

ESTONIAN NATIONAL DEFENCE COLLEGE
APPEALS COMMITTEE
RULES OF PROCEDURE

I GENERAL PROVISIONS

1. These rules of procedure of the ENDC Appeals Committee (hereinafter *the Committee*) shall lay down the procedure for the hearing of appeals on decisions related to the organisation of studies at the ENDC.
2. The ENDC Appeals Committee set up by the Commandant of the ENDC shall be responsible for resolving student appeals on decisions related to the organisation of studies (incl. study results) that have not been resolved at lower procedural levels (see ENDC Study Regulations clause VIII.5), as well as appeals/challenges that, pursuant to ENDC Study Regulations, are submitted directly to the Commandant of the ENDC, and that require the Commandant to convene the Appeals Committee.

II ENDC APPEALS COMMITTEE FORMATION

3. The ENDC Appeals Committee, formed by the ENDC Commandant's directive, shall be responsible for hearing appeals against decisions related to the organisation of studies, and shall convene in the following permanent formation:

- (1) Chair of ENDC Appeals Committee: ENDC Legal Advisor
- (2) Members of the ENDC Appeals Committee:

ENDC Head of Didactics Development (Deputy Chair);
Chair of the Cadet Corps;
representative of academic staff;
representative of the Estonian Defence Forces;
representative from another higher education institution.

4. The representatives of the ENDC academic staff, the Estonian Defence Forces, and from other higher education institutions shall be appointed by the ENDC Commandant on the proposal of the Head of the ENDC Department of Academic Studies.

III ENDC APPEALS COMMITTEE WORK PROCEDURES

5. All appeals against decisions related to the organisation of studies at the ENDC must be submitted to the Chair of the ENDC Appeals Committee via the ENDC document management system.
6. The Chair of the ENDC Appeals Committee or, in their absence, the Deputy Chair shall inform, via the ENDC document management system, the student who lodged the appeal of the Committee's decision to either accept or reject the appeal.
7. The ENDC Appeals Committee shall not accept any appeals that have been submitted after the expiration of the prescribed submission deadline.

8. The meetings of the ENDC Appeals Committee shall be convened by the Committee Chair or, in their absence, by the Deputy Chair, at the earliest opportunity after the appeal has been registered in the ENDC document management system.
9. Upon convening a Committee meeting, the members of the ENDC Appeals Committee shall be sent the agenda of the meeting together with the documents related to the questions to be addressed at the meeting.
10. In the event Committee members are unable to attend the meeting, they are required to notify the chair of the meeting thereof.
11. The regular work format of the ENDC Appeals Committee shall be a meeting. The Committee meetings shall be chaired by the Chair of the ENDC Appeals Committee, in their absence, by the Deputy Chair of the Committee.
12. The proceedings of the ENDC Appeals Committee shall be organised, and their meetings recorded by the ENDC Commandant's secretary. The minutes of Committee meetings shall be signed by the chair and the minutes secretary.
13. In the course of appeal proceedings, the ENDC Appeals Committee shall examine all relevant documents and, if necessary, interview the parties to the appeal as well as any other persons involved in the matter. The persons related to the appeal shall be required to comply with the requests of the ENDC Appeals Committee, and to provide any assistance necessary.
14. In case the student appeal concerns the results of admission tests, final examinations or final thesis defence, the ENDC Appeals Committee shall be convened by the Commandant of the ENDC. In such cases the ENDC Appeals Committee shall be convene within three working days as of receiving the appeal.

IV ENDC APPEALS COMMITTEE RESOLUTIONS

15. The ENDC Appeals Committee meetings shall have a quorum if at least four Committee members are in attendance/present. The ENDC Appeals Committee shall take decisions by a simple majority of those present. In the event the votes are tied, the vote of the Committee Chair and, in their absence, that of the Deputy Chair, shall decide the vote.
16. In the event that a member of the ENDC Appeals Committee is party to an appeal, they shall be recused from any discussions pertaining to the appeal. In such circumstances, the quorum of the Committee meeting shall be reduced by one vote.
17. All votes shall be public and mandatory. The members of the Appeals Committee are not entitled to abstain from voting.
18. The ENDC Appeals Committee shall take deliver its resolution within five working days as of the registration of the appeal in the ENDC document management system or within five working days as of the ENDC Commandant 's call to convene. The resolution of the ENDC Appeals Committee shall be delivered as a proposal to the Commandant of the ENDC for approval within three working days.
19. By written approval from the Commandant of the ENDC, the ENDC Appeals Committee may deliver its resolution later that the prescribed deadline.
20. The ENDC Commandant shall notify the appellant student of the Appeals Committee resolution in writing. The resolutions the ENDC Appeals Committee shall be final, and not subject to any further proceedings at the ENDC.

21. In the event that a student's appeal is rejected by the ENDC Appeals Committee, the student is entitled to/retains the right to appeal to the administrative court in accordance with the procedure prescribed by law.

V IMPLEMENTING PROVISIONS

22. The previous version of the ENDC Appeals Committee's rules of procedure, adopted by ENDC Commandant's directive No 283 of 17 December 2010, shall be repealed when these Rules of Procedure enter into force. The new version ENDC Appeals Committee's rules of procedure shall enter into force as stipulated by the ENDC Commandant's directive.