

## ISM UNIVERSITY OF MANAGEMENT AND ECONOMICS, UAB DESCRIPTION OF THE PROCEDURE FOR SUBMISSION AND CONSIDERATION OF APPLICATIONS AND APPEALS

### 1. GENERAL PROVISIONS

1.1. This Description of the Procedure for Submission and Consideration of Applications and Appeals (hereinafter - the **Description**) sets out the process and policies of ISM University of Management and Economics, UAB (hereinafter - the **University**) regarding disputes related to research and study activities, arising between students and other members of the University community, and appeals against the assessment of learning outcomes and examination (credit granting) procedure, irregularities of the final thesis defense procedure or decisions taken by the Admission Commission.

1.2. There are Appeals and Disputes Committees at the University.

#### 1.3. The Appeals Committee considers appeals concerning:

- 1.3.1. procedural irregularities of the term paper and final thesis defense;
- 1.3.2. procedural irregularities of the final assessment and the final examination;
- 1.3.3. evaluation of the term paper, interim or final assignment;
- 1.3.4. recognition of learning outcomes;
- 1.3.5. recognition of non-formally acquired achievements and competencies;
- 1.3.6. violation of the decisions taken by the Admission Commission.

#### 1.4. The Dispute Committee considers appeals and applications concerning:

- 1.4.1. Decisions taken by the Appeals Committee;
- 1.4.2. disputes between the student (s) and the University administration, lecturers or other employees regarding adherence to the rights and obligations established in the Law on Higher Education and Research, the University Statute, the Study Regulations and other legal acts, except for disputes on academic ethics and labor relations disputes.

### 2. SUBMISSION AND CONSIDERATION OF APPEALS BY THE APPEALS COMMITTEE

2.1. A student who disagrees with the assessment of learning outcomes or believes that procedural irregularities have been committed during the assessment has the right to appeal.

2.2. Before considering whether there are grounds for an appeal, the student is advised to discuss any concerns with the subject lecturer and the respective members of the University administrative personnel to see if there are any possibilities of resolving the concern. In case a satisfactory resolution cannot be reached, the student has the right to initiate a formal resolution process within the University.

- 2.3. It is ensured that a student who makes an appeal in good faith will not suffer any related disadvantage or harm.
- 2.4. The staff of the department / school where the appeal is initiated shall provide the student with impartial information on the procedure for submitting and consideration of the appeal.
- 2.5. The appeal procedure applies to students, free movers and students registered in courses under an international exchange programme or other inter institutional agreements.

## 2.6. **Grounds for appeal**

2.6.1. For an appeal to be considered under the formal appeal submission and consideration procedure, it must be based on one of the following grounds:

2.6.1.1. significant administrative errors or procedural irregularities have been observed which may have substantially affected the awarded grade or mark;

2.6.1.2. the assessment was based on non-academic criteria including but not limited to: discrimination or harassment on the grounds of race, colour, nationality, religious beliefs, gender, disability, age, origin, marital status, citizenship, sexual orientation or political opinion, etc .;

2.6.1.3. circumstances beyond the student's control which may have adversely affected his / her assessment and which, due to exceptional circumstances, the student was unable to notify the respective members of the University administration prior to the decision.

2.6.2. Disagreement with the subject lecturer's decision regarding the assessment of the student's learning outcomes does not constitute valid grounds for an appeal if such a disagreement is not based on any objective data and is the student's subjective opinion.

2.6.3. The appeal procedure excludes appeals against decisions of:

2.6.3.1. Thesis Defense Qualification Committee;

2.6.3.2. Other collegial commissions (except for the decisions of the University Admission Commission and decisions on the annual assessment of doctoral students).

## 2.7. **Submission of Appeals**

2.7.1. If, after consulting the subject lecturer and the respective member of the University administration, the student wishes to proceed with the formal resolution procedures, he / she shall submit a written appeal to the Appeals Committee within five working days after consulting the subject lecturer.

2.7.2. The student's written appeal should indicate the decision (s) against which the appeal is lodged, the date (s) of the decision (s); the grounds for the appeal and the appropriate documentary evidence supporting the grounds for the appeal and the preferred outcome of the appeal. The appeal must also indicate the outcomes of the consultations with the subject lecturer and the relevant member of the University

administration and provide any documents that the student deems pertinent to the case.

2.7.3. The appellant (s) may submit the written appeal to the Office of the Vice-President for Studies of the University or by e-mail [appeal@ism.lt](mailto:appeal@ism.lt). Appeals are registered on the day of their receipt in the document management system used by the University in accordance with the Order No. 2023/01-07-32 of 24 May, 2023 „On Approval of the Document Management Procedure”.

2.7.4. An employee of the University Vice-President for Studies Office assesses the validity of the grounds for the appeal and compliance with the requirements of the appeal submission and consideration procedure. The student (s) shall be notified of the compliance of the submitted appeal with the requirements of the appeal submission and consideration procedure, accordingly.

2.7.5. An appeal may be lodged by an individual or a group of students if all applicants claim to have suffered harm as a result of the same actions. In such cases, the appeal shall be signed by all applicants.

## 2.8. Consideration and resolution of appeals

2.8.1. Appeals are considered by the Appeals Committee, headed by the Vice-President for Studies. The committee shall consider the appeal, prepare a resolution and notify the student (s) about it within **fifteen calendar days** from the date of receipt of the appeal.

2.8.2. The Appeals Committee is formed by the order of the Rector and includes the Vice-President for Studies, a delegated representative of the study department / school, where the appeal was initiated, a Student Association representative and an employee holding academic and / or administrative duties at the University.

2.8.3. The meetings of the Appeals Committee are organized, the minutes are taken and the information on the decisions made is provided by the personnel of the study department / school where the appeal was initiated.

2.8.4. The appellant and the lecturer who evaluated the learning outcomes may participate in the meeting of the Appeals Committee. In all cases, the appellant and the lecturer who assessed the learning outcomes must be informed about the venue and time of the meeting of the Appeals Committee. At the request of the Appeals Committee, the lecturer who has assessed the learning outcomes shall submit his / her explanations regarding the submitted appeal in writing.

2.8.5. The decision of the Appeals Committee is sent to the student (s) by e-mail.

2.8.6. The decision of the Appeals Committee may be appealed to the Dispute Committee in accordance with the procedure and terms established in this Description.

2.8.7. The minutes of the Appeals Committee and other relevant material are kept on the premises of the study department / school where the appeal was initiated until they are transferred to the archive in accordance with the requirements of the University's Document Management Procedure.

2.8.8. In case the appeal is recognised as valid, the objectivity of the assessment, crediting or recognition of competencies can be re-evaluated. If the Appeals Committee

acknowledges that there are no grounds for the appeal, the previous assessment or the decision on the crediting of learning outcomes (recognition of competencies) shall remain valid.

### **3. SUBMISSION AND EXAMINATION OF APPLICATIONS AND APPEALS AT THE DISPUTE COMMITTEE**

3.1. A student who considers that his or her rights and legitimate interests have been violated has the right to submit an application/complaint to the Dispute Committee.

3.2. The Dispute Committee consists of six members: three appointed by the Rector and three by the Student Association. The Dispute Committee operates on a rotating basis: the Rector appoints three members for a three-year term, and representatives of the Student Association are appointed for a one-year term.

3.3. A member of the Dispute Committee may be revoked by the person who appointed them.

3.4. If a member of the Dispute Committee resigns or is revoked, the person who appointed him or her shall appoint another member for the remainder of the term of office of the Committee.

#### **3.5. Submission of applications and appeals**

3.5.1. The student (students) has the right to apply to the Dispute Committee:

3.5.1.1. with an application/complaint if he / she (they) is (are) dissatisfied with the response of the Rector or his / her authorized person, heads of academic departments or other employees to a written application, complaint, or notification of violations of his / her (their) rights established by law or if he / she (they) has (have) not received a response from those persons within fifteen calendar days;

3.5.1.2. with an appeal against the decision of the Appeals Committee.

3.5.2. The application or appeal shall be submitted to the Dispute Committee within 5 (five) working days from the date of the dispute.

3.5.3. The application or appeal shall state the names of the persons involved in the dispute, the circumstances, grounds and / or evidence on which the student (s) bases his / her claims.

3.5.4. The applicant (s) may submit the application or appeal to the University Vice-President for Studies Office or by e-mail [appeal@ism.lt](mailto:appeal@ism.lt). Applications and appeals are registered on the day of their receipt in the document management system used by the University in accordance with the Order No. 2023/01-07-32 of 24 May, 2023 „On Approval of the Document Management Procedure”.

#### **3.6. Consideration and resolution of applications and appeals**

3.6.1. The meetings of the Dispute Committee shall be chaired by the Chairman of the Dispute Committee. The Chairman of the Dispute Committee shall be elected by a simple majority of votes at the first hearing of the case (application, appeal). The powers of the Chairman of the Dispute Committee last until the end of the consideration of the case (application, appeal).

3.6.2. The meetings of the Dispute Committee shall be closed. The meetings shall be convened by the Secretary of the Dispute Committee, appointed by the Rector for the term of office of the Dispute Committee by the same order as the Dispute Committee is formed. Only a person who is a member of the Dispute Committee may be appointed the Secretary of the Dispute Committee.

3.6.3. Minutes shall be taken of each meeting of the Dispute Committee. The minutes shall be prepared by the Secretary of the Dispute Committee, who shall also prepare the material for the resolution of the dispute, notify the persons involved in the dispute about the time and venue of the resolution of the dispute and provide them with the material related to the dispute.

3.6.4. A meeting of the Dispute Committee shall be convened no later than within five working days from the date of registration of the application or appeal and shall be considered no later than within ten working days from the date of its registration.

3.6.5. A meeting of the Dispute Committee shall be deemed valid if attended by at least half of the members of the Committee.

3.6.6. The parties to the dispute have the right to participate in the meeting of the Dispute Committee. The persons present at the meeting shall express their opinion on the substance of the dispute in accordance with the procedure established by the Chairman of the Dispute Committee. Members of the Dispute Committee and the parties to the dispute may ask questions addressed to the persons participating in the meeting.

3.6.7. Decisions of the Dispute Committee shall be taken by simple majority.

3.6.8. The minutes shall be signed by the Chairman and Secretary of the Dispute Committee. An extract of the minutes with the resolution of the Dispute Committee shall be submitted to the parties to the dispute and the Rector no later than the next working day.

3.6.9. Applications and appeals may not be considered if:

3.6.9.1. they do not comply with the formal requirements applicable to them;

3.6.9.2. the period for filing them has expired on the day of the application or appeal and there are no grounds to renew it;

3.6.9.3. the Dispute Committee shall inform the applicant about the decision not to consider the application or appeal no later than within 1 (one) working day from the day of making the decision, except in cases when the application or appeal is anonymous and it is not possible to contact the applicant.

3.6.10. Decisions of the Dispute Committee are final and not subject to appeal.