

APPROVED BY
Order No V1 – 065 of the director of
Klaipėda State University of Applied
Sciences
Of 25 April 2017

RULES OF PROCEDURE OF THE DISPUTE SETTLEMENT COMMISSION OF KLAIPĖDA STATE UNIVERSITY OF APPLIED SCIENCES

PART I GENERAL PROVISIONS

1. The Rules of procedure of the dispute settlement commission (hereinafter referred to as the Rules) of the Klaipėda State University of Applied Sciences (hereinafter referred to as the University) establish rules of procedure of the dispute settlement commission (hereinafter referred to as the Commission).

2. This Commission shall settle disputes between students and administrative or other staff in the field of research and higher education.

3. An equal number of representatives shall be appointed to the Commission: three representatives of students and three representatives of the University administration. The composition of the Commission and the Chairman of the Commission shall be approved by order of the Director of the University.

4. The Commission shall act in accordance with the Law on Science and Studies of the Republic of Lithuania, the Statute of the University, other legal acts and this Rules.

5. A member of the Commission may be removed from office before the end of his or her term if he or she has violated academic ethics or has committed another violation of law or morality that is incompatible with his or her duties. Members of the Commission represented by students of the University may also be recalled in cases determined by the student representation.

6. Obligations of the members:

6.1. Attend meetings of the Commission;

6.2. Solve the dispute objectively and impartially;

6.3. Do not disclose confidential information about on the position of other members in the dispute.

PART II PROCEDURE FOR FILING REQUESTS FOR DISPUTE SETTLEMENT

7. The Commission accepts requests of students for dispute resolution that could not be resolved by negotiation:

7.1. violations of their rights or legitimate interests in connection with their research and study activities between students, administration and other staff of the University;

7.2. when a student is not satisfied with the response of the administration of the University or its authorised representative to the complaint (request);

7.3. when there is no answer to the complaint (request) of the student in writing within 15 calendar days from the date of submission;

7.4. in other cases provided for by legal acts or internal regulations of the University.

8. The student shall submit to the Commission a completed and signed application form for settlement of the dispute (Annex 1) and supporting documents, if any.

9. The request must be submitted to the Commission within 10 working days of the date on which the circumstances set out in Clause 7 occur.

10. The student shall submit the request for the resolution of the dispute and the attached documents personally to the Head of the Studies and Career Centre.

11. Any request for settlement of the dispute shall be registered and forwarded to the Chairman of the Commission within two working days at the latest.

PART III

PROCEDURE FOR THE DISPUTE SETTLEMENT AND IMPLEMENTATION OF DECISIONS MADE

12. Meeting of the Commission shall be organised and chaired by the Chairman of the Commission or by the deputy Chairman of the Commission in his/her absence. All meetings of the Commission shall be recorded and accounted for to the Studies and Career Centre.

13. The Secretary of the Commission shall be elected among the members of the Commission. The functions of the Secretary of the Commission shall be determined by the Chairman of the Commission.

14. A meeting of the Commission shall be valid if at least 2/3 of the members of the Commission (including the chairman) are present.

15. The Commission shall, within no more than 17 working days of the date of registration of the request for dispute settlement, examine the request and take a decision.

16. The decision of the Commission shall be based on the documents examined and the provisions of laws, regulations and requirements of other legal acts.

17. The Commission shall have the right to obtain further explanations, documents and other information from persons involved in the dispute.

18. The Commission may invite a student who has submitted a request and other persons involved in the situation in question to attend the meeting. The invitation to attend the meeting shall be sent at least 3 working days before the meeting to the email addresses specified in the request for dispute resolution.

19. The absence of invited persons to attend a meeting of the Commission shall not constitute an obstacle to further examination of the request and to the decision.

20. The Commission shall reach a decision on the dispute by consensus. In the absence of consensus, the decision shall be deemed to have been adopted by a majority of the votes of the present members of the Commission. In the event of a tie vote, the Chairman of the Commission shall take the decision.

21. The Commission decision shall be set forth in the Dispute Settlement Act (Annex No 2). The Commission shall take one of the following decisions:

21.1. to dismiss a dispute as being unfounded;

21.2. to substantiate a dispute, to comply with the decision of the Commission in the Dispute Settlement Act.

22. The Chairman of the Commission shall, within 3 working days, inform the student (in a manner acceptable to the parties) of the dispute settlement act and inform the Director of the University of the decision and its justification.

23. The Commission decision shall be forwarded to the head of the unit concerned for implementation. The appointed head of unit shall inform the Director of the University, the Deputy Director for studies and science of the progress and timelines of the implementation of the decision.

PART IV

FINAL PROVISIONS

24. The Commission shall be appointed by the order of the Director of the University for a term of two years. The number of cadencies of the Commission members is unlimited.

25. Upon the resignation, termination of studies or application for resignation of a member of the Commission in accordance with Article 5 of the Regulation, another member of the Commission shall be appointed by order of the Director.

26. Rules of procedure of the dispute settlement commission shall be published on the website of the University.

.....
(Name, surname of the student)

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(name of faculty, course, place of residence, phone number, email)

Attn.: Chairman of the Dispute Settlement Commission of
Klaipėda State University of Applied Sciences

**REQUEST
FOR DISPUTE RESOLUTION**

.....
(Date and place)

Name, surname, position of the person complained of

.....

Content (*detail the content of the request based on facts and evidence, specify specific act complained of, its date, circumstances on which the applicant bases his/her request. Provide clear evidence of this, the names and positions of the witnesses, (if any), specific circumstances to be proven by the witnesses, place of such evidences and others who can provide relevant information about the circumstances of the dispute*)

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ATTACHED (*certified copies or original documents, if any*):

- 1.
- 2.
- 3.

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(signature)

(name, surname)

KLAIPĖDA STATE UNIVERSITY OF APPLIED SCIENCES

DISPUTE SETTLEMENT ACT

_____ 20____ No
Klaipėda

The meeting of the Commission took place: (Date, time)

Chairman of the meeting of the Commission (Name and Surname).

Secretary of the meeting of the Commission (Name and Surname).

In the presence of: (Name and surnames, or reference to the list of participants attached).

AGENDA:

1.

1. CONSIDERED. (*Issue on the agenda*).

Speaker (*Name and surname, content of the request, or reference to the request attached*).

VOTING RESULTS:

DECISION MADE:

Recommendation for filling in: if the decision is made in accordance with Clause 21.1 of the Rules, this part shall contain a motivated explanation why the dispute shall be dismissed as being unfounded.

If the decision is made in accordance with Clause 21.2 of the Rules, this part shall contain a motivated explanation, actions and those responsible for implementing the actions, deadlines for their implementation).

21.2. Actions:

1.

Chairman of the meeting (signature) (name and surname)

Secretary of the meeting (signature) (name and surname)

Note: The Dispute Settlement Act, minutes of the meeting, the original of the Request for Dispute Settlement and all documents related to the request being considered shall be forwarded to the Head of the Studies and Career Centre.