



STUDIJŲ KOKYBĖS VERTINIMO CENTRAS

Kazimiero Simonavičiaus universiteto
STUDIJŲ PROGRAMOS *TARPTAUTINĖ VERSLO TEISĖ*
(valstybinis kodas - 612M90009)
VERTINIMO IŠVADOS

EVALUATION REPORT
OF *INTERNATIONAL BUSINESS LAW* (state code - 612M90009)
STUDY PROGRAMME
at Kazimieras Simonavičius University

Experts' team:

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Išvados parengtos anglų kalba
Report language – English

DUOMENYS APIE ĮVERTINTĄ PROGRAMĄ

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| Studijų programos pavadinimas | <i>Tarptautinė verslo teisė</i> |
| Valstybinis kodas | 612M90009 |
| Studijų sritis | Socialiniai mokslai |
| Studijų kryptis | Teisė |
| Studijų programos rūšis | Universitetinės studijos |
| Studijų pakopa | pirmoji |
| Studijų forma (trukmė metais) | Nuolatinė (3,5); iššęstinė (5) |
| Studijų programos apimtis kreditais | 210 |
| Suteikiamas laipsnis ir (ar) profesinė kvalifikacija | Teisės bakalauras |
| Studijų programos įregistravimo data | 2012-05-31 |

INFORMATION ON EVALUATED STUDY PROGRAMME

| | |
|---|-----------------------------------|
| Title of the study programme | <i>International Business Law</i> |
| State code | 612M90009 |
| Study area | Social Sciences |
| Study field | Law |
| Type of the study programme | University studies |
| Study cycle | first |
| Study mode (length in years) | Full-time (3,5); Part-time (5) |
| Volume of the study programme in credits | 210 |
| Degree and (or) professional qualifications awarded | Bachelor of Law |
| Date of registration of the study programme | 31-05-2012 |

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The Centre for Quality Assessment in Higher Education

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I. INTRODUCTION

1.1. Background of the evaluation process

The evaluation of on-going study programmes is based on the **Methodology for evaluation of Higher Education study programmes**, approved by Order No 1-01-162 of 20 December 2010 of the Director of the Centre for Quality Assessment in Higher Education (hereafter – SKVC).

The evaluation is intended to help higher education institutions to constantly improve their study programmes and to inform the public about the quality of studies.

The evaluation process consists of the main following stages: 1) *self-evaluation and self-evaluation report prepared by Higher Education Institution (hereafter – HEI)*; 2) *visit of the review team at the higher education institution*; 3) *production of the evaluation report by the review team and its publication*; 4) *follow-up activities*.

On the basis of external evaluation report of the study programme SKVC takes a decision to accredit study programme either for 6 years or for 3 years. If the programme evaluation is negative such a programme is not accredited.

The programme is **accredited for 6 years** if all evaluation areas are evaluated as “very good” (4 points) or “good” (3 points).

The programme is **accredited for 3 years** if none of the areas was evaluated as “unsatisfactory” (1 point) and at least one evaluation area was evaluated as “satisfactory” (2 points).

The programme is **not accredited** if at least one of evaluation areas was evaluated as “unsatisfactory” (1 point).

1.2. General

The Application documentation submitted by the HEI follows the outline recommended by the SKVC. Along with the self-evaluation report and annexes, the following additional documents have been provided by the HEI before, during and/or after the site-visit.

| No. | Name of the document |
|-----|----------------------|
| | |
| | |

1.3. Background of the HEI/Faculty/Study field/ Additional information

Kazimieras Simonavičius University (hereinafter the University) is a non-state university established in 2003. In 2003-2011 the University functioned as a public institution Vilnius Academy of Business Law, on 5 January 2012, upon change of the stakeholders (shareholders) of PI Vilnius Business Law Academy it was decided to rearrange the University. The Ministry of Education and Science of the Republic of Lithuania issued the license in 2003, and on 8 February 2012 allowed Kazimieras Simonavičius University, UAB to engage in other activities related to studies (authorization No. 002081). Studies at Kazimieras Simonavičius University are delivered in Vilnius (main headquarters) and in Klaipėda. The main academic structural units are the faculties (institutes, centres, schools can also function as faculties) and departments. Faculties are the basic structural units, developing and implementing programmes of studies and carrying out research activities. Currently, the University has three units having the faculty status: Law Faculty (in Vilnius), Creative Society and Economy Institute (in Vilnius) and Business School

(in Vilnius). The University branch in Klaipėda is being reorganized into Klaipėda Faculty. From January 2014 the University has the Department of Internet Engineering. Law Faculty has the Department of Law, Creative Society and Economy Institute has the Department of Social and Sciences and Humanities, and Business School was established on the basis of the rearranged BMA has the Economics and Management Department. The following study programmes are accredited in the Law Faculty (LF): two first cycle programmes, International Business Law and Law and Economic Security, and one integrated study programme, Law.

1.4. The Review Team

The review team was completed according *Description of experts' recruitment*, approved by order No. 1-01-151 of Acting Director of the Centre for Quality Assessment in Higher Education. The Review Visit to HEI was conducted by the team on 10 May 2016.

Dr. Kristi Joamets could not take part in the site visit while she was fully integrated in the review process in all its other elements, partly due to use of electronically supported consultation.

1. **Prof. dr. jur. Jürgen Kohler (team leader)**, professor of civil law and civil procedure, Greifswald University, Germany.
2. **Prof. dr. Rolf Dotevall**, professor of commercial law, University of Gothenburg, Sweden.
3. **Dr. Kristi Joamets**, lecturer in business law, Tallinn University of Technology, Estonia.
4. **Mrs Dovilė Satkauskienė**, director of the Bailiff's Chamber of Lithuania, Lithuania.
5. **Ms Janine Wulz**, research student in social sciences, University of Vienna, Austria.

'International Business Law' (state code 612M90009) provided by Kazimieras Simonavicius University (hereinafter abbreviated as KSU) with regard to the following items:

- Programme aims and learning outcomes;
- Curriculum design;
- Teaching staff;
- Facilities and learning resources;
- Study process and student's performance assessment;
- Programme management.

Each of these items were considered in view of specific sub-items, as indicated in the SKVC methodology; these will be identified when reporting on each of the aforesaid items.

The evaluation team made and verified the following observations, based on the self-evaluation report and documentation provided and on the information given during the site visit.

II. PROGRAMME ANALYSIS

2.1. Programme aims and learning outcomes

The evaluation of programme aims and learning outcomes considered and assessed the following criteria:

a) Well-defined and clear programme aims and learning outcomes, publicly accessible:

It is the aim of the programme to cover the general knowledge a bachelor student needs to know to continue his or her studies in a master level or starting practicing legal profession, while considering the requirements provided for the first level law studies by the Order of the Lithuanian Education and Science Minister of 9 April 2010 (General requirements of the first degree and integrated study programmes). Specific part of the programme – focus on international business law, is unclear and not in balance with the part of general knowledge of law. International law and business law, including the general subjects creating a base for business law, such as civil law with all its parts, should have a more important and stronger role in a programme. This is particularly the case in view of the rather minor role which contract law plays in the curriculum, which is only provided as an elective subject within broader modules on ‘civil law’ and within these at an underrated, small scale. Beside this, other subjects, e.g. criminal law, procedural law, or legal history should have less attention than those which make a core for business law. Review commission finds that the programme lacks a clear holistic element. Programme should take macro approach instead of the micro approach. Meetings during the site visit proved that there is an ambition to set up a programme as more modern and more international than traditional law programmes in other universities. However, currently the programme needs improvement in its content.

Links between the objectives of the study programme, learning outcomes and study subjects (table 3) have some illegibility, e.g. 2.2 the learning outcomes are: to be able to plan, organise and control individual activities in legal structures, distribute and coordinate assignments and control their performance, and the subjects according to this are only part of the all subjects. It can be argued that also other subjects of the course can ensure this outcome. In addition, the question arises as to how theory of law ensures this specific outcome. Also, in 3.3 the learning outcomes are expected to be able to make decisions by applying their knowledge of financial law and tax administration, by analysing and assessing legal and tax environments of various activities, and by performing research and providing their legal opinion. This learning outcome has the subjects Constitutional Law, Theory of Economics and Final Thesis, but it does not have the courses of financial and tax law. To sum up, the subjects aimed to ensure a certain outcomes are arguable - why specifically only these subjects and not some others; subjects should be better related to the goals and outcomes.

The defined specifications of programme aims and learning outcomes are publicly accessible and easy to find on the University website. The review team concludes that the programme therefore meets the requirement to be defined and to be accessible in principle, although the aims of the programme and the programme content need more specific, targeted correlation in the aforesaid areas.

b) Reference of programme aims and learning outcomes to academic and/or professional requirements, public needs and the need of the labour market:

SER consists of the general explanation (p 6) why international business law studies are important in general and why legal assistance of professional law experts is a mandatory condition for the successful development of international business. During the meeting it was specified and proved that there is a need of such programme with focus on international business law in a society. Graduates explained that that they need general knowledge on business law on bachelor level to know general principles of business law and this is enough to practice they business, one student said he does not want to study in master programmes of business law, he has got all the appropriate knowledge for him from this programme).

Review team finds that such programme focusing on international business law is needed as it is the only such programme on bachelor level and students choose it to study on need to get the

knowledge of business law on bachelor level with no further interest to study business law in master level. But, team emphasizes the need of the improvement of the programme to develop the focusing more on international and business aspects. In order to do so, the review team advises the Faculty to scrutinize societal needs more concretely to make the programme more targeted. The review team nevertheless finds that the programme focusing on international business law on a bachelor level is needed in general.

c) Consistency between the programme aims and learning outcomes and the type and level of studies and the level of qualifications offered:

Subjects of the programme are divided into two parts: I. Subjects that are mandatory in order to acquire knowledge and understanding of international business; II. Law subjects that, according to the nature of law, can conditionally be classified as related to (1) private law (contract law, real estate law, international trade law, electronic communications law, intellectual property law), and (2) public law (international comparative tax law, competition law, international human rights). In principle, programme consists of subjects every bachelor programme of law must consist, and additional subjects focusing on international and business law.

Review team finds that the programme aims and learning outcomes of the general bachelor programme follow the Descriptor of the study field of law. However, the focus of the programme – international business law section is not sufficient to provide knowledge, skills and competencies necessary for professional activities, the type and level of studies, and needs improvement (see item a) above). Moreover, as a bachelor programme the programme needs to ensure more holistically that students are provided with thorough fundamentals, e.g. by strengthening core areas of law such as contract law while reducing certain fields as mentioned above (see item a) above).

d) Compatibility of the name of the programme, its learning outcomes, content and the qualification offered:

The name of the programme – International Business Law – is not fully compatible with its intended, declared learning outcomes, content and qualifications offered because of the aforementioned insufficient focus on the international aspects and business aspects. The content of the programme should be improved in substance to accord to its name.

Overall judgement: The programme meets societal needs and its objectives are reasonably transparent. However, the programme aims and learning outcomes are not balanced with the content of the programme. The whole programme needs an improvement to provide a clear holistic view, the focus on international business law should be strengthened and balanced with the subjects of ordinary first study level. Programme should take macro approach instead of the micro approach. Subject descriptions should reflect more clearly the international and EU law aspects and where appropriate the aspects of business law and international business law. Core subjects for international business law as e.g. contract law, company law should have more attention and importance in the programme and with more deep and international legal relations oriented approach.

2.2. Curriculum design

The evaluation of curriculum design considered and assessed the following criteria:

a) The curriculum design meets legal requirements:

The length of the programme of International Business Law 210 (ECTS) credits meets the legal requirements. Volume of subject equals for full-time studies. Scope of internship is 15 credits and final thesis 19 credits. General subjects are 18 credits. Subjects of study field are 177 credits.

b) Study subjects and/or modules are spread evenly, their themes are not repetitive:

The study programme is designed so as to ensure consistent and expedient studies of law by starting with subjects of general University education and subjects in the field of law that provide fundamental knowledge, and then gradually progress to the studies of subjects of respective branches of law. The consistency of studies is ensured by making sure that the studies of the special part of respective branches of law are commenced only after the completion of studies of the general part, while branches of the law of procedure are studied only after the fundamentals of respective branches of substantive law are acquired. Study subjects and the number of credits they carry are suitable for students to successfully achieve the expected learning outcomes in principle; however, some of the modules provided could be omitted or shortened while others, noticeably contract law, should be strengthened (as was already pointed out in item 2.1. above). There are 4 alternatively offered subjects. Small amount of selective subjects is considered as a weakness of the programme. KSU plans to offer more selective subjects in the future. Meetings in the site visit brought out as prospective additional selective courses Health Law and Aviation Law. Students, on the other hand, did not see the need for additional selective subjects. Themes of the study subjects are not repetitive.

Students will write their final thesis during their final semesters, which will carry 19 credits. Writing a final theses is regulated and sufficiently supported. Students gradually develop their skills of writing legal texts, which are required for the preparation of a scientific thesis, over the entire period of their studies; they start with writing assignments, papers, term papers.

The review team verified that the subjects, including the final thesis, are spread evenly between the semesters. Themes of the subjects are not repetitive, and accord to the Descriptor of the study of law. Weakness of the curriculum design is a small number of subjects providing the focus on the programme – international business law.

c) The content of the subjects and/or modules is consistent with the type and level of studies:

The content of the subjects as well as the definitions of the intended learning outcomes are described in detail (p 9) in the study course descriptions provided.

Subject description of final theses provides the learning outcomes closely related to the international business law, however, the topics of the final thesis students have selected (annex 4) are not related to the international business law, e.g. refugee rights, national security policy and human rights, discrimination in a workplace. This shows a considerable discord between the aims, content and learning outcomes of the programme. However, the review team recognizes that the programme has been in place for a relatively short period of time only, and so the base for verification is still rather narrow.

During the evaluation there were given conflicting messages related to courses in English. Some said there are subjects in English the students, including foreign student, can take, some said there are no such courses, SER does not give such information at all and the programme itself does not provide any English course, either. It is suggestable to develop the programme adding subjects in English, thus enabling exchange students to participate in those subjects in ordinary studying. And, when there are courses in English then these courses should be obligatory not elective ones to avoid the situation that a student can study the whole course without any courses in English. Programme with no English courses can impede the graduates to get proper knowledge in English to grant the learning outcomes provided by the SER (p 6-7).

One course paper reviews' team was introduced in a visit was on Roman Law and dealt with the analysis of family law – this example demonstrates that in certain single subjects the general focus, which is business law, has not been followed.

The review team judges that overall alignment of subjects title and subjects content as well as related intended learning outcomes is ensured, considering that the elements are consistent with the level of provision expected at bachelor level in general; however, the programme content needs improvement as regards focusing more clearly on business and its international aspects.

d) The content and methods of the subjects/modules are appropriate for the achievement of the intended learning outcomes:

Study methods are not provided in a text of SER but in an Annex 1. Every subject in this annex is characterized by certain study methods.

The compliance of learning outcomes of the programme with the cycle (annex 6) is logical and consists of all the appropriate outcomes in general. In the descriptions of subjects teaching and studying methods are outlined, specific literature is recommended. The distribution between contact time and self-study time is outlined for each subject. Evaluating these subject descriptions, the content of the subjects are appropriate for the achievement of the intended learning outcomes and appear to be appropriate for achieving the intended learning outcomes of the programme in general but again, the international and business link needs an improvement to be more visible, and certain fundamental subjects of law must be emphasized more strongly (as indicated in item 2.1 above).

e) The scope of the programme is sufficient to ensure learning outcomes:

SER provides that the length of the general education part of the study programme is 18 credits. Subjects of general education are courses such as Foreign Language, Logic, Philosophy, Sociology, Theory of Economics, etc. These subjects are taught during the first year of studies.

The major part of the study field has 177 credits. Subjects of the study field can be classified into several groups by content and intended purpose. The first such group contains subjects providing the fundamental knowledge of law (18 credits), the second group of subjects of the study field contains subjects providing the knowledge of law (95 credits), and the selective subjects (8 credit). The third group of subjects of the study field contains other subjects of international business law (32 credits), such as Alternative Settlement of International Business Disputes, International Comparative Tax Law, International Trade Law, International Human Rights, etc. Subjects of this group provide students with additional knowledge, capacities and skills, which allow them to apply the acquired knowledge of law in the international legal environment of business.

The review team finds that the focus on international business law is weak. There should be more subjects related to business and international legal relations. Moreover, the Faculty needs to consider more closely that international business law requires a sufficiently stable base in the elementary matters of private law, namely in contract law.

f) The content of the programme reflects the latest achievements in science, art and technologies:

Programme consists of subjects such as electronic communication law, alternative resolution of disputes which are considerably new developing areas in law. But, while considering the programme aim, the descriptors of the subjects need to reflect more the innovative approaches related to business, e.g. digital market developments related to law, also in a part of literature for the subject. SER provides as one of the strengths of the programme (p 11) that the objectives are formulated according to the results of the newest research and to scientific approaches, concepts

and theories in the EU and the world. Visiting meeting did not bring out the specific examples to confirm the statement in a SER, related to some courses the national law of other states, court practice of international courts and EU legal acts, international definitions of legal concepts in law theory are used was brought out, but this does not prove clearly that the newest research and scientific approaches, concepts and theories of the world and EU are used.

Overall judgement: The length of the programme 210 (ECTS) credits meets the legal requirements. The compliance of learning outcomes of the programme with the cycle is logical and consists of all the appropriate outcomes in general, notwithstanding shortcomings in detail (see specification in item 2.1 above). In the descriptions of subjects teaching and studying methods are outlined, specific literature is recommended. Despite the fact that in a programme there are some subjects related to the focus of the programme in general, the focus on international business law is still weak. There should be more subjects related to business and international legal relations. Basics of law, namely in contract law as a compulsory subject, should also be strengthened. No clear evidence was found that the newest research and scientific approaches, concepts and theories of the world and EU are used in a programme design. KSU pointed out the need for more selective subjects but named only two. Students did not see the need for additional selective subjects. Visiting brought some evidence of the discord between the content of the subjects and the focus of the programme.

2.3. Staff

The evaluation of human resources as an input factor considered and assessed the following criteria concerning qualitative and quantitative features of teaching staff:

a) The study programme is provided by the staff meeting legal requirements:

Teaching staff of the study programme International Business Law consists of 23 teachers (14 of which have a Doctor's degree), viz. 3 professors and 8 assistant professors, 2 lecturers with doctor's degree and 10 lecturers with no Doctor's degree (some of them are students in the doctoral programme).

The review team states that the legal requirements – at least 50 per cent are lecturers with science degrees teaching the study field subjects are met in quantitative terms as in the programme there are 70,9 per cent (SER, p 15) of such teaching staff and also accords to the Descriptor of the study field. According to the SER (p 15) teaching staff is selected and appointed based on the minimum qualification requirements.

b) The qualifications of the teaching staff are adequate to ensure learning outcomes:

Over the half of the teaching staff has a doctor's degree which demonstrates the qualification of the staff very positively. According to the SER the growth in the number of teachers has been due to the growth in the number of students in the programme. During the period under review efforts were made to have competent teachers on the team who can teach several subjects of the study programme, thus gradually seeking to provide them with a full-time position (SER p 14 and 15). However, based on an annex 2 there are currently only 2 teachers with full-time employment and 21 part-time teachers. KSU states that most of their teaching staff are active lawyers. Involvement of lecturers with excellent knowledge of practical work is valuable for the programme but the situation where only 2 teachers from the whole 23 act as full-time teachers is not sufficient for the stability and perfect development of the programme, especially considering the research-based teaching, and human resources stability.

There was evidence that some teachers constantly improve their skills, engage in active scientific or artistic activities, participate in conferences, scientific exhibitions, and attempt to take over the experience of foreign countries but such practice is uneven between the teachers. However,

meetings during site visits showed that not all teaching staff considers his or her development in teaching methods and didactics in general important.

Review team finds that the strength of teaching staff in a programme is that most of them are practitioners with long teaching experience but the programme needs a core of full-time teachers who participate in research and teaching as their main position. Only two full-time teachers, mentioned also as the weaknesses in a SER show the need for the improvement of the teaching staff policy.

c) The number of the teaching staff is adequate to ensure learning outcomes:

Based on an Annex 2, only 2 of 23 teachers work as full-time staff. Others work as part-time lecturers. KSU itself considers this to be a weakness and there is a plan to find more full-time lecturers for the programme. The programme needs a core of full-time teachers who participate in research and teaching as their main position.

d) Teaching staff turnover is able to ensure an adequate provision of the programme:

During the meeting an explanation was given that in a programme there is a core of teaching staff ca 20 persons which forms majority of the teaching staff and is stable. This statement is questionable as only 2 teachers work as full-time teacher. For the others working relation with the KSU is still an additional activity. SER offers, as one example of resignation from teaching, the case of increased workload in primary employment (p 14). Considering the high positions like judge, attorney, civil servant, of the part-time lecturers, this can be the valid reason for losing teaching staff also in a future. There is no specific analysis based on numbers about the turnover of the evaluated period but based on the site visit meetings it can be assumed that in case of vacancies KSU has always found a lecturer, while it is suggested that KSU can and should still like to find lecturers who can teach many subjects, thus ensuring the stability of the programme.

e) The higher education institution creates conditions for the professional development of the teaching staff necessary for the provision of the programme:

Based on SER, KSU has developed the system of motivation of teachers and has approved job descriptions of the teaching staff. However, SER does not specify the main features of this system in detail. Based on SER, in 2012 teachers participated in training within a framework of certain project (see p 15). Some teachers improve their skills by their own – SER gives as examples, only 2 teachers. Prior to the start of each semester there are meetings of teaching staff, where they exchange teaching methodology, discuss problems etc. The administration of the University continuously holds one-on-one consultations with teachers regarding teaching methods, points their qualitative inconsistencies identified during a semester and proposes to correct them. Qualitative requirements for teaching have been set, which have to be followed by all the teachers of the University. The opinion polls of teachers and meetings are held in order to identify teaching needs and receive proposals regarding the improvement of the process of studies. Based on SER (p 16) much attention has been given to the professional improvement of scientists in the field of law.

There have been several visiting lecturers in KSU Business Law Programme which has been provided by the SER as a tool to contribute their knowledge to University teaching staff. Currently there was one visiting lecturer from Italy to teach for 2 weeks.

In general, conditions are provided for the professional development, but based on meetings during the site visit not all teachers are interested in participating in it. Participation of the teaching staff in research is low, and there is little indication as to how KSU can provide circumstances for significant increase in research output (see hereafter).

f) The teaching staff of the programme is involved in research directly related to the study programme being reviewed:

SER states that teaching staff has actively participated the evaluated period in various scientific research, programmes, projects and other public initiatives, including writing scientific articles. This has been exemplified by the numbers (table 8 p 16) in total the participation has been in 27 scientific conferences, 15 of which were international scientific conferences. However, this number characterises the faculty in general and allows to calculate an average participation of 5 a year for all the staff (23 persons).

Based on the CV-s of the teaching staff the review team finds that participation in research is not uniform among the teachers, and publishing in pre-reviewed English or any other internationally widely used language articles is modest and based only on the contribution of some single teachers. The major amount of articles are in Lithuanian. Considering that the programme focuses on business law at international level, there should have been more publications in this area. SER and the site visit meetings did not give a clear vision of the research agenda, and the site visit showed that it can also be assumed that it is not very clear for the teaching staff who has responsibility to do research. Though SER states that with due consideration of the goals of programme the subjects are based on the research conducted by scientists in involved in certain project (p 16), descriptions of study subjects do not assert the clear link to the international business law approach.

In principle, teaching staff accords to the legal requirements, University creates conditions for the professional development but in practice it is not very clear how well teachers know these opportunities and how active the participation per every teacher individually is. There are some active people in research and self-development but on the whole internationally known research-based-activity needs improvement. The weakness of the teaching staff lies in the fact that there are only two full-time teachers. Participation of practitioners as teachers in a teaching and also in developing process of the programme has considerable value, but to ensure the stability and academic approach in teaching, an appropriate number of academic staff is needed to provide a teaching based on academic knowledge, research-based teaching and research. Only two full-time teachers are not sufficient for this goal. Teaching staff development should strengthen the internationally known and programme-focused research.

2.4. Facilities and learning resources

The evaluation of facilities and learning resources as an input factor considered and assessed the following criteria concerning qualitative and quantitative features of facilities and learning resources:

a) Adequacy of the premises for studies, both in their size and quality:

Visit to the University building showed that lecture rooms are adequate, with sufficient equipment to teach and learn, and computer classroom with 30 seats.

b) Adequacy of the teaching and learning equipment (library and computer equipment, consumables), both in size and quality:

Classrooms and scientific areas are equipped with modern technology, access to Internet, computer workstations for teachers with Internet access, some classrooms have projectors, in the others it is possible to bring them for a lecture, laptops can be connected to common computer network. Almost all classrooms are equipped with computer workstations with different used software. SER provides that when there are no lectures in classrooms, students can use them for studying. There is a small library room. Access to the databases is only in the reading rooms,

there is no access to the electronic journals outside the reading rooms from the personal computers of the students. It is a positive feature that there is a choice for students to use also software Open Office as a software free of charge. Students need more places in the University building as a meeting place and studying place, such as a cafeteria.

c) Adequate arrangements of the higher education institution for student's practice:

Student's practice is regulated by a legal document enacted by the Faculty. List of potential practice places University has cooperation agreements are available for students in Internet. Students can find practice places by themselves as well, working students can make their traineeship with his employer. Practice bases on a contract between University, institution and student. Place of traineeship is related to the final thesis. In 2016 The Youth Law Clinic will be opened to help students to practice their theoretical knowledge. There is a scientific student society, where students can improve their research skills.

Based on the list of the institutions offering practice there is a sufficient number of institutions able to provide practice suitable for the students of International Business Law. However, based on the scope of the programme it seems not to be justified that some of the final thesis (which should be related to the traineeship) are not focused on business law.

d) Adequacy and accessibility of teaching materials (textbooks, books, periodical publications, databases):

There is only a small library. Access to the databases is only available in the University premises, there is no access to the journals outside the reading rooms from the personal computers of the students. It is positive that there is a co-operation agreement with other Lithuanian universities to provide book resources to the student. University uses Moodle system and promotes teachers to use all the tools the system offers.

The evaluation team finds that facilities for teaching and learning are moderate. Interactive access to the databases outside the reading rooms act an important role in studying law. Traineeship is regulated and seems to function correctly. However, considering the principle that traineeship is related to the final thesis, and assessing the topics of final thesis it is evidenced that some traineeships are not related to the international business law, e.g. national security policy in the context of human rights, refugees rights. Questionable can also be this relation in the topic as discrimination in the workplace.

Overall assessment: Study facilities just meet the minimum of requirements to study the programme.

2.5. Study process and student's performance assessment:

The evaluation of study process and students' performance assessment considered the following criteria:

a) Well-founded admission requirements:

In principle, the admission requirements are well-founded. Admission procedure bases on a legal regulation provided by the Minister of Education and Science of the Republic of Lithuania. There are no specific requirements for the bachelor programme of International Business Law studies. Applicants must have a high school graduation certificate and fulfil the conditions for admission to the University. The admission is carried out in two ways: through LAMA BPO general admission system and through the direct admission to the University. All direct applicants have to take part in an interview with the Admission Committee. During the interview Committee assesses student's academic preparation and motivation to study, argumentation why he/she wants to study in that programme, career plans and other. In principle English is not been

evaluated which can be a problem when the action plan of the programme intends to enlarge the importance of English by adding English subjects to the programme. Prospective students can also ask about the programme from the head of the Faculty, teachers and other staff of the division (p 24). Programme itself has been introduced by several tools. However, there are more applications than students who actually start their studies, and the amount of students has decreased.

b) The organisation of the study process ensures an adequate provision of the programme and the achievement of the learning outcome:

Full-time studies at the University are organised in semesters, consisting of 16 weeks of lectures (15 of them are classroom hours and four 1 week students learn independently or consult with lecturers at classroom meetings) and 4 weeks are dedicated for examinations. The autumn semester begins on 1 September and lasts until 31 January and the spring semester starts on 1 February and lasts until 30 June. Full-time students spend 1238 academic hours (22,11 per cent) in classroom activities during the entire study period. Of these, 672 hours (54,28 per cent) are theoretical lectures, and 566 hours (45,72 per cent) are seminars (workshops). 4362 hours (77,89 per cent) are dedicated for independent students' work.

The study programme has been designed so as to ensure consistent and expedient studies of law. Studies start with subjects of general University education and subjects in the field of law that provide fundamental knowledge, and then gradually progress to the studies of subjects of respective branches of law. The consistency of studies is ensured by making sure that the studies of the special part of respective branches of law are commenced only after the completion of studies of the general part, while branches of the law of procedure are studied only after the fundamentals of respective branches of substantive law are acquired. Study subjects and the number of credits they carry are suitable for students to successfully achieve the expected learning outcomes.

The review team states that organisation of the study process ensures adequate provision of the programme and the achievement of the learning outcome.

c) Students are encouraged to participate in research and applied research activities:

There is a number of possibilities which University and Law Faculty offers for students to participate in research and applied research activities, while falling short from making provisions for students to participate in their lecturers' own research.

d) Students have opportunities to participate in student mobility programmes:

Currently KSU has 95 foreign partners with agreements also on international exchange opportunities. ERASMUS exchange began 2013. However, no student of International Business Law has left under an international exchange programme yet. Since 2012-2015 there are 18 incoming students. The main reason for weak participation is that students work. However, participation in student mobility programmes should be promoted and added to the programme as an important tool to learn. KSU should develop an action plan to promote student's participation in students' mobility. It is essential that students studying international business law in an academic level would have a learning practice abroad.

e) The higher education institution ensures an adequate level of academic and social support:

KSU provides sufficient amount of support (full-range organisational, academic, subject-specific and financial assistance) for students (SER p 29). In the beginning of studies all students are introduced with the general information related to studies. During the process of studies they are consulted by the Head of Academic Affairs Office, and the coordinator of full-time and part-time studies, also by the management of Faculty of Law and teachers lecturing the subjects. This

undertaking is viewed very positively by students and the University alike. Several academic workshops are organised. In a free time students can participate in several activities – theatre group, photo group etc.

In order to enhance students' academic achievements and reduce social exclusion, in the reference period the University applied tuition fee discounts to socially disadvantaged students with good academic results. Since 2013 KSU has introduced the tuition fee compensation for advanced students, which allows the best students to study free of charge.

Students can always turn to the lecturers, questions via e-mail are always answered. Students feel support from the teaching staff and University.

The evaluation team is satisfied that KSU students are adequately supported by KSU organisational, academic, subject-specific and financial assistance during the studies.

f) The assessment system of students' performance is clear, adequate and publicly available:

The assessment system is transparent by means of publicly available information, and specific information given to participating students: the expected learning outcomes in terms of competences, the order of assignments and the criteria for the evaluation of student achievements. Contact hours accord to the Descriptor of study field of law (at least 30 hours). Final thesis is given 19 credits and accords to the Descriptor of study field of law. In assessment evaluation a ten-point criterion grading scale is used. The assessment system is clear. Assessment consists of various evaluation methods allowing to observe students' achievements in respect of aspired learning outcomes, to evaluate theoretical knowledge and practical skills together. Cumulative grade achievement is used. Rights of a student when failing an exam are regulated by the University documents.

Writing final theses is divided into several stages to support the writing. Faculty provides preliminary comments to the theses and supervisor supports student in a whole writing process.

The evaluation team views the assessment system to be correct, clear, adequate and publicly available.

g) Use of methods and strategies for tackling plagiarism and cheating:

The Code of Ethics of KSU provides the values and moral principles of the University, the fundamental provisions of ethical conduct, and governs the most important norms of conduct that have to be avoided and are not directly defined in the Lithuanian legislation and the University's internal documents.

h) Professional activities of the majority of graduates meet the programme providers' expectations:

There are only very few graduates in the programme yet. 2014-2015 started the writing of the final thesis. KSU forecasts close relations with social partners and real student employment opportunities. There is a special "Career Path" programme helping to integrate students into the labour market. One graduate met during the site visit was of the opinion that the programme provided sufficient expertise to help him with setting up a business company with international links.

Review team evaluates study process and student's performance assessment good. KSU has done a lot to introduce the programme. However, the number of students starting the studies is low. KSU should find some action plan to invite more students to study on their programme. Organisation of the study process ensures adequate provision of the programme and the

achievement of the learning outcome. University and Law Faculty offers some relevant opportunities for students to participate in research and applied research activities. Though there are possibilities to participate in students mobility programme, students do not participate in them. KSU should develop an action plan to promote student's participation in research activities. KSU students are adequately supported by KSU organisational, academic, subject-specific and financial assistance during the studies. The assessment system is correct, clear, adequate and publicly available, dishonest behaviour is regulated by the University level.

2.6. Programme management

The evaluation of programme management considered the following criteria:

a) Responsibilities for decisions and monitoring of the implementation of the programme are clearly allocated:

Management of the study programme is directly ensured by the Study Programme Committee which has certain authority related to the development of the programme and has implemented the quality indicator measurement system. An annual audit covers the implementation procedures and results of the programmes of studies. Students are asked to evaluate the subject and teaching after each subject each semester after the final exam. About 45% of students participate. However, results are not published or discussed - a process is needed what happens with evaluation results. There are also mid-semester meetings with each group, with dean and study development office; discussions are about quality of study subjects, literature, information, with whole group of students participating. There is a review of study programme in faculty by study programme committee and also semester interviews. Programme is monitored in many levels and tools. The site visit meetings allows to assume that the monitoring system needs more systematic approach, especially as regards closing feedback loops from graduates and employers (for these, see item d) hereafter). The digital potential is not fully exploited and needs improvement.

b) Information and data on the implementation of the programme are regularly collected and analysed:

An annual audit made by Study Programme Committee covers the implementation procedures and results of the programmes of studies. There are also evaluations online, meetings and students are involved for a feedback. Visiting meetings allow to state that analysis is more of module based than on a whole programme. There is a lack of meeting and feedback from alumni and social partners. In a faculty the programme management should have been done more systematically.

c) The outcomes of internal and external evaluation of the programme are used for the improvement of the programme:

Visiting meetings gave examples that outcomes are used to improve the programme, e.g. teachers explained that students are asked to evaluate the course, study programme committee reviews study programme in faculty, there are also semester interviews. Based on the collected data in the meetings of teachers there is discussed what should be changed in the programmes, how to make a programme more structured and more logical.

d) The evaluation and improvement processes involve stakeholders:

In a meeting social partners said that they were never consulted about the programme on international law, are not involved in programme development. This left the review team with

the impression that social partners do not participate in the study programme management actively in a systematic, routine way.

e) The internal quality assurance measures are effective and efficient:

The SER and the site visit meetings allow to conclude that the evaluation of the programme, and therefore the feed-in in terms of closing the quality enhancement loop, should have been done more holistically and systematically.

The review team finds that programme management, namely in terms of quality assurance, meets the basic requirements and is therefore satisfactory. However, it needs improvement in being done more systematically. Feedback from alumni and social partners and meeting with them needs improvement.

III. RECOMMENDATIONS

1. The programme needs a holistic approach, bridging more consistently between the basics of legal expertise and the special focus on international business law.
2. The programme must reflect its specifics: international and business law aspects, and not only as a choice of alternative courses related to business law but all the programme subjects (where appropriate) must reflect the specification on international business law. The subjects essential for business law, as contract law and company law etc. must have more visible and more important position in a programme.
3. Current micro-approach of the programme should be developed, ensuring the inclusion of the latest achievements in academia, business and technology; this, in particular, requires strengthening the research aspects of staff activities.
4. The programme needs an appropriate amount of full-time teachers who promote the development of the programme and participate actively in research in international business law in international level.
5. The University must ensure that all teaching staff are provided, on a regular base, with opportunities to develop their teaching skills systematically, and it must ensure broad participation of staff in such activities.
6. Students need better facilities to study – an access to the databases outside the University.
7. Specific tools to promote students to participate in exchange programmes must be developed.
8. The programme needs to be improved by providing courses in English, enabling foreign students to participate in ordinary courses with other students while also ensuring full foreign-language competence of graduates.
9. The programme management needs to use more information and communication technology potential for the effective study process organisation, and social partners and graduates must be involved more actively in the improvement development of the programme.

IV. SUMMARY

There is an evident need for such programme – International Business Law in a first study level in Lithuania. But, the programme aims and learning outcomes are not balanced with the content of the programme. The whole programme needs an improvement to provide a clear holistic view, the focus on international business law should be strengthened and balanced with the subjects of ordinary first study level. Subject descriptions should reflect more clearly the international and EU law aspects and, where appropriate the aspects of business law and international business law. Core subjects for international business law as e.g. contract law, company law etc. should have more attention and importance in the programme and with deeper and international legal relations oriented approach.

The programme should be developed as macro approach considering latest achievements in science, business and technology. Programme needs a development of courses in English. Courses in English enable foreign students participate in an ordinary course with other students and facilitates the internationality of the programme, and they help to promote linguistic competencies of domestic students.

The length of the programme 210 (ECTS) credits meets the legal requirements. The compliance of learning outcomes of the programme with the cycle is logical and provides all the appropriate outcomes in general. In the descriptions of subjects teaching and studying methods are outlined, specific literature is recommended. Despite the fact that in a programme there are some subjects related to the focus of the programme in general, the focus on international business law and using a programme design the newest research approaches, concepts and theories of the world and EU is weak. There should be more subjects related to business and international legal relations. There is some discord between the content of the subjects and the focus of the programme.

In principle, teaching staff accords to the legal requirements, University creates conditions for the professional development, but in practice it is not very clear how well teachers know these opportunities and how active their individual participation in research actually is. There is potential, and there are some active people in research and self-development, but on a whole the internationally known research-based-activity needs improvement. The research weakness of the teaching staff is mainly due to the availability of only two full-time teachers. Participation of practitioners in teaching and also in the development process of the programme has considerable value, but to ensure the stability and academic approach in teaching an appropriate number of academic staff is needed to provide a teaching based on academic knowledge, research-based teaching and research. Teaching staff development should strengthen the internationally known and programme-focused research.

Students need better facilities to study – easily accessible learning and meeting places, and access to the databases outside the University. Traineeship is regulated and seems to function correctly.

Study process and students' performance assessment is good. KSU has done a lot to introduce the programme. Because of the low number of students KSU should find appropriate action plan to invite more students to study on the programme. Sufficient opportunities for students to participate in research and applied research activities is offered but there is little evidence on the number of those students participating in them. Despite the possibilities to participate in students mobility programme, students do not take up these opportunities, an action plan is needed to promote students' participation in mobility activities. Students are adequately supported by KSU organisational, academic, subject-specific and financial assistance during the studies. Assessment system is correct, clear, adequate and publicly available, dishonest behaviour is regulated by the University level.

Programme management needs more systematic action, and social partners and graduates must be involved more actively in the improvement development of the programme.
KSU has development-oriented staff in Law Faculty to improve the programme, which should be good reason to assume that the issues addressed above will be tackled.

V. GENERAL ASSESSMENT

The study programme *International Business Law* (state code – 612M90009) at Kazimieras Simonavičius University is given **positive** evaluation.

Study programme assessment in points by evaluation areas.

| No. | Evaluation Area | Evaluation of an area in points* |
|-----|--|----------------------------------|
| 1. | Programme aims and learning outcomes | 2 |
| 2. | Curriculum design | 2 |
| 3. | Teaching staff | 2 |
| 4. | Facilities and learning resources | 2 |
| 5. | Study process and students' performance assessment | 3 |
| 6. | Programme management | 2 |
| | Total: | 13 |

*1 (unsatisfactory) - there are essential shortcomings that must be eliminated;

2 (satisfactory) - meets the established minimum requirements, needs improvement;

3 (good) - the field develops systematically, has distinctive features;

4 (very good) - the field is exceptionally good.

| | |
|---------------------------------|------------------------------|
| Grupės vadovas: Team leader: | Prof. dr. jur. Jürgen Kohler |
| Grupės nariai: Team members: | Prof. dr. Rolf Dotevall |
| | Dr. Kristi Joamets |
| | Mrs Dovilė Satkauskienė |
| | Ms Janine Wulz |

**KAZIMIERO SIMONAVIČIAUS UNIVERSITETO PIRMOSIOS PAKOPOS STUDIJŲ
PROGRAMOS *TARPTAUTINĖ VERSLO TEISĖ* (VALSTYBINIS KODAS – 612M90009)
2016-06-29 EKSPERTINIO VERTINIMO IŠVADŲ NR. SV4-159 IŠRAŠAS**

<...>

V. APIBENDRINAMASIS ĮVERTINIMAS

Kazimiero Simonavičiaus universiteto studijų programa *Tarptautinė verslo teisė* (valstybinis kodas – 612M90009) vertinama **teigiamai**.

| Eil. Nr. | Vertinimo sritis | Srities įvertinimas, balais* |
|---------------------|--|---|
| 1. | Programos tikslai ir numatomi studijų rezultatai | 2 |
| 2. | Programos sandara | 2 |
| 3. | Personalas | 2 |
| 4. | Materialieji ištekliai | 2 |
| 5. | Studijų eiga ir jos vertinimas | 3 |
| 6. | Programos vadyba | 2 |
| | Iš viso: | 13 |

* 1 - Nepatenkinamai (yra esminių trūkumų, kuriuos būtina pašalinti)

2 - Patenkinamai (tenkina minimalius reikalavimus, reikia tobulinti)

3 - Gerai (sistemiškai plėtojama sritis, turi savitų bruožų)

4 - Labai gerai (sritis yra išskirtinė)

<...>

IV. SANTRAUKA

Lietuvoje pastebimas akivaizdus tokios pirmosios pakopos studijų programos – *Tarptautinė verslo teisės* – poreikis. Tačiau programos tikslai ir numatomi studijų rezultatai nesuderinti su programos turiniu. Visą programą reikia tobulinti, siekiant aiškaus visuminio požiūrio. Reikėtų stiprinti orientaciją į tarptautinę verslo teisę ir suderinti šį dalyką su įprastais pirmosios studijų pakopos dalykais. Studijų dalykų aprašuose turėtų aiškiau atsispindėti tarptautinės ir ES teisės aspektai ir, kur tinkama, verslo teisės ir tarptautinės verslo teisės aspektai. Pagrindiniams tarptautinės verslo teisės dalykams, tokiems kaip sutarčių teisė, įmonių teisė ir pan., turėtų būti skirtas didesnis dėmesys ir svarba programoje, akcentuojant gilesnį požiūrį, orientuotą į tarptautinius teisės santykius.

Studijų programa turėtų taikyti makropožiūrį, kai atsižvelgiama į naujausius mokslo, verslo ir technologijų pasiekimus. Reikėtų parengti studijų dalykus anglų kalba. Tai sudarytų galimybes užsienio studentams lankyti įprastus dalykus kartu su kitais studentais ir prisidėtų prie didesnio programos tarptautiškumo, taip pat keltų vietos studentų kalbinės kompetencijos lygį.

Programos apimtis – 210 (ECTS) kreditų – atitinka teisinį reglamentavimą. Numatomi studijų rezultatai logiškai atitinka studijų pakopą ir apskritai nustatyti tinkamai. Dalykų aprašuose nurodyti mokymo ir mokymosi metodai, rekomenduojama konkreți literatūra. Nepaisant to, kad programoje yra keletas dalykų, susijusių su programos orientacija apskritai, tarptautinė verslo teisė ir naujausių pasaulio ir ES tyrimų metodų, koncepcijų ir teorijų naudojimas nepakankamai akcentuojami programos sandaroje. Reikėtų įtraukti daugiau dalykų, susijusių su verslo ir

tarptautiniais teisiniais santykiais. Dalykų turinys ir programos orientacija nepakankamai suderinti tarpusavyje.

Iš esmės personalas atitinka teisinį reglamentavimą, o universitetas sudaro sąlygas profesiniam dėstytojų tobulėjimui, tačiau praktikoje ne visiškai aišku, kaip gerai dėstytojai informuoti apie tokias galimybes ir kaip aktyviai jie dalyvauja tiriamojoje veikloje. Galimybių yra, taip pat yra keletas žmonių, aktyviai dalyvaujančių tiriamojoje ir tobulinimosi veikloje, tačiau apskritai reikėtų gerinti tarptautiniu mastu vykdomą tiriamąją veiklą. Šios studijų programos silpnybės priežastis ta, kad yra tik du pilnu etatu dirbantys dėstytojai. Praktikuojantys specialistai, kurie dėsto ir prisideda tobulinant studijų programą, yra itin vertingi, tačiau siekiant užtikrinti stabilumą ir akademinį požiūrį į mokymą, reikalingas pakankamas dėstytojų, gebančių dėstyti remiantis akademinėmis žiniomis ir tyrimais bei vykdančių tyrimus, skaičius. Personalo tobulinimasis turėtų padėti sustiprinti tarptautiniu mastu žinomus ir į studijų programą orientuotus tyrimus.

Studentams reikia geresnės materialiosios bazės studijoms, t. y. lengvai prieinamų mokymosi ir susirinkimų vietų ir galybės naudotis duomenų bazėmis ne universitete. Praktika reglamentuota ir vykdoma tinkamai.

Studijų eiga ir jos vertinimas yra geri. KSU įdėjo nemažai darbo, kad pristatytų šią studijų programą. Atsižvelgdamas į nedidelį studentų skaičių, KSU turėtų parengti atitinkamą veiksmų planą, kaip pritraukti daugiau studentų į šią studijų programą. Studentams siūloma pakankamai galimybių dalyvauti tyrimuose ir taikomųjų tyrimų veikloje, tačiau įrodymų, kiek konkrečiai studentų dalyvauja šiose veiklose, yra mažai. Nepaisant galimybių dalyvauti studentų judumo programose, studentai jomis nesinaudoja, todėl reikalingas veiksmų planas, siekiant paskatinti studentų judumą. Studijuodami studentai gauna pakankamą KSU organizacinę, akademinę, dalykinę ir finansinę paramą. Vertinimo sistema tinkama, aiški, adekvati ir viešai skelbiama, o nesąžiningas elgesys reglamentuotas universiteto dokumentais.

Programos vadyba turėtų būti sistemingesnė, o socialiniai partneriai ir absolventai turėtų aktyviau dalyvauti tobulinant ir plėtojant studijų programą.

KSU Teisės fakulteto personalas suinteresuotas studijų programos tobulinimu, todėl galima daryti prielaidą, kad šiose išvadose išskirtos problemos bus išspręstos.

<...>

III. REKOMENDACIJOS

1. Studijų programai reikia visuminio požiūrio, sistemingiau sujungiant bazines teises žinias ir tarptautinės verslo teisės specifiką.
2. Studijų programoje turi atsispindėti jos specifika – tarptautinės ir verslo teisės aspektai, ir ne tik pasirenkamuosiuose dalykuose, susijusiuose su verslo teise, bet visuose programos dalykuose (kur tinkama). Verslo teisės srities dalykai, tokie kaip sutarčių teisė, įmonių teisė ir pan., turi turėti aiškesnį ir svarbesnį statusą programoje.
3. Reikėtų išplėsti dabartinę studijų programos mikropožiūrį, įtraukiant naujausius mokslo, verslo ir technologijų pasiekimus, todėl ypač reikėtų stiprinti tiriamąjį personalo veiklos aspektą.
4. Studijų programai reikia pakankamai pilnu etatu dirbančių dėstytojų, kurie prisidėtų prie programos tobulinimo ir aktyviai dalyvautų tarptautinės verslo teisės tiriamojoje veikloje tarptautiniu mastu.
5. Universitetas privalo užtikrinti, kad visiems dėstytojams būtų sudarytos galybės reguliariai ir sistemingai tobulinti savo pedagoginius įgūdžius, ir garantuoti pastebimą dėstytojų dalyvavimą tokioje veikloje.
6. Studentams reikia geresnės materialiosios bazės studijoms, t. y. galybės naudotis duomenų bazėmis ne tik universitete.
7. Reikėtų parengti konkrečias priemones, skirtas paskatinti studentus dalyvauti mainų programose.

8. Studijų programą reikia tobulinti, dėstant dalykus anglų kalba ir taip suteikiant galimybę studentams iš užsienio lankyti įprastus dalykus kartu su kitais studentais bei užtikrinant puikų absolventų užsienio kalbos mokėjimo lygį.

9. Programos vadovybė turi išnaudoti didesnę informacinių ir ryšių technologijų potencialą, siekdama veiksmingiau organizuoti studijų eigą, o socialiniai partneriai ir absolventai turi būti aktyviau įtraukiami tobulinant ir plėtojant studijų programą.

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Paslaugos teikėjas patvirtina, jog yra susipažinęs su Lietuvos Respublikos baudžiamojo kodekso 235 straipsnio, numatančio atsakomybę už melagingą ar žinomai neteisingai atliktą vertimą, reikalavimais.

Vertėjos rekvizitai (vardas, pavardė, parašas)