed of at least 3 members, one of whom shall be appointed as Chairperson.

16. Staff members whose decisions are the subject of an appeal may not be members of the Commission.

17. The Commission shall be set up by an order of the Dean of the Faculty for the examination of appeals referred to in sub-paragraphs 5.1 to 5.3 of the Regulations, and of the Director of VIKO for the examination of appeals referred to in sub-paragraphs 5.4 to 5.5 of the Regulations.

18. The following persons are recommended to be appointed as members of the Commission:

18.1. the administrative staff member of the faculty for the handling of appeals referred to in sub-paragraphs 5.1 to 5.3 of the Regulations;

18.2. the administrative staff member of VIKO for the handling of appeals referred to in sub-paragraphs 5.4 to 5.5 of the Regulations;

18.3. a representative delegated by the students' representation;

18.4. teachers in the field of study to which the course unit belongs;

18.5. other persons competent to hear the appeal.

19. The number and composition of the Commission shall be such that the Commission is able to consider the student's appeal and, if necessary, to take a new decision.

20. The Commission shall:

20.1. examine the appeal objectively and impartially;

20.2. respect the rights of the persons taking part in the meeting and the principle of equal treatment of all participants in the meeting.

21. A member of the Commission shall:

21.1. attend Commission meetings and vote on all matters under discussion;

21.2. inform the Chairperson of the Commission in writing and recuse himself or herself from the hearing of the appeal if there are indications of a conflict of interest;

21.3. vote objectively and impartially;

21.4. not disclose to any third party any information of which he or she becomes aware as a

result of his or her work for the Commission;

21.5. comply with academic ethics, the Description of the procedure for processing personal data at Vilniaus kolegija, and confidentiality obligations.

CHAPTER IV EXAMINATION OF APPEALS AND TAKING OF DECISIONS

22. Appeals shall be examined and decisions shall be taken at a meeting of the Commission.

23. The Commission shall meet no later than 3 working days after the date of signature of the order establishing the Commission.

24. The Commission shall be chaired and organised by the Chairperson of the Commission, who shall fix the date, time and place for the examination of the appeal. The Chairperson of the Commission shall appoint the Secretary of the Commission from among the members of the Commission.

25. If the Chairperson of the Commission is temporarily prevented from attending to his/her duties for objective reasons (illness, leave, other circumstances), he/she shall immediately inform the members of the Commission thereof in writing. In such a case, the meeting of the Commission shall be chaired by another member of the Commission (hereinafter referred to as "the Chairperson of the meeting") elected by a simple majority of the members of the Commission present at the meeting.

26. A meeting of the Commission shall be valid if at least 2/3 of its members, but not less than 3 members, are present.

27. The Commission shall meet in private. The appellant, VIKO staff member whose decision is the subject of the appeal and other persons shall be entitled to attend the Commission meeting at the invitation of the Commission.

28. The Commission shall inform VIKO staff member who made the decision against the appellant of the appeal received.

29. If necessary, the Commission may request clarifications from the appellant and the staff member who made the decision in respect of the appellant, and may request additional information from the appellant, VIKO staff and other students. The Commission shall receive the explanations and/or information within two working days of the Commission's request.

30. The Commission shall examine the appeal and take a decision within 10 working days from the date of its establishment. The period referred to in this paragraph shall not include periods of leave granted to students under VIKO's legal acts. In exceptional cases where more time is needed to process the appeal and reach a decision, the person who constitutes the Commission may extend the time limit by 10 working days.

31. Minutes shall be kept of the meetings of the Commission. The minutes shall be signed

by the Chairperson of the Commission or by the Chairperson of the Commission meeting and the Secretary of the Commission.

32. Decisions of the Commission shall be taken by open vote by a simple majority of the members of the Commission present at the meeting. In the case of an equal number of votes, the Chairperson of the Commission shall have a casting vote, except where the Chairperson of the Commission chairs the meeting.

33. The Commission shall take one of the following decisions after examining an appeal against a mid-term and/or final assessment of a course unit:

33.1. dismiss the appeal and uphold the previous assessment;

33.2. uphold the appeal and reassess the mid-term and/or final grade of the course unit.

34. Following a decision to re-assess the mid-term and/or final examination assignment for a course unit, the members of the Commission who are not lecturers in the field of study and the representative delegated by the students' representation shall withdraw when the mid-term and/or final examination assignment for the course unit is being decided. The decision to increase or decrease the mid-term and/or final grade of a course unit shall be taken by at least 3 members of the Commission, who shall be lecturers in the study field.

35. The Commission shall take one of the following decisions after examining an appeal concerning irregularities in the procedure for the assessment of the mid-term and/or final examination of a course unit or the defence of a final thesis:

35.1. the appeal is not upheld – there has been no breach of the procedure for the assessment of academic performance or the defence of the thesis, so the mark remains valid;

35.2. the appeal is upheld – the procedure for the assessment of the student's academic performance or the defence of the thesis has been violated, but the irregularities did not affect the grade, so the grade remains valid;

35.3. the appeal is upheld – the procedure for the assessment of the performance of the studies or the defence of the thesis has been breached, and those breaches have had a material impact on the appellant's grade. In this case, the Commission annuls the appellant's mark and the staff member who constituted the Commission allows the appellant to re-sit or re-defend his/her thesis.

36. The Commission, after examining an appeal concerning the crediting of learning outcomes achieved at another higher education establishment or in other study programmes of VIKO, shall adopt one of the following decisions:

36.1. to dismiss the appeal – there was no breach of the crediting procedure;

36.2. to uphold the appeal and give different credit for the results.

37. The Commission shall take one of the following decisions after examining an appeal concerning the assessment and recognition of learning outcomes acquired through non-formal and

informal learning:

37.1. to dismiss the appeal and uphold the decision;

37.2. to uphold the appeal and assess and recognise the learning outcomes differently.

38. The Chairperson of the Commission shall inform the staff member who constituted the Commission of the Commission's decision via VIKO's e-mail address no later than the next working day after the date of the appeal hearing.

39. The Faculty or VIKO administration shall send the decision adopted by the Commission to the appellant and VIKO staff member against whose decision the appeal has been lodged, to VIKO e-mail addresses, no later than within 3 working days of receipt of the Commission's decision.

40. Until the Commission takes a decision, no decision of the Administration in respect of the matters at issue in the present appeal shall be taken in respect of the appellant, and the execution of any decision taken until then shall be suspended.

41. The Commission's decision is final and not subject to appeal.

CHAPTER V FINAL PROVISIONS

42. In its decisions, the Commission may submit proposals to VIKO or Faculty administration for improving the organisation of studies.

43. The minutes of the meetings of the Commission and other documents shall be kept at VIKO in accordance with the procedure established by law.
