

**PRIVATE JOINT-STOCK COMPANY
HIGHER EDUCATION INSTITUTION
INTERREGIONAL ACADEMY OF PERSONNEL MANAGEMENT**

APPROVED by the:
Academic Council of
PJSC HEI IAPM

**REGULATIONS
ON THE COMMISSIONER FOR STUDENTS' RIGHTS OF
PJSC HEI INTERREGIONAL ACADEMY OF PERSONNEL
MANAGEMENT**

2019

1. GENERAL PROVISIONS

1.1. The Regulations on the Commissioner for Students' Rights of the Private Joint-Stock Company Higher Educational Institution Interregional Academy of Personnel Management (hereinafter referred to as the Regulations) were developed in accordance with the laws of Ukraine "On Education," "On Higher Education," other regulatory legal acts and the Charter of the Private Joint-Stock Company Higher Educational Institution Interregional Academy of Personnel Management (hereinafter referred to as the Academy).

1.2. The Commissioner for Students' Rights of the Academy (hereinafter referred to as the Ombudsman) is a member of the Student Council of the Academy is charged with performing tasks related to protecting the rights of students of the Academy.

1.3. The Ombudsman is appointed for a term of two years and is removed by the Rector as appealed by the Student Council of the Academy and with the consent of the Conference of Students of the Academy.

1.4. The ombudsman carries out his/her activities on a voluntary basis.

1.5. Anyone who is a citizen of Ukraine, member of the Student Council of the Academy, has the first (bachelor's) level of higher education, fluent in the state language can be the Ombudsman. An individual who is an employee of the Academy may not be the Ombudsman.

1.6. The Ombudsman carries out his/her activities based on the principles of humanism, legality, justice, impartiality, objectivity, independence, accessibility, transparency, privacy of individuals and confidentiality of information on them.

1.7. The Ombudsman is guided in his/her activities by the Constitution and laws of Ukraine, international agreements approved by the Verkhovna Rada of Ukraine, acts of the President of Ukraine and the Cabinet of Ministers of Ukraine, regulatory documents the Ministry of Education and Science of Ukraine, the Charter of the Academy and these Regulations.

2. MAIN TASKS AND POWERS OF THE OMBUDSMAN

2.1. The main tasks of the Ombudsman are to:

1) facilitate the implementation of a uniform national policy aimed at ensuring the right of the individual to receive a sound and affordable education;

2) cooperate and interact with the Education Ombudsman appointed by the Cabinet of Ministers of Ukraine in accordance with the established procedure;

3) implement measures to comply with legislation of Ukraine on education;

4) take measures to ensure appropriate conditions for equal access to education for participants in the educational process of the Academy;

5) ensure exercise of the rights, freedoms and legitimate interests of students of the Academy;

6) represent legitimate interests of students before the management of the Academy;

7) analyze the status of exercising and ensuring the rights and freedoms of students at the Academy;

8) carry out preventive measures to stave off violations of the rights, freedoms and legitimate interests of students; and

9) take necessary measures in case of violation of the rights, freedoms and legitimate interests of students by appealing to the management of the Academy and its structural units.

2.2. In accordance with the tasks imposed on his/her, the Ombudsman is entitled to:

1) interact directly with the Rector;

2) apply to vice-rectors, directors of educational-scientific institutes, heads of departments and structural units of the Academy in order to fulfill the tasks imposed on the Ombudsman;

3) consider appeals and check the facts stated in appeals submitted by students, their parents, legal representatives, as well as educational, research and teaching staff, academic researchers and other employees;

4) receive from structural units and employees of the Academy information necessary to perform his/her functions;

5) provide recommendations on revealed facts of non-compliance with legislation based on the results of verification of the validity or invalidity of appeals.

2.3. The Ombudsman is entitled to participate in meetings of the Academic Council of the Academy, Rector's Office, student self-governance bodies and voluntary organizations of the Academy during consideration of issues within his/her competence.

2.4. Ensuring the Ombudsman's activities is entrusted to the Office of the Ombudsman, which is made up of the Ombudsman's consultants acting on a voluntary basis. The Ombudsman's consultants are appointed from among representatives of the student councils of educational-scientific institutes/departments of the Academy.

2.5. The main tasks of the Ombudsman's Office are organizational, legal, consultative, information-analytical, social and living, expert, international, psychological-educational, logistical and other support for the Ombudsman's activities, in particular regarding:

1) generalization of the practice in the application of legislation on issues falling within the competence of the Ombudsman;

2) cooperation and interaction with the Education Ombudsman appointed by the Cabinet of Ministers of Ukraine according to the established procedure;

3) identification of causes leading to violation of the rights and legitimate interests of students, their parents, and legal representatives;

4) verification of facts stated in appeals submitted by students, their parents, and legal representatives; and

5) providing coverage of the Ombudsman's activities on the Academy's website.

2.6. The Ombudsman's Office, in order to comprehensively and comprehensively address issues within the competence of the Ombudsman, interacts in the prescribed manner with structural units of the Academy during implementation of the tasks assigned to him/her.

2.7. The Ombudsman reports annually to the Academic Council of the Academy on the results of his/her activities and provides relevant information to the Rector of the Academy. Information on the Ombudsman's activities is posted on an appropriate page on the Academy's website.

2.8.

3. PROCEDURE AND CONDITIONS FOR APPEALING TO THE OMBUDSMAN

3.1. These Regulations do not apply to the procedure for considering citizens' appeals established by criminal procedure, civil procedure, labor, and economic competition protection legislation, laws of Ukraine "On Judiciary and the Status of Judges" and "On Access to Judicial Decisions," The Code of Administrative Judicial Procedure of Ukraine, Laws of Ukraine "On Prevention of Corruption" and "On Enforcement Proceedings."

3.2. Every student of the Academy, his/her parents, legal representatives have the unencumbered right to directly apply the Ombudsman (in writing or orally) and receive a reasoned answer (in writing or orally) to his/her appeal within a statutory period.

Appeals are submitted to the Ombudsman in written and electronic forms. A written appeal is submitted to the Department of Organizational Documentation and Control of the Academy. An e-appeal is sent to the Ombudsman's e-mail address.

An appeal may be submitted by an individual person (individual) or a group of persons (collective).

Explanations and copies of duly certified documents confirming the information specified in the appeal may be attached to it.

3.3. Repeated appeals to the Ombudsman from the same applicant on the same issue are not considered if the first case has been resolved on the merits, and the Ombudsman has taken all measures to restore the violated rights of a student.

3.4. Appeals are considered within a period not exceeding one month from the date of their receipt. If it is impossible to resolve the issues raised in an appeal within a month, a necessary time limit for its consideration is set, which is notified to the person who submitted the appeal. In this case, the total time limit for consideration of the appeal may not exceed forty-five days.

3.5. Considering appeals the Ombudsman:

- 1) processes appeals duly executed and submitted in the prescribed manner;
- 2) impartially, comprehensively verifies the facts set out in an appeal;
- 3) if necessary, receives from applicants materials necessary to verify their appeals;
- 4) if necessary, communicates with applicants, clarifies all the issues and circumstances raised, thoroughly scrutinized them;
- 5) sends requests for information to structural units of the Academy in order to verify the facts set out in an appeal; and
- 6) takes other measures to impartially resolve issues raised by applicants, finds out the causes and conditions leading to violation of the rights and legitimate interests of applicants.

If the issues set out in an appeal do not fall within the powers of the Ombudsman, he/she informs the management of the Academy on the merits of the appeal in order for appropriate measures to be taken.

3.6. As a result of checking, the Ombudsman decides whether an appeal is valid or not and provides a written answer on the results of consideration containing an objective analysis of the facts set out in the appeal and all the materials collected.

3.7. The decision on the invalidity of an appeal is communicated to a student in writing with reference to legislation and a statement of reasons for refusal.

3.8. Having made a decision on the validity of an appeal, the Ombudsman, within five days, takes measures to restore and protect the violated rights of a student and provides recommendations to the management of the Academy to take action to eliminate the identified shortcomings and violations.

3.9. The Academy management, directors of educational and scientific institutes, heads of departments and structural units, research and teaching staff members and other employees have the right to inform the Ombudsman of students' gross violations of legislation, the Charter, other internal regulations of the Academy, concluded agreements, and of issues relating to the powers of the Ombudsman.

4. GUARANTEES OF ENSURING THE OMBUDSMAN'S ACTIVITIES

4.1. Interference of the Academy's management, participants in the educational process, including student self-governance bodies, in the activities of the Ombudsman is prohibited.

4.2. The Ombudsman is not bound to give explanations on the merits of cases that have been completed or are pending.

4.3. When a student (students) of the Academy applies (apply) to the Ombudsman, there may be no privileges, advantages or restrictions on the basis of race, color, religion and other beliefs, sex, social origin, property status, place of residence, language and other grounds.

4.4. The management of the Academy and all participants in the educational process, including student self-governance bodies, to whom and which the Ombudsman referred, are bound to cooperate with him/her, assist him/her in consideration of an appeal providing necessary documents and explanations.

3. FINAL PROVISIONS

3.1. The Regulations on the Commissioner for Students' Rights of the Academy are approved by the Academic Council and put into effect by order of the Rector of the Academy.

3.2. Amendments to the Procedure are considered and approved by the Academic Council of the Academy and put into effect by order of the Rector of the Academy.