

APPROVED

Rector
of Lviv Polytechnic
National University

___ / signature /___ Yurii Bobalo

of _____, 2020

**Procedure
for Considering Students' Appeals
in Lviv Polytechnic National University**

1. General provisions.

1.1. This Regulation was developed under the Law of Ukraine "On Citizens' Appeals", the Law of Ukraine "On Higher Education" and the requirements of internal regulations of Lviv Polytechnic National University.

1.2. This Regulation shall regulate procedure for considering students' appeals, is the means of obtaining necessary information and one of the forms of strengthening and expanding ties with the University students.

1.3. Students' appeal shall mean proposals (observations), applications (motions) and complaints set forth in writing.

1.4. University students shall have the right to file observations, complaints and proposals related to statutory activity of Lviv Polytechnic National University, as well as application or motion on the exercise of their rights to higher education and legitimate interests in the sphere of higher education and a complaint on their violation with the heads of structural units of the University, people authorized by them, students associations and university officials according to their functional duties.

1.5. One should comply with the requirements of the Code of Conduct of Lviv Polytechnic National University, communication standards and pay attention to requests and proposals of the authors of appeals when dealing with students' Appeals or during a personal reception of students.

2. Grounds for and requirements to students' appeals.

2.1. Decisions, actions (inaction), which may be appealed.

Decisions, actions (inaction) which may be appealed shall include the following decisions, actions (inaction) in the field of administration or education as a result of which:

- rights and legitimate interests or freedoms of a student (group of students) have been violated;
- obstacles for exercising by a student of his/her rights and legitimate interests or freedoms have been created;
- any obligations have been illegally vested in a student or he/she has been illegally brought to liability;
- situations related to sexual harassment, discrimination and / or corruption have been created.

2.2. Requirements to appeals.

Appeals shall be addressed to the heads of structural units of the University, people authorized by them, students associations and university officials according to their functional duties and powers which include resolution of issues raised in the appeals.

Appeals may be filed by a particular person, university student (personal), or a group of persons, university students (collective).

A written appeal shall be sent by mail or referred by a student to the heads of structural units of the University, people authorized by them, students associations and university officials according to their functional duties and powers.

An appeal must contain the surname, given name and patronymic, institute, department, group, cell phone number, place of residence of a student; indicate the essence of the raised issue, observation, proposal, application or complaint, request or demand. A written appeal must be signed by an applicant (applicants) with the indication of the date.

An appeal can also be sent using the Internet, electronic means of communication (electronic application) from corporate e-mail, i.e. with email domain name @lpnu.ua (@edu.lpnu.ua). It shall not be required to apply an electronic digital signature when sending an electronic appeal.

An appeal executed without compliance with these requirements shall be returned to the applicant with relevant explanations no later than within ten days after the date of receiving it.

2.3. Language of students' appeals, decisions and responses thereto.

Application of languages in the field of students' appeals, decisions and response thereto shall be determined by the Law of Ukraine "On Ensuring the Functioning of Ukrainian Language as the Official Language" and Guidance on Record Keeping in Lviv Polytechnic National University.

2.4. Prohibition to deny acceptance and consideration of an appeal.

Duly executed appeals which have been filed in accordance with the determined procedure must be accepted and considered. It shall be prohibited to deny acceptance and consideration of an appeal with reference to political opinion, being a member of a certain party, sex, age, religious beliefs, ethnicity of a student, not knowing the language of an appeal. Unless issues raised in the appeal received by the heads of structural units of the University, people authorized by them, students associations and

university officials according to their functional duties and powers fall within their powers, they shall forward such an appeal, within no more than five days, to a relevant structural unit or official, whereof the student who has filed the appeal shall be notified. Unless an appeal contains data necessary for adopting a reasoned decision by a structural unit or university official, it shall be returned to a student within the same period with relevant explanations. It is prohibited to send students' complaints for consideration to the structural units of the University, people authorized by them, students associations and university officials whose actions or decisions are appealed.

2.5. Appeals not subject to consideration or resolution.

Written appeal without the indication of the place of residence, not signed by an author (authors), as well as an appeal which makes it impossible to establish an author thereof shall be recognized as anonymous and shall not be subject to consideration. Repeated appeals to the same structural unit or university official from the same student on the same issue shall not be considered if the first one has been resolved on the merits, as well as appeals the deadlines for consideration of which provided in this Regulation have been missed, and appeals of persons recognized as incapable by a court. A decision to terminate consideration of such an appeal shall be made by the head of a relevant structural unit of the University or an authorized person who is an employee of the University, whereof a person who has filed the appeal shall be notified.

3. Procedure for considering students' appeals.

3.1. Consideration of students' proposals (observations).

The heads of structural units of the University, people authorized by them and university officials according to their functional duties and powers must impartially and timely consider the proposals (observations), verify the facts set forth therein, make decisions under the current legislation, ensure their enforcement and notify students of the results of considering the proposals (observations).

A response following the results of considering the proposals (observations) must be given by a structural unit or university official that has received such applications and the competence of which includes resolution of issues raised in the applications, and shall be signed by the head of a structural unit or acting head.

A decision to deny satisfaction of the demands set forth in an application shall be brought to the notice of the student in writing or verbally with reference to this Regulation and stating the reasons for refusal, as well as with an explanation of the procedure for appealing against the made decision.

3.2. Consideration of students' complaints.

A complaint against actions or decisions of structural units, university administration, academic, research and teaching staff or other university officials who are employees of the University shall be filed in the order of subordination to a higher authority or official. A student may file a complaint personally or through a duly authorized person. A complaint in the interests of minor and incapable persons shall be filed by their legal representatives. A complaint in the interests of a student following

his/her authorization executed in accordance with the procedure determined by the law may be filed by another person, association of students of Lviv Polytechnic National University or organization carrying out the activity on protecting their rights under the Statute of the University. The complaint shall be accompanied by decisions or copies of decisions available to a student which have been made earlier at his/her request as well as other documents necessary for considering the complaint, which shall be returned to a student after the complaint is considered.

3.3. Timescales for filing a complaint.

A complaint against an appealed decision may be filed with a higher structural unit or official who is an employee of the University within one month after it is made after a student has reviewed the made decision. Complaints filed in violation of the specified timescale shall not be considered. The deadline missed for a valid reason may be restored by a university structural unit or official who is an employee of the University considering the complaint. A decision of a structural unit or official that considered the complaint may be appealed by a higher structural unit or official who is an employee of the University if a student disagrees with it.

3.4. Student's rights during the consideration of an application or complaint.

A student who has filed an application or complaint with a structural unit or official who is an employee of the University shall have the right:

- to personally submit arguments to a person who checked the application or complaint, and participate in checking of the filed complaint or application;
- to review the inspection materials;
- to submit additional materials or insist on inquiry thereof by a structural unit or authorized university official considering the application or complaint;
- to be present during the consideration of an application or complaint;
- to enjoy the services of a lawyer or a representative of student self-government body performing the human rights advocacy function, having issued such an authorization in accordance with the procedure determined by the law;
- to receive a written response following the results of consideration of the application or complaint;
- to express verbally or in writing a demand for observing the secrecy of consideration of the application or complaint;
- to demand compensation for losses if they resulted from violations of the determined procedure for considering students' appeals.

3.5. The heads of structural units, academic, research and teaching staff and other authorized officials must, within their competence:

- verify students' applications or complaints in an impartial, fully-fledged and timely manner;
- in case of making a decision to restrict access of a student to relevant information during the consideration of an application or complaint, draw up a reasoned resolution thereon;

- at the student's request, invite him/her to the meetings of a relevant structural unit or authorized authority in the University considering his/her application or complaint;

- cancel or amend the appealed decisions in cases provided for by the legislation of Ukraine, Statute of Lviv Polytechnic National University, Regulations approved by the Academic Council of the University, orders and directives issued by the Rector and Vice-Rectors, directives issued by the Directors of the Institutes if they fail to meet the law or other regulatory acts, immediately take measures on terminating the unlawful actions, detect and eliminate the reasons and conditions, which facilitated the violation;

- ensure restoration of violated rights, actual enforcement of decisions made in connection with the application or complaint;

- notify a student verbally at a personal reception or by telephone communication on the results of verification of the application or complaint and merits of the made decision; At the student's request or in case of necessity, notify him/her on the results of verification and merits of the made decisions in writing.

- resolve issues on the liability of persons due to whose fault the violation was committed, as well as communicate, at the student's request no later than within one month, the made decision to the administration of the University, Institute and/or Department under educational programs of which the student studies or other structural unit and/or authorized university officials who may be directly related to that while performing their official duties;

- if the application or complaint is recognized as unsubstantiated, explain the procedure for appealing against the decision made on it;

- prevent unjustified transfer of consideration of applications or complaints to other structural units of the university;

3.6. Timescales for considering students' appeals.

Appeals shall be considered and resolved within no more than one month after receiving them, and appeals requiring no additional study — immediately, but no later than fifteen days after the date of their receipt. If it is impossible to resolve the issues raised in the appeal within one month, the head of a relevant structural unit of the University, his/her deputy or an authorized official shall set the necessary timescale for considering it, whereof a person who has filed the appeal shall be notified. In this case, the total period for resolving the issues raised in the appeal may not exceed forty-five days. At the substantiated written request of a student, the period of consideration may be cut from the period set by this clause. Appeals of students who enjoy the benefits determined by law shall be considered on a first-priority basis.

4. Liability of students for filing unlawful appeals.

Filing by a student of an appeal containing defamation and insults, discrediting the University or its officials, calls to incite ethnic, racial, religious hatred and other unlawful actions, shall entail liability under the current legislation.

5. Ensuring control over the consideration of written and verbal Appeals.

5.1. The Rector of the University shall control the work on the matters concerning students' appeals and personal reception of students through an authorized Vice-Rector and the heads of structural units.

5.2. The compliance with the procedure for considering Appeals set by the legislation and this Regulation shall be under the control of the heads of structural units of the University.

5.3. The timescales for and completeness of the consideration of the raised issues, impartiality when considering the Appeals, legality and validity of

decisions made on them, their timely enforcement and giving responses to the applicants shall be taken into account when under control.

5.4. If it is impossible to resolve the issues raised in the Appeal under control within the set timescale, an executor reports to a person controlling the matter in advance and raises the question of extending the deadline for execution within the scope provided for by the legislation.

5.5. The decision to withdraw appeals from control shall be made by the Rector of the University or other officials responsible for their timely and impartial consideration. Preliminary responses to the Appeals under control shall not be the ground for withdrawing them from control in case of reconsideration.

Vice-Rector
for Education and Research

O. Davydchak