

*Consolidated version from 17 September 2015*

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DIRECTOR OF THE CENTRE FOR QUALITY ASSESSMENT IN HIGHER  
EDUCATION  
ORDER

**REGARDING THE APPROVAL OF THE STATUTE OF THE STUDY  
PROGRAMME APPEAL COMMISSION**

4 December 2008 No 1-158  
Vilnius

I hereby approve the Statute of the Study Programme Appeal Commission (enclosed).

DIRECTOR

EUGENIJUS STUMBRYŠ

APPROVED

Director of the Centre for Quality Assessment  
in Higher Education  
4 December 2008 Order No 1-158  
(as amended by the Order No 1-01-167 of the  
Director of the Centre for Quality Assessment  
in Higher Education  
of 16 December 2011)

## **THE STATUTE OF THE STUDY PROGRAMME APPEAL COMMISSION**

### **I. GENERAL PART**

1. The Statute of the Study Programme Appeal Commission (hereinafter referred to as 'the Statute') establishes the functions, rights and duties, formation and activity organisation procedure of the Study Programme Appeal Commission (hereinafter referred to as 'the Appeal Commission') operating under the Centre for Quality Assessment in Higher Education (hereinafter referred to as 'the Centre'), as well as the procedure for submission and examination of appeals.

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

2. The Appeal Commission is a collective body handling the appeals submitted by a higher education institution to the Centre regarding the decisions on assessment and evaluation of study programmes, as well as the possibility to provide minor studies (hereinafter referred to as 'the appeal').

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

3. The Appeal Commission shall carry out its activities in accordance with the Constitution of the Republic of Lithuania, laws of the Republic of Lithuania, other legal acts of the Republic of Lithuania regulating the system of education, research and higher education studies, and the present Statute.

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

4. The Appeal Commission shall cooperate with the Centre, Ministry for Education and Science of the Republic of Lithuania (hereinafter referred to as 'the Ministry'), collegial institutions advising to the Ministry and the Centre on higher education, expert institutions of research and higher education, higher education institutions and organisations representing public interests in higher education.

5. The Appeal Commission shall inform the public about its activities in the annual performance report of the Centre.

6. The Appeal Commission operates in the premises of the Centre situated at: A. Goštauto g. 12, LT-01108 Vilnius. Working conditions of the Appeal Commission shall be established by the Centre.

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

### **II. FUNCTIONS, RIGHTS AND DUTIES**

7. The Appeal Commission shall perform the following functions:

7.1. handle the appeals submitted by higher education institutions and adopt one of the decisions listed in Point 32 hereof.

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

7.2. submit proposal to the Centre on the improvement of the legal acts regulating higher education studies and their organisation, evaluation of study programmes, their registration, accreditation and appeals.

8. While performing its functions, the Appeal Commission has the right to receive information from the Centre needed for performing the activities of the Appeal Commission.

9. Members of the Appeal Commission must attend the meetings of the Appeal Commission, and if he/she is not able to attend the meeting, give an immediate notice to the Centre about absence and justifying reason, fulfil assignments in a timely and proper manner, make themselves familiar with the applicants' appeals and external review conclusions appealed against before arriving to the meeting, adhere to the morals and other requirements (support their opinions expressed at the meetings with facts, act professionally at the meetings, refrain from disclosing review related information – review report, opinions, proposals, or comments, etc. of individual persons present at the meeting, refrain from commenting on voting of individual members of the Appeal Commission).

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

No [V-15](#), 9 March 2015, published on TAR 10/03/2015, code 2015-03659

10. The Appeal Commission shall be held responsible for timely handling of appeals, development of grounded, reasoned proposals and decisions and their presentation to the Centre.

11. Members of the Appeal Commission shall bear responsibility for the implementation of the functions attributed to the Appeal Commission, adherence to the legal acts following the procedure established by the legal acts.

### III. FORMATION PROCEDURE

12. The Appeal Commission shall be composed of 7 members appointed by the Centre. Members to the Appeal Commission shall be appointed for the maximum term of office of three years. **A member proposed by the Lithuanian Students' Union shall be appointed for the maximum term of office of two years.** One third of the members of the Appeal Commission shall be replaced on a yearly basis. A person may be appointed as a member of the Appeal Commission for no more than two successive terms of office.

*Amendments to the Paragraph:*

No. [V-60](#), 16 September, published on TAR 2015-09-16, code 2015-13875

13. The Appeal Commission shall be composed of the following:

13.1. one student – a member proposed by the Lithuanian Students' Union

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

No [V-31](#), 18 April 2014, published on TAR 2014-04-18, code 2014-04555

13.2. one person proposed by the Lithuanian Research Council;

13.3. two persons proposed by the Lithuanian University Rectors' Conference;

13.4. one person proposed by the Lithuanian College Principals' Conference;

13.5. one person proposed by the Lithuanian Association of Private Higher Education Institutions.

13.6. one person proposed by the organisations uniting social partners of higher education institutions

*Supplemented with Sub-paragraph:*

No. [V-60](#), 16 September 2015, published on TAR 2015-09-16, code 2015-13875

14. The Centre shall appoint the Chair and the Deputy Chair of the Appeal Commission from the members of the Appeal Commission.

15. In case no new member of the Appeal Commission is appointed at the end of the term of office, the former member shall continue in office until a new member is appointed.

16. If a member of the Appeal Commission fails to fulfil his/her duties in timely and proper manner (misses three meetings of the Appeal Commission without a prior notice and/or fails to adhere to the morals and/or defaults tasks assigned to him/her by the Chair (Deputy Chair) of the Appeal Commission or fulfils them improperly and/or defaults or improperly fulfils any other duties established in this Statute, etc.), the Centre shall recall the member from the Appeal Commission and appoint a new person following the general procedure established by the Statute.

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

#### **IV. ORGANISATION OF ACTIVITIES**

17. The main form of the activities of the Appeal Commission shall be a meeting. Meetings of the Appeal Commission shall be held in the Centre. If needed, external meetings can be organised.

18. Meeting materials shall be distributed to the members of the Appeal Commission at least five working days before the meeting. In special cases, meeting materials may be distributed later, upon coordination with the Chair of the Appeal Commission.

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

No [V-15](#), 9 March 2015, published on TAR 10/03/2015, code 2015-03659

19. Minutes of all meetings of the Appeal Commission shall be kept.

20. Meeting of the Appeal Commission shall be considered lawful if at least four members are present at the meeting.

21. Decisions of the Appeal Commission shall be adopted by open voting at the meeting, or by secret voting, should the Appeal Commission decide so.

22. Members of the Appeal Commission unable to attend the meeting can express their opinion in writing before the meeting. Written opinion shall be announced at the meeting.

23. Decision shall be adopted when more than half members of the Appeal Commission present at the meeting vote for it.

24. When the matter under consideration may cause the conflict of public and private interests of any member of the Appeal Commission, the latter must opt out from the matter consideration and voting. If the matter under consideration may cause the conflict or public and private interests of the chair of the meeting, the latter must opt out from the presidency of the meeting, voting and consideration of the matter. In case of the conflict of public and private interests, a member of the Appeal Commission shall leave the room in which the matter is discussed. For the purpose of legitimacy of the meeting according to Point 20 of the Statute, the member of the Appeal Commission who opted out from the consideration shall be considered to be present at the meeting.

*Amendments to the Paragraph:*

No [V-15](#), 9 March 2015, published on TAR 10/03/2015, code 2015-03659

25. When voting on decision-making, the members of the Appeal Commission can vote "for" or "against". Abstention at voting is prohibited.

25<sup>1</sup>. If the Appeal Commission is not able to adopt decisions established in Paragraph 32 due to objective reasons, the Appeal Commission may postpone the decision making until the next meeting by the majority of votes of the members present at the meeting.

*Supplemented with Paragraph:*

No [V-15](#), 9 March 2015, published on TAR 10/03/2015, code 2015-03659

26. The Chair of the Appeal Commission shall perform the following functions:

26.1. manage the work of the Appeal Commission;

*Amendments to the Paragraph:*

No [V-15](#), 9 March 2015, published on TAR 10/03/2015, code 2015-03659

26.2. chair the meetings of the Appeal Commission;

*Amendments to the Paragraph:*

No [V-15](#), 9 March 2015, published on TAR 10/03/2015, code 2015-03659

26.3. represent the Appeal Commission or delegate this function to his/her Deputy, and if not possible – to any member of the Appeal Commission;

26.4. bear responsibility for the quality and effectiveness of the activities of the Appeal Commission, as validity of decisions adopted and proposals made.

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

No [V-15](#), 9 March 2015, published on TAR 10/03/2015, code 2015-03659

27. In absence of the Chair of the Appeal Commission, his/her functions shall be performed by the Deputy Chair of the Appeal Commission, and in absence of them both – a member of the Appeal Commission present at the meeting shall be elected by the majority of votes of the members present at the meeting.

28. The secretary of the Appeal Commission shall assist in organising the work of the Appeal Commission, who shall be appointed by the Centre from the civil servants and/or employees of the Centre.

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

29. The Secretary of the Appeal Commission shall perform the following functions:

29.1. provide the members of the Appeal Commission with the materials needed for the meetings;

*Amendments to the Paragraph:*

No [V-15](#), 9 March 2015, published on TAR 10/03/2015, code 2015-03659

29.2. assist in drafting documents related to the work of the Appeal Commission, minute the meetings;

29.3. together with the Chair of the Appeal Commission, inform the Centre about the activities of the Appeal Commission.

30. All documents related to the activities of the Appeal Commission shall be kept in the Centre following the procedure established by the Centre.

## **V. THE PROCEDURE OF MAKING AND HANDLING APPEALS**

31<sup>1</sup>. Appeal of a higher education institution shall be handled at the meeting of the Appeal Commission, which shall be headed by the Chair of the Appeal Commission (in absence of the Chair of the Appeal Commission, provisions laid down in Paragraph 27 hereof shall be observed). The members of the Appeal Commission shall make themselves familiar with the appeal documents before the meeting of the Appeal Commission following the procedure established in Paragraph 18 hereof. A member (members) of the expert team that conducted the evaluation of the study programme or minor studies, as well as a representative (representatives) of the higher education institution may be invited to the meeting of the Appeal Commission. First of all, one of the members of the Appeal Commission shall review the materials intended for handling of the appeal, then the expert (experts) and the

representative (representatives) of the higher education institutions shall make their statements, while the members of the Appeal Commission may ask them additional questions. Both the expert (experts) and the representative (representatives) of the higher education institution shall make their statements separately, without hearing each other. Once their statements are made, the Appeal Commission shall hold a discussion and adopt a decision. If the expert (experts) or the representative (representatives) of the higher education institution fails to attend the meeting of the Appeal Commission, it shall not be considered as an obstacle for handling the appeal and adoption of a decision.

*Amendments to the Paragraph:*

No [V-15](#), 9 March 2015, published on TAR 10/03/2015, code 2015-03659

31<sup>1</sup>. Appeal of a higher education institution shall be handled at the meeting of the Appeal Commission, which shall be organised and headed by the Chair of the Appeal Commission (in absence of the Chair of the Appeal Commission, provisions laid down in Paragraph 27 hereof shall be observed). The members of the Appeal Commission shall make themselves familiar with the appeal documents before the meeting of the Appeal Commission following the procedure established in Paragraph 19 hereof. A member (members) of the expert team that conducted the evaluation of the study programme or minor studies, as well as a representative (representatives) of the higher education institution may be invited to the meeting of the Appeal Commission. First of all, a member of the Appeal Commission appointed by the Chair of the Appeal Commission shall review the materials intended for handling of the appeal, then the expert (experts) and the representative (representatives) of the higher education institutions shall make their statements, while the members of the Appeal Commission may ask them additional questions. Both the expert (experts) and the representative (representatives) of the higher education institution shall make their statements separately, without hearing each other. Once their statements are made, the Appeal Commission shall hold a discussion and adopt a decision. If the expert (experts) or the representative (representatives) of the higher education institution fails to attend the meeting of the Appeal Commission, it shall not be considered as an obstacle for handling the appeal and adoption of a decision.

*Supplemented with Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

32. After handling the appeal, the Appeal Commission shall make one of the following decisions:

32.1. to satisfy the appeal and to instruct the Centre to carry out actions indicated by the Appeal Commission;

32.2. to satisfy the appeal partly and to instruct the Centre to carry out actions indicated by the Appeal Commission;

32.3. to reject the appeal and to leave the decision of the Centre in effect.

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

33. The Centre shall notify the applicant in writing about the decision adopted by the Appeal Commission and present a copy or extract of the minutes of the Commission's meeting.

*Amendments to the Paragraph:*

No [V-15](#), 9 March 2015, published on TAR 10/03/2015, code 2015-03659

## **VI. FINAL PROVISIONS**

34. Public procurement services agreement shall be signed with the members of the Appeal Commission following the procedure established by law.

35. Remuneration to the members of the Appeal Commission for their work shall be

paid from the budget of the Centre.

36. Any amendments to the Statute may be made by the proposal of the Appeal Commission or the Centre.

*Amendments to the Paragraph:*

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

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*Amendments to the Annex:*

No [1-01-167](#), 16 December 2011, Official Gazette., 2011, No 162-7734 (2011-12-30), code 111207CISAK1-01-167

#### **Amendments:**

1.

Centre for Quality Assessment in Higher Education, Order

No [1-01-64](#), 12/07/2010, Official Gazette., 2010, No 85-4510 (17/07/2010), code 110207CISAK01-01-64

Regarding the amendment to the Order No 1-158 of the Director of the Centre for Quality Assessment in Higher Education of 4 December 2008 regarding the approval of the Statute of the Study Programme Appeal Commission.

2.

Centre for Quality Assessment in Higher Education, Order

No [1-01-167](#), 16 December 2011, Official Gazette, 2011, No 162-7734 (2011-12-30), code 111207CISAK1-01-167

Regarding the amendment to the Order No 1-158 of the Director of the Centre for Quality Assessment in Higher Education of 4 December 2008 regarding the approval of the Statute of the Study Programme Appeal Commission

3.

Centre for Quality Assessment in Higher Education, Order

No [V-25](#), 26 March 2014, published on TAR 2014-03-26, code 2014-03511

Regarding the amendment to the Statute of the Study Programme Appeal Commission approved by the Order No 1-158 of the Director of the Centre for Quality Assessment in Higher Education of 4 December 2008 regarding the approval of the Statute of the Study Programme Appeal Commission

4.

Centre for Quality Assessment in Higher Education, Order

No [V-31](#), 18 April 2014, published on TAR 2014-04-18, code 2014-04555

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Centre for Quality Assessment in Higher Education, Order

No [V-15](#), 9 March 2015, published on TAR 10/03/2015, code 2015-03659

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Centre for Quality Assessment in Higher Education, Order

No [V-60](#), 16 September 2015, published on TAR 2015-09-16, code 2015-13875

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