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CHALLENGES AND OPPORTUNITIES FOR EDUCATION IN MODERN SOCIETY

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CONTENT / TURINYS

STUDENT GENERATED CONTENT: PEDAGOGY AND PRACTICE

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ABSTRACT. Digitally supported pedagogical approaches made possible by developments in technology, and in particular by Web 2.0, are continuing to create new opportunities for learning, teaching and assessment in Higher Education. The use of student-generated content is an approach to learning design which prioritises student contribution, co-creation and sharing while creating opportunities for students to take an increasing amount of control and autonomy over their learning (Dale and Povey, 2009). This paper describes an example of practice from a Masters level module in which distance learning students work together to generate their own content which they share with others in the form of student-led seminars. The paper adopts Collis' taxonomy of contribution-oriented learning activities (Collis, 2008) as the basis for describing the mapping of pedagogy to practice, providing examples of Web 2.0 tools deployed and examples of student generated artifacts. We discuss challenges faced by students and tutors in embedding this approach. We also highlight the importance of clarity of instructions, student involvement in assessment and the allocation of sufficient resources of technical and tutor support. We conclude that the investment of tutor time yields rewards for student learning that makes contribution-oriented pedagogy a scalable prospect.

Keywords: contribution-oriented pedagogy, Web 2.0, constructivism, student-generated content, co-creation

1. Introduction

While new areas of digitally supported pedagogical and institutional practice continue to emerge, the Higher Education sector is now, by and large, in an informed position about the contribution that technology-enhanced learning (TEL) can offer to the support and development of learning, teaching and assessment. Equally significant to the sector are the new opportunities for distance and blended modes of study which are enabled by technology and which are available to a widening constituency of learners. Although learning technologies may continue to be deployed to support traditional instructivist pedagogies which are tutor-led and content delivery focused (mckenna and Laycock, 2004), There has been, since the 1990s, an established consensus that the affordances for interaction and participation that characterise Web2.0 technologies, are ideally suited to supporting constructivist pedagogic approaches . Collaborative applications (such as blogs, wikis and multi-media sharing sites) are able to support learning designs that prioritise student contribution, co-creation and sharing, in ways that were previously not possible (mcloughlin and Oliver, 1998; Conole & Alevizou, 2010). This paper describes an example of practice from a Masters level module in which one such constructivist pedagogical approach enables distance learning students to work together to generate their own learning outcomes and content and to share that with others in the group in the form of student-led seminars. While the design of the programme in question is rooted in the work of a cross-institutional project that advocated principles of collaboration and learner control (Smyth and Mainka, 2009), this paper adopts Collis's taxonomy of contribution-oriented learning activities (Collis, 2008) as the basis for describing the approach taken. Using Collis's taxonomy as a critical lens, we discuss the pedagogic and practical implications of prioritizing student-generated content, and suggest ways to address some of the most typical barriers to practice.

2. What are 'student-generated content' pedagogical approaches?

2.1. Affordable and easy to use technologies create opportunities for educators to focus their energies on the preparation of attractive and accessible teaching and learning materials with embedded multi-media resources for online and distance learning programmes. However we know that the development of such learning materials is resource-intensive, and not all staff have access or inclination to devote the time and expertise required to develop this type of courseware (Straub, 2009). A different type of less time-intensive preparation is required for learning designs that require students to collaborate to produce content in the form of shareable digital artifacts such as web pages, podcasts or video presentations; these are examples of 'student-generated content'. With this approach, the lecturers' focus shifts from the development of professional-looking content, to the preparation of activities which emphasise collaboration, student choice and innovation.

2.2. The literature provides a range of definitions which we can use to anchor the ideas associated with this kind of pedagogic approach. Lee, McLoughlin and Chan (2008) describe a study in which undergraduates work in 'student-producer teams' to create podcasts for distribution to their peers. They refer to 'learner generated content' as a means of engagement where students generate content which is then shared with others as part of their learning experience (Lee, McLoughlin and Chan, 2008). Sener's (2007) exploration of effective practice in student-generated content emphasizes 'the shift from students as consumers to content producers', highlighting the importance of creating products which have lasting value, unlike the more typical products of assignment which have no life after they have been reviewed and assessed. Collis and Moonen (2001) and Lee et al. (2008) make a strong theoretical contribution to the literature discussing collaborative learning and knowledge construction and their underlying pedagogical philosophies which typify 'student-generated content' learning designs in online environments. Collis' (2008) taxonomy of learning activities offers a hierarchy of types and levels of learning activities that may be designed and progressively sequenced to exploit the participatory affordances of Web 2.0, when implementing a 'contribution oriented pedagogy' (Collis, 2008). Our experience with students on the MSc Blended and Online Education programme at Edinburgh Napier University provides an example of practice which offers potentially useful insights for practitioners, and which help to exemplify Collis' taxonomy.

3. Example from practice

3.1. Supporting the Blended and Online Student Experience (SBOSE) is the second module undertaken by students on the MSc Blended and Online Education, a practice-based online programme for educators seeking to develop their knowledge and skills in technology-enhanced learning and teaching. Central to the learning and teaching approach on the module are the student-led seminars which involve module participants working collaboratively in twos or threes to develop and facilitate a two week long online seminar for the rest of their group. Supported by a group tutor from the module team, the seminar leaders select their topic(s) and identify relevant resources and readings. They also design online activities to enable interaction and engagement for the seminar group and choose the online space and technologies that will support the delivery of their seminar. Collis' taxonomy of contribution-oriented learning activities provides a useful framework in which to explore the ways that Web 2.0 (and other technologies) is used to enable the creation of student-generated content (Collis, 2008).

Table 1: **Mapping Collis' Taxonomy of contribution-oriented learning activities (2008) to student-led seminars**

Types of Activity (from Collis, 2008)	**Activity examples from student-led seminars.**	**Web 2.0 tools typically deployed**
Level 1.1: **Find and contribute**	The student-group leading the seminar choose the focus for their seminar finding websites, blog, e-journals, videos and texts to develop their knowledge and understanding of the topic.	YouTube Flickr Slideshare
Level 1.2: Create/ Capture and contribute	Students work together to develop a web presence for their seminar and to design activities that will engage their participants with the topic and associated resources. They commonly use social media to locate experts in the field and to invite them to contribute to the seminar by recorded interview or for live interaction with the group using applications such as Elluminate Live!	ELGG, Elluminate Live! Moodle Wiki Facebook
Level 2: **building on contributions established in Level 1 by comparing, combining and updating**	Seminar leaders design and facilitate activities which enable the participants to build on the resources provided (Level 1). Typically activities involve listening and responding to interviews and readings from experts, contributing examples from practice, locating additional resources and/or creating further artifacts.	Wikis Wallwisher Animation software (Xtranormal)
Level 2.4: developing artifacts for: **a. one time use within the course,** **b. for reuse across or,**	The artifacts that are created during the seminars vary enormously. a. Some resources are useful only in the context of that seminar, such as this welcome video: [online] http://bit.ly/UUESFU b. resources, such as this Inclusivity Wiki are shared for use across the course: Inclusivity wiki: [online] http://bit.ly/Rl2KSL	
c. outside of the course	c. This online seminar has been shared beyond the program and across the university as a useful resource for all academic staff: http://bit.ly/VvotN0	

3.2. Students engaging with these activities develop disciplinary knowledge and important employability skills associated with team work, digital literacy and independent learning (Dale & Povey, 2009). Furthermore, due to the nature of the module and the seminar task, they also develop specific skills in designing and facilitating online learning. We know from evaluating our own practice at Edinburgh Napier University and from studies in the literature that learners involved in the co-creation of content for themselves and for others, find the experience highly motivating and engaging (Lee, McLoughlin and Chan, 2008).

4. Considerations for practice

4.1. Collis (2008) discusses barriers for practice in terms of potential 'mindset barriers' (Collis, 2008). These include mindset-change conflicts, management burdens, assessment-related issues, intellectual-property considerations and time burdens. In the context of the MSc Blended and Online Education, some of these issues featured more or less strongly than in Collis' account. For example, we experienced no such mindset conflict in our students' expectations because the ethos of the programme, informed by its very subject matter, is one which places emphasis on collaborative activities and on the provision of opportunities for increasing learner control and autonomy (Smyth and Mainka, 2009). Progressively the students and tutors assume co-learning roles within the community and consequently a contribution-oriented pedagogy is well aligned in this context. We recognize however that students in different academic disciplines could find this mindset barrier harder to surmount.

Web 2.0 technologies, when appropriately used and harnessed enable students to generate a practically infinite variety of formats and content and this, together with the collaborative nature of the student-led seminars, can complicate the matter of assessment. In our module, students participate in each other's seminars and provide peer, group and self assessed marks and feedback against specific criteria, with overall grades counting towards 60% of the final module score. Tutors participating in the seminars as co-learners also contribute to the peer marking and feedback. It is relevant that the students on this programme are themselves professional educators with previous experience of providing marking and feedback, but we consider the involvement of students in the assessment process to be of fundamental importance (Falchikov, 2005). The design of the activity, the clarity and detail of instructions provided as well as the background of our students helps to address some of the assessment challenges identified by Collis (Collis and Moonen, 2008).

In order to ensure the quality of the learning resources that are created and shared and of the overall learning experience, the tutor must be prepared to invest more time than would be typically demanded by more traditional pedagogic approaches. Collis (2008) refers to the time burden associated with contribution-oriented pedagogy, and our experience suggests that careful planning and estimation of time and support resources required should be in place before this type of activity could be considered scalable. Nevertheless, in our experience, the advantages of these learning designs are worth the increased investment.

We found that the technologies adopted by students and the differential levels of support required were important issues. In some cases students used technologies with which the tutors themselves were unfamiliar and which some other students could not access. We have found that it is necessary to identify sources of technical support and advice that may be located outwith the programme team (Minocha, 2009), in order to ensure that students are not disadvantaged by any lack of confidence or lack of expertise with technology compared with others in the group (Dale and Povey, 2009). Table 1 illustrates the diversity of applications which students typically deploy and which may not all be institutionally supported. This could create difficulties during the production of student artifacts, and for assessment and moderation given the impermanence and instability of some Web 2.0 applications.

5. Conclusion

We have found that pedagogically informed and carefully designed collaborative learning activities can enable the creation and sharing of student-generated content, effectively supporting student learning. A student-generated content approach gives rise to its own set of practical and pedagogical issues. These are the 'barriers' referred to by Collis (2008) and we assert that they can be more or less overcome by careful design, appropriate student support and by sufficient investment of time. Furthermore, to ensure the success of these approaches, students and tutors need opportunities to reconsider their respective roles in the pedagogic process. Our experience on the MSc Blended and Online Education together with other examples of practice in the literature suggest that the input is well worthwhile.

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STUDENTŲ DARBO TURINYS: PEDAGOGIKA IR PRAKTIKA

Julia Fotheringham, Dr Keith Smyth

SANTRAUKA. Pedagoginiai metodai, naudojantys skaitmeninį turinį, tapo prieinami dėl technologijų raidos ir ypač dėl Web 2.0 technologijų vystimosi bei suteikia naujas galimybes aukštojo mokslo siekimui, dėstymui bei vertinimui. Studentų sukurto turinio naudojimas yra toks mokymosi modelis, kuris teikia pirmenybę studentų bendradarbiavimui, kuriant ir dalinantis informacija bei sudaro galimybę studentams besimokant ugdyti savarankiškumą (Dale, Povey, 2009). Šiame straipsnyje yra aprašomas magistrantūros modulio, kuriame nuotolinio kurso studentai dirba kartu, siekdami sukurti savo turinį, kuriuo jie dalinasi su kitais studentais studentų vedamų seminarų metu, pavyzdys. Straipsnis yra paremtas bendradarbiavimu pagrįstos veiklos sistema (Collis, 2008), kuri yra laikoma pagrindu aprašant pedagoginę praktiką bei teikiant Web 2.0 įrankių naudojimo pavyzdžius bei studentų sukurto produkto pavyzdžius. Mes taip pat aptariame iššūkius, su kuriais susiduria studentai ir dėstytojai, taikydami šį metodą. Mes pabrėžiame aiškių nurodymų pateikimo, studento įtraukimo į vertinimo procesą ir tinkamų techninių bei mokymosi išteklių parinkimo svarbą. Teigiame, kad dėstytojo indėlis reikalauja studentų grįžtamojo ryšio ir tai suteikia bendradarbiavimu pagristam pedagoginiam metodui ateities perspektyvas.

Reikšminiai žodžiai: bendradarbiavimo pedagogika, Web 2.0, konstruktyvizmas, studentų darbo turinys, bendradarbiavimas

MOBILE LEARNING AND AUGMENTED REALITY: NEW LEARNING OPPORTUNITIES

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ABSTRACT. The ability to learn anywhere and at anytime is the most peculiar feature of mobile learning. A number of factors, mainly concerning the availability of contents, technologies and people interested in buying and using mobile devices, have fostered its diffusion in the last years.

In mobile learning the learner takes advantage of the opportunities offered by hand held devices such as location based tools, mobile content creation mechanisms and augmented reality (AR). This paper focuses on the use of AR in mobile learning and presents some applications in the context of discovery based learning, where AR can provide an added-value as it increases the contextual information available at a specific place and time. The use of AR in mobile learning therefore implies a shift from the mobile learning paradigm "learning anywhere at any time" to the new paradigm "learning in place and in time".

While the potential of AR in mobile learning is evident mainly in terms of user's engagement and participation, this field of research is still in its infancy and the technology is evolving. However, the premises are good to be able to foresee an increasing diffusion of this learning approach in the future.

Keywords: mobile learning, m-learning, augmented reality, AR

1. Introduction

The ability to learn anywhere and at anytime is definitely the most peculiar feature of mobile learning. There are a number of new opportunities for learners and teachers offered by this field of research, including the relatively low cost of technologies, the flexibility of content creation and sharing, the support for communication and collaboration, the availability of additional technologies such as location based and augmented reality tools that can provide an added-value. In this context, this paper explores the potential of using augmented reality in mobile learning.

The paper is organized in two main parts: the first part introduces the concept of mobile learning, analyses the driving factors that enable its diffusion, and presents its limitations and potential. The second part focuses on augmented reality in general and on its use in education, in particular, in mobile learning. Some application examples are provided.

2. Mobile Learning

This section aims to clarify the term "mobile learning", also called "m-leaning", and understand how this research has grown since its origin.

Most of the existing definitions of the concept of mobile learning focus on the technological aspects, emphasising the employment of mobile technologies for learning. O'Malley et al. (2003) widen this definition as they also consider the mobility of the learners and define m-learning as "Any sort of learning that happens when the learner is not at a fixed, predetermined location, or learning that happens when the learner takes advantage of the learning opportunities offered by mobile technologies". Moving from a technocentric definition, Traxler (2005) tries to define m-learning in terms of its core characteristics: spontaneous, private, portable, situated, informal, bite-sized, light-weight, context aware, providing a definition from the learners' and users' perspective.

Mobile learning is a relatively new field of research. The first initiatives date back to the last decades of 1900, but the wide diffusion of mobile learning took place starting from 2000 as a result of the large availability of mobile technologies. Research activity in this sector was strongly promoted in Europe thanks to two multi-national projects funded by the European Commission: MOBIlearn and M-Learning. In these years several events on mobile learning were organized to disseminate the last findings on the subject (e.g. national and international workshops, international conferences such as Mlearn and IADIS Mobile Learning).

A number of driving factors have promoted the diffusion of mobile learning in the last years (Adkins 2011). As presented in Figure 1, these mainly concern contents, technologies and people, and basically include:

- explosion of new mobile learning contents in fields such as language, tourism, education, health and wellness, etc.
- availability of many content distribution channels with educational content (e.g. commercial app store from Google and Apple);
- faster networks and devices such as tablets, smart phones, personal digital assistants (PDA), gaming devices, eReaders, etc.
- new developing tools and delivery platforms, designed from scratch for mobile learning;
- growing number of buyers and users of mobile technologies.

The trend for the future is towards an increasing demand for mobile learning technologies and services. This tendency is particularly evident in the U.S. market (Adkins 2011) where the implementation of M-learning solutions is more advanced compared with the rest of the world (http://blog.raptivity.com/2012/03/statistics-on-implementing-interactive-mobile-learning/).

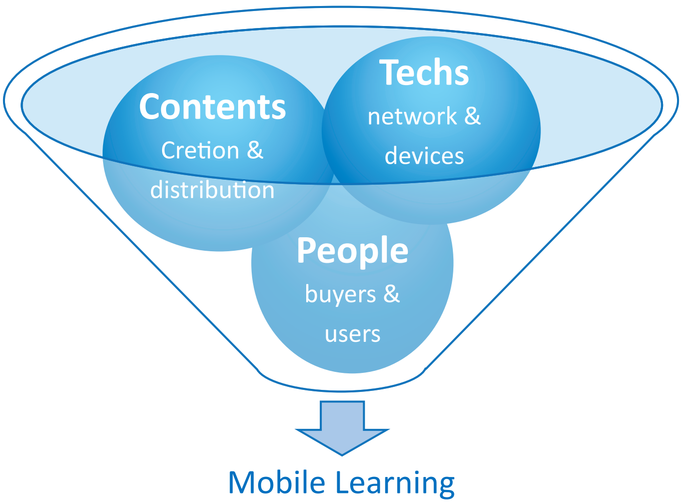

Figure 1. **Mobile learning driving factors**

Although these factors are promoting the increasing growth of mobile learning, there are still some challenges to be faced to allow a wider spread of mobile learning solutions (Elias 2011). These include both technical obstacles about physical constraints, such as the screen size, the connectivity, the battery life, the variability of devices, the difficulty in text input and other kinds of problems such as the need to train instructors and content providers to adopt new approaches and new technologies, the transition of existing e-learning contents to new delivery platforms, accessibility problems for some categories of users, and the lack of an established pedagogic theory.

Mobile learning does not only mean “e-learning on mobile devices”; mobile learning presents some peculiar features which make it unique, mainly for informal learning. Among the new opportunities there are location based learning, context-aware and behavioural based learning, mobile content creation, and use of augmented reality (AR). Augmented reality (AR) is a very interesting technology to be used in education. AR supports a constructivist approach, where students take control of their own learning and interact with the real and virtual environment; they can manipulate virtual objects and learn tasks and skills (Hamilton 2012). The next section provides a brief introduction to this new technology.

3. Augmented reality

AR is a view of a physical environment whose elements are augmented by virtual objects such as text, sound, video, graphics. According to Azuma (1997), augmented reality has three main defining characteristics: combination of real and virtual, interactivity in real time, registration of virtual objects in 3D.

Augmented reality has a long history (Billingharst 2011) going back to the 1960's. For a long time AR was mainly an experimental technology that required specific technical expertise and knowledge, and typically used Head Mounted Display (HMD) systems for AR rendering. However, interest for this technology has grown over the last years, starting from 2005, thanks, in particular, to advances in smartphone hardware. Nowadays AR technology is much more easily accessible for users and developers because of the availability of several AR applications, development frameworks and tools for creating, publishing and hosting virtual content without the need for a deep technical knowledge.

In general there are two ways to "align a virtual object with a 3-dimensional co-ordinate in the reality view" (Butchart 2011): a) *location based tracking*, which uses location sensors such as GPS, compass, accelerometer, gyroscopes and b) *optical tracking*, based on image recognition systems. Within optical tracking, it is possible to use fiduciary markers or real world objects such as landmarks and posters. In some cases both location based tracking and optical tracking can be used together.

AR rendering can make use of different technologies including monitors, hand held devices, display systems worn by a person such as head mounted displays and eyeglasses, and optical projection systems (en.wikipedia.org/wiki/Augmented_reality).

More recently, hand held devices such as smartphones and tablets are largely used devices for AR applications because they integrate all the hardware components (camera, processor, display, location sensors) which enable a relatively easy and low cost development of AR apps. In addition, their portability creates opportunities not available using other rendering solutions such as desktop monitors. That's why augmented reality on mobile devices, often defined as "mobile AR" (Billingharst 2012), is recently getting more attention.

The AR application areas are various and include fields such as medicine, manufacturing, architecture, tourism, market, gaming and education, as better described in the next section.

4. Mobile learning and augmented reality

The potential of augmented reality in education is described in details by Hamilton in a wiki hosted by the University of Illinois WikEd (Hamilton 2012) where several application contexts are identified including training, discovery based learning, 3D model creation, gaming and books, and a review of the existing applications is presented.

- AR for *training* provides step-by-step instructions to guide user through the execution of a complex task with virtual information helping them to identify targets and improve decision making; it is mainly used in military applications, medicine and car maintenance;
- AR in *Discovery Based Learning* helps users to achieve their learning goals by accessing virtual information at their own initiative;
- AR in *gaming* involves role playing, team work, social interaction, strong engagement of students in learning experiences;
- AR *for 3D models* is used as a tool to help students bring 3D models to life;
- *Augmenting reality books* enrich the information provided by the text books with 3D models, animations and other multimedia contents.

From Hamilton's analysis, it emerges that only few of the application contexts use mobile devices. If we specifically consider smartphones, the "Uptake of smartphone based AR in education has been very modest so far", probably because of the immaturity of the authoring and publishing tools (Butchart 2011).

Among the application contexts, *discovery based learning* is surely the one that often involves the use of mobile technologies. In this context AR can enhance a live experience by adding virtual contents; for instance visitors of cities, museums, art galleries and archaeological sites can see contextual information overlapped to the real objects they are looking at; people exploring a night sky can know the names of the stars and recognize constellations and planets. Application examples in this category include CultureClic (http://www.cultureclic.fr/), a culture and tourism application about France for Iphone, and Google Sky Map (http://www.google.com/mobile/skymap/), an Android app for exploring the sky (see figure 2).

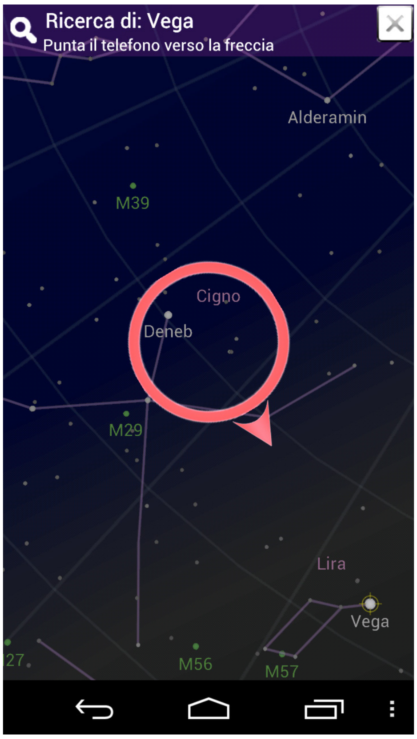

Figure 2. **Google Sky Map – searching for star Vega**

An interesting trend is in this field is the emergence of "location-based and augmented reality applications that not only target a user's location in space, but also in time" (Adkins 2011). There are applications such as Tacitus (http://itacitus.org/) that allows the user to point her/his device camera at an historical location, and see how the site looked like in various periods of the past. Others examples that offer a vision of the past are described in (Butchart 2011) and include the Berlin Wall application, the prototype about the story of 1906 San Francisco earthquake, both based on Layar, and the reconstruction of the Oseberg Viking Ship through a simulation software.

5. Conclusion

The study of the effectiveness of AR for mobile learning is a relatively new field of research. However, some works concerning AR in education (Hamilton 2012), in particular AR and gaming, AR in science, and AR augmented books, demonstrate that Augmented Reality has a great potential because it increases the level of learner "edutainment" and participation, and makes people feel more involved and engaged in their learning process. Learners can take control of their own learning, they can interact with the virtual objects to learn new skills and tasks.

In addition, a considerable amount of research using the previous generation of AR tools demonstrate that educators are enthusiastic for adopting augmented reality in schools and colleges (Butchart 2011). The main obstacle towards a widespread development of mobile learning AR apps is the immaturity of tools for content creation and publishing that can be used by teachers.

While AR for mobile learning offers interesting opportunities for the future, an important question is understanding which learning contents are adequate to be delivered in this form. In principle there are no limitations concerning disciplines or subjects. Liestøl (2011) states that AR can be used in any discipline or subject matter that "may benefit from making present what is absent, be it past, current or future topic". This also emerges from the analysis of existing applications; successful apps are those that enhance a real world experience with virtual contents that contextually overlay the real objects, making the learning experience more effective and engaging.

In conclusion, the use of AR in mobile learning implies a shift from the traditional paradigm of mobile learning "learning anywhere at any time" to the paradigm "learning in place and in time", i.e. at a specific place/context at a specific time.

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MOBILUSIS MOKYMASIS IR PAPILDYTA REALYBĖ: NAUJOS MOKYMOSI GALIMYBĖS

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SANTRAUKA. Gebėjimas mokytis bet kur ir bet kada yra būdingiausias mobiliojo mokymosi bruožas.

Daugybė veiksnių, daugiausia liečiančių turinį, technologijas ir žmones, kurie domisi mobiliųjų įrenginių pirkimu ir naudojimu, paskatino jo paplitimą pastaraisiais metais. Mobiliajame mokymesi besimokantysis gali pasinaudoti tokių rankinių prietaisų, kaip mobiliojo turinio kūrimo mechanizmais ir papildytosios realybės (AR) teikiamomis galimybėmis. Šiame straipsnyje yra aptariamas AR panaudojimas mobiliajame mokymesi ir pateikiamos kai kurios atradimu paremtos mokymosi programos, kur AR gali sukurti pridėtinę vertę, nes jis padidina turimą kontekstinę informaciją konkrečioje vietoje ir laike. AR panaudojimas mobiliajame mokymesis reiškia perėjimą iš mobiliojo mokymosi paradigmos „mokymosi bet kur bet kuriuo metu“ į naują paradigmą „mokymosi vietoje ir laiku“.

Nors AR potencialas mobiliajame mokymesis yra akivaizdus, daugiausia vartotojo įtraukimo ir dalyvavimo prasme, moksliniai tyrimai šioje srityje yra vis dar ankstyvojoje stadijoje ir technologijos tebesivysto. Kaip bebūtų, yra geras pagrindas manyti, kad ateityje šis mokymosi požiūris plis.

Reikšminiai žodžiai: mobilusis mokymasis, m-mokymasis, papildyta realybė, PR

PRESENTING THE ISTUS (INSTITUTIONAL STRATEGIES TARGETING THE UPTAKE OF SOCIAL NETWORKING IN ADULT EDUCATION) PROJECT

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ABSTRACT. Various technologies and applications under the Web 2.0 umbrella have a strong impact on education – either as a challenge for digital literacy or as a tool for learning. This learning partnership intends to focus on Social networks, like Facebook, MySpace or LinkedIn – or similar approaches within adult educational institutions, like Elgg or Mahara. Educational institutions have to decide how to embrace these services: Since educational institutions should provide a protected area of relationship and trust, they may further develop their virtual learning environments and thus build their own Social networks. Other educational institutions opt for the integration approach in order to make use of public (and commercial) services; and thus transfer their activities of Social learning and communities of practice there.

The general objective of ISTUS is to elucidate experiences, conditions, criteria and arguments for this choice of strategy. We aim to foster awareness and capabilities related to the impact of these new technologies and applications – both on an individual level of educational staff and on an institutional level in adult education. We want to analyse and harness key concepts of Web 2.0 for adult education. We seek to define scenarios of a successful and efficient uptake of technologies and applications like Social networks, Social software, web portals and cloud computing by institutions in adult education, including those fields of life-long learning, where informal learning takes place independently of educational institutions (like in study circles).

During this presentation the different stages of project work will be disseminated and discussed. This will include the groups working definition of Social Networking, findings to date and the next stages.

Information on how to contact the group and where to follow progress will also be shared with the consortium.

Keywords: Social media Adult Education Web 2.0

1. Introduction

For Europe's move to a knowledge based society, several programmes, actions and academics have addressed the effective integration of Information and Communication Technologies (ICT) in education. The use of computers and the Internet for learning has been, and still is, a cross-sectional task within the Lifelong Learning Programme.

In the recent years, we have seen new and unfamiliar developments in web technology, leading to innovative applications and unforeseen forms of online communication and collaboration. The term Web 2.0 was coined for these developments. Social networks (like Facebook, MySpace or LinkedIn), Social software for education (like Elgg or Mahara), web portals (like Liferay, IBM WebSphere, Microsoft SharePoint) or cloud computing are prominent examples for new uses of Internet technology.

Universities are harnessing the adoption of social media to meet the perceived expectations of the digital native university student. In our fast paced world, many of us now expect to have instant answers to our communications (Concord, R. & Donald, J. 2004), Social media as a tool can meet these needs. Along with many practitioners and experts in the field of education, we consider these developments a fundamental challenge for adult education. In contrast to educational approaches that aim to introduce ICT for learning, the dissemination of Social networks on the Internet (including their impact on learning) is an emergent phenomenon. Social networks themselves are a driving force; they have evolved independently of educational institutions. Since they influence adults' learning significantly, they question the differentiation of formal and informal learning.

However, when used in an appropriate way, the technologies and applications in question may contribute to participation in education, unlike traditional online learning where participants are socially isolated with no means of engagement

(Lehmann, K., and Chamberlin, L. 2009). In order to advance the successful use of these technologies, the learning partnership ISTUS intends to raise awareness and capabilities of institutions and agents in the field of adult education.

Aim

The aim of the ISTUS group is to discover proven strategies for the adoption of Social media in Adult Education. These will be reinforced through case study examples and identification of staff capabilities.

Objective

The objective of the ISTUS group is to establish what the formal and informal approaches and use of social media in adult education are. Key learning from the European perspective will be shared with best practices and area to learn from highlighted. Live strategies will be evaluated and in some circumstances may be adopted by partnering organisations.

Methods

The agreed methods of research used include a shared literacy review, qualitative interviews and collection of case studies.

2. Project description

2.1. Introduction to the ISTUS group participants

The ISTUS project is a European Commission, Lifelong Learning, Grundtvig funded Partnership.

The project commenced in Lahr, Germany during October 2011 and is expected to complete in September 2013 with a final report.

Institutions participating:

- AKAD Wissenschaftliche Hochschule Lahr (WHL), Germany
- International Correspondence Schools Limited (ICS), UK
- MYKOLO ROMERIO UNIVERSITETAS (MRU), Lithuania
- Comune di Sant'Angelo in Vado (MSAV), Italy
- NTI Nederlands Taleninstituut BV (NTI), Netherlands
- Scuola Universitaria Professionale della Svizzera Italiana (SUPSI), Switzerland
- Tampere University of Applied Sciences (TAMK), Finland

Participants from these institutions include a mixture of staff and students, each selected for their practice and interest of Social media in Education. Participants have a position of responsibility for driving the use of Social media within their organisation for teaching and learning purposes.

Broad aims of the group:

- Learn about resources and the relevant context factors for the uptake of Social media technologies by the partnering institutions, as well as about current and future developments in this field;
- raise awareness and experience of trainers, leaders, coordinators related to these technologies and their educational use;
- collect the necessary national and institutional expertise within the consortium and by communication with further actors;
- develop strategies for institutions, agents and learners for the thoughtful adoption and adaption of these technology in the field of lifelong learning;
- circulate these strategies and other results among the staff of the partners, in order to give first recommendations and to reconsider their institutional strategies as well as their individual capabilities;
- build a sustainable network in order to develop a multilateral project with a focus on advancing institutional strategies and individual capabilities for the adoption and adaption of these technologies in the field of lifelong learning.

2.2. Description of data collection

Literature: A literature review capturing the wider analysis of the use of Social media in Education has been important. Social media has opened the possibility for everyone and anyone to be a journalist or author, as a result the volume of information and literature on the use of Social media in education is vast. The ISTUS literature review captures lessons, examples, attitudes, pitfalls and theory behind European (and wider) use of Social media in education. The review is a working space that continues to grow.

The ISTUS literature review is presented using blogspot.co.uk an online space that allows individuals and groups to write and publish their work. This open space has allowed for collaborative contribution by all members of the ISTUS group. The group felt it important to use and demonstrate Social media tools as part of our own learning process.

Software and shared spaces: A second area that the group have used to collate data, documents and reports is Google Groups. In the ISTUS Google group, participants have been able to share various types of documents including spreadsheets, forums, picture banks and text documents. It is important to note that while the space offered by Google groups has sufficiently met the group needs there was some resistance and scepticism in using Google groups in the beginning. A lack of trust in the group was prevalent; the security of data, risks it would not be backed up and concern over using an Open third party to host the project work was a significant concern. These fears have generally been overcome and project results have been backed up by individuals.

The ISTUS group discussed and agreed that limiting the number of shared spaces would be wise. Maintaining numerous shared spaces that contained the same content but that were not necessarily connected would be troublesome to keep updated.

2.3: Emerging Themes: A second core theme for the ISTUS project has been to capture and compare the celebratory and fearful attitudes of institutions (Selwyn 2009). From the literature review main themes appeared: contradictions, demand and expectation from all parties alike, staff capabilities, strategic policies and support, as well as general enthusiasm and fear. Pedagogical concepts have emerged but more analysis needs to be done to establish if these concepts are based on perceived knowledge or evidence from practice.

Interviews and Case Studies: Three groups; students, teaching staff and administration, were selected for interview from any one institution. Each ISTUS participant has aimed to interview participants from a minimum of 2 institutions. The interview questions were designed in order for the interviews to take place as an informal discussion, to capture knowledge and opinions on the themes already identified. Participants were generally keen to come forward and discuss their views and habits in the use of Social media in addition to their opinion of the use of Social media as a Teaching and Learning tool. No party was unable to give a definition of Social media, although these definitions varied greatly.

3. Research Methodology

The Project group learning strategy is to adopt a progressive and proactive approach. That is: More often than not, adult education institutes have limited capability, capacity and resources and thus merely react on trends like these technological developments. ISTUS believe is that we have to face the new developments in the described fields of interest in a more active way. Therefore, the partners aim to establish a sustainable partnership for the development of future oriented strategies within and between educational institutions.

The body of the ISTUS group research can be divided into 2 main areas:

Literature Review

- Participants have collated relevant literature and reviews through the http://istusproject.blogspot.co.uk/ site. The literature review has mostly comprised of URL links, online journals and other textbooks.

Interviews

- Each institution is tasked with completing a set of interviews for a minimum of 2 institutions, one of which should be their own.
- One set of interview comprises of a Student, Teacher and Administrator from any one institution.
- Three sets of interview questions have been developed and tailored to the specific interviewee. The sets of questions have followed the pattern:

- Background on Institution
- E-learning platforms currently adopted within institution
- Definition of Social media and current use (personal and professional)
- Impact of Social media on work and learning environments
- Attitudes towards Social media in Education
    - Culture
    - Future trends
    - Values
    - Own and perceived attitudes of Student / Teacher / Administration
- Institutional strategy and support to Social media in teaching and learning

4. Research Results / Findings

The group shall disseminate the collected findings and conclusions concerning strategies and educational use of these technologies for the wider community, e.g. through the project website (case studies, report etc.), both at the local and the transnational level.

The project group is currently working through interview results and analysing the findings. During January 2013 the group shall meet in the Netherlands to commence the review of research results. Full results are expected to be published after May 2013. A copy of this report shall be available from http://istusproject.blogspot.co.uk/

5. Conclusions

The project is not yet complete and results have yet to be analysed in a systematic manner. Primarily results suggest that there is a disparity between attitudes to Social media and its use. Most respondents use Social media on a regular basis, particularly for personal use. All respondents used Social media, but many were not conscious of this as part of informal learning habits.

A lack of training and support suggests that while participants may be open to the use of Social media in adult education, it is not always clear how this link can be made. While an experimental bottom up approach is common, in many circumstances there has been recognition that top down support and guidance is required.

Exemplar strategies that have been identified and will be highlighted as part of the final report include:

Edinburgh Napier 3E Framework – The purpose of this strategy is to assist staff if incorporating technology to their teaching and learning in a meaningful way. The 3E represent: Enhance, Extend and Empower. Further reading can be done through: http://staff.napier.ac.uk/services/academicdevelopment/TechBenchmark/Pages/Introduction.aspx

Use of Social media for Marketing and Communications – This guide has been written to provide support to universities and colleges who are embracing social media. A description of the different media tools, along with the implications for using each in an education setting. The guide can be accessed from: http://doteduguru.com/wp-content/uploads/2008/08/social-media-in-higher-education.pdf

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ISTUS (INSTITUCINĖS STRATEGIJOS, KURIŲ TIKSLAS SOCIALINIŲ TINKLŲ PANAUDOJIMAS SUAUGUSIŲJŲ ŠVIETIME) PROJEKTO PRISTATYMAS

Kirsty Palfreyman

SANTRAUKA. Įvairios technologijos ir Web 2.0 programos turi stiprų poveikį švietimui – tiek kaip skaitmeninio raštingumo iššūkis, tiek kaip mokymosi priemonė. Ši mokymosi partnerystė ketina sutelkti dėmesį į socialinius tinklus, tokius kaip Facebook, MySpace ar LinkedIn- ar panašias suaugusiųjų švietimo institucijas, pavyzdžiui, Elgg ar Mahara. Švietimo institucijos turi nuspręsti, kaip perimti šias paslaugas. Kadangi švietimo institucijos turėtų suteikti saugomą santykių ir pasitikėjimo teritoriją, jie gali toliau plėtoti savo virtualias mokymosi aplinkas ir taip sukurti savo socialinius tinklus. Kitos mokymo įstaigos pasirenka integracijos metodą, siekiant pasinaudoti viešosiomis (ir komercinėmis) paslaugomis, ir taip perkelia savo socialinio mokymosi veiklą ir praktines bendruomenes į juos.

Bendras ISTUS tikslas yra išsiaiškinti šios strategijos pasirinkimo patirtis, sąlygas, kriterijus ir argumentus. Mes siekiame skatinti supratimą ir galimybes, susijusius su šių naujų technologijų ir taikomųjų programų poveikiu – tiek individualiu ugdymo personalo lygmenyje, tiek ir suaugusiųjų švietimo institucijų lygmenyje. Mes norime analizuoti ir panaudoti pagrindines Web 2.0, skirto suaugusiųjų švietimui, sąvokas. Mes siekiame apibrėžti sėkmingo ir efektyvaus technologijų ir prietaikų įsisavinimo scenarijus, pavyzdžiui, socialinių tinklų, socialinės programinės įrangos, interneto portalų suaugusiųjų švietimo institucijose, įskaitant visą gyvenimą trunkančio mokymosi sritį, kur savaiminis mokymasis vyksta nepriklausomai nuo švietimo institucijos (pavyzdžiui, studijų terpėje).

Šiame straipsnyje bus pristatyti ir aptarti skirtingi projekto etapai. Tai apims socialinių tinklų apibrėžimą, pasiektų rezultatų apžvalgą ir tolesnes projekto pakopas .

Informacija apie tai, kaip susisiekti su grupe ir kur būtų galima įvertinti pažangą, taip pat bus dalijamasi konsorciume.

Reikšminiai žodžiai: socialinės medijos, suaugusiųjų švietimas, Web 2.0 technologijos

LEGAL EDUCATION SYSTEM IN LITHUANIA: NOWADAYS & NEW CHALLENGES

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ABSTRACT: The article analyses the existing system of legal education in Lithuania and presents some conclusions concerning this topic. Legal science and legal studies in Lithuania have been institutionalized in the middle of the XVII Century when it was established in Vilnius University Law Faculty (1641, 11 October). At the end of the twentieth century it has been restored in Vilnius University and opened a new legal education and research traditions in Kaunas (Vytautas Magnus University), and established in Vilnius, even specialized legal institution of higher education – Lithuanian Law University (now - MykolasRomeris University). Non-university law studies were started to be organized by colleges.

Law Faculty of MykolasRomeris University, Law Faculty of Vilnius University, Law Institute (State Scientific Institution) and Lithuanian Centre for Forensic Science are prosecuting research in different law fields. In addition to the national Lithuanian law students are studying the law of foreign countries (such as USA, Poland, Russia, Germany, Switzerland) in specialized centers and law schools (for example, VU - German Centre for Law, School of Law in Poland). For example, MykolasRomeris University has the jointed degree programmes in international law.

University Law degree enables person to become a lawyer, notary, bailiff, judge, or a civil servant working as a lawyer in the company) and non-university education enable less opportunities - students who have graduated from schools that are not university education is much lower career prospects than university graduates. For example, they cannot become lawyers, prosecutors or judges. University of choosing the right course of study, obtained higher legal education, University provides access to comprehensive legal career. The question of quality of legal studies has a new view in recent situation.

Key words: legal education system, quality of legal studies

1. Introduction

Lithuania's reform of the higher education system was started in May 2009 and major elements of this reform include: voucher system, market laws and more autonomy to universities. The new state Law on Research and Studies (which was adopted on the 30 April, 2009) obliged the higher institutions of Lithuania to create the internal Education and Studies assurance systems and to approve the activities quality improvement strategy. The new Statute of MykolasRomeris university (which was adopted on 23 July, 2009) also states that The University has a Senate-approved Education and Studies qualification assurance system, based on the regulations of European higher education sphere study quality assurance provisions, and a University activities quality improvement strategy, which foresees ways and means of operation, helping to assure the study and education quality provided by the University.

On 4 October 2002, the Lithuania Government adopted Resolution No. 1568 "On Approving the Qualification Requirements of Higher Education in Law for the Persons Who Wish to Hold, under Procedure Established by Laws, the Position of a Judge", whereby (as it is expressisverbis pointed out in this Government resolution) pursuant to Paragraph 1 of Article 5 of the Law on the Entry into Force and Implementation of the Law on Amending the Law on Courts the qualification requirements of higher education in law for the persons who wish to hold, under procedure established by laws, the position of a judge, were approved. This Government resolution came into force on 10 October 2002.

2. Characteristic and history of legal studies in Lithuania

In Lithuania, until the last decade of the 20th century lawyers were prepared in universities under the model of university one-stage studies of the trend of law. The sources of this model are traced as far back as 1567, when training of lawyers-practitioners was begun in Vilnius Academy, who were meant to work either as a procurator or an instigator in courts and other establishments. In the Principal School of the Grand Duchy of Lithuania (Vilnius Academy was reorganized as the Principal School in 1781) law studies took 4 years, while in Vilnius University (the Principle Schools was reorganized as a university in 1803) compulsory and uninterrupted law studies took 3 years. After the tsarist Russian government closed Vilnius University in 1832, Lithuania was left with no school providing higher education in law. After the independent State of Lithuania was restored in 1918, the University of Lithuania was opened in Kaunas in 1922 (in 1930 it was renamed as Vytautas Magnus University). In that university law studies took 8 semesters; it was required that one studied not less than 15 law subjects (law encyclopaedia, history of law philosophy, history of Lithuanian law, public law of foreign states (basics), public law of Lithuania, international law, administrative law, finance law, civil law, commercial law (together with exchange law), history and dogmatic of Roman law, civil procedure, criminal law, criminal procedure, and forensic science) and to account for them. During the Soviet period lawyers were prepared in the Faculty of Law of Vilnius University under the model of one-stage studies of the trend of law, and such studies (with a small exception) took 5 years, while the persons who finished the studies under this programme (in which, as well as in other study programmes of schools of higher education, there also used to be some ideology-driven subjects of studies which were imposed by the political regime of that time, while the subjects of the study of the trend of law were substantially indoctrinated) were awarded the qualification of a lawyer (alongside full-time studies, there were studies of correspondence, and for some time there also used to be part-time studies).

For some time this model of preparation of lawyers, i.e. that of university one-stage studies of the trend of law, virtually had no alternatives also in 1990, when the independent State of Lithuania was restored (while, as mentioned, the alternatives that came into being in 1991-1992 did not deny the dominance of the model of university one-stage studies of the trend of law): for some time studies of the trend of law continued to be of one-stage, while those who finished them were awarded the qualification of a lawyer. At present the Faculty of Law of Vilnius University provides one-stage (integrated) studies of the trend of law (full-time and correspondence studies). Of course, attempts have been made to correct the model of studies of the trend of law established in this faculty; for instance, higher education study programmes of the trend of law were registered on provisional basis, whereby those who finished the one-stage studies were to be awarded the degree of bachelor of law (Order of the Ministry of Education and Science No. 565 "On Registering Higher Education Study Programmes" of 19 May 1997), however, this legal regulation was promptly changed and it was established that those who finished legal studies under these programmes are awarded not the degree of bachelor of law, but the professional qualification of a lawyer (Order of the Ministry of Education and Science No. 359 "On Partial Amendment of the 19 May 1997 Order No. 565" of 27 February 1998).

In this context, it needs to be mentioned that on 12 February 1991 the Supreme Council adopted the Republic of Lithuania Law on Science and Studies. In this law one established an opportunity to divide higher education (as well as higher education in law) into first- and second-stage studies (by respectively awarding the qualification degrees of bachelor and master of law): it was established in Article 27 of this law that "studies of one or more stages shall be recognised in Lithuania. Upon the completion of such studies, a bachelor degree, a master degree, or another degree of qualification may be conferred", while "qualification requirements for these degrees shall be approved by the Government <…> on the recommendation of the Lithuanian Council of Science". These provisions were not amended in any way until 11 June 2002, when the Seimas adopted the Republic of Lithuania Law on Amending the Law on Science and Studies (which with a certain exception came into force on 1 October 2002), by Article 1 whereof the Law on Science and Studies was set forth in a new wording. The Law on Science and Studies gave no definition as to what was meant by the qualification degree of bachelor and that of master. This was done by the Government, when on 14 October 1993 it adopted Resolution No. 768 "On Approving the Qualification Regulations of Higher Education and the Regulations for Establishing and Certification of Schools of Higher Education" (which came into force on 21 October 1993; hereinafter referred to as Government resolution No. 768 of 14 October 1993) by Item 1 whereof the Qualification Regulations of Higher Education were approved; inter alia the following was established in these regulations: after the undergraduate studies are finished either the qualification degree of bachelor or the qualification degree of studies, which amounts to the former degree, and/or professional qualification are acquired (depending upon the programme of the studies); upon finishing the specialised professional studies, the professional qualification is acquired; the degree of bachelor denotes specialised higher education of a certain trend of science or art of a person and his preparedness for further studies within this trend; the degree of master denotes specialised higher education of a certain trend of science or art of a person and his preparedness for further doctoral studies; diplomas of bachelor or master degrees shall specify the area or trend of studies of science or art, while a diploma of master shall also specify the trends of specialisation of the studies; the study programme of master studies shall be formed by the school of higher education; the programme shall specify the area or the trend for which the degree of master is awarded upon finishing these studies.

The characteristic feature of the model of university one-stage (integrated) studies in law is that under this model the study programme encompasses all the subjects of areas of law, which traditionally and generally are recognised as most important ones, and that it does not limit itself only to a certain area of law. Thus, it is not enough that the persons, who seek to acquire university higher education in law under such study programme, hear only the study subjects ascribed to certain areas of law – one or several modules of studies of the trend of law – and account for them. They must hear precisely such subjects of studies of the trend of law and account for precisely such subjects of studies without which one should not reasonably recognise the qualification of a lawyer to them, since it would be impossible to reasonably regard such persons as ones having proper professional theoretical preparation and practical abilities necessary for an independent legal work. Under the established tradition and concept of university higher education in law, such main subjects of studies (known in English as the core curriculum, in French – tronccommun, and in German – Hauptlehrplan) are: legal theory, history of law, constitutional law, administrative law and administrative procedure law, finance law, criminal law and criminal procedure law, civil law and civil procedure law, labour law, international public law; after the norms of European Union law became part of the legal system of the Republic of Lithuania, also European Union law became a subject of the said studies. Of course, the list of the main subjects of studies of the trend of law is subject to change. In addition, it may have various peculiarities in various schools of higher education, since the subjects of studies included in such a list, for inter alia practical reasons, may be joined or divided, also their extent and names may differ too. However, in general, in countries of the Western legal tradition (especially, of the Continental legal tradition) the core of university higher studies encompassing the said main subjects of studies which are in line with the concept of full-fledged university higher education in law, is universal and more or less stable; it does not mean that it is not subject to evolving. On the other hand, as a rule, only these main subjects of studies of the trend of law are not sufficient: in order that the qualification of a lawyer would reasonably be recognised for a person, this person is required (especially in countries of the Continental legal tradition) to have studied additional legal disciplines, as for example, Roman law, comparative legal science, international private law, ecology law, agrarian law, criminology etc. (as a rule, there is a possibility to choose several study subjects from a much longer list, however, quite often some of the study subjects specified herein are also compulsory ones). It also needs to be noted that, in general, the fact is characteristic of law that legal regulation (it does not matter which social relations are regulated) is subject to constant change (Constitutional Court ruling of 13 November 1997); the legal regulation of certain social relations, which earlier used to be only episodic and fragmentary, may become more intensive, and the legal regulation which earlier used to be non-systematised may become systematised. Due to this, new areas (branches) of law may come into being. Universities may start studying them as new, individual subjects of studies of the trend of law (as, for instance, transport law, healthcare law, mass media law) because in general new areas of legal regulation (as, for instance, biotechnology law, electronic communications law) come into being. Eventually, higher legal studies would not be university studies, if they did not include (as an inseparable part) certain (philosophical, humanitarian) subjects of studies of non-legal trend from the areas of philosophy, economy and other realms of knowledge.

The model of university two-stage studies of the trend of law, which is an alternative to the model of university one-stage (integrated) studies of the trend of law, became possible upon the entry into force of the Law on Science and Studies, which, as mentioned, consolidated an opportunity to divide higher education (as well as higher education in law) into first- and second-stage studies (by respectively awarding the qualification degrees of bachelor of law and master of law).

Later, this two-stage model of higher (non-university) model of legal studies evolved to the model where the persons who finished the first stage of studies of the trend of law are awarded the qualification degree of bachelor of law, while the persons who finished the second stage of studies of the trend of law are awarded the qualification degree of master of law. This two-stage model of higher studies of the trend of law was further consolidated and developed after the Lithuanian Police Academy of Lithuania was reorganised as the Law Academy of Lithuania (1998), after the Law Academy of Lithuania was reorganised as the Law University of Lithuania (2000), and when the Law University of Lithuania was reorganised as MykolasRomeris University (2004).

As from 1997, the Faculty of Law of Vilnius University has been admitting persons, who have acquired the qualification degree of bachelor of another trend (not that of law), to study under a 4-year correspondence programme of studies of the trend of law. After they finish these studies, these persons are awarded the professional qualification of a lawyer. These are one-stage studies.

This process was taking place in parallel with the essential changes in the entire system of higher education of Lithuania: bachelor and master studies, upon completing which the persons are awarded the qualification degrees of bachelor and master correspondingly (which denote the professional qualification of certain trend of studies), were separated in most programmes (of non-legal trend) implemented in most schools of higher education. It needs to be held that at the time of the consideration of the constitutional justice case at issue, the model of university two-stage studies of the trend of law, which is alternative to the model of university one-stage (integrated) studies of the trend of law and which was not characteristic of preparation of Lithuanian lawyers a decade or so ago, has been completely formed.

This transformation of the model of preparation of lawyers – that of the system of higher education in law – is hardly the grounds or a stimulus to abandon the core of university higher studies in law, which is generally recognised in the countries of the Western legal tradition (especially, in the Continental legal tradition), which corresponds to the concept of full-fledged university higher education in law: also, if the model of university two-stage studies of the trend of law is chosen, it is necessary to secure that the discussed main study subjects, as well as other subjects of legal and non-legal trend, be studied.

Since the programme of undergraduate studies, upon completing which persons are awarded the qualification degree of bachelor, is intended to provide the theoretical basis to a profession and to form professional skills necessary for independent work, while master studies and the qualification degree of master is related with acquisition of higher professional qualification and preparedness for independent research or artistic activities or activities for which deeper scientific knowledge and stronger abilities are required, it is obvious that only those persons, who completed bachelor studies and who have the qualification degree of bachelor may be admitted to master studies (as mentioned, the legal regulation which is established in legal acts and which is related with the acquisition of higher education in law in schools of higher education of foreign states is not the matter of investigation in the constitutional justice case at issue). Besides, such legal regulation, under certain conditions, does not prevent to admit those persons, who finished one-stage (integrated) studies of a certain trend and also have the qualification degree of master of studies of another trend, to master studies of certain trends.

For instance, as mentioned, although certain bachelor and/or master study programmes of the trend of law include all those subjects of areas of law that are traditionally and universally recognised as the most important ones (the subjects which compose the greater part (module) of these studies), these programmes are named not as study programmes of bachelor and/or master of law – their names reflect an additional trend (module) of studies, precisely that here the study of the subjects of legal areas that are traditionally and universally recognised as the most important ones is linked with studying certain other study subjects (which are, as a rule, closely related with law), which comprise a comparatively big part (module) of a corresponding study programme; for example, bachelor and master study programmes of law and administration, law and police activities, law and penitentiary activities, bachelor study programmes of law and state border guard, law and customs activities have been registered and are implemented; the persons who finished their studies according to these programmes (some of such programmes are not only full-time, but also part-time and/or they are correspondence programmes) are awarded the qualification degrees (correspondingly) of bachelor of law and/or master of law.

Some programmes of master studies of the trend of law are specialised, designed for extending the knowledge of the persons, who acquired the qualification degree of bachelor of law, in a certain area of law. For example, master study programmes of labour and social maintenance law, expertise research, information technology law, European Union law, and administrative law have been registered and are fulfilled; the persons who finished studies according to these programmes are awarded the qualification degree of master of law.

It has also been mentioned that one of the changes which occurred in Lithuania with regard to the model of preparation of lawyers – higher studies of the trend of law – is that sometimes also persons, who have not acquired the degree of bachelor of law, can acquire the qualification degree of master of law.

Later, one more model of university studies in law came into being. As from 1995, the Institute of Law of Vytautas Magnus University began to provide higher education in law. This university admits the persons, who finished bachelor studies of the trend of other than law, thus, the persons who have the degree of bachelor not of the studies of the trend of law, but of another trend. In addition, some programmes of studies of the trend of law implemented in this university did not include all areas of law, which are traditionally and generally recognised as the main ones, and were limited only to a certain area of law, however, the persons who finished studies according to these programmes are awarded the qualification degree of master of law, but not of corresponding narrower area of law. For instance, the qualification degree of master of law is granted under registered programmes of master studies of administrative law, international law, and commercial law.

Such programmes of studies, which are limited only to a certain area of law, upon completing which persons are awarded the qualification degree of master of law, later appeared also in MykolasRomeris University (for example, master study programmes of biolaw, maritime law).

It needs to be emphasised that provided the persons who have not finished bachelor studies of the trend of law and who do not have the qualification degree of bachelor of law, could be admitted to these master studies of the trend of law, these studies can be justifiable (their programmes can be registered under established procedure) only in such a case, where the persons, and who have the qualification degree of bachelor of the trend not of law, but of the studies of another trend, who finished the master studies of the trend of law, are awarded not the degree of law in general, but the degree of master of corresponding narrower area of law.

In this case it should also be held that without analysing the structure and content of corresponding programmes of master studies of the trend of law, as well as whether these programmes have been registered as knowledge-deepening or knowledge extending, it is hardly possible to decide from their titles alone whether they are oriented only to the subjects of studies specified in their titles and limit themselves only to the named area of law, or whether they include more traditionally and generally recognised areas of law – the main subjects (disciplines) of studies of the trend of law, which are in line with the concept of full-fledged university higher education in law.

As mentioned, the programme of undergraduate studies, upon completing which the persons are awarded the qualification degree of bachelor, is intended to provide the theoretical basis to a profession and to form professional skills necessary for independent work, while master studies and the qualification degree of master are related with acquisition of higher professional qualification and preparedness for independent research or artistic activities or activities for which deeper scientific knowledge and stronger abilities are required; only such student of law can pursue “higher professional qualification”, who has theoretical bases of the legal profession and the professional skills necessary for independent work, while only such student of law can pursue “deeper scientific knowledge and stronger abilities” who has the basic scientific knowledge and abilities necessary in the corresponding area of law; master studies are not intended for rendering the theoretical bases of the profession and forming the professional skills necessary for independent work – master studies of the trend of law cannot be intended for hearing such subjects of studies of the trend of law, and accounting for namely for such subjects without learning which the qualification of a lawyer could not be reasonably recognised to the person, therefore, if the model of two-stage studies of the trend of law is chosen, the discussed subjects, which are in line with the concept of full-fledged university higher education in law, and which are the core of university higher studies in law, are to be studied in the first stage, under the programme university bachelor’s studies of the trend of law. It was also mentioned that such master studies of the trend of law, to which the persons who have not finished bachelor studies of the trend of law and who do not have the qualification degree of bachelor of law are admitted, may be justified (thus, their programmes may be registered under established procedure) only in the case when the persons who have the qualification degree of bachelor of another trend of studies, but not that of bachelor of law, are awarded not the degree of master of law in general, but that of master of corresponding narrower area of law.

It needs to be mentioned that, in 2007, instead of the master study programmes of the trend of law (i.e. programmes of administrative law, commercial law, and international law) of the Institute of Law of Vytautas Magnus University, knowledge-extending master study programmes with the same titles were registered. Persons, who have finished bachelor studies of the trend other than law, thus, who have the degree of bachelor of the trend other than law, are continued to be admitted to these programmes; also, in 2005, a 3-year full-time integrated study programme of the trend of law was registered.

3. Legal studies at Mykolas Romeris University

The challenges of Bologna process remain important for the University. Although a large part of the objectives put forward by Bologna process have already been implemented, there are still areas that require improvement. Lecturers are constantly reminded that lecturing must be orientated towards expected student learning achievements, skills and competences to be acquired. The changing roles of a student and a lecturer are underlined: a lecturer is becoming a student’s partner and an organizer of studies, and ensures the diversity of independent learning possibilities.

On Sept. 1st, 1997, the first 124 students began full-time Law programme studies at MykolasRomeris University. The March 17th, 1998, Senate approved the new Law Academy structure, aside from the 5 Faculties, established the Law Faculty, which had 10 departments. From Sept. 1st, 1998, aside from the Bachelor of Laws study degree programme, the Master of Laws programme was established with three specializations: Criminal Law and Criminology, Civil Law and International Law.

From 1998 to 2008 the Law Faculty’s study programme and department numbers varied. The main tendency was the development of new study programmes, the emergence of new disciplines and increase of department workloads in the study process, as well as in the research sphere.

At this time the Faculty has such departments:

- Department of Administrative Law and Procedure
- Department of Biolaw
- Department of Business Law
- Department of Civil and Commercial Law
- Department of Civil Procedure
- Department of Constitutional Law
- Department of Criminal Law and Criminology
- Department of Criminal Procedure

- Department of International and European Union Law
- Department of Labor Law and Social Security
- Department of Philosophy of Law and Legal History

Bachelor's Degree Studies are organized according to a general Law program. This program includes a wide spectrum of disciplines which are studied and which make up the fundamentals of a higher education in Law. Others Bachelor's program in Law: Law and Management, Law and Penitentiary Activities, Law and Police Work, Law and Customs Activities and Law and State Border Control. Students take courses in Lithuanian and Foreign Countries Legal History, Roman Private Law, Theory of Law, Philosophy of Law, Legal Systems of the World, European Union Law, Main Material and Procedure Law Branches. Aside from the legal disciplines, students also take Philosophy, Latin and Foreign Languages, Logic, Informatics, Political Science, Forensic Medicine and Psychiatry, etc. Having completed these studies, graduates acquire a Bachelor's Degree and can aspire to positions as lawyers, prosecutors, notaries and gain employment in various state institutions and the legal departments of private companies.

Having completed Master's Degree studies, a Master of Laws Degree is awarded, which aside from the aforementioned positions allows one to aspire to posts in the judiciary. Master's Degree studies are based on knowledge and skills acquired in Bachelor's Degree studies, but direct students toward a deeper knowledge of a certain legal branch. Those studying for their Master's Degree can choose from the following programs: administrative law; criminal law & criminology; civil law; labour and social security law; insurance law (new); European Union law; international law; international maritime law; International protection of human rights; joint international law; business law; transport law; finance law; bio law; intellectual property law; parliamentary law and state institutions.

In order to assess the quality of lecturing at MykolasRomeris University and to propose the possible directions of improvement, it is appropriate to specify the measures that have been taken to ensure the competence and performance effectiveness of lecturers.

It is appropriate to start the analysis of lecturing quality and its implementing measures from personnel selection and qualification requirements for persons seeking to occupy positions at the University, because the procedure on selection and appointment of lecturers includes measures to ensure that new lecturers fulfil at least the minimum level of necessary competence.

Senate Resolution in 2010' February establishes the minimum qualification requirements for the positions of scientists, other types of researchers and lecturers of MykolasRomeris University. Only those who fulfil the minimum requirements may fill the aforementioned positions.

The same Senate Resolution established the procedure on granting pedagogic titles of MykolasRomeris University which provides that pedagogical titles of a professor and an associate professor are granted to the MRU lecturers by the Senate based on suggestion of the Faculty Council.

The Senate has the right to grant the pedagogic title of an associate professor or a professor to persons appointed to positions of a professor or an associate professor who fulfil the qualification requirements faster, however, the titles of an associate professor or a professor may not be granted earlier than two years after taking up these positions.

In MykolasRomeris University, lecturers are provided with the environment to improve and develop their pedagogical capabilities. Qualitative changes of study process pose new requirements to lecturers who must acquire pedagogic competence together with scientific qualifications in a certain area. Having regard to results of on-line survey on the need to raise the qualification of lecturers, the Directorate for Studies organizes annual seminars on development of pedagogic skills of lecturing excellence.

Recently, a particular emphasis has been placed on application of innovative methods in the study process (e-learning while using Moodle distance learning environment, on-line support for students and application of on-line evaluation methods, and etc.). Seminars are being conducted in several flows, so lecturers can choose the most convenient time. The University makes necessary possible efforts to foster development of lecturers' qualification at foreign universities, participation in seminars and conferences.

Lecturers of Law Faculty of MykolasRomeris University are being encouraged to self-assess their skills. At the end of each thought subject, lecturers fill in self-evaluation questionnaires prepared by the Directorate for Studies. The heads of departments are recommended to observe the lectures and seminars of new lecturers. In case of negative results, it is recommended that young lecturers observe exemplary lectures of more experienced lecturers.

Big importance at Law Faculty of MykolasRomeris University is paid to the opinion of students on Quality Teaching, they are always welcomed to express their own expectations. On-line surveys on the content and methods of subjects lectured are filled in throughout the year. The data is summarized at the end of the study year. After the examining of such data certain decisions are made on the way of the improvement of Quality Teaching. The University Rector and Faculty Dean meat regularly with student representatives and discuss the problems arising in study process and together find the possible solutions to these problems.

In order to reach the teachers high motivation, to improve the studies and research quality and to make the assessment of teacher‘s activities more objective the procedure for ranking the academic teachers and faculties was created at MykolasRomeris University. Rating of the academic teachers shall be carried out by the departments coordinated by the faculties.

Publications of lecturers are evaluated according to the Methodology for Scientific Publication‘s Evaluation established by the Order of a Minister for Education and Science of the Republic of Lithuania.

Law Faculty has the periodical scientific journal "Jurisprudence". The journal, „Jurisprudence“ is included in the EBSCO Publishing, Inc. research and text database and the International Index Copernicus international database.

The main Strategic Goals of Research of Law Faculty are:

- Active and dynamic research policy;
- Active participation in the European Research Area including the 7th Framework and other international research programmes;
- Active mobility of researchers;
- Inclusion of scientific journal to ISI Master List Database;
- Introduction of Doctoral programmes in accordance with Master's programmes.

4. Conclusion

The legal profession is an inseparable part of the legal system. In a democratic state under the rule of law big requirements are raised to this profession, because it is possible to ensure such fundamental legal values as the rule of law, justice, rights and freedoms of persons, legal security and legal certainty, the right to a fair trial, legal assistance etc. only in a legal system, where lawyers have the necessary professional competence; only the lawyers who have the necessary professional competence can be entrusted with corresponding functions by securing that the rights and freedoms of persons be protected and defended by legal means, as well as with the functions in deciding cases (settling legal disputes) in courts. It can be said especially as regards the positions in institutions of public power, when professional lawyers are entrusted with discharging certain functions linked with the implementation of public power (first of all, state power), as, for instance, the function of administration of justice, also, as regards the professions controlled by the state (i.e. such professions, the persons engaged in which discharge the functions securing the public interest), the engagement in which is entrusted only to the persons who have the qualification of a lawyer, thus, also the education of a lawyer. The professional activity of lawyers, inter alia judges, who are properly prepared and of high professional qualification, determines the trust of the public in the state and its legal system. It needs to be noted that the processes of globalisation and European integration (which do not bypass Lithuania as well) determine the fact that lawyers have to have good knowledge not only about the legal system of their own country, but also those of other countries, as well as about supranational law.

The legal profession is inseparable from higher education in law: higher education in law is conditio sine qua non of professional and efficient legal practice (both private and the one practiced in institutions of public power). The legal profession is also inseparable from the activity of universities: one of the most characteristic features of the Western legal tradition, which was formed a great many centuries ago and to which Lithuania also belongs, is the fact that lawyers of the highest qualification are prepared namely in universities, and in the Western legal tradition the acquisition of the highest professional qualification of a lawyer is related namely with university higher education in law. In general, it does not mean that it would be impermissible to prepare lawyers also outside universities, or that it would be impermissible (also in schools of higher education) to prepare lawyers of lower qualification (or legal specialists of narrower legal profile, who seek to acquire knowledge only in a certain area of law) whose legal education is not regarded as the one amounting to the legal education awarded by universities, and who can virtually do the legal job of application character, which does not require creativity (and, thus, is more simple); however, one follows the principled provision that in itself non-university education in law (as well as that acquired in schools of higher education) does not imply a possibility for the persons who have acquired it to seek to hold any positions ascribed to the legal profession (inter alia positions in institutions of public power) or to engage in any professional activity of a lawyer (inter alia to engage in a profession controlled by the state). Therefore, in countries of the Western legal tradition the requirement of namely university higher education in law, but not simply higher education in law for certain professional activity as a lawyer, including the situations where the person could become a judge, is, in general, not impossible.

Reform of higher education requires satisfy the new challenges of legal higher education, to consolidate connections with practitioners and business sector, to create new join international programmes and projects with partners abroad.

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TEISINIO ŠVIETIMO SISTEMA LIETUVOJE: DABARTIS IR NAUJI IŠŠŪKIAI

Prof. Dr. Eglė Bilevičiūtė, Janina Čižikienė

SANTRAUKA: Straipsnyje yra analizuojama dabartinė teisiniošvietimo sistema Lietuvoje. Teisės studijos Lietuvoje buvo įteisintos XVII amžiaus viduryje, kai buvo įkurtas Vilniaus universiteto Teisės fakultetas (1641, spalio 11 d.) Dvidešimtojo amžiaus pabaigoje po Lietuvos Nepriklausomybės atstatymo tokios studijos buvo tęsiamos Vilniaus universitete, taip pat buvo atstatytosteisinį išsilavinimą teikiančios studijos Kaune (Vytauto Didžiojo universitete), ir Vilniuje buvo įkurta net specializuota teisinė aukštojo universitetinio mokslo mokykla – Lietuvos teisės universitetas (dabar – Mykolo Romerio universitetas). Neuniversitetinės teisės studijos buvo pradėtos dėstyti kolegijose.

Mykolo Romerio universitetoTeisės fakultetas, Vilniaus universiteto Teisės fakultetas, Teisės institutas (valstybinis mokslinis institutas) ir Lietuvos teismo ekspertizės centras – tai pagrindinės Lietuvos institucijos, kurios vykdo mokslinę veikląir tyrimus įvairiose teisės srityse. Be nacionalinės Lietuvos teisės studentai studijuoja užsienio šalių teisę (pvz., JAV, Lenkijos, Rusijos, Vokietijos, Šveicarijos) specializuotuose centruose ir teisės mokyklose (pavyzdžiui, VU - Vokietijos teisės centras, Lenkijos teisės mokykla) Pavyzdžiui, Mykolo Romerio universitete vykdomos jungtinės teisės programos tarptautinės teisės srityje.

Aukštasisuniversitetinis teisinis išsilavinimas leidžia tapti teisininkais, notarais, antstoliais, teisėjais, arba valstybės tarnautojais, dirbančiai įmonėje teisininkais), tačiau neuniversitetinį teisinį išsilavinimą įgiję asmenys turi siauresnes galimybės ir karjeros perspektyvas. Pavyzdžiui, jie negali tapti advokatais, prokurorais ar teisėjais. Teisės studijų kokybės klausimas įgauna naują šviesą esamojesituacijoje.

Reikšminiai žodžiai: teisinio švietimo sistema, teisės studijų kokybė.

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SANTRAUKA. Straipsnyje analizuojamas mokesčių mokėtojų konsultavimas, kuris įgauna vis didesnę svarbą siekiant užtikrinti valstybės finansinių interesų apsaugą. Pastaraisiais sunkmečio metais keitėsi nemažai teisės aktų, todėl mokesčių mokėtojai dažnai nespėdavo per trumpą laiką susipažinti su naujais teisės aktais bei jų pakeitimais. Daugiausia įvairių mokestinių nuostatų taikymo, mokesčių apskaičiavimo klaidų padaro veiklą pradedantys mokesčių mokėtojai, todėl svarbu jiems padėti jų veiklos pradžioje. **Vienas iš pagrindinių valstybinės mokesčių inspekcijos tikslų yra plėtoti mokesčių mokėtojų informavimo ir konsultavimo viešąsias paslaugas.** Mokesčių mokėtojų konsultavimo poreikis yra didelis. Tuo tikslu **valstybinėje mokesčių inspekcijoje** buvo sukurtas Mokesčių informacijos centras kurio dėka sudarytos palankesnės sąlygos teikti telefonu mokesčių mokėtojams reikalingą informaciją mokesčių klausimais. Straipsnyje aprašomas tyrimas, kurio tikslas buvo įvertinti valstybinės mokesčių inspekcijos informavimo ir konsultavimo kanalų veiksmingumą bei efektyvumą ir išsiaiškinti, kurie iš jų yra mokesčių mokėtojams tinkamiausi.

Reikšminiai žodžiai: verslo priežiūra, mokesčiai, mokesčių administravimas, mokesčių mokėtojai, konsultavimas.

1. Įvadas

Dabartiniu metu viena aktualiausių verslo sąlygų gerinimo priemonių tampa verslo priežiūros pertvarka. Keičiasi požiūris į mokesčių mokėtojų priežiūrą, kuomet mokesčių inspektorius tampa ne baudėju, o konsultantu. Valstybė daugiau laimi ne rinkdama baudas už pažeidimus, o pasiekusi mokesčių mokėtojų įstatymų laikymosi. Mokesčių administratoriai vis daugiau dėmesio skiria mokesčių mokėtojų informavimui ir konsultavimui. Verslininkams, ypač smulkiems ir vidutiniams, sunku susigaudyti taisyklių ir reikalavimų gausybėje. Kiekvienas iš jų turi žinoti, kaip sumokėti mokesčius, įmokas „Sodrai“, kaip įdarbinti darbuotojus.

Verslo priežiūros institucijų pirmine funkcija tampa konsultavimas, o tik paskui – priežiūra ir kontrolė. Konsultavimas leidžia pasiekti, kad mokesčių inspektoriams reikėtų rečiau tikrinti mokesčių mokėtojų veiklą. Konsultacija – tai apibendrintas ar individualaus pobūdžio viešojo administravimo institucijos paaiškinimas, nuomonė, kaip viešojo administravimo subjektas supranta ir taiko jo kompetencijai priskirtus teisės aktus ar atskiras tokių teisės aktų nuostatas (Verslo priežiūros vadovas, 2012). Mokesčių mokėtojo konsultavimas yra neatsiejama ūkio subjekto veiklos priežiūros dalis. Tobulinant viešąsias paslaugas E. Čaplinas, J. Loketas ir kt. (2011) akcentuoja skaidrių ir kokybiškų paslaugų teikimą. Vienodas ir kokybiškas konsultavimas padeda efektyviai įgyvendinti verslo priežiūros funkcijų pertvarką, tuo pačiu sąlygoja priežiūros institucijų misijos sampratos pokyčius, pabrėžiant metodinės pagalbos teikimą ūkio subjektams. Tai leidžia sumažinti teisės aktų reikalavimų nesilaikymo atvejų skaičių, dėl ko atitinkamai sumažėtų teismų bei kitų institucijų, ikiteismine tvarka sprendžiančių asmenų ir viešojo administravimo institucijų ginčus, darbo krūvį. Mokesčių mokėtojų konsultavimas padeda užtikrinti teisinį tikrumą, atliekant įprastas ūkines operacijas, taip pat sukuriant stabilesnę verslo aplinką ir didesnes galimybes pritraukti užsienio investicijas.

Daugiausia įvairių mokestinių nuostatų taikymo, mokesčių apskaičiavimo klaidų padaro veiklą pradedantys, naujai įsiregistravę mokesčių mokėtojai. Jiems sunku susigaudyti mokesčių įvairovėje. Be to, pastaraisiais sunkmečio metais keitėsi nemažai teisės aktų, todėl tokiems mokesčių mokėtojams yra labai svarbu padėti jų veiklos pradžioje. Mokesčių mokėtojų informavimo ir konsultavimo poreikis yra didelis, o tai sąlygoja spręstiną problemą, kuriais informavimo ir konsultavimo kanalais efektyviausia teikti konsultacijas ūkio subjektams.

Viešojo administravimo institucijos teikia įvairaus pobūdžio ir formų konsultavimo paslaugas, kurių pagalba formuojamas visuomenės narių elgesys. Viešasis administravimas reikalauja naujos sintezės (*angl. – a new synthesis*), kuri nuosekliai integruotų klasikines viešojo administravimo teorijas, principus bei turimą praktiką ir naujas vertybes, kad galėtų atsakyti į šiandienos iškilusius iššūkius (Bourgon, 2011). Auganti mokesčių administravimo procedūrų pažeidimų rizika ir poreikis užtikrinti mokesčių mokėtojams teikiamų paslaugų aukštą kokybę bei operatyvumą, sąlygojo valstybinėje mokesčių inspekcijoje (VMI) prie Finansų ministerijos Mokesčių informacijos centro (MIC), kuris visos Lietuvos Respublikos mastu teikia konsultacijas telefonu 1882 mokesčių administravimo klausimais, sukūrimą. Mokesčių administratoriaus teikiama informacija bei konsultacijos vieningu telefonu yra svarbi pagalba smulkiems ir vidutiniams verslininkams. Mokesčių mokėtojas, paskambinęs į Mokesčių informavimo centrą, gali gauti informaciją apie mokesčius, jų lengvatas, informaciją apie galiojančius mokesčių teisės aktus bei kitą informaciją, reikalingą jo mokestinėms prievolėms vykdyti.

Sprendžiant iškilusią problemą, svarbu įvertinti informavimo ir konsultavimo būdų veiksmingumą bei efektyvumą ir išsiaiškinti, kurie iš jų yra mokesčių mokėtojams prieinamiausi ir informatyviausi. Ūkio subjektų informavimo ir konsultavimo klausimai mokslinėje literatūroje plačiai nagrinėti, tačiau mokesčių mokėtojų švietimo ir konsultavimo kanalų ir jų efektyvumo klausimai išsamiau mažai gvildenti.

Tyrimo objektas – verslo priežiūra ir verslo subjektų konsultavimas.

Tyrimo tikslas – atlikti valstybinės mokesčių inspekcijos Mokesčių informacijos centro konsultavimo proceso ir teikiamų paslaugų analizę.

Tyrimo metodai – mokslinės literatūros, teisės aktų analizės, anketinės apklausos, informacijos grupavimo, lyginimo ir apibendrinimo metodai.

2. Mokesčių administravimo teoriniai ir praktiniai aspektai

Mokesčių mokėtojų informavimas bei konsultavimas mokesčių srityje prisideda prie kokybiško mokesčių surinkimo aparato veikimo, todėl ši veiklos sritis yra aktuali ir mokesčių administratoriams, ir mokesčių mokėtojams. Mokesčių atsiradimą sąlygojo besivystančios visuomenės objektyvūs poreikiai. Valstybės renkami ištekliai reikalingi tam tikrų valstybės funkcijų realizavimui, t.y. socialinės, apsaugos, teisėsaugos ir kitų svarbių funkcijų vykdymui, todėl mokesčių panaikinimo reikalavimas būtų tolygus pačios visuomenės panaikinimui (Черник, 2009).

Lietuvoje valstybinė mokesčių inspekcija prie Finansų ministerijos yra pagrindinis mokesčių administratorius. Šios institucijos misija yra skatinti mokesčių mokėtojus savanoriškai mokėti mokesčius, padėti jiems teisingai juos apskaičiuoti ir sumokėti, užtikrinti mokesčių administravimo politikos įgyvendinimą. Taikant informacines technologijas, mokesčių mokėtojams suteikiamos naujos kartos aptarnavimo paslaugos, reikiama informacija suteikiama patogiu būdu, mokestinės procedūros gali būti atliekamos nuotoliniu savitarnos būdu, tuo pačiu mažinamos mokesčių mokėtojų aptarnavimo išlaidos ir užtikrinama jų aptarnavimo kokybė.

Siekdama gerinti mokesčių mokėtojų aptarnavimo kokybę ir sudarydama galimybę mokesčių mokėtojams pasirinkti naujas elektronines paslaugas, valstybinė mokesčių inspekcija įgyvendina projektą „Mokesčių mokėtojų elektroninių švietimo, konsultavimo ir informavimo paslaugų sistemos sukūrimas“ (ESKIS). Šio projekto tikslas yra plėtoti patogias autorizuotas elektronines mokesčių mokėtojų informavimo ir konsultavimo viešąsias paslaugas, teikti aktualią informaciją mokesčių klausimais. Įgyvendinant projektą švietimo, konsultavimo, informavimo paslaugos yra teikiamos įvairiais būdais: organizuojami seminarai mokesčių mokėtojams; rengiami įvairūs leidiniai, publikacijos spaudai; rengiami apibendrinti paaiškinimai (komentarai) valstybinės mokesčių inspekcijos administruojamų mokesčių klausimais; teikiamos konsultacijos telefonu, raštu, elektroninėmis priemonėmis; informacija mokesčių mokėtojams pateikiama VMI interneto svetainėje adresu www.vmi.lt, kur pateikiamos mokesčių naujienos bei mokesčių mokėtojams sudaryta galimybė naudotis komentarų ir paaiškinimų duomenų baze. Pasikeitus mokesčių teisės aktams ar atsiradus atnaujintai informacijai, naujienos nedelsiant skelbiamos interneto svetainėje.

Mokesčių administravimo įstatyme reglamentuota, kad *mokestis* yra mokesčių mokėtojui nustatyta piniginė prievolė valstybei (Mokesčių administravimo įstatymas, 2004). Kitaip tariant, mokestis yra valstybės nustatyta pinigų suma, kurią turi sumokėti fizinis ar juridinis asmuo nuo savo veiklos rezultatų arba atliktų, ar tik norimų atlikti veiksmų. Dauguma autorių mokesčio sąvoką apibūdina skirtingai. Ekonomikos teorijoje naudojamas platesnis mokesčių apibrėžimas. Mokesčiai įvardijami kaip finansiniai santykiai, kurių dėka valstybė, naudodamasi savo neekonominės prievartos galia, be ekvivalentinių mainų ir su nuosavybės pasikeitimu centralizuoja dalį šalies bendrojo vidaus produkto savo funkcijoms vykdyti (Šapalienė, 2010).

Teisės doktrinoje mokestis apibūdinamas kaip valstybės mokesčių įstatymais nustatytas visuotinai privalomas ir individualiai neatlygintinas bei negrąžintinas piniginis juridinių ir fizinių asmenų nustatyto dydžio mokėjimas į biudžetą, siekiant gauti valstybės pajamų, reikalingų viešųjų interesų tenkinimo finansavimui (Medelienė, Sudavičius, 2011). Pasak G.M. Pajuodienės (1998) „mokesčiai – tai privalomojo pobūdžio mokėjimai valstybei“. J. Rimas ir R. Stačiokas (2004) mokesčiais vadina privalomus fizinių ir juridinių asmenų mokėjimus valstybei ir jos vietos valdžios institucijoms. Anot E. Chlivicko (2008), V. Meidūno bei P. Puzinausko (2003) „mokesčiai – tai valstybės imami juridinių ir fizinių asmenų privalomieji mokėjimai“.

Profesorius Ryšard Mastalski savo išleistoje jubiliejinėje knygoje „Mokesčių teisės reglamentavimas ir vykdymas“ (2009), pateikia J. Borkovskio pateiktą mokesčių sąvoką – „tai privalomas piniginis mokestis, surenkamas per viešąjį sektorių (valstybę, vietos valdžią (savivaldybę)) be konkrečios abipusės nuostatos“. Tai reiškia, kad mokestis - tai vienpusiškas mokėjimas valstybei be grįžtamojo ryšio, kuris sumokamas per viešąjį sektorių.

Šiuo metu mokesčių administravimą Lietuvoje reglamentuoja 2004 m. balandžio 13 dieną priimta nauja Mokesčių administravimo įstatymo redakcija, įsigaliojusi 2004 m. gegužės 1 d. (LR mokesčių administravimo įstatymas, 2004). Šio įstatymo nauja redakcija padėjo įgyvendinti nuostatas, priderinant mokesčių administravimo būdus ir metodus prie ES šalių mokesčių administravimo standartų. Mokesčių administravimo įstatyme nauja buvo ne tik tai, kad jis nustatė mokesčių administratoriaus bei mokesčių mokėtojų teises ir pareigas, mokesčių apskaičiavimo ir mokėjimo tvarką, mokesčių bei su jais susijusių lėšų išieškojimo bei mokestinio ginčo tvarką, bet ir pagrindines su mokesčių administravimu susijusias sąvokas, kurios iki tol niekur nebuvo apibrėžtos.

Viena iš LR mokesčių administravimo įstatymo 2–ame straipsnyje naujai įtvirtintų sąvokų buvo *mokesčių administravimo* sąvoka - „mokesčių administravimas – mokesčių administratoriaus funkcijų įgyvendinimas, taip pat mokesčių ir kituose įstatymuose nustatytų mokesčių administratoriaus ir mokesčių mokėtojo pareigų vykdymas ir teisių įgyvendinimas.“

Atsižvelgiant į tai, kokios valstybės institucijos Mokesčių administravimo įstatymo (2004) 15 straipsnyje yra įvardytos kaip mokesčių administratoriai, galima teigti, kad mokesčių administravimo samprata apima konkrečių vykdomosios valdžios institucijų pagrindines funkcijas, skirtas mokesčių įstatymams įgyvendinti.

Kai kurie autoriai mokesčių administravimą apibrėžia kitaip, nei reglamentuota LR mokesčių administravimo įstatyme. J. Rimas (2004) taip pat siūlo platesnį LR mokesčių administravimo įstatyme reglamentuotą mokesčių administravimo sąvokos apibūdinimą ir tai įvardija kaip „(1) mokesčių įstatymo pagrindimą ir priskyrimą valstybės ar savivaldybių biudžetinėms įplaukoms formuoti; (2) mokesčio apskaičiavimą, mokėjimą, išieškojimą; (3) atsakomybės už netinkamą mokesčio apskaičiavimą ir mokėjimo tvarką, mokesčio mokėtojo teisių ir pareigų bei mokesčio apskaičiavimą, sumokėjimą, išieškojimą, kontroliuojančių institucijų teisių ir pareigų įgyvendinimą; (4) informacijos mokesčių mokėtojui teikimą“. Šiuo atveju įstatyme numatyta mokesčių administravimo samprata praplečiama mokesčių įstatymo pagrindimu ir priskyrimu valstybės ar savivaldybių biudžeto išlaidoms formuoti. T.N.Klementjeva (2007) mokesčių administravimą įvardija kaip valstybės valdymo sistemą, veikiančią mokestiniuose santykiuose. Valstybės vaidmuo yra tvarkyti ekonominius-socialinius procesus, nustatant mokesčių surinkimo svarbą. A. Bryzgalin (2007) mokesčių administravimą apibrėžia kaip organizacinę valdymo sistemą, apimančią mokestinius santykius bei eilę formų ir metodų, kurie naudojami užtikrinti mokesčių surinkimą į valstybės biudžetą. Akivaizdu, kad pagal minėtus mokslininkų apibrėžimus mokesčių administravimas apima ne tik mokesčių administratoriaus, tiesiogiai už mokesčių surinkimą ir kontrolę atsakingos institucijos, bet ir įstatymų leidžiamosios, įstatymų vykdomosios valdžios institucijų veiklą.

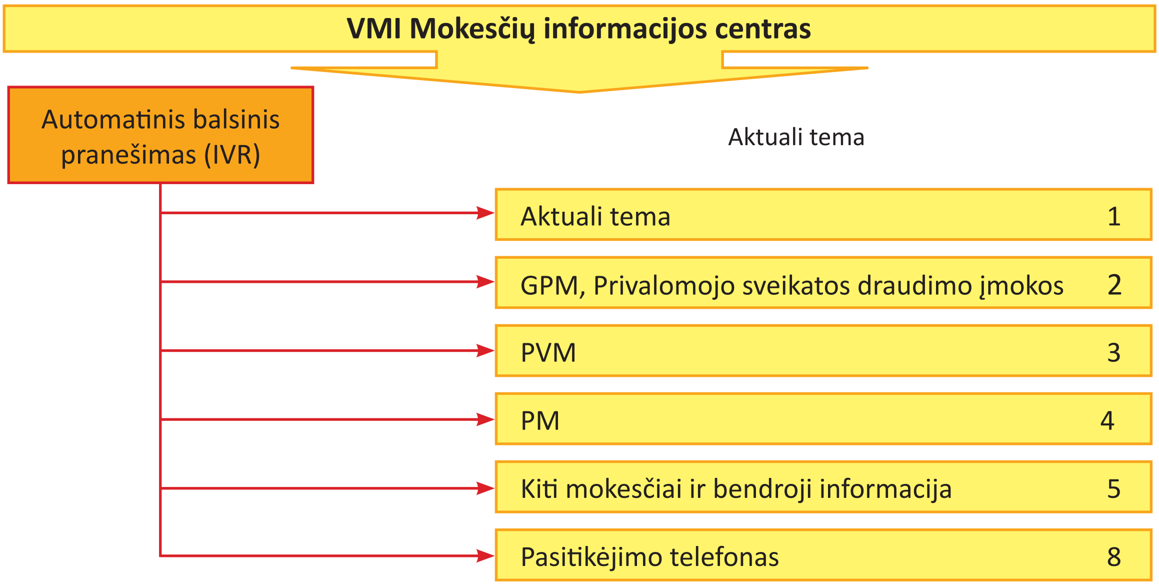
Tarp mokslininkų ir finansų specialistų kol kas nėra vieningos nuomonės: vieni mano, jog egzistuojantys mokesčiai savo esme turi kokybiškai pertvarkyti netolygų pajamų pasiskirstymą, kiti gina teiginį, kad nors mokesčiams ir būdinga nacionalinių pajamų perskirstymo funkcija, tačiau jai realizuoti būtina radikali mokesčių reforma. Netgi autoriai, pritariantys centralizuotai valstybinės valdžios mokesčių ir išlaidų politikai, kritiškai vertina kai kuriuos šios politikos bruožus. Liberalios ekonomikos šalininkai kritikuoja valstybinės valdžios iždo politiką, kad didelė ir sunki mokesčių našta slegia verslą.

3. Mokesčių informacijos centras ir jo teikiamos konsultacijos

Mokesčių administratorius, tiesiogiai įsitraukęs į dialogą su mokesčių mokėtoju bei stebintis jų elgseną, gali gauti daug vertingų įžvalgų, padėsiančių kuriant naujas paslaugas bei tobulinant konsultavimo procesą. R. Divol, D. Edelman, H. Sarrazin (2012) teigia, kad yra keturios pagrindinės dalyvavimo socialinėje medijoje funkcijos: stebėti vartotojų elgseną, reaguoti į vartotojų užklausas, stiprinti ryšį su vartotojais ir vesti vartotoją norima linkme.

Valstybinė mokesčių inspekcija, ištyrusi mokesčių mokėtojų poreikius, nustatė, kad mokesčių mokėtojai daugiausia pageidauja gauti konsultaciją telefonu ir elektroniniu paštu, nes tai patogu ir greita. Skambinančiųjų telefonu mokesčių mokėtojų skaičius yra didžiausias. Siekdama, kad mokesčių mokėtojų konsultavimas telefonu būtų efektyvesnis, VMI kartu su partneriais iš Jungtinės Karalystės bei Šiaurės Airijos Muitų ir akcizų administracijos įgyvendino PHARE Dvynių projektą "Mokesčių informacijos centras". Įgyvendinus šį projektą buvo sukurtas Mokesčių informacijos centras ir sudarytos palankesnės sąlygos teikti telefonu mokesčių mokėtojams reikalingą informaciją mokesčių klausimais. Svarbu ir tai, kad apie visas naujoves ir pasikeitimus dar prieš teisės aktų įsigaliojimą yra informuojami šio centro konsultantai. Tokiu būdu sudaromos geresnės galimybės teikti mokesčių mokėtojams kvalifikuotesnę informaciją. Be to, VMI specialistams yra rengiami kvalifikacijos kėlimo kursai, nuolat vykdomi mokymai. Tokiu būdu pasiekta, kad mokesčių mokėtojams būtų teikiama teisinga konsultacija, išvengiama įstatymų nuostatų interpretavimo. Įgyvendinus projektą, paskambinę trumpuoju telefono numeriu 1882 visos Lietuvos mokesčių mokėtojai gali gauti konsultacijas telefonu. Taip yra užtikrintas konsultacijų mokesčių mokėtojams vienodumas.

Mokesčių mokėtojai, paskambinę trumpuoju telefonu, gali gauti konsultaciją tokiais klausimais: kaip pildyti metinę ar laikinąją metinę gyventojų pajamų mokesčio bei gyventojo (šeimos) turto deklaracijas; kaip pildyti A ir B klasės išmokų deklaracijas; kaip pildyti pridėtinės vertės mokesčio deklaracijas; kaip pildyti avansinę bei metinę pelno mokesčio deklaracijas; kaip išsiųsti šias deklaracijas elektroniniu būdu; informaciją gyventojų pajamų mokesčio (GPM) apskaičiavimo ir mokėjimo klausimais; informaciją pridėtinės vertės mokesčio (PVM) klausimais; informaciją pelno mokesčio (PM) klausimais; informaciją nekilnojamojo turto mokesčio (NTM) klausimais; informaciją privalomojo sveikatos draudimo (PSD) įmokų klausimais; informaciją Mokesčių administravimo įstatymo klausimais; bendrąją informaciją – AVMI telefonus, darbo laiką, mokesčių procedūras ir kt. (žr. 1 pav.).



Šaltinis: VMI internetinė svetainė, prieiga per Internetą www.vmi.lt (žiūrėta 2012 03 22)

1 pav. **VMI Mokesčių informacijos centro teikiamų konsultacijų struktūra**

Centre įdiegta informacinė sistema, kuri leidžia mokesčių konsultantams greitai ir tiksliai rasti atsakymą į mokesčių mokėtojo pateiktą klausimą. Konsultacijos yra įrašomos siekiant užtikrinti teisingumo ir mokesčių mokėtojų lygybės principą. Jei mokesčių mokėtojas buvo konsultanto suklaidintas ir dėl to neteisingai apskaičiavo mokesčius, jam nebus skiriamos baudos ir delspinigiai.

Mokesčių informavimo centre teikiamos dviejų lygių konsultantų konsultacijos. I lygio konsultantai teikia konsultacijas bendrosios informacijos klausimais. II lygio konsultantai teikia informaciją sudėtingais klausimais, kurie reikalauja aukštos kvalifikacijos turinčio konsultanto žinių bei patirties. II lygio konsultacija, priklausomai nuo užklausos sudėtingumo lygio, turi būti suteikta per 48 val.

Mokesčių mokėtojas, paskambinęs į MIC ir pasirinkęs pageidaujamą konsultacijos temą, yra sujungiamas su I lygio konsultantu. Pastarasis atsako į klausimą, remdamasis Mokesčių informacijos centro konsultacinės medžiagos duomenų bazėje skelbiama informacija. Jei mokesčių mokėtojo paklausimas yra labai sudėtingas ir I lygio konsultantas negali į jį atsakyti, jis peradresuojamas II lygio konsultantui, kuris atsako į klausimą tiesiogiai, remdamasis teisės aktų nuostatomis. Jei panašūs klausimai kartojasi, vadinasi, jie yra aktualūs mokesčių mokėtojams. Tuomet sprendžiama, ar reikia papildyti konsultacinės medžiagos duomenų bazę. Tokiu būdu tobulinama ne tik I lygio konsultantų kvalifikacija, nes į vis daugiau klausimų jie gali atsakyti neperadresuodami skambučio II lygio konsultantams, bet ir sudaromos galimybės kitiems mokesčių mokėtojams, susidūrusiems su panašia problema, savarankiškai rasti atsakymą į rūpimą klausimą.

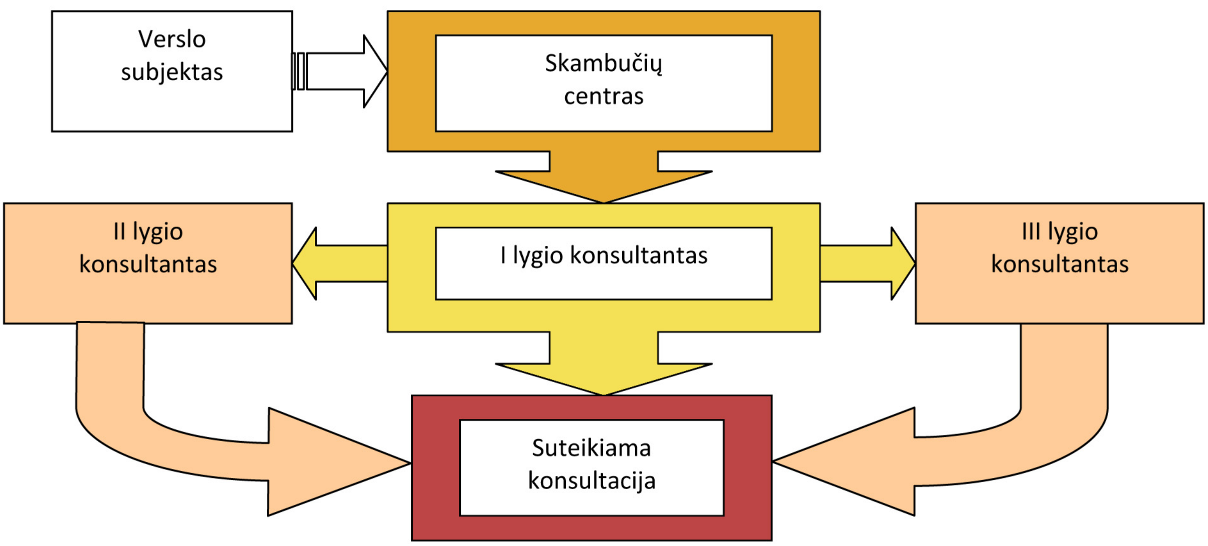
Konsultacinės medžiagos duomenų bazė yra Mokesčių informacijos centro siūloma paslauga mokesčių mokėtojams. Šioje duomenų bazėje skelbiami mokesčių paaiškinimai ir komentarai, mokesčiams apskaičiuoti ir sumokėti reikalinga informacija, dažniausiai pateikiami klausimai ir atsakymai į juos. Duomenų bazės tikslas yra padėti mokesčių mokėtojams teisingai apskaičiuoti ir sumokėti mokesčius. Naudodamiesi šia baze, visi mokesčių mokėtojai gali savarankiškai ieškoti atsakymų į jiems rūpimus klausimus.

Mokesčių informacijos centro specialistų konsultacijos bei šio centro konsultacinės medžiagos duomenų bazė yra neabejotinai naudinga mokesčių mokėtojams. Reikėtų pažymėti, kad mokesčių mokėtojai apskaičiuodami bei pateikdami mokesčių deklaracijas vis rečiau padaro klaidų. Mokesčių informavimo centras padeda mokesčių mokėtojams teisingai apskaičiuoti ir sumokėti mokesčius, pasiekti VMI strateginį tikslą – tobulinti mokesčių administravimą, skatinant savanorišką mokesčių mokėjimą, bei gerinti mokesčių mokėtojų švietimo ir konsultavimo procedūrų vykdymą operatyviausiais būdais.

Panašus Mokesčių informavimo centras sukurtas Jungtinės Karalystės Karališkąjame iždе, nors šioje šalyje veikia gausybė privačių įmonių, konsultuojančių verslo subjektus mokesčių klausimais. Šios įmonės turi didelę paklausą ir platų klientų ratą, nes valstybinis mokesčių konsultavimo centras nepajėgus suteikti konsultacijų 63 milijonams gyventojų (Tax agents and advisers, 2012).

Lyginant mokesčių mokėtojų konsultavimo procesą Lietuvoje ir Jungtinėje Karalystėje, išryškėja kai kurie skirtumai. Lietuvoje VMI Mokesčių informavimo centre veikia du konsultavimo sudėtingumo lygiai, Jungtinėje Karalystėje – trys lygiai, kurie atvaizduoti 2 paveiksle. Jeigu I lygio konsultantas negali atsakyti į pateiktą klausimą, jis peradresuojamas II arba III lygio konsultantui, kurie specializuojasi pagal mokestinių klausimų grupes.

Sudėtingų mokestinių klausimų, į kuriuos I lygio konsultantas nepajėgus atsakyti, pateikiama gana daug, todėl konsultantų specializacija pagal atitinkamas mokestines sritis (II ir III lygio konsultantai) užtikrina kvalifikuotesnių paslaugų teikimą.



Šaltinis: sudaryta autorių.

2 pav. **Jungtinės Karalystės Karališkojo iždo ir muitinės skambučių centro konsultacijų lygiai**

Jungtinėje Karalystėje, jeigu nepavyksta suteikti aukšto lygio konsultacijos skambučio metu, mokesčių mokėtojui siūloma atvykti į susitikimą Mokesčių konsultavimo centre arba organizuojamas susitikimas mokesčių mokėtojo namuose. Tokie susitikimai Didžiojoje Britanijoje yra gana dažni ir priimtini mokesčių mokėtojams, nes tokiu būdu visa atsakomybė dėl teisingo mokesčių teisės aktų taikymo tenka konsultantui, tuo tarpu Lietuvoje retais atvejais siūloma atvykti į mokesčių inspekciją tiesioginiam bendravimui su VMI darbuotoju. Šią pažangią konsultavimo praktiką naudinga būtų įdiegti ir Lietuvos mokesčių administratoriams.

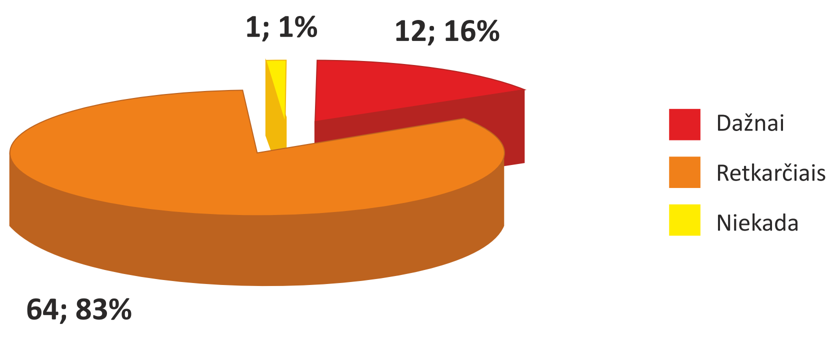
4. Empirinio tyrimo metodologija ir rezultatai

Empirinio tyrimo tikslas buvo įvertinti valstybinės mokesčių inspekcijos švietimo ir konsultavimo kanalų veikmingumą bei efektyvumą ir išsiaiškinti, kurie iš jų yra mokesčių mokėtojams prieinamiausi ir informatyviausi. Atliekant empirinį tyrimą buvo panaudotas anketinės apklausos metodas. Sudarant tyrimo anketą, buvo laikomasi bendrųjų anketos reikalavimų. Anketos klausimai buvo pateikti konkretūs, atsakymų variantai trumpi ir suprantami. Buvo laikomasi loginės klausimų sekos, kuri neblaško respondento, taip buvo išvengta nesuprastų klausimų rizikos.

Tyrimas buvo vykdomas 2012 m. vasario-kovo mėnesiais. Anketa buvo išsiūsta elektroniniu paštu 100 respondentų. Respondentų imtis pasirinkta, vadovaujantis K. Kardelio (2007) mokslinių tyrimų metodologijos nuostatomis, kuomet mažiausias leistinas imties reprezentatyvumas yra 100. Respondentai buvo parenkami pagal jų veiklos sritį. Tyrime dalyvavo fiziniai ir juridiniai asmenys, veikiantys finansų srityje. Buvo apklaustos buhalterinių paslaugų bei audito įmonių buhalteriai, finansininkai ir eiliniai mokesčių mokėtojai. Į apklausos anketą atsakė 77 proc. respondentų, likusioji respondentų dalis nepateikė atsakymų, teigdami, kad nesinaudoja mokesčių administratoriaus teikiamomis konsultavimo paslaugomis arba nepateikė atsakymų dėl kitų priežasčių. Apklausoje dalyvavo 26-46 metų amžiaus respondentai, dauguma turėjo 7 ir daugiau metų darbo stažą. Absoliuti dauguma respondentų turėjo aukštąjį išsilavinimą. Didžioji dauguma apklaustųjų (33 proc.) teigė, jog dauguma klaidų, apskaičiuojant mokesčius, daroma dėl informacijos stokos ar pavėluoto jos gavimo. Kita mokesčių mokėtojų dalis (30 proc.) manė, kad vis dėlto dažna įstatyminės bazės kaita yra viena svarbiausių priežasčių darant klaidas.

Kadangi pastaraisiais sunkmečio metais keitėsi nemažai teisės aktų, mokesčių mokėtojai dažnai nespėdavo per trumpą laiką susipažinti su visais teisės aktų pakeitimais, o jeigu ir spėdavo susipažinti, tai klaidingai traktavo naujų teisės aktų nuostatas. Abi šias priežastis nurodė beveik po lygiai respondentų, todėl atsižvelgiant į jų nuomonę, galima teigti, jog mokesčių mokėtojų švietimo ir konsultavimo poreikis yra gana didelis. Jeigu mokesčių mokėtojai nesugeba savarankiškai pritaikyti naujų ar pasikeitusių teisės aktų nuostatų, jiems gali padėti mokesčių mokėtojams sukurtos švietimo ir konsultavimo viešosios paslaugos. Pagal tyrimo rezultatus, 19 proc. respondentų įsitikinę, kad dėl jų nepakankamų profesinių žinių yra padaroma dauguma klaidų apskaičiuojant mokesčius. Šią respondentų dalį sudaro jauni, turintys nedidelį darbo stažą mokesčių mokėtojai. Šie mokesčių mokėtojai yra imlūs teikiamoms švietimo ir konsultavimo paslaugoms.

Mokesčių mokėtojai labiausiai pageidauja gauti konsultaciją telefonu, nes tai patogu ir greita. Tyrimo metu 83 proc. respondentų atsakė, kad skambina į MIC retkarčiais (žr. 3 pav.).



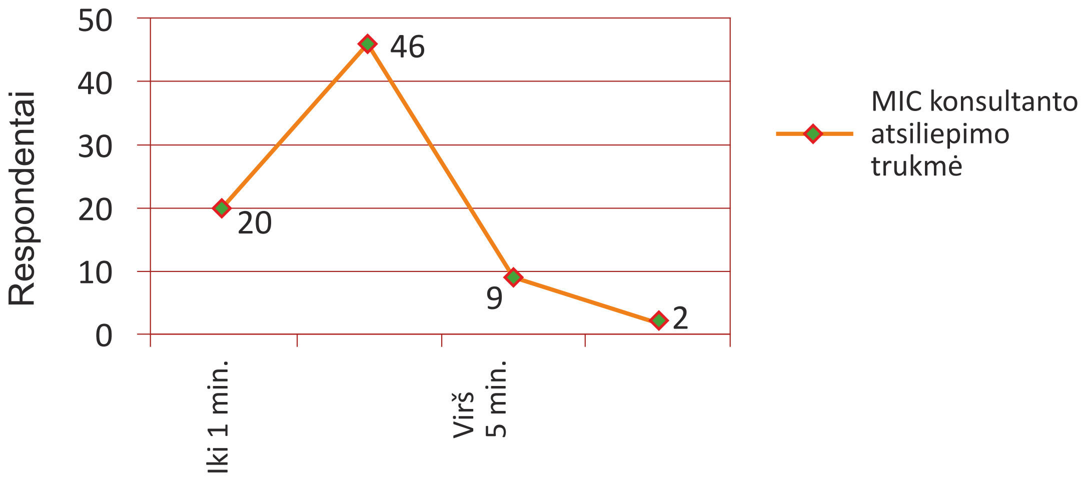
Šaltinis: sudaryta autorių.

3 pav. **VMI Mokesčių informavimo centro teikiamų konsultacijų poreikis**

Galima daryti išvadą, kad dažniau skambina nepatyrę, nauji mokesčių mokėtojai, o rečiau konsultuojasi mokesčių mokėtojai, kurie jau turi patirties mokesčių srityje. Remiantis apklausos duomenimis, kur nurodoma, kad tyrime dalyvavo apie 8 proc. tai yra apie 10 jaunųjų mokesčių mokėtojų, galima teigti, kad būtent šie jauni žmonės dažnai naudojasi MIC teikiamomis konsultacijomis. 3 paveiksle matome, kad 16 proc. arba 12 atsakiusiųjų susiduria su mokesčių sunkumais, todėl jiems prireikia dažnos MIC konsultacijos. Pateiktoje diagramoje atvaizduotas apklausoje dalyvavusių respondentų skaičius (pirmi duomenys) ir jų procentinė išraiška (antri duomenys).

Labai maža dalis respondentų (1 proc.) atsakė, kad niekada nesinaudojo MIC konsultacijomis. Konsultuojantis MIC mokesčių mokėtojas patiria ryšio išlaidas, tačiau už tai gauna išsamią informaciją pateiktu klausimu vos per kelias minutes, taip sutaupydamas savo laiką ieškant atsakymų į rūpimus klausimus.

Taip pat apklausos metu buvo teiraujamasi, kiek laiko respondentai sugaišta, kol MIC konsultantas atsiliepia. 4 paveikslo duomenys iliustruoja, jog dauguma respondentų sugaišta nuo 1-5 minučių (59 proc.).

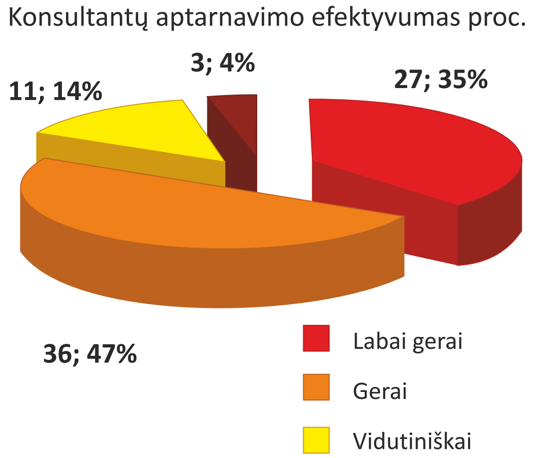


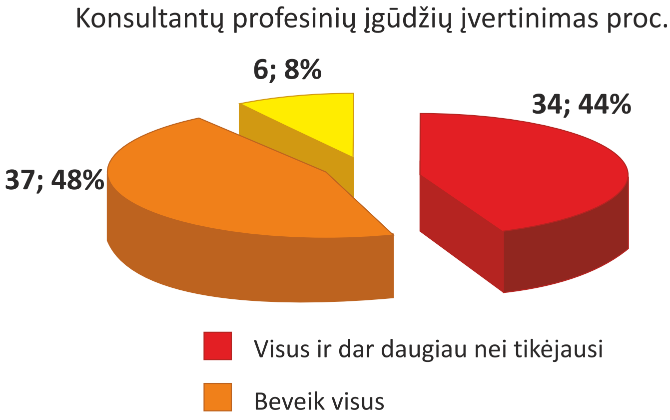
Šaltinis: sudaryta autorių.

4 pav. **Mokesčių informavimo centro konsultanto atsiliepimo laiko trukmė**

Kita pagal dydį dalis respondentų (26 proc.) nurodė, kad jie užtrunka vos minutę, kol konsultantas suteikia jiems informaciją. Mažesnė dalis apklaustųjų (12 proc.) prisiskambina MIC konsultantui, sugaišdami virš 5 minučių. 3 proc. apklaustųjų neatsakė į šį klausimą.

Tyrimo metu taip pat buvo aiškinamasi, kaip respondentai apibūdina jiems suteiktas konsultacijas bei kaip vertina konsultanto profesinius įgūdžius (žr. 5 ir 6 pav.).





Šaltinis: sudaryta autorių.

5 pav. **Konsultantų aptarnavimo efektyvumas**

6 pav. **Konsultantų profesinių įgūdžių įvertinimas**

Vertinat konsultantų paslaugumą bei dėmesingumą teikiant konsultacijas mokesčių mokėtojams, dauguma tyrime dalyvavusiųjų respondentų pareiškė, kad jiems buvo suteikta aukšto lygio konsultacija, kurios metu konsultantas profesionaliai atsakė į visus pateiktus klausimus. Paveiksle pateikti duomenys rodo, kad 47 proc. respondentų VMI konsultantų paslaugumą bei dėmesingumą įvertino „gerai" ir atitinkamai jie nurodė, kad konsultantas atsakė į visus arba beveik į visus jų užduotus klausimus. Kita dalis respondentų (35 proc.) konsultantų darbą įvertino labai gerai ir nurodė, kad pokalbio metu buvo išaiškinti visi iškilę klausimai. Tačiau 14 proc. respondentų nevisiškai patenkinti konsultantų paslaugumu. Skambučio metu jiems nebuvo suteikta išsami konsultacija, konsultantas nesugebėjo suteikti visos reikalingos informacijos arba atsakė tik dalį pateiktų klausimų mokesčių mokėtojui. Mažiausia dalis apklaustųjų (4 proc.) nurodė, kad jie visiškai nepatenkinti VMI MIC konsultantų darbu, tai yra, kad pokalbio metu VMI darbuotojas buvo šiurkštus bei grubus, žemos kvalifikacijos specialistas, kuris nesugebėjo atsakyti į visus jam pateiktus klausimus.

5. Išvados

Mokesčių administratoriai vis daugiau dėmesio skiria mokesčių mokėtojų informavimui ir konsultavimui. Keičiasi požiūris į ūkio subjektų priežiūrą, kuomet mokesčių inspektorius tampa ne baudėju, o konsultantu. Verslo priežiūros institucijų pirmine funkcija tampa konsultavimas, o tik paskui – priežiūra ir kontrolė. Atlikus valstybinės mokesčių inspekcijos prie Finansų ministerijos teorinę ir empirinę mokesčių mokėtojų informavimo bei konsultavimo kanalų analizę, galima teigti, jog:

1. Mokesčių mokėtojo konsultavimas yra neatsiejama ūkio subjekto veiklos priežiūros dalis. Konsultavimas leidžia pasiekti, kad mokesčių inspektoriams reikėtų rečiau tikrinti verslo subjektų veiklą. Mokesčių mokėtojų informavimas bei konsultavimas prisideda prie kokybiško mokesčių surinkimo aparato veikimo.
2. Pastaraisiais sunkmečio metais keitėsi nemažai teisės aktų. Mokesčių mokėtojai dažnai nespėdavo per trumpą laiką susipažinti su teisės aktų pakeitimais, klaidingai traktavo naujų teisės aktų nuostatas. Dažna įstatyminės bazės kaita yra viena svarbiausių priežasčių darant klaidas, todėl mokesčių mokėtojų konsultavimo poreikis yra gana didelis.
3. Mokesčių mokėtojai dažniausiai pageidauja gauti konsultacijas telefonu, nes tai patogu ir greita. Tyrimo metu nustatyta, kad dažniau skambina nepatyrę, nauji mokesčių mokėtojai, o rečiau konsultuojasi mokesčių mokėtojai, kurie jau turi patirties mokesčių srityje.
4. Vertinat konsultantų paslaugumą bei dėmesingumą teikiant konsultacijas mokesčių mokėtojams, dauguma tyrime dalyvavusiųjų respondentų pareiškė, kad jiems buvo suteikta aukšto lygio konsultacija, kurios metu konsultantas profesionaliai atsakė į visus pateiktus klausimus.
5. Lyginant mokesčių mokėtojų konsultavimo procesą Lietuvoje ir Jungtinėje Karalystėje, išryškėja kai kurie skirtumai. Lietuvoje VMI Mokesčių informavimo centre veikia du konsultavimo lygiai, Jungtinėje Karalystėje – trys lygiai. II ir III lygio konsultantai specializuojasi pagal mokestinių klausimų sritis. Konsultantų specializacija pagal atitinkamas mokestines sritis užtikrina kvalifikuotesnių paslaugų teikimą.

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BUSINESS SUPERVISION AND TAXPAYERS CONSULTING

Dr. Danutė Adomavičiūtė, Agna Balcevič

SUMMARY. This paper analyzes the taxpayers‘ consultation, which is becoming increasingly important to ensure the protection of financial interests. In recent years, recession has changed a number of laws, so taxpayers are often not even be able in a short period of time acquainted with new regulations and changes to them. Most of the various tax provisions, tax calculation errors committed by activity starting taxpayers, so it‘s important to help them in their early stages. One of the main objectives of the State Tax Inspectorate is to develop a convenient taxpayer information and consultation services to public and authorized the wider use of information technologies. Taxpayers consultation needs are great. The State Tax Inspectorate has created the Tax Information Center, which allows to facilitate the provision of telephone taxpayer required information on tax matters. This paper describes the study, which was designed to evaluate the state tax authority for information and advice channel effectiveness and efficiency and to find out which ones are most appropriate for taxpayers.

Key words: business supervision, taxes, tax administration, taxpayers, consulting.

DĖSTYTOJŲ IR STUDENTŲ BENDRADARBIAVIMO ELEKTRONINĖJE KOMUNIKAVIMO TERPĖJE PRIVALUMAI IR TRŪKUMAI DĖSTYTOJŲ DARBO ORGANIZAVIMO KONTEKSTE

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SANTRAUKA. Šių dienų bendradarbiavimas neįsivaizduojamas atsietai nuo informacinių technologijų. Komunikavimas elektroninėje erdvėje palengvina bendravimo laiko, vietos, trukmės derinimą. Taip pat ir universitetų dėstytojams vadovaujant studentams, rašantiems baigiamuosius darbus, elektroninė komunikavimo terpė tampa itin svarbia priemone, leidžiančia užmegzti ir palaikyti asmeninį ryšį su kiekvienu studentu, taip pat konsultuoti studentų grupes, atsižvelgiant į jų interesus ir patiriamus mokslinio darbo sunkumus. Turint omenyje, kad dėstytojų darbo specifika neleidžia prisirišti prie vienos darbo vietos, atrodytų, kad būtent bendradarbiavimas elektroninėje terpėje yra „panacėja“, leidžianti organizuoti kokybišką vadovo ir studento bendradarbiavimą.

Straipsnio tikslas – pristatyti atliktą tyrimą, išryškinantį elektroninės dėstytojų ir studentų komunikacijos privalumus ir trūkumus. Tyrimo rezultatai rodo, kad technologizuotas komunikavimas yra vertinga pedagoginio darbo priemonė, tačiau studento ir dėstytojo bendravimo perkėlimas į elektroninę erdvę neturėtų tapti savaiminiu tikslu.

Raktiniai žodžiai: elektroninė komunikavimo terpė, e-mokymasis, technologizuota komunikacija, studentai, dėstytojai.

1. Įvadas

Organizuojant studijų procesą Lietuvoje, kompiuterinės komunikavimo technologijos pastarąjį dešimtmetį įprastas reiškinys aukštosiose mokyklose. Plėtojant studijas elektroninėje erdvėje, svarbu išlaikyti pakankamą aukštojo mokslo kokybę bei užtikrinti vadybos požiūriu efektyvų studijų procesą. Tam gali pasitarnauti moksliniai tyrimai, atskleidžiantys dėstytojų ir studentų darbo organizavimo kompiuterinės komunikacijos pagalba privalumus ir trūkumus.

Užsienio mokslinėse publikacijose e-mentorystės prigimties ir proceso organizavimo klausimai diskutuojami plačiai (pvz., Hammond, 2005; Williams, Kim, 2011), tačiau dėstytojų vadovavimas studentų savarankiškam darbui kompiuterinių technologijų pagalba analizuojamas fragmentiškai. Aptariamos problematikos ištirtumo spragos taip pat būdingos Lietuvai.

Atsižvelgiant į temos aktualumą, formuluojamas straipsnio **tikslas**: atskleisti dėstytojų ir studentų kompiuterizuotos komunikacijos privalumus bei trūkumus dėstytojų darbo organizavimo kontekste. Tyrimo metodai: mokslinės literatūros analizė, struktūrizuota dėstytojų apklausa, aprašomoji statistika.

Straipsnio struktūrą sudaro trys dalys. Pirmojoje dalyje apibendrinami mokslo tyrimų rezultatai e-mentorystės ir kompiuterizuotos komunikacijos studijose tematika. Antrojoje pristatomas atliktas empirinis tyrimas. Trečiojoje pateikiama diskusija, remiantis tyrimo rezultatais – išryškinami kompiuterizuotos komunikacijos pagalba vykdomo mokslinio vadovavimo studentams privalumai bei trūkumai.

2. Kompiuterizuotas dėstytojų ir studentų komunikavimas

Šiuolaikiniame diskurse e-mentorystė pristatoma kaip besivystanti koncepcija, kurios charakteristikos aiškiai skiriasi nuo tiesioginės mentorystės. Apskritai mentorystė suprantama kaip technika, skirta perduoti žinias iš geriau išmanančio mažiau išmanančiam (Akin, Hilbun, 2007). Mentorystės ir ementorystės sampratų skirtumai atsiranda dėl tiesioginio kontakto ir e-mentorystės tikslų bei galimybių skirtumų (Williams, Kim, 2011). E-mentoriui, kitaip nei ugdytojui bendraujančiam su ugdytiniais tiesiogiai, reikalingi informacinių technologijų naudojimo įgūdžiai ir specifiniai gebėjimai kurti socialinį tinklą elektroninėje erdvėje (Shrestha et al., 2009).

Komunikavimas elektroninėje erdvėje leidžia padidinti dėstytojo ir studento bendradarbiavimo intensyvmą: studentas ir dėstytojas gali pasiekti vienas kitą pagal poreikį bet kuriuo metu ir iš bet kurios buvimo vietos. Ar ši galimybė reikšmingai pagerina mokymosi kokybę – diskutuotinas klausimas. Vieni moksliniai tyrimai rodo, kad kompiuterizuotas komunikavimas skatina studentą būti aktyvesniu savo žinių ir įgūdžių kūrėju (Chester, Gwynne, 1998), tačiau kiti tyrėjai pastebi, kad elektroninė bendravimo erdvė sudaro sąlygas studentui tapti nepasiekiamu, vilkinti laiką (Harasim et al., 1998) Tai yra problema, dėl kurios atsakomybę turėtų prisiimti pats studentas.

Kita vertus, aktyvus, tačiau paviršutiniškas dėstytojo ir studento ryšys taip pat gali būti mažai vertingas. Tyrimai rodo pozityvų ryšį tarp dėstytojo laiko, skirto bendravimui su studentu, ir studento pažangos bei pasitenkinimo dėstytojo pagalba (Waters et al., 2002). Vis dėlto kompiuterizuotas komunikavimas daugiau nei tiesioginis ryšys pasižymi tokiomis problemomis kaip informacijos perteklius ir paviršutiniškumas (Harasim et al., 1998). Vienas iš objektyvių veiksnių, ribojančių mentoriaus ir studento kontaktinį laiką – tai per didelis studentų skaičius, tenkantis dėstytojui (Janasz et al. 2008). Pažymėtina, kad įprastoje mentorystės praktikoje šis skaičius paprastai siekia 1-3 ugdytinius (Williams, Kim, 2011; Pakham et al., 2006; Harasim et al., 1998). Užtikrinti dėstytojui galimybę skirti pakankamai laiko kiekvienam studentui yra ypač svarbu, nes konsultacijų reguliarumas bei pakankamai greitas atsakymas į ugdytiniui rūpimus klausimus tiesiogiai įtakoja studento motyvaciją ir pastangas aktyviai siekti mokymosi rezultatų (Warren, Rada, 1998).

E-mentorystės sėkmė taip pat priklauso nuo mentoriaus pasirengimo (Shrestha et al., 2009), todėl svarbu išmokyti studentų baigiamiesiems darbams vadovaujančius dėstytojus tikslingai pasirinkti ir efektyviai naudoti technologines bendradarbiavimo priemones. Technologizuotą komunikaciją nuskurdina neverbalikos trūkumas (Chester, Gwynne, 1998), todėl organizuojant dėstytojo ir studento darbą rekomenduojama naudoti daugiau nei vieną komunikavimo kanalą.

Mokslinėse diskusijose pabrėžiama, kad technologizuotas komunikavimas kelia didesnį stresą nei tiesioginis bendravimas (Schlichte, 2005). Taigi, rūpinimasis dėstytoto darbo sąlygomis reiškia rūpinimąsi studentu ir studijų kokybe apskritai. Didėjant studentų skaičiui tenkančiam vienam dėstytojui, rūpinimąsi dėstytojų darbo sąlygomis, profesiniu tobulinimu ir motyvacijos skatinimu akcentuoja ir Europos komunikatas (COM, 2011).

Apibendrinant pasakytina, kad nors kompiuterizuoto komunikavimo naudingumas mokymo (-si) procese neabejotinas, reikalinga atsižvelgti į tam tikras potencialias dėstytojo ir studento bendro darbo problemas, siekiant pagerinti studijų kokybę ir dėstytojų darbo efektyvumą.

3. Elektroninė komunikacija konsultuojant studentus: tyrimo rezultatai

Tyrimo metu buvo siekiama išsiaiškinti dėstytojų požiūrį į elektroninės komunikacijos panaudojimą konsultuojant studentus, rašančius magistro baigiamuosius darbus.

Tyrimas atliktas Mykolo Romerio universitete. Tyrime dalyvavo trijų fakultetų atstovai. Apklausti dėstytojai, kurie: i) eina profesorių ir docentų pareigas bei turi mokslo daktaro laipsnį, ii) vadovauja daugiau nei vienam magistrantui, iii) neužima pareigų universiteto administracijos aparate. Remiantis šiais kriterijais, tiriamąją populiaciją sudarė 67 dėstytojai, duomenys surinkti iš 57 dėstytojų. Apklausos rezultatų paklaida su 95 proc. tikimybe sudaro 0,5 proc.

Analizuojant tyrimo rezultatus paaškėjo, kad dėstytojai pozityviai vertina komunikavimą su studentais kompiuterių pagalba. Net 92 % sutinka, jog tai - ypatingai svarbi priemonė, leidžianti užmegzti ir palaikyti asmeninį ryšį su kiekvienu magistrantu, atsižvelgiant į jų interesus ir patiriamus mokslinio tiriamojo darbo sunkumus.

Didžiausiu elektroninės komunikacijos privalumu, konsultuojant magistrantus, dėstytojai (96%) laiko galimybę derinti savo dienotvarkę, t.y. studentui teikti grįžtamąjį ryšį ir atsakyti į klausimus tada, kai dėstytojui patogu. Taip pat, kaip pažymi 93% respondentų, kompiuterinė komunikacija labai naudinga ir patiems magistrantams, nes leidžia paprasčiau patenkinti jų mokymosi poreikius, t.y. gauti vadovo. Tačiau kita vertus, dėstytojai nepervertina technologizuotos komunikacijos privalumų ir nemano, kad technologijos pačios savaime gali pagerinti mokslinio vadovavimo kokybę: tik 27% respondentų įsitikinę, kad bendravimas kompiuterinėmis priemonėmis įgalina studentą geriau nei tiesioginio pokalbio metu suprasti vadovo pastabas ir rekomendacijas. Be to, dėstytojai (73%) teigia, jog dirbant nuotoliniu būdu, sumažėja magistrantų savarankiškumas bei atsakomybė už savo darbo rezultatus, stebimas didesnis išsiblaškymas.

Atkreiptinas dėmesys į darbo produktyvumo elektroninėje erdvėje problemą. 82% dėstytojų pastebėjo, kad elektroninės konsultacijos yra imlesnės laikui lyginant su susitikimais. Savo darbo laiką dėstytojai suvaldo teikdami ne tokias išsamias arba ne tokias skubias konsultacijas. Dėl darbotvarkės intensyvumo 69% dėstytojų neturi galimybių teikti studentams gilaus atgalinio ryšio arba į magistrantų laiškus, kuriuose jie prašo pastabų ir rekomendacijų, atsako tik apytikriai per savaitę.

Būtent dėl rašytinės komunikacijos imlumuo laikui, 64% apklaustųjų rinktųsi rečiau konsultuoti studentus netiesiogiai, nei tai tenka daryti dabar. Idėja visą vadovavimo magistrantams darbą perkelti į elektroninę erdvę, nesulaukė pritarimo. Tačiau pažymėtina, kad nei vienas respondentas taip pat nemanė, kad būtų naudinga visą vadovavimo darbą atlikti tiesioginių susitikimų būdu.

Tam, kad būtų išlaikytas optimalus vadovavimo magistrantui kokybės ir dėstytojo darbo krūvio balansas, dėstytojui turėtų tekti ne daugiau kaip 10 magistrantų vienerių metų laikotarpyje. Tokią nuomonę išreiškė 53% respondentų. Svarbu paminėti, kad vadovai, turintys daugiau kaip dešimt magistrantų, pažymėjo mažesnį potencialių studentų skaičių, nei tie, kas vadovauja keletui magistrantų (duomenis sieja patikimas statistinis ryšys: Spirmeno koreliacijos koeficientas *p-level = 0.026 < α=0.05*).

Tai, kad darbas su studentais elektroninėje ervėje dėstytojams kelia technostresą, rodo 62% respondentų išreikšta nuomonė, jog daugiau nuovargio jie patiria bendravimui su magistrantais naudodami elektroninį paštą ir Moodle, nei susitikdami ir aptardami reikalus tiesiogiai. Bendraudami tiesiogiai labiau pavargsta 12% tyrimo dalyvių. Itin svarbu atkreipti dėmesį, kad aukštas darbinio streso lygis statistiškai susijęs tik su dideliu vadovaujamų studentų skaičiumi ir nepriklauso nuo pasirinktų bendravimo priemonių.

4. Išvados

1. Studentams, rengiantiems baigiamuosius darbus, vadovaujantys dėstytojai pozityviai vertina kompiuterizuotą komunikavimą su studentais. Dėstytojai sutinka, kad elektroninis paštas, Moodle, Skype ir pan. yra naudingos dėstytojo ir studento bendradarbiavimo priemonės, leidžiančios palaikyti asmeninį ryšį.
2. Tyrimo rezultatai parodė, kad dėstytojų kompiuterizuotos komunikacijos vertinimas yra tiesiogiai susijęs su vadovaujamų studentų skaičiumi. Kuo didesniam magistrantų skaičiui vadovauja dėstytojas, tuo mažiau jam priimtina didžiąją dalį konsultacijų teikti kompiuterizuotos komunikacijos būdu.
3. Taip pat pažymėtina, kad su studentais komunikuodami elektroniniais kanalais dėstytojai jaučia didesnį nuovargį, nei bendraudami tiesiogiai. Patį didžiausią stresą dėstytojams kelia intensyvus darbas el. paštu. Patiriamo streso nesumažina komunikacijos priemonių įvairovės didinimas.
4. Bendraujant nuotoliniu būdu studentai labiau linkę būti aktyvūs ne turinio, bet proceso požiūriu. Be to, dažniau nei komunikuojant tiesiogiai, pastebimas sumažėjęs studentų savarankiškumas bei atsakomybė už savo darbo rezultatus, išryškėja menkesnis jų dėmesingumas. Vis dėlto, nors apklaustų dėstytojų nuomonė šiuo klausimu buvo vieninga, negalima kategoriškai teigti, kad dėstytojui ir studentui bendradarbiaujant elektroninėmis priemonėmis, reikšmingai sumenksta studento mokymosi pasiekimai. Reikalingi tyrimai, skirti patvirtinti arba atmesti šiai prielaidai.
5. Apibendrinant atliktą tyrimą pasakytina, kad technologizuotas komunikavimas - neabejotinai vertinga pedagoginio darbo priemonė, tačiau studento ir dėstytojo bendradarbiavimo perkėlimas į elektroninę erdvę vadybos požiūriu pasiteisintų tuo atveju, jei dėstytojų darbo krūvis būtų iš esmės peržiūrėtas, atsižvelgiant į patiriamą technostresą ir būtinas pertraukas darbingumui išlaikyti.

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TEACHERS AND STUDENTS COLLABORATION THROUGH THE E-MEDIUM: POSITIVES AND NEGATIVES IN A CONTEXT OF ACTIVITY

Agota Giedrė Raišienė

ABSTRACT. Nowadays maintaining connections without the help of informational technologies is impossible to imagine. The electronic space of communication removes the necessity of coordinating the time, place and length of social contacts, and enables to expand the number of contacts at the moment. IT is undoubtedly progressive for communication. However, there is an increasing number of scientific researches revealing that e-medium of communication has several disadvantages that become more significant as the proportion of direct and indirect communication changes due to the means of remote communication becoming more widely used. Those are, for example: increased levels of stress experienced by the users of informational technologies, reduced responsibility when making decisions, increased time of making decisions, reduced feeling of commitment, superficiality of interaction etc.

The teachers and students in universities are increasingly communicating remotely. The tools used are email, real-time conversation program Skype, electronic space of studies Moodle, etc. These tools enable establishing and maintaining personal connections with each student as well as consulting groups of students regarding their interests and difficulties experienced with learning assignments. Due to the reason that the specifics of teachers‘work do not allow to attach to a single work place, electronic communication space seems to be the best tool of organizing a high quality joint work between the teacher and the student. The research presented in the article partly confirms this assumption. The results of the research show that technologized communication is a valuable tool of teacher and student communication. However, for the joint work of teacher and student to be effective the threats related to human nature and specifics of communicating by electronic medium must be evaluated and reduced as much as possible

Keywords: electronic medium, e-learning, technologized communication, students, teachers.

ICT APPLICATION AND INNOVATIVE STUDY TECHNIQUES IN ERASMUS STUDENTS’ MOBILITY SCHEMES

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ABSTRACT. The promotion of students’ mobility in the EU has had a huge impact in recent years in Lithuania, which has now become one of the countries with more students going abroad on an Erasmus programme. Students from different cultures come together to study in host countries bringing with them different levels of language skills as well as expectations and beliefs of how they should be taught together. In other words, they contribute to the whole with their own academic, cultural and linguistic input. Rapid changes in the technological area challenge educational traditions in teaching. ICT application for teaching/learning purposes is becoming one of the major issues of contemporary education. Information technologies provide with a variety of opportunities and forms of learning; therefore it is a highly important factor, influencing learning.

The authors of the article aim to present Erasmus Exchange students’ experience and attitudes to types of study techniques applied in different educational institutions of host countries. The teachers’ considerations and observations are based on the research findings obtained through the questionnaire survey. The conducted research focuses on Erasmus Exchange Students’ self-evaluation of their study techniques, ICT application and reflections about the challenges they have encountered in study process. For collection of data the qualitative research method was applied. The paper also addresses a very important issue of interrelation between study techniques and their educational aims to motivate students in study process.

Key words: ICT, Erasmus students’ mobility, innovative study techniques, motivation

1. Introduction

Today's higher education experiences challenges caused by new technologies, information sources and virtual learning environment. Rapid changes in the technological area resulted in a transformation of education. Thus teachers are being forced to search for new and effective methods of teaching delivery and students' motivation. Information technologies provide with a variety of such opportunities and forms of learning; and is a highly important factor, influencing learning. Innovation or innovative study methods currently are often associated with the use of technologies. Complexity of ICT - based education has been taken up by many educators, educational practitioners and researchers since the 1980s (Hurd, 2003; Tinio, 2003; Gosper et al, 2007; Kennedy, 2008; Prensky, 2007). Tinio (2003) indicates that computers, the Internet and related technologies, given adequate teacher training and support, can indeed facilitate the transformation of the learning environment. Competencies necessary for effective and creative application of ICT, good command of digital technologies positively impact learning achievements. She states that ICT helps students learn more quickly, demonstrate greater retention, and be better motivated to learn. Many educators are now stressing the importance of social networks, blogging, micro-blogging, instant messaging in learning process (Prensky, 2007; Kennedy, 2008; Kellner, 2000). Web 2.0 tools have entered the educational space; however, its scope is under discussion so far (Kellner, 2000, p. 248). In his discussion about the usefulness of ICT equipment in the classroom poses a question of educational value of technologies: "....what sort of effects might computers and information technology have on learning, and what new literacies, views of education, and social relations do we need to democratize and improve education today". Presumably, what is important today is students and teachers' experience with technologies and through technologies.

This paper continues the series of investigation on students' experiences and attitudes while studying abroad. In the first part of the research the authors analysed students' foreign language competence and its impact on overall study results (Užpalienė, Vaičiūnienė, 2012).

T**he article aims** to present Erasmus Exchange students' reflections and experiences related to the issue of ICT application and study techniques used in different educational institutions of host countries. The paper also addresses a very important issue of interrelation between ICT, study techniques and their educational aims to motivate students in study process. **Therefore, the** focus of the paper is on the analysis of the survey findings on students' reflections and experiences to the types of study techniques/tools applied and technologies used in different higher education institutions of host countries. **The research tasks:**

1. To identify Erasmus Exchange students' attitudes to study techniques and technologies.
2. To research the application of technologies in study process.
3. To determine the interrelation between ICT and students' motivation.
4. To identify modes of academic communication.

2. Research methodology

The teachers' considerations and observations are based on the research findings obtained through the Erasmus students' questionnaire survey.

The participants of the survey were 20 Erasmus Exchange students (2010/11) of Mykolas Romeris University of different Bachelor study programmes:

- Financial Economics
- Business Informatics
- Law
- Public Administration
- Social Work

The study participants went on Erasmus Exchange programmes to different countries: Spain-4, Germany-2, France-2, Italy-2, Poland-2, Austria-1, Hungary-1, Turkey-1, Czech Republic-1, Holland-1, Slovenia-1, Belgium-1, and Bulgaria-1.

For collection of data the qualitative research method was applied. Qualitative research is defined as an „Empirical research in which the researcher explores relationships using textual, rather than quantitative data. Results are not usually considered generalizable, but are often transferable" (Glossary of Key Terms). Qualitative studies are tools used in understanding and describing the world of human experience (Woods, 2006; Bitinas, 2006; Lemke, 1998, Golafshani, 2003). "The ultimate aim of qualitative research is to offer a perspective of a situation" (Myers, 2000), which in the presented analysis is related to students' experiences gained while studying in host countries and self-assessment of their LSP competence. The instrument of the conducted research was an interview composed of 10 open-ended questions delivered and collected online.

The small research sample (20 respondents) did not allow to make any "statistical procedures or other means of quantification" (Strauss and Corbin, 1990).

The authors were following the qualitative research methodology which seemed more appropriate to address the aim of the research, since such categories as reflections and experiences are not immediately measurable in percent or scores. "Verbal data, including particularly written or printed texts, always makes sense in relation to (1) a context of production, the circumstances in which it was written or spoken, and (2) a context of use, those in which it is read or heard" (Lemke, 1998). The authors read students' responses one by one focusing on individual comments, sometimes quite exciting and glowing and spotted common patterns of constructive feedback. The survey participants were coded by letters, consequently their real names are not revealed. In the following descriptive analysis, qualitative data was grouped and certain categories identified disclosing correlations between teachers/students' attitude to study and communication techniques, students' motivation and overall study experience:

1) Traditional and/or innovative study techniques.
2) The application of ICT in Erasmus Exchange programmes
3) Students' motivation to use ICT
4) Mode of communication between students and teachers.

3. Research results

1. In this paper the qualitative analysis of students' responses on the following questions are presented:
2. Were innovative and/or traditional study tools used?
3. Did teachers use technologies in lectures, seminars? What kind?
4. Did teachers motivate students to use technologies for doing tasks? What kind?
5. How did teachers communicate with students? Which forms of communication prevailed: online or face-to-face?

3.1. Traditional or innovative study techniques

Changes in the technological era challenge educational traditions in teaching. ICT application for teaching/learning purposes is becoming one of the major issues of contemporary education. In today's world of digital technologies and digitized information ICT provide with a variety of opportunities and forms of learning; therefore it is sometimes a highly important factor, influencing learning from the cultural, social and value perspective (Hennesy et al., 2005; Heemskerk et al., 2005).

The analysis of the respondents' feedback on study techniques in host countries reveals 3 major patterns of teaching/learning process: traditional (12 responses), innovative (1 response), traditional and innovative (5 responses), no comments (2 responses) (see Fig. 1).

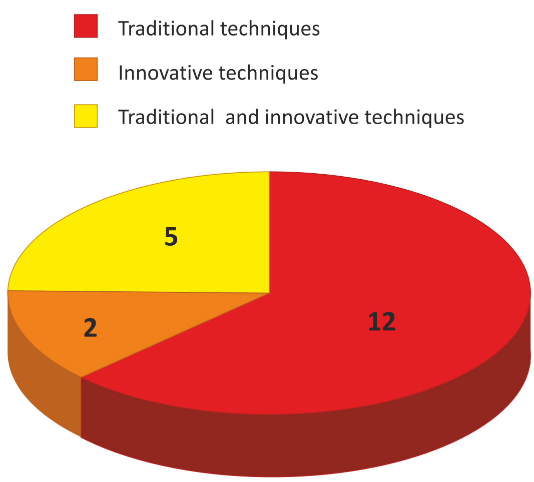

Fig. 1. **Study techniques**

The findings reveal that in most cases study techniques used in study process were described as traditional, based on face-to-face communication (respondent **I**) debates, discussions, presentations team work, practical skills training and self- testing (respondent **G**), etc., whereas the proportion of other study methods applied was respectively lower, and some respondents indicated both, traditional and innovative study methods. The research revealed that the most popular technological tools applied in study process were media sources such as the Internet, multimedia for PowerPoint presentations, the new software during seminars and the interactive boards as the effective tool for explanation. One of the surveyed respondents **(F**) put "the advanced study methods" very bluntly just a sheet of paper and a pen.

3.2. Application of ICT in study process

Although discussion about ICT in education settings is not new, it is still topical for today's higher education. Some researchers conclude that the process of introducing ICT in learning process in higher education is usually slow. This was observed in the study conducted by Dutch researchers (CHEPS) in several universities of the world, among them Germany, Australia, Netherlands and other (Models of Technology and Change ..., 2002). At the same time, many educators are now stressing the importance of Web 2.0 tools in learning process: social networks, blogging, micro-blogging, instant messaging, etc. These tools being available in many modern colleges and universities create new opportunities for faster and more efficient learning (Software and Internet Analysis, 2009). However, the above mentioned survey proved, that "the use of e-email and the use of Web resources is becoming a common phenomenon in the educational practice, whereas other ICT forms, such as wireless solutions and conferencing tools, are used little or in a much more limited extent" (p. 31). This study evidences the same trend – the application of traditional approach to academic study process; to be more particular, traditional study methods and techniques. None of Web 2.0 tools were mentioned by the surveyed Erasmus students.

As it was observed in the previous part of the research (Užpalienė and Vaičiūnienė, 2012) the respondents noticed certain shortcomings related to efficiency of studies (t*he quality of training and improper assessment system*, *lack of tutors and innovative study tools).* Students' responses demonstrate the apparent advantage of traditional study techniques over more innovative methods used at the time of studies at foreign universities. The analysis of the surveyed students' responses has highlighted teaching and instruction patterns and logically suggests some uncertainties: why so little of ICT was applied for teaching/learning purposes to support students' accomplishment of tasks if (as research in many countries indicate) the use of technology enhances students' motivation to study. One of the reasons why teachers are so reluctant to use technologies as Prensky (2007, p. 41) puts it might be " ...... new technologies for education are arriving and changing really fast – too fast for even teachers who *want* to learn to use all of them to effectively do so. And, of course, there are many teachers who *don't* want to use new technologies at all".

Bates (2001, quoted in Models of Technology and Change ..., 2002, p. 17) also "agrees with the fact that these ICT-practices do not replace previous practices but instead complement them: "Computers are now commonly used for PowerPoint presentation to deliver lectures and the Internet is now being used more and more to access Web sites to support lectures. Technology used in this way does not replace either the teacher or the classroom. Using technology to supplement classroom teaching does not radically change teaching methods. It merely enhances what would be done in the classroom in any case".

3.3. Students' motivation to use ICT

Today's higher education experiences a new challenge, as many educators claim about a new generation of students who are technologically minded, who perceive information and learn in a different way. Kennedy et al (2008) investigated students' preferences in the use of technologies and have come to controversial findings: students were rather reserved about the use of technologies in the classroom. The study respondents were interviewed about their motivation to apply technologies in study process. 12 of the interviewees responded positively. They were encouraged to use technologies in their studies (PC, PowerPoint, Multimedia tools, and some more specific, as SPSS packet, Coosepace system, etc.). Respondent ***C*** described the study process as "*innovative*", "*well arranged*" *"all the assignments presented online", "no paper work".* Respondent ***R*** indicated interactive boards used in teaching and learning process. However, the most common tools were a computer (respondents ***H, N, P, R***) and PowerPoint equipment for making presentations (respondents ***J, L, S, T***). Conversely, some of the respondents (***E, F, O***) pointed out that they were never asked to use a technology. Moreover, one survey participant (respondent ***I***) indicated the teachers' emphasis on "*human contacts,* *discussions and sharing of opinions”* and the survey participants (***M***) noted that teachers “*didn‘t motivate [to use ICT], but those [students] who used, were praised by teachers”.*

The web-based learning environment has great potential to support students’ performance of tasks and enhance their learning outcomes. Prensky (2008) states that “today’s students think and process information fundamentally differently from their predecessors”. The author says that “future” content is to a large extent digital and technological. Information technologies provide with a variety of opportunities and forms of learning; therefore it is a highly important factor influencing and promoting learners’ motivation.

However, the collected data on Erasmus Exchange students’ self-evaluation of ICT application in lectures and seminars confirm not so many different innovative tools were used. The most frequent technological tools applied in study process were:

- *the Internet as the tool to write e-mails, send* and *disseminate information online, write essays, write and evaluate progress tests; to access online materials (respondent* ***D****).*
- *the multimedia for making Power point, presentations, showing films, slides, photos, playing music (respondents* ***J, M, T, U*** *)*
- *software* such as *Excel, Office, Coospace, SPSS, EEG for doing and assessment of tasks, and other advanced programmes* which were applied in classes *(respondents* ***A, C, M****)*
- *Interactive boards as the effective tool for explanation* (*respondent,* ***D, S****)*
- *Intranet (respondent* ***C****)*
- *E-learning similar to MRU, access to teachers’ personal websites used for storing materials and information and for task evaluation* (*respondents* ***E, I, Q, U***).
- Some research participants (*respondents* ***E, F, I, K, P***) indicated that no technologies were applied.

On the one hand, the overall picture evidences positive evaluation of ICT application corresponding to professional needs. On the other hand, the scope of study techniques for teaching/learning purposes used in higher education institutions of other countries indicate that they were rather traditional or a blend of traditional delivery and traditional ICT (Internet, PC).

3. 4. Teachers and students’ mode of communication

The Dutch researchers’ findings (2002) confirm “that face-to-face interaction and direct communication between instructors and students and among students is still very important in the way in which instructors teach.” “.... higher education institutions do not expect revolutionary change as a result from or related to the use of ICT” (Models of Technology, 2002). ICT is used in a way that is complementary to this, but does not replace what traditionally has occurred in the teaching and learning process”. The above mentioned researchers conclude that ICT “in terms of e-mail, word processing, PowerPoint, and the Web, has become standard as part of the teaching and learning process. But this has not radically affected the nature of this process; rather, ICT has become part of the blend of on-campus delivery” (p. 62). The presented research findings support this claim. In terms of technologies used in communication three common types were identified:

- direct (11 responses)
- direct and online (4 responses)
- online (3 responses) (see Fig. 2).

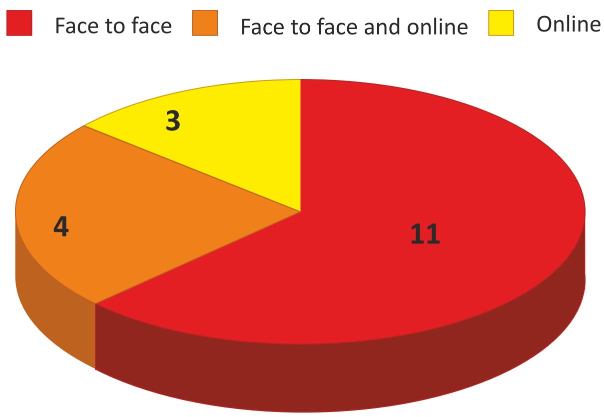

Fig.2. **Modes of communication**

Some of the surveyed students stressed direct communication. The most usual mode of communication among those who could contact teachers electronically was emailing. Emails were used for "*evaluation, access to teachers' personal websites used for storing the material* "(*respondent **G***). "*All tasks [were] performed by using computers" (respondent **Q**).*

The international study conducted in 2002 definitely confirms a lecture to be the most valued "core medium" and this was identified as a "global trend" in higher education. The findings of this research similarly demonstrate the apparent advantage of direct and traditional class communication over the more innovative tools at the time of studies in host countries.

4. Conclusions

The conducted research into Erasmus Exchange students' experience of and attitude to study techniques in other countries has revealed:

- The importance of innovative technologies to support students' performance of tasks and enhance their learning outcomes, to promote different types of interaction that enhance learning, and, in turn, lead to increased students' motivation in the subject matter.
- The apparent advantage of traditional study techniques over more innovative methods explored by university teachers in teaching/learning process in host universities.
- The study techniques were rather traditional or a blend of traditional delivery and traditional ICT (Internet, PC).
- The most usual mode of communication was face to face contact. The study techniques were based on face-to-face communication, debates, discussions, presentations, team work, practical skills training and self- testing.
- The most popular technological tools applied in study process were media sources such as the Internet, multimedia for PowerPoint presentations, the new software during seminars and the interactive boards as the effective tool for explanation.

Claims that the era of the book and print literacy is over are not true. However, technologies are not intended to substitute the teacher but merely act as an enrichment of traditional classroom instruction. In the new information communication technology environment, traditional techniques take on increasing importance putting new emphasis on developing students' competences.

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IKT IR INOVATYVIŲ STUDIJŲ METODŲ TAIKYMAS ERASMUS STUDENTŲ MOBILUMO PROGRAMOJE

Vilhelmina Vaičiūnienė, Daiva Užpalienė

Santrauka. Studentų mobilumo skatinimas Europos Sąjungoje turėjo nemažą poveikį aukštajam mokslui Lietuvoje. Pastaraisiais metais vis daugiau aukštųjų mokyklų studentų iš Lietuvos išvyksta studijuoti pagal Erasmus mainų programą. Studentai, atvyksta mokytis į kitų šalių mokyklas, turėdami skirtingus užsienio kalbos įgūdžius, mokymosi patirtį bei lūkesčius. Jų bendravimas studijų proceso metu ir už jo ribų prisideda prie akademinės, kultūrinės bei kalbinės priimančios šalies aplinkos formavimo. Šio straipsnio tikslas – išsiaiškinti Erasmus mainų studentų patirtį ir požiūrį į studijų metodus, taikomus priimančių šalių universitetuose. Autorių svarstymai ir įžvalgos yra pagrįsti Erasmus studentų anketinės apklausos tyrimų rezultatais, skiriant daugiausia dėmesio studijų metodų vertinimo, inovatyvių studijų metodų taikymo klausimams. Taip pat, nagrinėtos studentų ir dėstytojų komunikacijos formos ir koreliacija tarp inovacijų taikymo ir studentų motyvacijos studijų metu. Spartus technologijų vystymasis ir jų pritaikymas mokymo /mokymosi reikmėms tampa vienu iš pagrindinių šiuolaikinių mokslo iššūkių. IKT suteikia naujų mokymosi galimybių ir formų įvairovę, todėl yra svarbus mokymosi procesą įgalinantis veiksnys. Tačiau tyrimo rezultatai patvirtino tradicinių mokymo (si) metodų ir bendravimo formų vyravimą. Duomenų analizei buvo taikomas kokybinis (aprašomasis) tyrimo metodas.

Reikšminiai žodžiai: IKT, Erasmus mainų programa, studijų metodai, inovatyvūs metodai, motyvacija

SOCIALINIAI MOKOMIEJI TINKLAI SUAUGUSIŲJŲ PROFESINĖS UŽSIENIO KALBOS MOKYMESI

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SANTRAUKA. Pranešime analizuojama socialinių mokomųjų tinklų taikymo galimybės profesinės užsienio kalbos nuotolinėse ir tęstinėse studijose. Lyginami socialinių ir socialinių mokomųjų tinklų tikslai ir turinys.

Socialiniai tinklai – interneto dalis, kuriai priskiriama tiek įvairūs diskusijų forumai, tiek sudėtingi visuomeniniai interneto projektai. Visų socialinių tinklų tikslas – bendravimas, dalijimasis tomis pačiomis vertybėmis. Socialinių tinklų turinys priklauso nuo forumo paskirties.

Socialiniai mokomieji tinklai yra socialinių tinklų tipas. Jų turinys – edukacinis, orientuotas į praktinių užsienio kalbos gebėjimų ugdymą. Socialiniai mokomieji tinklai – tai mokomosios medžiagos sklaidos programa, kurios tikslas – bendradarbiavimas. Mokomieji tinklai, su integruota vaizdo, garso ir kt. autentiška medžiaga, yra efektyvi papildoma mokomoji priemonė profesinės užsienio kalbos mokymuisi virtualioje aplinkoje.

Pranešime apžvelgiama profesinės užsienio kalbos nuotolinių ir tęstinių modulių rengimo specifika pasitelkiant grįžtamąjį ryšį.

Analizuojamas pačių studentų socialinių mokomųjų tinklų, bei dėstytojo ir studentų, studentų tarpusavio bendravimo / bendradarbiavimo virtualioje aplinkoje vertinimas.

Raktiniai žodžiai: socialiniai tinklai, socialiniai mokomieji tinklai, užsienio kalbos mokymas/sis, virtuali mokymosi aplinka.

1. Įvadas

Globalizacija ir technologijų pažanga lemia tai, kad socialinės medijos, populiarėjantys socialiniai tinklai užkariauja vis platesnes erdves žmogaus visuomeniniame ir asmeniniame gyvenime. Socialiniai tinklai padėdami bendrauti, dalintis informacija, keičia bendravimo įpročius, tarpusavio santykius.

Pranešime apibendrinami tyrimai, atlikti Kanadoje, Ispanijoje, Prancūzijoje, Šveicarijoje panaudojant socialinius tinklus užsienio kalbų mokyme/si. Kalbant apie socialinių tinklų panaudojimą mokant/is užsienio kalbų, išskiriami šie aspektai:

- pedagoginės praktikos sklaida už klasės ribų, galimybė bendrauti su asmenimis virtualioje aplinkoje (Tomé 2007);
- socialinių tinklų dalyvių gebėjimas bendrauti, keistis informacija su kitais bendruomenės nariais (Tomé 2007);
- autentiško mokomojo turinio integravimas į mokymo procesą priartinant užsienio kalbos mokymą/si prie realių gyvenimo situacijų (Demange-Ducrot 2006, Rosell-Aguilar 2007, Tomé 2007, 2009a, 2009b).
- socialinio – konstruktyvistinio mokymo metodo aktyvinimas: besimokantysis konstruoja savo žinias, modeliuoja savo tapatybę ir kompetencijas bendraudamas su kitais nariais socialiniuose tinkluose. (Rosell-Aguilar 2007);
- socialinių tinklų naudojimas yra motyvaciją skatinantys veiksnys, įtakojantis sėkmingą mokymosi procesą (Tomé 2009a).

Pranešimo tikslas - socialinių ir socialinių mokomųjų tinklų tikslo ir turinio esminių skirtumų analizė, socialinių mokomųjų tinklų efektyvumas mokant/is užsienio kalbų. Socialiniai tinklai – interneto dalis, kuriai priskiriama tiek įvairūs diskusijų forumai, tiek sudėtingi visuomeniniai interneto projektai. Visų socialinių tinklų tikslas – bendravimas, dalijimasis tomis pačiomis vertybėmis. Socialinių tinklų turinys priklauso nuo forumo paskirties.

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Pranešime apžvelgiama profesinės užsienio kalbos nuotolinių ir tęstinių modulių rengimo specifika pasitelkiant grįžtamąjį ryšį su studentais, kolegomis, dalyko profesionalais.

Šiame straipsnyje analizuojami pirmos pakopos nuotolines ir tęstines studijas pasirinkusių studentų apklausų rezultatai. Kokybinio tyrimo tikslas: remiantis teorine bei empirine analize atskleisti socialinių mokomųjų tinklų poreikį profesinės užsienio kalbos mokymesi, įvertinti dėstytojo ir studento bei studentų tarpusavio bendravimo/bendradarbiavimo reikalingumą virtualioje aplinkoje.

Apklausoje dalyvavo 28 Viešojo administravimo ir Finansų ekonomikos I pakopos nuotolines ir tęstines studijas pasirinkę studentai.

2. Socialiniai tinklai ir socialiniai mokomieji tinklai, jų esminiai skirtumai

Socialinis tinklas yra interneto svetainė vienijanti tam tikrą, bendrų interesų turinčią narių grupę, kuri tarpusavyje keičiasi informacija, video, audio medžiaga ir t.t. Bene svarbiausia socialiniuose tinkluose – draugų, bendraminčių paieška, kontaktų plėtimas. Visų socialinių tinklų tikslas – bendravimas, dalijimasis tomis pačiomis vertybėmis, veiklomis. Pagrindiniai socialinių tinklų tipai skirstomi pagal narių kategorijas (pvz. kursiokai, kolegos). Populiaru savo paskyrą derinti keliuose socialiniuose tinkluose (pvz. Facebook, Twitter, Netlog). Socialinių tinklų turinys priklauso nuo forumo paskirties. Juose skleidžiama įvairiausia, kartais visiškai netikėtos krypties, informacija, nes vartotojų grupės yra susijusios neprognozuojamais tarpusavio ryšiais: interesų, organizaciniais, giminystės ir kita.

Socialiniai mokomieji tinklai yra socialinių tinklų tipas. Socialinių mokomųjų tinklų, skirtų užsienio kalbų mokymuisi, tikslai: skatinti besimokančiųjų autentišką bendravimą užsienio kalba, ugdyti (tarp)kultūrines ir visas kalbines veiklos rūšis, o svarbiausia – bendradarbiauti keičiantis idėjomis, pasiūlymais įgyvendinant konkretų projektą.

Socialinių mokomųjų tinklų turinys – edukacinis, ugdantis kompetencijas, reikalingas problemos sprendimui, suteikiantis galimybę savarankiškai mokytis, kritiškai mąstyti.

Pedagoginė patirtis, grindžiama socialinių mokomųjų tinklų teikiamomis galimybėmis, yra patraukli keliais aspektais: socialinių mokomųjų tinklų edukacinis turinys, naudojimosi instrukcijos, juose pateikiamos nuorodos į kitus mokomuosius portalus, vartotojų komentarai, diskusijos yra virtualioje, visiems prieinamoje erdvėje. Pateikčių, vaizdo, garso ir kt. priemonių integravimas į studijų procesą ugdo besimokančiųjų kalbines kompetencijas. Atsiveria konstruktyvizmo idėjų praktinio taikymo galimybės mokantis profesinės užsienio kalbos.

Iš socialinių mokomųjų tinklų išskirtume keletą rekomenduojamų Finansų ekonomikos ir Viešojo administravimo bakalauro studijų studentams, pasirinkusiems tęstines ir nuotolines studijas:

foreignerinlille.ning.com/, campusfle.ning.com/ – besimokantiems prancūzų kalbos. Turint jame savo paskyrą, galima publikuoti straipsnius, palikti komentarus, susirasti bendraminčių;

beebac.com/pg/topics/rise/marketing; cours-seko.fr/videos/VIDEOS-eco/videos-eco.html – video paskaitos Finansų ekonomikos studentams; beebac.com/pg/topics/cours_seko__le_bac_ses_en_videos Finansų ekonomikos ir Viešojo administravimo studentams.

2.1. Studentų socialinių mokomųjų tinklų vertinimas

Semestro pabaigoje studentai turėjo įvertinti socialinių mokomųjų tinklų naudojimo tikslingumą mokantis profesinės užsienio (prancūzų) kalbos. Apklausoje dalyvavo 28 I pakopos Viešojo administravimo ir Finansų ekonomikos nuotolinių ir tęstinių studijų studentai. Buvo vertinamas socialinių mokomųjų ir socialinių tinklų populiarumas studentų tarpe.

Gauti duomenys kalba patys už save. Visi studentai kasdien naršo internete(1). Iš dvidešimt aštuonių (2.1) tik 4 (2.2) lankosi socialiniuose mokomuosiuose tinkluose, turi juose savo paskyras (4). Beveik kasdien studentai prisijungia prie savo paskyros socialiniuose tinkluose (3). Tik 4 studentai kasdien prisijungia prie savo paskyros socialiniuose mokomuosiuose tinkluose (4). Tie patys 4 studentai socialiniuose mokomuosiuose tinkluose ieško informacijos, jų forumuose susirado bendraminčių frankofonų (5.1,3). 20 studentų teikia pirmenybę interaktyviems pratimams (5.2). Visi studentai pripažįsta socialinių mokomųjų tinklų naudingumą (6). Komentaruose keliolika studentų pažymėjo, „kad socialiniai mokomieji tinklai skirti jau prancūzų kalbą įvaldžiusiems studentams“. Apie socialinių mokomųjų tinklų efektyvumą teigiamai atsiliepė 15 studentų (7). Tarp jų - 4 laisvai kalbantys prancūziškai, dirbę ir / ar mokęsi frankofoniškose šalyse (9).

Kiti vienuolika studentų tiesiog paminėjo rekomenduojamą lepointdufle.net portalą, kuriame gausu medžiagos skirtos visų lygių besimokantiems prancūzų kalbos.

1 lentelė – **Studentų socialinių mokomųjų tinklų vertinimas mokantis profesinės užsienio kalbos.**

1.	Kiek vidutiniškai valandų per dieną praleidžiate naršydami internete?	Mažiau nei val. 1 val. ir daugiau	- 28
2.	Kokio pobūdžio tinklalapiuose dažniausiai lankotės?	1 Socialiniuose tinkluose (Facebook.com; Twitter.com; Youtube.com; *Dailymotion.com*) 2 Socialiniuose mokomuosiuose tinkluose (foreignerinlille.ning.com/, campusfle.ning.com/ beebac.com/pg/topics/rise/marketing ; cours-seko.fr/videos/ VIDEOS-eco/videos-eco.html - video beebac.com/pg/topics/ cours_seko__le_bac_ses_en_videos)	28 4
3.	Kaip dažnai prisijungiate prie savo paskyros socialiniuose tinkluose?	Kasdien Kelis kartus per savaitę ir rečiau	25 3
4.	Kaip dažnai prisijungiate prie savo paskyros socialiniuose mokomuosiuose tinkluose?	Kasdien Kartą per savaitę ir rečiau	4 24
5.	Kokie buvo Jūsų dažniausi veiksmai per paskutinius 5 prisijungimus prie socialinio mokomojo tinklo?	Informacijos paieška Interaktyvių pratimų atlikimas Susirašinėjimas su draugais	4 24 4
6.	Ar naudingi socialiniai mokomieji tinklai mokantis profesinės užsienio kalbos? Pakomentuokite savo teiginį.	Taip Ne Abejoju	28
7.	Ar socialiniai mokomieji tinklai yra efektyvi priemonė mokantis profesinės užsienio kalbos? Pakomentuokite savo teiginį.	Taip Ne Abejoju	15 7 5
8.	Jūsų amžius:	18-25 26-30 31 ir daugiau	11 10 7
9.	Ar esate dirbęs, mokęsis frankofoniškoje šalyje?	Taip Ne	4 24

3. Nuotolinių ir tęstinių studijų modulių rengimo ypatumai

Profesinės užsienio kalbos tęstinėse ir nuotolinėse studijose akcentuojamas dėstytojo ir studentų bendradarbiavimas. Dėstytojai siekia tiesioginio grįžtamojo ryšio iš studentų, nes dėstytojo vaidmuo ypač svarbus kuriant palankią mokymosi aplinką, o studentai, savo ruožtu, išsakydami savo nuomonę, yra dalinai atsakingi už tai, kokios kokybės studijas gaus. Toks bendradarbiavimas yra įmanomas dėl internetinėje erdvėje teikiamų tiesioginių bendravimo priemonių: Skype ir tiesioginio susirašinėjimo (*pranc. clavardage; ang. chat*) ir susirašinėjimo skirtingu laiku: forumų. Bendradarbiavimas būtinas atliekant įvairias grupines užduotis, konsoliduojant virtualią bendruomenę, pasirinkusią nuotolines ir tęstines studijas.

3.1. Profesinės užsienio kalbos dėstymo specifika

Auditorija labai įvairi pagal kalbos mokėjimo lygį. Skirtinga ir auditorijos motyvacija. Vieni mokosi profesinės užsienio kalbos norėdami susirasti draugų, užmegzti kontaktus su tą pačią specialybę studijuojančiais kolegomis frankofonais, skaityti profesinę literatūrą originalo kalba, dalyvauti tarptautinėse konferencijose, rengti, skaityti pranešimus užsienio kalba. Kita auditorijos dalis mokosi, nes tai yra privalomas studijų dalykas. Jiems tereikia išsilaikyti egzaminą, surinkti reikiamą kreditų skaičių. Iš čia kyla būtinybė analizuoti auditoriją, kad būtų galima parengti tokią mokymosi programą, kuri optimaliai atitiktų jos poreikius.

3.2. Besimokančiųjų ir modulio rengėjų / dėstytojų sunkumai

Primestinė pareiga. Kai kurie studentai yra verčiami darbdavių studijuoti aukštojoje mokykloje. Tokiu atveju studentai neturi galimybės rinktis, o ypač profesinės užsienio kalbos, kadangi tai yra privalomas dalykas. Priverstinis pasirinkimas nepadidina studento motyvacijos mokytis. Tokia situacija turi neigiamas pasekmes, nes priverstinis darbas atliekamas atmestinai, vilkinant laiką.

Psichologiniai sunkumai. Kai kurie besimokantieji susiduria su psichologinėmis problemomis. Tai būdinga vyresnio amžiaus studijuojantiems. Jiems atrodo, kad bus *sunku* – beveik *neįmanoma* suspėti su jaunesniojo amžiaus kolegomis. Šis psichologinio diskomforto jausmas kartais pastumia studentą atsisakyti studijų. Taigi, nuotolinių ar ištęstinių studijų modulių profesinės užsienio kalbos rengėjai turi atsižvelgti į visus šiuos sunkumus.

Modulio rengėjas neturi jokių kontaktų su būsima auditorija. Jis turi susidaręs tik būsimo profesinės užsienio kalbos modulio bendrą vaizdą. Jam tenka sunki užduotis: suformuluoti hipotezes apie kalbinius auditorijos poreikius. Neturėdamas priešlaikinių kontaktų, rengėjas jų negali nei patvirtinti, nei paneigti. Pradėjęs dėstyti kursą, susipažinęs su studentais, modulio rengėjas susidaro detalesnį vaizdą apie auditoriją. Tik tuomet paaiškėja, ar reikia koreguoti, o gal net keisti kai kurias temas. Todėl būtina nuolatos bendrauti su studentais visais būdais, kuriuos teikia šiuolaikinės technologijos.

Specialybės išmanymas rengiant nuotolinių studijų modulius*.* Rengdamas profesinės užsienio kalbos nuotolinių studijų modulį dalykui, dėstytojas neprivalo būti tos srities specialistu. Jo tikslas – paruošti specialistus galėsiančius tinkamai pasinaudoti kalbiniais gebėjimais komunikacinėse situacijose. Profesinė užsienio kalba turi būti integruojama su kitais dalykais įvairiomis kryptimis, nes juos visus sieja bendri mokymosi tikslai, kryptys, pasirinktas profilis. Rengėjui privalu užmegzti kontaktus su studentais, kolegomis, dalyko profesionalais, kad perprastų profesinės gimtosios ir užsienio kalbos žodyno specifiką. Tam tikslui dėstytojas gali pasinaudoti socialiniais tinklais, skaityti specialią literatūrą internete, diskutuoti forumuose.

Šaltinių rinkimas*.* Rengdamas profesinės užsienio kalbos modulį, susiduriama su visiškai nauja sritimi. Taigi privalu nuolatos ieškoti šaltinių, juos kaupti.

Besimokančiųjų poreikių kitimas studijų procese. Kartais dėstytojas, bendraudamas su studentais, išgirsta pastarųjų pageidavimus vieną temą pakeisti kita. Tokia situacija susiklostė parengus modulį Profesinė užsienio kalba Finansų ekonomikos studijų programai. Šiuo atveju dėstytojas privalo peržvelgti iš naujo temų sąrašą. Kartais nelengva pakeisti paruoštą medžiagą nauja, nes tai reikalauja nemažai laiko sąnaudų. Tačiau šiuolaikinės technologijos gerokai palengvina ir paspartina dėstytojui atlikti šią užduotį.

4. Bendravimas virtualioje aplinkoje

4.1. Dėstytojo ir studento bendravimas

Nuotolinio ir tęstinio mokymosi procese dėstytojas studentui tampa savotišku gidu, padėjėju, patarėju. Todėl būtinas tarpasmeninis ryšys tarp dėstytojo ir studento. Toks ryšys su studentais įmanomas susirašinėjant forumuose, bendraujant Skype.

Dėstytojo ir studento bendravimas forumuose. Šis bendravimo būdas suteikia galimybę dėstytojui ir studentams bendrauti susirašinėjant skirtingu laiku. Gaila, bet dėstytojo atsakymai gali vėluoti nuo kelių minučių iki kelių valandų. Toks bendravimo būdas reikalauja, kad dėstytojas nutartu laiku budėtų prie kompiuterio.

Dėstytojo ir studento bendravimas susirašinėjant tiesiogiai. Šis bendravimo būdas sustiprina tarpasmeninius ryšius tarp šalių, leidžia keistis informacija realiu laiku.

Dėstytojo ir studento telefoniniai pokalbiai Skype. Žodinė komunikacija užima svarbią vietą mokantis užsienio kalbos. Ypač tai aktualu nuotolinių ir tęstinių studijų studentams. Štai kodėl jie skatinami prisijungti prie Skype dėstytojo nurodytu laiku. Ir nebūtina kalbėti tik profesinės užsienio kalbos temomis. Čia galima ugdyti studento bendrinės užsienio kalbos komunikacines kompetencijas. Svarbu, kad studentai kalbėtų užsienio kalba. Ne visada viskas sklandžiai pavyksta. Ypač per pirmąsias konferencijas. Tokios veiklos tikslas – ugdyti studentų kalbines kompetencijas. Virtualus žodinis bendravimas Skype padeda nukreipti studentus reikiama kryptimi, sukurti draugišką ir geranorišką atmosferą tarp bendraujančiųjų.

Šie įvairūs bendravimo būdai tarp studentų ir dėstytojo vaidina pagrindinį vaidmenį ugdant praktinius profesinės užsienio kalbos gebėjimus pagal keturias kalbinės veiklos rūšis: klausymą, skaitymą, kalbėjimą ir rašymą.

4.2. Bendravimas tarp studentų

Nuotolinėse ir tęstinėse studijose didelis vaidmuo tenka studentų tarpusavio bendravimui. Jie gali bendrauti įvairiais būdais: įvairiuose forumuose, elektroniniu paštu, Skype, telefonu.

Bendravimas forumuose stiprina studentų tarpusavio ryšius. Dėstytojai skatina studentus nuolat tarpusavyje bendrauti, ieškoti draugų tarp frankofonų, keistis idėjomis, pasiūlymais, naujomis naudingomis nuorodomis, aptiktomis internete.

Studentų susirašinėjimas tiesiogiai (*pranc*.clavardage). Čia vyksta diskusijos apie bendrą projektą, keičiamasi idėjomis, pasiūlymais.

Šie interaktyvūs – studentų ir dėstytojo, studentų tarpusavio bendravimo/bendradarbiavimo būdai virtualioje aplinkoje yra būtini, pasirinkus nuotolines ir tęstines studijas. Semestro pabaigoje studentai turėjo įvertinti virtualius bendravimo/bendradarbiavimo būdus tarp mokymo/si proceso dalyvių.

2 lentelė. **Dėstytojo ir studento bei studentų tarpusavio bendravimo/bendradarbiavimo vertinimas**

1.	Kuris iš išvardintų bendravimo / bendradarbiavimo būdų su dėstytoju Jums patraukliausias? Pakomentuokite savo pasirinkimą.	1Susirašinėjimas skirtingu laiku Forumuose; Elektroniniu paštu	 0 28
		2 Susirašinėjimas tiesiogiai Skype; Universiteto e-studijų forume	 11 28
		3 Telefoniniai pokalbiai Skype	4
2.	Kuris iš išvardintų studentų tarpusavio bendravimo/ bendradarbiavimo būdų Jums patraukliausias? Pakomentuokite savo pasirinkimą.	1 Susirašinėjimas skirtingu laiku Forumuose; Elektroniniu paštu	 28 28
		2 Susirašinėjimas tiesiogiai Skype, Universiteto e-studijų forume	 28 4
		3 Telefoniniai pokalbiai Skype	28

Iš lentelės duomenų matyti, kad iš galimų susirašinėjimo priemonių su dėstytoju skirtingu laiku, studentai renkasi elektroninį paštą (1.1). Susirašinėjant tiesiogiai, universiteto e-studijų forumas daug patrauklesnis už Skype (1.2). Komentuodami savo pasirinkimą, studentai pabrėžė, kad e-studijų aplinkoje „telpa viskas viename : ir dalyko medžiaga, ir interaktyvūs pratimai, ir galimybė pasikonsultuoti su dėstytoju". Telefoniniai pokalbiai Skype teigiamai įvertinti tik keturių studentų (1.3). Analizuojant studentų tarpusavio bendravimą susirašinėjant skirtingu laiku išaiškėjo, kad forumai ir elektroninis paštas tarp studentų itin populiarūs (2.1). Susirašinėjant tiesiogiai, Skype teikiama pirmenybė. Studentų komentaras: " e-studijų forume paliktus įrašus gali stebėti ir dėstytojas". Telefoniniai pokalbiai Skype yra taip pat priimtini (2.3).

Šių interaktyvių veiksmų analizė atskleidžia jų reikalingumą įvairiuose nuotolinių ir ištęstinių studijų proceso etapuose.

Išvados

Atlikus teorinę ir empirinę analizę, galima teigti, jog:

1. Socialinių mokomųjų tinklų ištekliai nėra gausūs.
2. Studentų kalbinės žinios, įgytos bendrojo lavinimo mokykloje, neatitinka universiteto išankstinių reikalavimų.
3. Socialiniai mokomieji tinklai įdomūs tik gerai prancūzų kalbą įvaldžiusiems studentams.
4. Socialinius mokomuosius tinklus galima rekomenduoti studentams kaip papildomą mokomąją priemonę.
5. Bendravimas ir bendradarbiavimas virtualioje aplinkoje tarp visų dalyvių padeda užmegzti ir palaikyti grįžtamąjį ryšį, nesijausti izoliuotiems, didina motyvaciją gilintis į studijuojamą dalyką, ugdo tarp studentų sveiką konkurencijos jausmą.

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SOCIAL TEACHING NETWORKS IN ADULT TEACHING/LEARNING OF LANGUAGES FOR SPECIFIC PURPOSES

Dalija Žuvininkaitė

ABSTRACT. The presentation analyzes the possibilities of the application of social teaching networks in the adult education while learning languages for specific purposes in distant and continuing studies. The objectives and content of social and social teaching networks are compared.

Social networks are part of the internet which includes both different forums of discussions and complicated social internet projects. The aim of all social networks is communication and sharing the same values. The content of social networks depends on the purpose of the forum.

Social teaching networks constitute a type of social networks. Their content is educational and orientated towards the development of practical skills necessary for learning the foreign language. Social teaching networks are the programme of dissemination of teaching materials, its aim being communication. Social networks, with their integrated visual, sound and other authentic materials, are effective supplementary teaching methods of learning foreign languages in the virtual environment.

The presentation reviews the particularity of designing the modules of distant and continuing studies regarding the feedback.

The assessment of the communication/collaboration between social teaching networks of students themselves as well as between teachers and students in the virtual environment is also analyzed in the presentation.

Key words: social networks, social teaching networks, learning/teaching foreign languages, virtual learning environment.

CERTAIN ASPECTS OF DISTANCE LEARNING TOOLS' APPLICATION IN PART-TIME ESP STUDIES AND STUDENTS' MOTIVATION

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ABSTRACT. This paper aims at analyzing the impact of using Moodle distance learning tools in language teaching/learning process on intrinsic motivation of undergraduate students. A quantitative research has been conducted to reveal the purposes Moodle distance learning tools are used in and out of language classroom in part-time studies, how students themselves evaluate the impact of using such learning tools on the learning process. The article comprises a theoretical analysis carried out with the aim to establish reasons of applying Moodle distance learning tools in part-time studies and motivating factors in ESP teaching/learning. The present investigation into application of Moodle distance teaching/learning tools particularly focuses on the following issues: what Moodle distance learning tools students and their teachers use in and out of language classroom, what benefits for the teaching/learning languages they see in using such tools, and the general impact of using IT on students' motivation to study and explore the field of ESP. The results of the research show that the learning/teaching process is much more productive and effective if students participate in it for their own enjoyment and pleasure rather than for any tangible reward. This particularly refers to undergraduate students, as their form of study requires more out-of classroom time and effort. They are to work more individually. Therefore, creating an appropriate and favourable atmosphere and conditions for their effective learning is significant for enhancing their intrinsic motivation.

Keywords: Moodle, teaching/learning methods, IT application, ESP, motivation.

1. Introduction

Motivation is considered to be one of the most influential factors in second language acquisition. The development of intrinsic motivation can be fostered by autonomy-supportive environments which provide choices and options. Application of IT in teaching, which indeed can enhance students' autonomy, has become widespread in higher education institutions of Lithuania and is practically indispensible to the teaching/learning process. Some higher education institutions have already started using electronic teaching environments (such as Moodle) extensively not only for distance learning (DL), but also have tried to integrate application of these tools into part-time studies by providing the teachers with the possibility to create their subject's electronic environment on the institution's centralised distance learning website. The article aims to analyse the impact of using Moodle distance learning tools in language teaching/learning process on motivation of undergraduate students. This is a second paper in the series of research on IT application and motivation in ESP (Ušinskienė, et al, 2009). The present study particularly focuses on the following issues: what Moodle distance learning tools part-time students and their teachers use in and out of language classroom, what benefits for the teaching/learning languages part-time students see in using such tools, and the general impact of using IT on part-time students' motivation to study and explore the field of ESP. The purpose of this study is to establish what influence the use of Moodle distance learning tools in the teaching/learning process makes on student motivation to study ESP. The quantitative research was based on a closed-type questionnaire with the aim to establish if *the use of Moodle is a strong motivating factor for part-time students.*

2. Prior coverage of the issue and literature review

2.1. Motivation in students' learning

"Motivation has been suggested as a factor explaining individual differences in intensity and direction of behaviour" (Humphreys & Revelle, 1984). It is generally accepted that motivation is "an internal state or condition that serves to activate or energize behaviour and give it direction" (Kleinginna & Kleinginna, 1981).

Motivation has always been a key issue in the field of education. Motivation in education can have several effects on students learning process and their behaviour towards subject matter. "It can:

- Direct behaviour toward particular goals
- Lead to increased effort and energy
- Increase initiation of, and persistence in, activities
- Enhance cognitive processing
- Determine what consequences are reinforcing
- Lead to improved performance" (Ormrod, 2003).

It is important to think of motivation as the essence of language teaching. Researchers define motivation as an orientation toward a goal. This orientation can be positive, negative or ambivalent. Some scientists argue that motivation provides a source of energy that is responsible for learners efforts, duration of an activity and their involvement (Reeve, 1996).

Student motivation is influenced by both internal and external factors that can start, sustain, intensify, or discourage behaviour (Reeve, 1996).

Internal factors include the individual characteristics or dispositions that students bring to their learning, such as their interests, responsibility for learning, effort, values and perceived ability. For example, "are students confident or fearful when they approach new learning tasks? Do they attribute success to luck, or do they appreciate the effort required? Do they feel in control of the factors that lead to success?" (Ainley, 2004).

It is also important to understand the external factors, the variables in learning conditions and environment that provoke, support, or change student motivation. Certain types of schooling practices may aid or hinder motivation, such as atmosphere of the classrooms, peer groups, types of tasks, and instructional practices. These also include wish for high grades, fear of parental sanctions. For example, provoking, congruous instruction helps to engage students. Another way to increase motivation is through positive attitudes to others, such as mentors and role models (Ainley, 2004).

For language learners, mastery of a language may be a goal. For others, communicative competence or even basic communication skills could be a goal. In linguistics, sociolinguistics and second language acquisition, a number of language learner motivation models have been postulated. Works by Gardner et al are perhaps most known if not all accepted.

Gardner's socio-educational model: While Gardner (1982) identified a number of factors that are involved when learning a second language, it was earlier work by Gardner and Lambert (1959), which laid the foundations for the model. Gardner (1982) strives to find relations between four features of second language acquisition: the social and cultural milieu, differences of individual learners, the ambience and context. In Gardner's model, the most influential in second language learning are the following differences: intelligence, language aptitude, motivation, and situational anxiety.

Revised socio-education model: later Gardner (2001) presents a schematic representation of this model. This is composed of four sections: external influences, individual differences, language acquisition contexts, and outcomes. In the socio-educational model, motivation to learn the second language includes three elements. First, the motivated person promotes effort to learn the language. Second, the motivated person seeks to achieve a goal. Third, the motivated person will enjoy the process of learning the language.

Integrative Motivation: Crookes & Schmidt (1991) identified as the learner's orientation to achieve the goal of learning a second language. It means that learners have positive attitudes towards the target language group and show the desire to integrate into the target language community.

Instrumental Motivation: Hudson (2000) indicated the desire to obtain practical or concrete benefits from the study of a second language. Instrumental motivation has the goal to get some social or economic benefit through L2 achievement.

A teacher has to create the atmosphere for students, so that it can intrinsically motivate them studying rather than make them do it extrinsically. In other words, learning/ teaching process is more effective if students develop interests in the subject on their own rather than under outside pressures such as homework, tests and the like.

"When intrinsically motivated people engage in activities, it is because they find them interesting and satisfying and not because the activities lead to separable rewards or consequences" (Deci, 2004).

"Because intrinsic motivation relates positively to persistence, creativity, cognitive flexibility, and conceptual understanding, autonomy-supportive environments provide the context for greater learning outcomes such as increased classroom involvement, performance, and satisfaction" (Levesque, 2010).

2.2. Impact of computer-assisted language learning on students' motivation

Computers have become most popular among students because of a number of reasons: they can serve as a means of communication, getting information, or playing (Kuang-wu Lee, 2000). Student motivation is therefore increased. Computer-assisted learning makes students feel more independent whatever task or activity they are offered; it encourages collaborative learning for withdrawn students and allows each student to work at their own pace. Thus, this is taken into account by tutors as a beneficial method for language learning. Computer-assisted language learning gives students an opportunity to tackle a great amount of human experience. In such a way, they can learn by doing things themselves. Students feel free in the virtual environment as their role can change a lot. They can be not only receivers of knowledge, but they can also become the creators and facilitators for their group mates. Moreover, they can be given a chance to discover a lot of information sources in a relatively short period of time.

The use of the Internet as an instructional tool is rapidly increasing world-wide. Literature on online learning addresses, among other things, methods for constructing and managing an online course, ways of improving online teaching, are factors affecting success in online courses (Picard et al., 2004). Schools can positively influence student motivation through:

- Varied and integrated instructional strategies and resources
- An open and caring school environment
- A wide range of student supports
- Sharing information and responsibilities for student learning among the staff.

These techniques all promote student motivation for educational success.

Moodle DL tools have been widely analysed and used by tutors in higher educational institutions to facilitate and create a more effective teaching/learning process (Ken Beatty, 2010).

Among the tools, which tutors choose and widely use in their professional activity are discussion boards, which are usually presented in the form of forums, glossary tool, quizzes, Moodle assignment tool, database, lesson and wiki. Forums are found by most tutors as a very convenient form of communication with students at a distance. They provide a possibility for a tutor to send out course announcements to students, to organise online debates and case study discussions or to encourage students even to check their answers to the question provided together (Beatty, 2010). In addition to this, Glossary tool serves as facilitation for students in enriching vocabulary on a particular topic. Vocabulary entries can be added, checked and corrected not only by tutors, but also by students themselves. Obviously students are able to provide definitions of the terms, collocations and even translations into their native language. On the one hand this tool is good for tutors, as they can see who participate in the process of learning, and on the other hand the tool is good for students, as they work on the vocabulary on their own and it helps them remember a large number of words more easily (Clarke A., 2008). Quizzes and assignment tools are really helpful in assessing the process of learning, by providing different tasks which students have to accomplish online. It is very convenient because it saves time spent on face-to-face feedback, which tutors can easily provide online (Jason R. Cole, 2008). Database is a Moodle tool that can be used to facilitate the work for students in searching for the information required. Database contains different web links, a database of the titles or authors, download links and comments, discussions, etc.

Moodle offers a very useful function of cooperative text revision, Wiki, which is considered as a writing space, so most students can contribute to its creation. Thus wiki is a fast method of creating content as a group. It is collaborative work. The entire group can add, expand and exchange the content together. With the help of wiki group projects brainstorming and some collaborative creative work can be easily implemented.

Wiki is mostly used for group collaboration for creating group projects. A tutor, or instructor, gives each group a place to work by creating a wiki with a group mode enabled. He/she assigns a group project, can set the deadline for it in order to be able to grade the final version of the work. At the same time students can do research and record the data in their own space. They develop outlines and create the final product, which can be seen by other groups afterwards.

During a brainstorming session all group members are encouraged to express their point of view and to provide ideas they consider relevant to the group task. All those ideas are elicited by the tutor, or instructor, and submitted in a wiki to the entire class for further elaboration.

Wiki motivates students to perform the work diligently, because they know that it will be reviewed, analysed and criticised not only by their tutor, or instructor, but also by other members of the class (Jason R. Cole, 2008).

The lesson is a Moodle tool, which differs from other tools by its adaptive ability to a student’s choice to create a self-directed lesson. The material is presented in a series of HTML pages: question pages and content pages. Each page ends a question, to which a student must give an answer, so that a tutor can decide to let a student to pass to another page or to return to the previous one to find the correct answer (Jason R. Cole, 2008).

The Lesson tool is great for presenting information in a branched, guided way. This tool is meant for an individual activity, not for group work. It allows a tutor to assess his/her students’ learning. The lesson can be used as branched quiz, scenario, case study, role play (Jason R. Cole, 2008).

3. Methodology

Mykolas Romeris University (MRU) has extensively been applying Moodle learning environment f*or distance, part-time and full-time students, which has become a necessity and the main tool for communication between a teacher and students, for a couple of years now. Some teachers of MRU have recently started applying Moodle in part-time studies. The main questions that arise in connection to application of Moodle are 1) how could it be used with part-time students in and out of classroom for teaching ESP and 2) is the use of Moodle a strong motivating factor for part-time students?* With the aim to establish how the use of Moodle encourages and motivates *part-time* students, a quantitative research was carried out. Statistical analysis method was applied to interpret the results.

The aim of the research is to establish what influence the use of Moodle distance learning tools in the teaching/learning process has on part-time student motivation to study ESP.

The respondents of the research included 628 part-time first year undergraduate students from MRU who were enrolled on study programmes of Law, Public Administration, and Psychology in 2010 and 2011.

The research is based on a questionnaire given to the respondents, including questions on what Moodle distance learning tools students and their teachers use in and out of language classroom, what benefits for the teaching/ learning languages they see in using such tools, and the general impact of using IT on students' motivation to study and explore the field of ESP.

4. Interpretation of the research results

The research results let us draw the conclusion that part-time students and teachers use Moodle tools quite extensively for a great variety of purposes both for classroom interaction and outside the classroom; besides part-time students find using IT very much encouraging and motivating.

The most popular purposes of using Moodle in teaching/learning ESP as pointed out by the respondents are (in the order of frequency of application):

- Quizzes: Use to assess learning or as self-checks (100%)
- To present the materials (Word Document/ PowerPoint) (99%)
- Give link to a web page (98%)
- News Forums (Use to send out course announcements) (95%)
- Discussion Forum (92%)
- Assignment: Use to collect, assess & provide feedback on assignments (89%)
- Create Database: Allow students to collect, share & search created artefacts (76%)
- Other (blogs, wikis) (38%)
- Lesson: Use for presenting branched info or testing (23%)
- Glossary (15%)

The opinions of the respondents on the impact of the use of IT on their learning process are in general very positive, with only a few negative answers (see Table 1). The obtained results let us draw the conclusion that part-time students view Moodle as a quite attractive tool for studying languages, which can help motivate students, make the study process more interesting, encouraging and attractive. Respondents find Moodle very useful, especially for interactive activities, such as quizzes, collaborative (wikis) and individual (blogs) writing assignments.

Table 1. **The respondents' attitude towards the use of Moodle in the learning process**

Statements:	Absolutely agree, %	Agree, %	Agree to some extent, %	Not really, %	No/ disagree, %
I enjoy using Moodle in class (e.g. looking for information, individual work, etc.)	94	4	2	-	-
I enjoy using Moodle out of class (e.g. preparation, looking for information, homework assignments, projects, etc.)	65	9	15	1	-
I like teachers using Moodle in class (e.g. to present new materials, etc)	89	7	4	-	-
I find using Moodle in class interesting	66	31	2	1	-
I find using Moodle in the study process challenging	32	48	12	6	-
Moodle helps to use and develop my skills effectively	39	29	19	13	-
Using Moodle encourages me to find more about the subject I study	62	28	9	1	-
With the use of Moodle I can distribute the workload more precisely and effectively (I can work at my own speed)	90	9	1	-	-
With the use if Moodle I can define achievement goals (performance or mastery)	81	15	4	-	-

Almost all part-time students enjoy using Moodle in and out of classroom, as it allows them to distribute the workload more precisely and effectively, which is indispensable to efficient part-time studies. They also enjoy their teachers using Moodle in class, e.g. to present new material. Most of the respondents find using Moodle interesting and encouraging, as well as rather challenging. All these factors tend to enhance students' motivation in general. Integration of Moodle into the language teaching/learning process can also help encourage and motivate part-time students to explore the subject more intensively and develop their ESP skills more effectively.

Conclusions

Using technology/Moodle in the learning/teaching process is indispensable for part-time students' motivation. It is known that motivation depends on the external and internal factors, i.e. students' individual differences and abilities, interaction with teachers and groupmates, student's achievements and some outside experiences, etc. So creating a suitable environment for a student can improve the process of learning/teaching and increase their internal motivation. Some research show that using information technologies and Moodle environment can enhance students' motivation in a number of reasons: extending learning, helping with revision, allowing moving ahead at each student's own pace, helping to keep up with difficult topics. Through working in the Moodle environment students can be involved in collaborative work, so they can discuss the issues, share the views, create glossaries, etc. Moodle is available at any time to students with an Internet connection. The research shows that Moodle can motivate part-time students to perform better academically, as they feel that they can reach the desired goal themselves and distribute the workload more precisely and effectively. They are more interested in mastering topics and their skills rather than achieving good grades. Therefore, the role of a tutor has a great impact on the learning/teaching process, and the enhancement of their motivation. A tutor must be a facilitator who provides individualized attention to each student and immediate feedback for students to know if they are in the right direction. Constant distance collaboration with other groupmates and a tutor encourages even shy and inhibited students to discuss the issues, share the views, create glossaries, etc. Students believe that distance learning makes the learning process more flexible, allows learners to choose the most convenient time, place and pace of learning.

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DĖL TAM TIKRŲ DISTANCINIO MOKYMO PRIEMONIŲ NAUDOJIMO ASPEKTŲ NEAKIVAIZDINĖSE STUDIJOSE IR STUDENTŲ MOTIVACIJOS

Liudmila Pogožilskaja, Helma Jankauskaitė, Olga Ušinskienė

SANTRAUKA. Besimokant profesinės užsienio kalbos motyvacija tampa didžiausią įtaką turinčiu faktoriumi. Vidinę motyvaciją gali skatinti mokymosi aplinka, užtikrinanti savarankiškumą ir remianti pasirinkimo galimybes. Informacinių technologijų taikymas mokymo procese, kuris žymiai didina studentų savarankiškumą, plačiai paplito Lietuvos aukštosiose mokyklose ir tapo beveik neatskiriamas nuo mokymo/mokymosi proceso. Kai kurios aukštosios mokyklos jau pradėjo plačiai naudoti elektronines mokymo aplinkas (tokias kaip Moodle) ne tik nuotolinio mokymo tikslams, bet ir pabandė integruoti šias galimybes į dienines bei neakivaizdines studijas, tuo suteikdamos dėstytojui sąlygas sukurti savo dalyko aplinką aukštosios mokyklos centralizuotai naudojamoje nuotolinių studijų svetainėje. Studentų požiūriu nuotolinis mokymas turi daugelį privalumų, suteikia mokymo(si) procesui lankstumo ir leidžia besimokantiesiems pasirinkti jiems patogiausią mokymosi laiką ir vietą, bei mokymosi tempą. Straipsnyje analizuojama Moodle elektroninės aplinkos taikymo kalbų mokymo/mokymosi procese įtaka besimokančiųjų motyvacijai. Buvo atliktas kiekybinis tyrimas, kuriuo siekta atskleisti Moodle elektroninės aplinkos nuotolinio mokymo priemonių taikymo kalbų mokymo auditorijose ir už jų ribų tikslus, bei nustatyti kaip patys studentai vertina tokių mokymo priemonių taikymo įtaką mokymo procesui. Straipsnyje pateikta teorinė analizė, kuri buvo atlikta siekiant nustatyti Moodle aplinkos taikymo dieninėse studijose motyvus ir motyvacijos faktorius. Norint nustatyti, kaip Moodle nuotolinio mokymo aplinkos naudojimas skatina ir motyvuoja neakivaizdinių studijų studentus, Mykolo Romerio universitete buvo atliktas kiekybinis tyrimas. Tyrimo tikslas yra nustatyti, kokią įtaką Moodle nuotolinio mokymo aplinkos naudojimas mokymo / mokymosi procese turi besimokančiųjų motyvacijai studijuoti profesinę anglų kalbą. Atliekant tyrimą ypatingas dėmesys skirtas šiems klausimams: kokias Moodle nuotolinio mokymo aplinkos priemonės besimokantieji ir dėstytojai taiko kalbų mokymo auditorijose ir už jų ribų, kokius tokių priemonių privalumus jie mato, ir kokia yra bendra IT taikymo įtaka besimokančiųjų motyvacijai studijuoti ir gilintis į profesinės anglų kalbos sritį. Tyrime dalyvavo Mykolo Romerio universiteto studentai. Tyrimo rezultatai rodo, kad mokymo/si procesas yra daug veiksmingesnis, jei studentai dalyvauja jame dėl savo malonumo, o ne dėl kokio nors materialinio atlygio. Tai ypač liečia pirmosios pakopos neakivaizdinių studijų studentus, nes jų studijų forma reikalauja daugiau savarankiško darbo, laiko ir pastangų. Jie turi daugiau dirbti individualiai. Todėl yra svarbu sukurti tinkamą ir palankią atmosferą ir sąlygas jų veiksmingam ir efektyviam mokymuisi, kad būtų galima padidinti jų vidinę motyvaciją. Tyrimai rodo, kad neakivaizdinių studijų studentams sekasi geriau, kai jie turi aukštą vidinę motyvaciją, kai jie žino, kad jie galėtų pasiekti norimą tikslą, įgyti žinias, susijusias su jų darbo sritimi. Juos labiau domina tai, kaip geriau įsisavinti temas ir įvaldyti įgūdžius, o ne tai, kaip gauti gerus pažymius. Todėl dėstytojo vaidmuo motyvuojant studentus mokymo/si procese yra labai svarbus.

CASE STUDY: LEARNERS' ATTITUDES TO CORRECTION OF MISTAKES

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Abstract. The objective of the research is to explore learners' attitudes to correction of mistakes or feedback as a language learning tool in oral, electronically- and paper-written work as well as peer correction of mistakes. Both correction and assessment depend on mistakes being made, reasons for mistakes, and class activities. Recently the value of feedback in language studies has been a matter of debate among language teaching practitioners. However, at university level the issue of feedback has been examined passingly and there is not sufficient research into learners' attitudes to feedback in English for Specific Purposes.

The hypothesis for the present study is to find out whether criticism has a negative impact on student confidence and whether perceptions of feedback depend on professional specialization.

The research methods. A survey of students' perceptions of teachers' feedback in various class activities was administered to various groups of undergraduate students of psychology and penitentiary law.

The respondents in this research have been the students of two different specializations, penitentiary law and psychology, who study English for Specific Purposes at the Faculty of Social Policy, Mykolas Romeris University, Vilnius, Lithuania.

The results obtained. The results indicated that feedback was considered helpful though correction of written work was more appreciated than correction of speech. Students believe that in order to improve writing skills, it is necessary to receive teacher's feedback on written work both on paper or submitted electronically. They prefer immediate correction of errors in spite of its impracticality and claim that individual correction of mistakes by teacher is useful. Differences between the responses of students who study two disciplines were slight. Attitudes to feedback do not differ significantly – specialization is not very relevant. Criticism did not appear to undermine self-esteem, though some students were more confident than other students. Perceived merits of oral, handwritten, electronic, teacher and peer feedback as well as the value of statistical analysis in interpretation of data are discussed in this study. All the things considered might help learners to be successful in improving language skills.

Key words: English for specific purposes, feedback, written work, oral production, peers.

1. Introduction

Error correction, or feedback, has been used in language teaching / learning for a long time, but its benefits have been questioned by some language teachers. Lately teachers' attitudes to feedback seem to undergo a revival stage as a useful teaching device in secondary schools (Allah, 2008; Brandt, 2008; Wang, 2008). It is argued in favor of delivering feedback which can help develop writing and speaking skills as well as learn grammar and vocabulary. However, at university level the issue of feedback has been examined passingly and there is not sufficient research into learners' attitudes to feedback in English for Specific Purposes (ESP).

This paper aims at investigating students' attitudes to feedback and drawing conclusions at its suitability at university level.

The objective of the research: to explore learners' attitudes to feedback as a language learning tool in oral, electronically- and paper-written work as well as peer correction of mistakes.

The research methods used: a survey of students' perceptions of teachers' feedback in various class activities, statistical treatment of students' responses using Statistical Package for the Social Sciences software (SPSS) in order to establish the level of significance for the two small sample of participants, and analysis of various types of feedback provided by either teachers or peers.

The respondents in this research have been the students of two different specializations, penitentiary law and psychology, who study English for Specific Purposes at the Faculty of Social Policy, Mykolas Romeris University, Vilnius, Lithuania.

2. Literature review

In this section, previous research into positive and negative feedback in the English classroom, teachers' and learners' preferences for error correction and the latest technological developments that provide the learner with various levels of interactivity have been examined.

2.1. Three types of mistakes

Feedback may be defined as information supplied to learners concerning some aspect of their performance on a task, by a peer or a teacher, with a view to improving language skills. It includes not only correcting learners, but also assessing them. Both correction and assessment depend on mistakes being made, reasons for mistakes, and class activities. In linguistics, the definitions of „mistake" and „error" are rather diverse. According to Ancker (2000), a mistake is a performance error that is either a random guess or a slip, it is a failure to utilize a word correctly, and an error is a noticeable deviation from the language of a native speaker.

J. Edge (1989) suggests dividing mistakes into three types: slips, errors and attempts. „Slips" are mistakes that students can correct themselves; „errors" are mistakes which students cannot correct themselves; „attempts" are student's intentions of using the language without knowing the right way. In this article, either the most common linguistic term „error" or the students' preferred term „mistake" will be used interchangeably.

2.2. Types of feedback

It is thought that that not all students' errors should be corrected because errors are normal and unavoidable during the learning process. The nature of teacher feedback differs widely among teachers and classes and depends on such factors as course objectives, assignment objectives, marking criteria, individual student expectations, strengths, weaknesses, and attitude toward writing (Harmer, 2000). Current theories of how people learn languages suggest that habit formation is only one part of the process. There are many reasons for errors to occur: interference from the native language, an incomplete knowledge of the target language, or its complexity (Edge, 1989). Some researchers suggest that feedback to second language writing falls somewhere between two extremes – evaluative or formative feedback (McGarrell & Verbeem, 2007). Evaluative feedback typically passes judgement on the draft, reflects on sentence-level errors, and takes the form of directives for improvement on assignments. Formative feedback, which is sometimes referred to as facilitative, typically consists of feedback that takes an inquiring stance towards the text. Most of the research on feedback has dealt with the role of negative feedback in secondary education.

2.3. Different attitudes to error correction

Error correction or feedback remains one of the most misunderstood issues in foreign language teaching, and there is no consensus about it (Ancker, 2000). It is considered to be more effective when it is focused, contains relevant and meaningful data, it is descriptive rather than evaluative, and it contains a moderate amount of positive feedback with a selected and limited amount of negative feedback, it allows for response and interaction (Brandt, 2008).

The research into the effects of error correction is far from conclusive. Some authors suggest that error correction is ineffective and should be abandoned (Truscott, 1996). P. Wang (2008) describes the case study entitled "Changing teachers", which shows that some students may emotionally respond to the face threatening situations. Therefore, positive affective comments should be offered first to encourage learners and reduce the tension caused by error correction. It will avoid the hazards of demotivating students.

However, research has not explored important aspects of teachers' and students' preferences for feedback in error correction. The survey of 100 students' preferences for error correction claims that students equate good writing in English with error-free writing; moreover, learners expect and want all errors in their papers to be corrected (Leki, 1991). Additionally, in a survey of 47 students' attitudes towards classroom feedback procedures, H. Enginarlar

(1993) reports that students perceive surface-level error correction as effective teacher feedback. In the study investigating 824 students' and 92 teachers' beliefs about error correction and the benefit of a focus on form in language learning, R. Schulz (1996) reports some discrepancies among teachers as well as between teachers and students. Specifically, students are generally more receptive to receiving corrective feedback in both written and spoken language than teachers. A follow-up study (Schulz, 2001) that compares the 1996 data with responses elicited from 607 foreign language students and 122 teachers in Colombia reveals relatively high agreement between students as a group and teachers as a group across cultures on most questions. D. Nunan (1993) presents a study that examines the relationship between the attitudes of students and teachers to the various activities. The data show a clear mismatch between learners' and teachers' views in all but one activity, namely, conversation practice. Error correction in Nunan's book receives a very high priority of 7 out of 10 points among students, and very low priority of 2 among teachers. The comparison of teachers' and students' preferences for error correction is analyzed by Rula L. Diab (2006), who reveals various discrepancies between instructors' and students' preferences to error correction as well as differences in beliefs among instructors themselves. L. Diab recommends that teachers incorporate classroom discussions on error correction and feedback in order to help their students understand how feedback is intended to affect their writing.

Teachers' and students' expectations to error correction were examined by W. Ancker (2000). In his survey, 25% of 802 teachers and 76% of 143 students believed that all errors should be corrected. The most frequent reason given by teachers for not wanting correction is the negative impact of correction on students' confidence and motivation, and the most frequent reason given by students for wanting correction is the importance of learning to speak English correctly. The most important implication of these findings is to rectify the opposing expectations of teachers and students about how errors should be handled.

2.4. Peer and electronic feedback

The use of peer feedback in English writing classroom has been generally supported as a potentially valuable aid for its social, cognitive, affective, and methodological benefits. The affective advantage of peer response over teacher response is that it is less threatening, less authoritarian, and more supportive, but students judge it as less helpful; however, 80% of peers' comments were considered valid, and only 7% seen as potentially damaging (Rollinson, 2005).

Electronic feedback has drawn researchers' interest for more than two decades (Allah, 2008). Incorporating e-feedback along with face-to-face modes has been shown to yield the best results in terms of quality of feedback and impact on revisions. This technique involves students' learning preferences, which have positive influence on learning. According to Allah (2008), English teachers should deal with integrating electronic feedback with a balance of enthusiasm and caution because adopting new trends without careful planning can negatively influence students' performance.

Research into feedback on oral production is not numerous. However, language instructors are aware that many learners fail to notice their own mistakes in impromptu speaking. Error feedback and its effect on noticing errors in verbal production are explored by H. Sakai (2004), who pays particular attention to recasts, i.e. feedback defined as a corrected reformulation of language learners' erroneous utterances by the teacher.

3. Rationale for the study

This study has examined university students' attitude to feedback in various English class activities. Specifically the research addresses the questions of correction types and whether it is beneficial to learning. The above review of the relevant literature suggests that various types of feedback might benefit language learning. It is a matter of great relevance to teachers to find out what students' beliefs and views on error correction are and what trends are dominant. It is also important to investigate if learners specializing in different subjects need the same types of feedback.

4. Respondents and data collection

The study was conducted at the Faculty of Social Policy, Mykolas Romeris University, Vilnius. The participants were students specializing in either penitentiary law or psychology and studying English for Specific Purposes. In this research, there were 24 students of psychology and 26 students of penitentiary law. They were predominantly females at the intermediate English levels. The amount of time spent by students in the second language classes was 4 hours per week for 2 semesters, which amounts to about 130 hours of English instruction. Data were collected through administering a specially designed survey in accordance with the accepted standards for surveys in Social Sciences (Dornyei, 2003). The questionnaire was administered to all respondents, and the analysis of responses was conducted. The obtained data were statistically processed using the Statistical Package for the Social Sciences (SPSS) software, interpreted and described further on.

5. Results and discussion

5.1. Results

The students' responses to the survey on their attitudes to feedback are summarised in Table 1. The columns show the percentages of responses to the statements. The students rated each statement according to the five-point Likert scale by circling the appropriate number: 1 – strongly disagree, 2 – disagree, 3 - not sure, 4 – agree, 5 – strongly agree. For the sake of brevity, both positive responses "strongly agree" and "agree" and negative responses "strongly disagree" and "disagree" are added up. This approach does not distort the data. On the contrary, it allows displaying the findings in a compact way. The first column in Table 1 reproduces the survey statements. Three other columns show the percentage of psychology (PS) and penitentiary law (PL) students who disagreed, were not sure, or supported the statements.

Table 1. **Students' responses to the survey statements. The first percentage in the columns refers to the responses of the students who study psychology, and the second percentage – to the responses of the students who study penitentiary law.**

Survey statements	**Disagree (%)**		**Not sure (%)**		**Agree (%)**	
	PS	**PL**	**PS**	**PL**	**PS**	**PL**
1 Mistakes are natural	9	5	2	9	67	86
2 Immediate teacher's correction is preferable	13	11	13	41	74	48
3 Teacher's correction is generally effective	1	4	2	5	97	91
4 Hard to notice my own mistakes	30	30	13	16	57	55
5 All mistakes is speaking must be corrected	30	14	40	22	30	64
6 All mistakes in writing must be corrected	4	4	8	2	88	94
7 Correction of oral errors in class undermines the learner's self-esteem	39	44	43	29	18	27
8 Individual correction of mistakes in writing is useful	2	2	4	0	94	98
9 Peer feedback is beneficial.	45	50	40	30	15	20

1st Statement. Making mistakes in learning English is natural.

The first row of Table 1 demonstrates the participants' opinions on making mistakes in language acquisition. The majority of participants, 67% of the psychology students versus 86% of the penitentiary law work students feel that mistakes in learning are unavoidable. Moreover, in the interviews they claim it is important to think about one's own mistakes in order to learn from them. The percentage of doubters is rather high – 24% against 9%. Negative responses are very few: 9% versus 5%. However, the majority of learners emphasize in their interviews is that awareness of mistakes leads to linguistic development.

2nd Statement. Students prefer immediate teacher's correction of errors.

As many as 74% of students in the first group support this statement contrary to 48% of the second group, while 41% of the second group are not sure. The number of negative responses is similar in both specializations: 13% and 11%. From the practical viewpoint, it is impossible for teachers to correct mistakes immediately, particularly in conversation classes. Any interruption of communication might ruin the activity. The misleading perception of usefulness of immediate correction probably lies in respondents' experience at school, where some teachers feel it is their duty to make corrections as soon as possible. As it has been mentioned in the literature review section, the idea of immediate correction seems to be evaluative rather than formative, which is preferable.

3rd Statement. The teacher's correction is generally effective.

Essentially, a great majority of 97% versus 91% of participants agree with the idea of effectiveness of correction. The number of uncertain responses varies from 2% against 5%, the number of negative responses is 1% against 4%. This clearly demonstrates learners' positive perception of correction.

4th Statement. Students find it hard to notice their mistakes.

The findings for this statement are quite straightforward: over half of respondents agree with the point (57% versus 55%), and almost the third (30% versus 30%) disagree. The percentage of neutral answers is rather small (2%versus 5%). Obviously, this statement refers to the personal perception of each respondent, so the differences of views are natural.

5th Statement. Teachers should correct students' every mistake in speaking.

The attitudes to this statement differ significantly depending on specialization. About two-thirds of would-be psychologists either support or oppose the claim, and the rest 40% are not sure. The majority of students of another specialization (64%) agree, while 14% disagree, and 22% are not sure.

6th Statement. Teachers should correct students' every mistake in writing.

Students' attitudes to developing writing skills are predominant among other language skills and are conditioned by the examination requirements, which include writing a summary of professional texts. Statistics of responses reflects that: 88% against 94% back this statement with a few learners either opposing (4% versus 4%) or uncertain (8% versus 2%). Learners are aware of writing difficulties and potential pitfalls they encounter in writing activities, so feedback seems extremely important. Students keep making the same common mistakes that have been repeatedly pointed out to them. It is widely accepted that there are two distinct causes for the errors: interference of mother tongue and developmental errors (Harmer, 2000). These errors are part of the students' interlanguage - the version a learner has at the current stage of development.

7th Statement. The teacher's correction of student's oral errors in front of the class undermines learner's self-esteem.

Students do not seem to worry over undermining their self-esteem: their responses are similar and either negative (39% versus 44%) or uncertain (43% versus 29%). This is good news to teachers – error correction is not expected to affect learners' motivation or willingness to perfect language skills.

8th Statement. The teacher's individual correction of students' written mistakes is useful for learning ESP.

The vast majority of students (94% against 98%) feel positive about usefulness of individual error correction as it facilitates personal learning. A personalized learning of the language and getting relevant feedback to one's performance are very important to develop language awareness.

9th Statement. The peer feedback is beneficial.

Students do not find peers' feedback beneficial – only minority supports this statement. Almost half of the learners either disagree with the statement, or are not sure. The possible cause of this perception is unfounded fears of being criticized in public.

Summing up these findings, learners' responses are quite straightforward and unambiguous. To prove the point, however, the study must rely on statistical evaluation of the data as the number of respondents in this research is limited. Next section briefly describes the statistical procedure and the interpretation of the results.

5.2. Statistical processing of data

The obtained data have been processed statistically in order to determine how comparable and reliable the data are. Similarly as in our previous paper on alternative assessment of performance (Kavaliauskienė et al, 2007), Cronbach Alpha coefficient, which defines the reliability, was computed. It is found to be equal to 0.80, which is in a good agreement with the theory (Dornyei, 2003). The experimental findings have been processed using Statistical Package for the Social Sciences (SPSS). The Means and Standard Deviations for the responses of the students have been computed, and the t-test in data analysis has been applied. The *t*-test is the most frequently used measure in second language research when comparing mean scores for two groups. It is important to emphasize that *t*-test can be used successfully with very large or very small groups. The adjustment for group size is made by evaluating the degrees of freedom, which are determined by subtracting one from the number of participants in each group and then adding the two resulting numbers together. Here the degree of freedom $df = 48$. The critical values for t at different levels p of significance (one-tailed) are displayed in Table 2.

Table 2. **Means, Standard Deviations (SD), One-tailed Significance Levels *p,* and data interpretation.**

Survey statements	**Means / SDs PS**	**Means / SDs PL**	**Computed t, critical t values**	**Significance level p, data interpretation**
1 Mistakes are natural	3.89 0.72	3.91 0.72	$t = 0.289$ $t_{crit} = 1.684$	$p < 0.05$ NSD
2 Immediate teacher's correction is preferable	3.72 0.84	3.43 0.49	$t = 2.071$ $t_{crit} = 2.021$	$p < 0.025$ SD
3 Teacher's correction is generally effective	4.33 0.68	4.73 0.69	$t = 2.52$ $t_{crit} = 2.423$	$p < 0.01$ SD
4 Hard to notice my own mistakes	3.35 0.74	3.32 0.74	$t = 0.187$ $t_{crit} = 1.684$	$p < 0.05$ NSD
5 All mistakes is speaking must be corrected	2.91 1.03	3.57 0.93	$t = 3.14$ $t_{crit} = 2.704$	$p < 0.01$ SD
6 All mistakes in writing must be corrected	4.41 0.60	4.32 0.68	$t = 0.67$ $t_{crit} = 1.684$	$p < 0.05$ NSD
7 The teacher's correction of student's oral errors in front of the class undermines the learners' self-esteem	2.76 0.60	2.86 0.87	$t = 0.67$ $t_{crit} = 1.684$	$p < 0.05$ NSD
8 The teacher's individual correction of student's written mistakes is useful for learning ESP	4.30 0.72	4.25 0.68	$t = 0.69$ $t_{crit} = 1.684$	$p < 0.05$ NSD
9 The peers' feedback is beneficial	2.75 0.65	2.85 0.85	$t = 0.625$ $t_{crit} = 1.684$	$p < 0.05$ NSD

The first column in Table 2 reproduces the survey statements. The second and third columns display the Means (first line) and the Standard Deviations (SDs, second line). The fourth column in Table 2 shows computed t values for each statement and critical t values. The data interpretations based on comparison of computed and critical t values are presented in the fifth column. If computed t values exceed critical t values, it means that there is a significant difference (SD) between PS and PL learners' responses. The Level of Significance p is found from Critical t Tables (Brown, Rodgers, 2002). The smaller p value is, the higher probability P is. If the Significance Level p is relatively high, i.e. $p < 0.05$ (P = 99.95 %), it indicates that there is no significant difference (NSD) between the responses. In other words, the Means are statistically close. Therefore, according to the data in Table 2, it can be concluded that there is no significant difference (NSD) in responses to the statements 1, 4, 6, 7, 8, and 9, but there is a significant difference (SD) in responses to the statements 2, 3 and 5. In other words, here the Means are not statistically very close. Thus, statistical processing of survey responses in the cases of the limited number of respondents ensures the right interpretation of the obtained data.

6. Classroom feedback

6.1. Teacher / peer feedback

Peers' and teacher's feedback might be very helpful both in oral and written work. However, teachers should not interrupt students' speech to point out their errors. Any intervention may raise stress levels and hinder communication. A good classroom practice is for teachers to keep recording students' mistakes during activities. Mistakes should be dealt with later, after the activity has ended. It is a good idea for teachers to focus on errors without indicating who made them and asking students to rectify the errors. However, peers' correction works well only in classes with a friendly and cooperative atmosphere. Otherwise remedial work may lead to undermining the learners' self-esteem and cause more damage than gain. Feedback on written work depends on the specific tasks. In our classes, we practiced either paper correction or electronic feedback. Paper correction includes teacher's responses to learners' submitted written work. This kind of feedback is individualized: the teacher codes or corrects mistakes, writes comments on contents and errors. It is greatly appreciated by students who raise questions and ask for clarification.

6.2. Electronic feedback

Electronic peers' feedback has been employed for writing comments in peers' weblogs. All the learners have created their own weblogs which are used for written assignments and are incorporated in the teacher's weblogs. Peers' comments may be viewed online. It should be noted that generally students avoid writing negative comments. As a rule, learners try to find positive aspects in each case and usually praise peer's work. Unfortunately, teachers' individual feedback, i.e. face to face, is not always followed by error correction: spelling and grammar errors online remain uncorrected, and students' common excuse for failing to do remedial work is a shortage of time.

Classroom practice allows to offer practical advice to other language practitioners. It is a good idea to evaluate students' writing and provide feedback individually. It would be an unforgivable mistake to give any negative comments in front of the class or online. Similarly, it is better to provide feedback on observed speaking errors individually, for instance, during self-assessment interviews with each learner while discussing her/his success and achievements in language learning activities. The basic principle of teacher's feedback is to keep in mind that it is designed to teach and help learning, not to critisize.

7. Conclusions and implications

The following conclusions have been drawn. First, students of penitentiary law and psychology believe that in order to improve writing skills, it is necessary to receive teacher's feedback on written work both on paper or submitted electronically. Second, attitudes to feedback do not differ significantly – specialization is not very relevant. Third, students prefer immediate correction of errors in spite of its impracticality and claim that individual correction of mistakes by teacher is useful.

The main implications of classroom practice for teachers are to monitor each student's performance in class activities closely, provide individual feedback on speaking and written errors, to encourage self- and peer-correction, to avoid negative feedback at all times, and to provide a sandwich-type feedback individually – positive-negative-positive. Such an approach might help to avoid undermining a learner and preserve her / his self-esteem, as individual reactions towards error correction may be very strong, and criticism may be felt as an emotionally threatening act. Finally, it is important to find out what learners' responses to teacher's feedback on their written work or spoken production are. All the things considered might help learners to be successful in improving language skills.

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ATVEJO ANALIZĖ: STUDENTŲ POŽIŪRIS Į KLAIDŲ TAISYMĄ

Galina Kavaliauskienė, Lilija Anusienė

Santrauka. Klaidų taisymas, arba grįžtamasis ryšys apibūdinamas kaip stebėjimo rezultatų ir siūlymų teikimas tarp asmenų norint geriau atlikti asmenines ir organizacines užduotis. Svarbu ne tik taisyti besimokančiuosius, bet ir vertinti juos. Tiek taisymas, tiek vertinimas priklauso nuo daromų klaidų, jų priežasčių ir darbo auditorijoje. Grįžtamojo ryšio svarba mokant kalbų nėra vienareikšmiškai vertinama dėstytojų, o jo tyrimai nėra galutiniai, tyrimų įrodymai nėra įtikinantys. Universitetinėse specialybės kalbos studijose grįžtamasis ryšys tyrinėtas paviršutiniškai. Dėstytojų ir studentų požiūriai į grįžtamąjį ryšį yra prieštaringi. Dažniausia dėstytojai neigiamai vertina grįžtamojo ryšio įtaką studentų motyvacijai ir pasitikėjimui savo gebėjimais.

Dėstytojo grįžtamasis ryšys taikomas, kai būtina taisyti rašybos ar kalbėjimo klaidas. Pastarųjų metų kalbų mokymosi teorijos teigia, kad ne visos klaidos taisytinos. Tai remiasi teiginiu, kad klaidos mokantis yra neišvengiamos – tai yra normalus reiškinys. Dabartinės teorijos apie kalbų mokymąsi teigia, kad įpročio formavimas yra tik viena proceso dalis. Klaidų atsiradimo priežastys būna įvairios: gimtosios kalbos interferencija, ribotas užsienio kalbos mokėjimas, kalbos sudėtingumas ar net fosilizacija pasiekus tam tikrą kompetencijos lygį. Tikėtina, kad išaiškinus studentams jų daromas klaidas, jie įsisavins duotus pataisymus ir pagaliau nedarys tų klaidų ateityje.

Straipsnyje nagrinėjami Mykolo Romerio universiteto Socialinės politikos fakulteto psichologijos ir penitencinės teisės studentų požiūriai į grįžtamąjį ryšį mokantis specialybės anglų kalbos ir nustatoma, kaip keičiasi jų nuomonės mokantis specialybės kalbos. Gauti rezultatai rodo, kad grįžtamasis ryšys yra veiksmingas būdas skatinti lingvistinį vystymą. Stu-

dentai labiausiai vertina rašto darbų klaidų taisymą, bet mažiau vertina klaidų taisymą pasisakymuose. Psichologijos ir penitencines teisės studentai mano, kad rašybos įgūdžiams pagerinti būtinas dėstytojo grįžtamasis ryšys. Studentai labiau vertina greitą klaidų taisymą nepaisant jo nepraktiškumo ir teigia, kad dėstytojų individualus klaidų taisymas yra naudingas. Skirtumai tarp dviejų disciplinų studentų atsakymų labai nežymūs. Požiūris į grįžtamąjį ryšį skiriasi nedaug – specializacija nėra labai svarbi. Priešingai negu dėstytojai, studentai mano, kad klaidų taisymas yra efektyvus ir nekenkia žmogaus savigarbai. Visos tos aplinkybės gali padėti studentams sėkmingai tobulinti kalbos įgūdžius.

Pagrindinė šio tyrimo išvada skirta dėstytojams: stebėti kiekvieno studento pažangą ir teikti geranorišką rašto ir kalbėjimo klaidų taisymą. Dėstytojai privalo tobulinti savo klaidų taisymo metodikas taip, kad studentai nejaustų streso ar jaudulio.

Reikšminiai žodžiai: anglų specialybės kalba, grįžtamasis ryšys, rašto darbai, kalbėjimas, bendraamžiai.

LEARNER APPROACH TO ONLINE ACTIVITIES IN A LANGUAGE CLASSROOM

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Abstract. Online learning has become a commonplace during recent decades. The concept of online learning is twofold as it refers to distance learning taken entirely in a virtual classroom and to blended learning, where conventional classes involve online activities, as well. This article focuses on blended learning, a form that affords combination of face-to-face instruction with online resources. The study examines student perceptions and attitudes towards integration of online activities in the traditional English language classroom. University students of three different specializations who study English for Specific Purposes have been chosen as respondents in the survey based on a specially designed questionnaire. As the frequencies of positive and negative responses not only depend on student specialization but also differ within different groups of the same specialization, a conclusion that resistance towards online learning is predetermined by individual likes and dislikes may be arrived at. Statistical treatment of the student responses by a means of Software Package for Social Sciences (SPSS) includes computations of frequencies of the responses and an Analysis Of Variance (ANOVA) to indicate whether the findings are statistically significant and can be extended outside the scope of the surveyed samples.

Key words: attitudes to online learning, respondents of different specializations, statistical treatment by SPSS.

1. Introduction

Contemporary technologies have made online learning commonplace. The concept of online learning comprises all forms of electronically supported learning and one of its greatest benefits is flexibility. The term refers to out-of-classroom and in-classroom educational experiences via digital technology. Although the majority of people associate online learning with an online course or so called distance learning, the concept is by and large broader to comprise either full classroom learning with online support or the classic blended learning, i.e. integrated combination of traditional learning with web based online approaches.

This paper aims at examining student perceptions of integrating online activities in a conventional English as an LSP classroom without an emphasis on any particular language skill and drawing conclusions about suitability of e-learning at the university level.

The objective of the research is to scrutinize student approaches towards online activities at the university level.

Research methodology comprises a specially designed questionnaire on opinions about learning English via online activities disseminated among University students of three different specializations, namely Law, Law & Management and Social Work, who study English at Mykolas Romeris University, Vilnius, Lithuania. The collected responses were statistically processed by means of Software Package for Social Sciences (SPSS) to acquire the computations of reliability and correlations coefficients, which indicate the strength of relationships and their statistical significance.

2. Literature review

Although the number of publications related to online language teaching and learning has been constantly growing, most of them fail to provide good examples of practical online activities (Meskill, C. & N. Anthony. 2010). According to Hockly & Clandfield (Hockly, N. & L. Clandfield. 2010), the concept of online learning ranges from the use of a virtual learning environment to desktop video conferencing. Scholars distinguish four different kinds of training courses: 1. mainly face-to-face, where 70% done in a classroom, with online support; 2. 50-50, or the classic 'Blended learning' course; 3. mainly online, where 80% is done over the internet, with infrequent classroom meetings; and 4. a fully online course, or so called distance learning. One of the popular references on blended learning is by Sharma & Barret (Sharma, P. & B. Barret. 2007). The reference focuses on the use of blended learning techniques in English language classrooms, offers practical ideas and suggestions for using technology in the classroom and describes benefits and pitfalls of each method. Three definitions of "blended learning" are relevant in the world of education (Chinnery, G.M. 2010): the classic definition of the term means an integrated combination of traditional learning with web based online approaches, while the other two refer to either a combination of technologies or methodologies. Contemporary opportunities of the Internet allow practice of all language skills including reading, writing, speaking and listening (Chinnery, G.M. 2010). Rapid development of Internet technologies will most likely affect the profession of teaching languages in the future. In order to make online teaching successful, some conditions must be met, such as opportunities for learners to interact and negotiate meaning, interact in the target language, be involved in authentic tasks, work in a friendly environment without stress or anxiety, and receive support of teachers have to provide feedback to learners on their success and achievements (Egbert, J., C. Chao, and E. Hanson-Smith. 1999). By applying these principles to online communication activities, the new technologies may constitute an optimal tool for enhancing students' second language acquisition.

Online learning suggests some important advantages: 1) students can select learning materials according to their level of knowledge and interest; 2) students can study anywhere with access to a computer and Internet connection; 3) students can work at their own pace; 4) e-learning fosters more interaction among students and instructors; 5) e-learning can accommodate different learning styles and facilitate learning through a variety of activities; 6) it develops knowledge of the Internet and computers skills that is useful for lifelong learning. However, some disadvantages may be distinguished as well: 1) learners with low motivation or bad study habits may fall behind; 2) without the routine structures of a traditional class, students may get lost or confused about activities; 3) students may feel isolated from the instructor and classmates; 4) managing computer files and online learning software can sometimes seem complex for students with underdeveloped computer skills.

According to Means et al (Means, B., Toyama, Y., Murphy, R., Bakia, M., and Jones, K. 2009), a systematic search of the research literature since 1996 has identified more than a thousand empirical studies of online learning. Analysts screened these studies to find those that (a) contrasted an online to a face-to-face condition, (b) measured student learning outcomes. As a result of the screening, 51 independent effects that could be subjected to analysis were identified. The analysis found that, on average, students in online learning conditions performed better than those receiving face-to-face instruction.

The study of the factors that had lead most course participants to give thier preference to face-to-face rather than online activities has revealed that resistance towards the online mode is mainly caused by cultural and logistic factors (Manca, S., Persico, D., and L. Sarti). Reasons to choose online, instead, mainly lie in personal interest and motivation. J. Drennan with coauthors (Drennan, J., Kennedy, J., Pisarski) examined the factors affecting student satisfaction with flexible online learning and identified 2 key student attributes of student satisfaction: (a) positive perceptions of technology in terms of ease of access and use of online flexible learning material and (b) autonomous and innovative learning styles. Results suggest that student satisfaction is affected by positive perceptions towards technology and an autonomous learning mode.

Recently one of the authors of the present paper has studied blended learning in online listening at university level (G. Kavaliauskienė. 2011). The practice of blended listening has proved to be beneficial in the English for Psychology classes with two streams of the 1st and 2nd year students, who found it equally useful for improving their listening skills and consolidating professional vocabulary. The statistical processing of the students' responses has shown that the data are reliable and not likely to be accidental in spite of the limited number of respondents.

This article examines the perceptions of online learning in the ESP classes of two different specializations. The first sample is the respondents who study Law, and the second sample is the respondents who study Law and Management at university level.

3. Research methodology

The research 117 first year full-time students, who study English for Law (2 groups, 27 students), English for Law & Management (4 groups, 48 students) and English for Social Work (3 groups, 42 students) at Mykolas Romeris University. The course is designed to meet the requirements for a Bachelor degree in Social Sciences and to reflect the student needs in the professional language. The proficiency level of the students ranged from B2 or C1 according to the Common European Framework of Reference for Languages. The method of the research includes application of a specially designed questionnaire on student attitudes to e-learning. The questionnaire was designed in accordance with accepted standards of constructing surveys (Dornyei, Z., 2003). The way of collecting data employed administration of the questionnaire to the above mentioned groups of respondents. Self-reported data is the most frequent technique of identifying students' attitudes. The relevant part of the questionnaire consists of 5 statements (listed below), to be responded on a 5-point Likert's scale ranging from 1 (strongly disagree) to 5 (strongly agree). The statements of questionnaire are being reproduced below:

Statement 1: Individual learning online saves you embarrassment that you might feel in class for fear of being stupid.

Statement 2: Online learning gives you practical skills like web browsing and ability to search for information.

Statement 3: Online learning is useful for promoting lifelong learning skills.

Statement 4: Your success depends on your self-discipline – doing things on time.

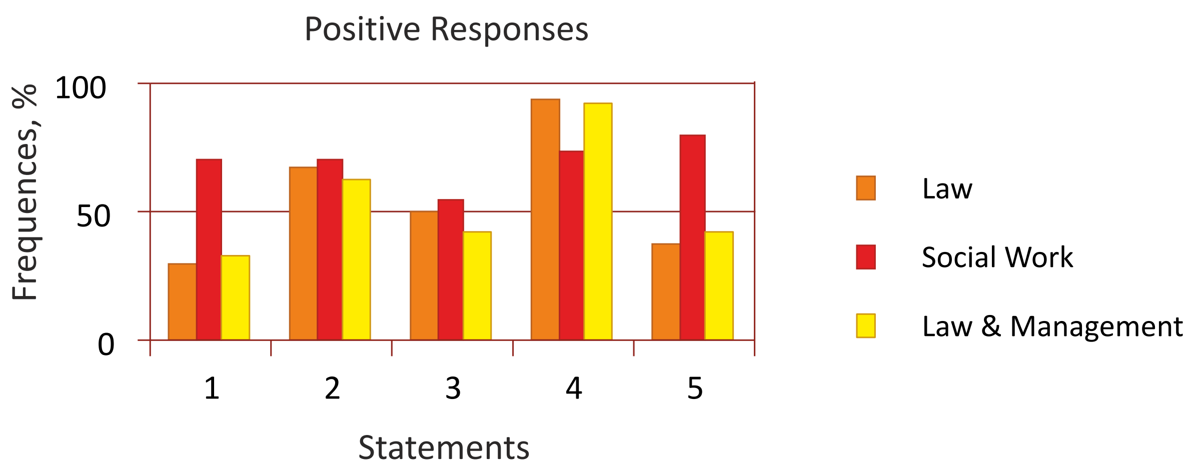
Statement 5: Online learning in class is more enjoyable than on your own: you do not feel isolated.

The findings were statistically processed by a means of Software Package for Social Sciences (SPSS) to come up with the following computations: frequencies of responses, Cronbach's Alpha coefficients of reliability, the Means and Standard Deviations for the responses of two samples of respondents, Kolmogorov-Smirnov test to check the normality of data distribution and Pearson's correlation coefficients to determine whether there are any correlations between the two samples.

4. Research results

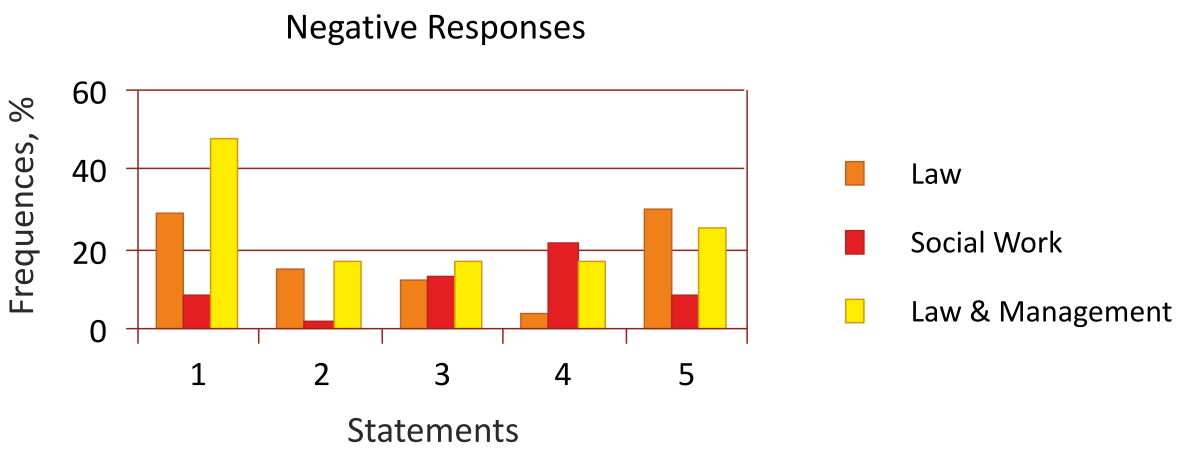
To make visual presentations of the findings clearer, the negative responses (strongly disagree and disagree) and positive responses (agree and strongly agree) have been added up. Naturally, the neutral responses have been accounted for in the statistical treatment, therefore the further discussion will focus on the analysis of negative and positive responses. The frequencies of positive responses in percentage are shown in Chart 1. The numbers of statements from 1 to 5 are displayed on X axis. The 1st columns represent the data expressed by students who study Law, the 2nd columns – by students who study Social Work (SW), and the 3rd columns – by students who study Law & Management (L & M).

Chart 1. **Frequencies of the positive responses. 1st bar – the responses of LAW students, 2nd bar – of Social Work students, 3rd bar – of Law &Management students.**



The frequencies of negative responses in percentage are shown in Chart 2. The numbers of statements from 1 to 5 are displayed on X axis. The 1st columns represent the data expressed by students who study Law, the 2nd columns – by students who study Social Work (SW), and the 3rd columns – by students who study Law & Management (L & M).

Chart 2. **Frequencies of the negative responses. 1st bar – the responses of LAW students, 2nd bar – of Social Work students, 3rd bar – of Law & Management students.**



The data in the charts produce a considerable scatter of responses of all three sample groups. Thus, a qualitative analysis of the findings has little sense, and it is essential to assess the data by using statistical processing by a means of SPSS, which can shed light on the significance of findings. Statistical processing allows evaluation how comparable and reliable the data are. Internal consistency reliability is usually estimated by computing Cronbach's Alpha coefficient. Results are reliable if the value of Cronbach's Alpha coefficient is at least .70 or higher, which is considered acceptable in most Social Science research situations (Bachman & Kunnan, 2005). The second step is to compute correlation coefficients, which are useful for understanding the degree of relationship between the data. Generally a correlation coefficient can range between negative one (-1.00) and positive one (+1.00). Positive coefficients indicate direct relationships, while negative coefficients indicate inverse relationships. The larger the coefficient, whether positive or negative, the stronger the relationship is, thus a correlation that is close to one, either positive or negative, indicates a very strong relationship, while coefficients that fall near zero value indicate very weak relationships. In order to check whether a correlation coefficient shows a real relationship, it is necessary to determine the probability of its significance, i.e. the value of sig *p*. Statistical significance with *p* values of .01 or .05 indicates that there is either 99% or 95% probability that correlation coefficients are meaningful.

In our case, there are 3 variables, i.e. 3 samples of different specializations, and the computed value of Cronbach's Alpha is equal to .814 for positive and .984 for negative responses. Therefore, the obtained results are reliable as the minimal value is .700. The conducted Kolmogorov-Smirnov Tests for the samples have proved that test distributions in all three cases are normal which means that computation of Pearson's correlation coefficients (rho)is appropriate.

The computation results have produced an rho of .812 for for the positive responses of the sample of Law vs. L&M, with the significance level of .026. It means that there is a direct relationship between these two samples with the probability of 95%. Similarly, there is a direct relationship between the positive responses of the groups of Law versus Social Work (SW) with the Pearson's rho of .971 and Sig p of .000, i.e. the probability is 99% that the relationship is meaningful. The sample L&M versus SW shows slightly weaker relationship: rho is equal to .790 and Sig p is .035, which means that the probability is 95%. Therefore, there are reliable relationships between the positive responses of the respondents.

For the negative responses of the Law groups versus the groups of Law & Management (L & M), Pearson's correlation coefficient is equal to .982 with the level of significance of .000. It means that there is a good direct relationship between these two samples with the probability of 99%. Similarly, there is a direct relationship between the negative responses of the groups of Law versus Social Work (SW) with the Pearson's rho of .972 and Sig p of .000, i.e. the probability is 99% that the relationship is meaningful. The sample L&M versus SW shows a weaker direct relationship: rho is equal to .790 and Sig p is .035, which means that the probability is 95%. The obtained figures clearly indicate reliable relationships between the negative responses of the respondents as well.

5. Conclusions

This research has identified students' perceptions of usefulness of online learning at university level. In general, respondents of the three different specializations are either positive or negative towards various aspects of e-learning and their perceptions do not only depend on specialization but also vary within the specialization. The results may be interpreted as if there is resistance towards online learning which might be due to students' individual likes and dislikes. Statistical processing of learner responses has shown that the values of Cronbach's Alpha for each specialization are either .814 or .984, which means that the obtained results are reliable. The investigation of correlation relationships between the samples has demonstrated that there is a linear relationship between the responses of all three groups with the probability of at least 95% which implies that the obtained data are not accidental and could be extended beyond the studied samples of respondents.

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BESIMOKANČIŲJŲ POŽIŪRIS Į INTERNETINIŲ MOKYMO PRIEMONIŲ NAUDOJIMĄ KALBŲ MOKYMUI

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Santrauka. Per pastaruosius dešimtmečius e-mokymasis sparčiai išpopuliarėjo. Terminas naudojamas apibūdinti tiek nuotolinį mokymą(si) pilnai vykdomą virtualioje aplinkoje, tiek ir vadinamą mišrų mokymą(si), kuris integruoja tradicinį mokymą(si) įprastinėje auditorijoje su internetinėje erdvėje prieinamomis užduotimis. Šiame straipsnyje kalbama apie mišrųjį mokymą(si), kur tradicinė mokymo(si) aplinka kombinuojama su IKT teikiamomis galimybėmis. Straipsnyje, analizuojamas studentų požiūris į internetinių užduočių integravimą į anglų kalbos mokymo seminarus auditorijoje. Tyrimo metu specialiai sukurta anketa buvo pateikta trijų skirtingų specialybių studentams, kurie mokosi anglų profesinės kalbos. Tyrimo metu nustatyta, kad teigiamų ir neigiamų atsakymų dažnumas ne tik priklauso nuo respondentų studijuojamos specialybės, bet ir skiriasi skirtingose tos pačios specialybės grupėse. Tokie rezultatai gali būti paaiškinti asmeninių polinkių ir pomėgių nulemtu neigiamu požiūriu į e-mokymąsi. Rezultatus statistiškai apdorojus, naudojant SPSS programinį paketą, nustatytas tiriamųjų grupių atsakymų dažnumas, o ANOVA analizės būdu ištirtas gautų atsakymų ryšių stiprumo laipsnis ir tokių ryšių statistinis reikšmingumas.

Reikšminiai žodžiai: požiūriai į e-mokymąsi, skirtingų specialybių respondentai, statistinis tyrimo duomenų apdorojimas naudojant SPSS.

USE OF WEB 2.0 TECHNOLOGIES IN TEACHING/LEARNING FOREIGN LANGUAGES

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ABSTRACT. This article deals with the concept and essence of using Web 2.0 technologies in teaching/learning foreign languages. It reflects the demand for studying the problem of using new Internet technologies for teaching/learning foreign languages. Firstly, the article discusses the concept of the Web 2.0 and the aspects of its use for teaching/learning foreign languages. Secondly, it presents an overview of the possibilities and methods of using various types of Internet resources for the educational purposes during the foreign language course. Finally, the article provides the results of the research aimed at examining the language learners' familiarity with Internet resources as well as their attitudes, needs and expectations of using those resources, which was conducted with the students of Law and Customs Activities and students of Public Administration at Mykolas Romeris University. The study showed a high level of students' interest in the implementation of Internet resources into the foreign language studying process as well as their high involvement in the actual use of the resources mentioned. It also proved that the highest benefits of Internet resources can be achieved if there is increased training in how to use them combined with a careful selection of study materials.

Key words: Web 2.0 technologies, English for Specific Purposes (ESP), English as a Foreign Language (EFL), teaching/learning process, Internet resources

1. Introduction

In the end of the 20th century our regular life began changing rapidly under the influence of the newly-developed information technologies. Currently, the importance of the information technologies is a crucial concern due to their integration into the process of education. The issue of using Internet resources for teaching/learning foreign languages is the object of discussions of modern scientists. Recently, the research works into this field are quantitatively increasing, the evidence of which is the number of researches conducted by various scientists all over the world, i.e. Alexander B. (2008); Anderson P. (2007); Oradini, F., Saunders, G. (2007); Pollara, P., Zhu, J. (2011); Safran, Ch. (2012) and others. Application of new technologies to the sphere of education is one of the vital issues of modern methodological and educational branches of science. That is why the chosen theme proves to be essentially important.

The concept of this article lies in an attempt to analyse the possibilities of using web-based educational resources in teaching a foreign language at university. The novelty of this work is in conducting a research with the group of Mykolas Romeris University students and finding out how the modern technologies are used and evaluated by them in their language learning process.

Different categories of Internet resources were considered as *the object of the research*.

The aim of the research was to get an insight into the current situation and to analyse the students' preferences in using Internet resources.

The task of the research was to identify the learners' attitudes, needs and expectations related to the use of Internet resources in the language-learning process.

The research methodology combined both the literature review and the analysis of the data collected by the questionnaire and interview.

First of all, the literature analysis will be presented with an insight into the concept of Web 2.0, its use in the language-learning classroom, its aspects and categories. Then, the research findings will be presented and analysed.

2. Web 2.0 technologies in teaching / learning foreign languages

The development of information technologies has led to the new opportunities of using the Internet. Currently, development of an information society, which should provide the best opportunities to every person's self-realization, is observed in many countries. Information society is based on three main components: information itself, information technologies and social as well as structural changes in the society. Below, the concept of Web 2.0 will be explained and discussed.

2.1. The concept of Web 2.0

The term "Web 2.0" is considered to have emerged in 2005, when T. O'Reilly published an article titled "What is Web 2.0". He defined the term as "the design of systems that harness network effects to get better the more people use them, or more colloquially, as "harnessing collective intelligence." This includes explicit network-enabled collaboration, to be sure, but it should encompass every way that people connected to a network create synergistic effects" (O'Reilly, 2005). The appearance of Web 2.0, also referred to as "social software" (Alexander, 2006), has led to the development and implementation of various internet communities, social networks, websites for sharing audio and video materials, weblogs, podcastings, social bookmarking and other opportunities to collect, share and structure various kinds of data on the Internet. The most important characteristics of Web 2.0 are: developing individual content, using collective intelligence, storing enormous amounts of information, availability and simplicity of use.

Zaidieh (2012) gives a special emphasis to the vital influence of flexibility, convenience and accessibility of the new technologies concerning their application in education. Web 2.0 technologies are simple in use, which makes them easily accessible for everyone. They allow using Internet resources in a new way and inspire the users to share their opinions on the net. Internet resources provide a possibility to review, update and edit teaching/learning materials anywhere and at any time. Furthermore, Internet gives new opportunities to teaching and learning foreign languages, based on speech and thought imitation as well as processing textual information. Web 2.0 technologies do not only provide information, they require cooperation of the users and feedback as well.

2.2. The aspects of use of Web 2.0 in teaching / learning a language

The main advantages of using Web 2.0 in teaching foreign languages are the effectiveness of services and the simplicity of use. Silverman (2012) claims that social media has the potential to engage students and keep them interested, providing them with more information than they would get in the traditional classroom.

According to Korukhova (2011), Web 2.0 application gives a wide variety of possibilities for the teaching/learning process, which include: a) using non-traditional training techniques, b) remote teaching, c) organizing self-study of students, d) using students' material, e) making a confidential dialogue between a teacher and a student.

Four important aspects of Web 2.0 technologies can be distinguished: 1) research 2) literacy 3) cooperation 4) publication of the information. These aspects are beneficial to the education process as a whole as well as to each student separately. They will be analysed in greater detail below.

Research. Web 2.0 technologies allow the students to use new methods in conducting researches. Web 2.0 technologies also provide new sources, forms and instruments for information search and allow structuring the data on the Internet in different ways. All these aspects can be highly motivating for a student to become an independent researcher.

Literacy. This aspect is highly connected to the attitude to the language. The crucial issue is the relation between oral and written communication. By writing, the students develop the ability to express their thoughts correctly. The high level of foreign language knowledge is essential in the modern society, where there is a necessity to exchange oral or written messages directly without any mediators. It is important to emphasize, that the curriculum for the students, who are studying a foreign language using the digital technologies, should be developed considering their language skills, creative research motivation and critical thinking ability. Discussions of privacy and copyright as well as creativity and appropriation issues are very important, too.

Cooperation. Communication among the users is a very important component of the use of Web 2.0 technologies. Students are enabled to exchange their ideas while conducting real-time conversations, to take a common decision and to realize it by developing joint projects.

Publication. This activity is a result of a necessity to develop an individual content. Web 2.0 technologies provide the students with instruments and audience. The teacher gets a possibility to monitor the activity of each member of the group, which is very useful especially at the initial stages of learning. The student can be assured that his/her project will be different from any other in the group.

2.3. The ways of implementing Web 2.0 in teaching/learning a language

Considering the foreign language teaching/learning process, new technologies give us the opportunity to diversify the course of teaching by using Internet resources for self-study, individual projects or researches, practicing the studied material and broadening the range of knowledge in the subject. Web 2.0 technologies make the teaching process individual and electoral, reasoned and person-oriented. They also provide students with a great choice of individual ways of learning a language, enable them to participate in different online communities and exchange their skills and knowledge. Use of Web 2.0 technologies in teaching and learning foreign languages allows to reach certain level of the foreign language competence during studying, as well as to improve the acquired knowledge, skills and abilities in the subsequent professional work. Using Web 2.0 technologies for education opens great opportunities for developing a new form of autonomous learning, which becomes well-organized, controlled and adapted to student's individual needs. The lecturers can use Web 2.0 technologies for making the students perform homework or conduct personal research in order to increase their knowledge and competence. Such tasks make the learning process more person-oriented and raise the student's motivation. Modern technologies are applicable for practicing different language competences: writing, reading, listening, and in some cases speaking as well. Zaidieh (2012) notices, that learning a foreign language via the Internet and computer creates psychologically comfortable environment for effective absorbing the material, as well as provides an opportunity to study at one's own pace, selecting and processing information, revising and memorizing it, and in such way increasing the quality of education process.

2.4. The categories of Internet resources used in teaching/learning a language

Internet resources, used for teaching/learning a language, can be divided into several categories. The classification used is based on the ones suggested by Anderson (2007) and White (2007).

Media sharing websites (i. e. http://www.flickr.com, http://www.youtube.com) are based on a communication process that requires the participation of both the sender and the receiver. Those websites usually are user-friendly and highly accessible and allow the users to elaborate their knowledge and share it with the other users, as well as receive some comments.

Media manipulation websites (i. e. http://www.gliffy.com) are meant for collective use of presentations, diagrams, tables, etc. They allow creating a presentation or a project collectively: each user can add some information or edit the information which was already published before.

Collaborative editing websites (i. e. http://www.google.com/docs) are similar to media manipulation websites as they also allow using the data collectively, however those websites mainly exist for storing and editing textual files (articles, essays) or large tables. They are freely accessible for collaborative editing by different users. Teachers can exchange files, which were created by themselves or their students, as well as use the function of feedback. Students can write, edit, share the ideas on the same document as well as add the data to the same table.

Social bookmarking (i. e. http://www.bibsonomy.org, http://www.citeulike.org, http://www.delicious.com, http://www.digg.com) is a system of storing, grouping and sharing bookmarks saved for returning to them in the process of studying. This system can be very useful for educational purposes. It allows accessing the bookmarks on any computer, so even if a person is away from home, he/she can continue working with the sources needed. Both teachers and students can create a virtual library by collecting useful links to the texts, presentations, videos and other materials.

Wikis (i. e. http://www.wikipedia.org, http://www.pbwiki.com) are a group of websites allowing teachers and students to create education-oriented encyclopaedias. Alexander (2008) calls Wikipedia "the most famous and at the same time most disparaged encyclopaedia in centuries". It would be right to say, that Wikipedia is the number one source for the majority of people searching information about something.

Conversational arenas (i. e. http://vyew.com/site) include online forums and chats, where both teachers and students can participate and exchange information, comments and feedback. The students can advance their communicative skills by direct communication with different people including the native speakers of the language they are studying.

Social network websites (i. e. http://www.facebook.com, http://www.myspace.com) focus heavily on building online communities bounding users with common interests or activities together. Such websites have become one of the most important communication tools among people nowadays. They enable people to share interests on certain disciplines, and to make various shared files, videos and other materials available to other users as well as to conduct real-time conversations. Selwyn (2009) claims that social networking may "benefit learners by allowing them to enter new networks of collaborative learning, based around interests and affinities not catered for in their immediate educational environment". A university or other educational institution can create its own education-oriented community on the Internet as well as a local network for providing the staff and the students with the ability to communicate, cooperate and share information in the classroom, research groups, project groups and individually.

Blogging (i. e. http://edublogs.org) gives an opportunity to express oneself individually. Blogs can be used by both teachers and students. Teachers can use blogs for publishing the curriculum, announcing the educational events, presenting the tasks for the students, creating terminology dictionaries and so on. Students can write learning diaries, comment others' messages, and create e-portfolios.

To sum up, Internet resources provide both teachers and students with a variety of ways to improve the linguistic competence and to vary the course with non-traditional activities. They also allow conducting an independent research and remote communication.

3. Research methodology

In order to get an insight into the current situation in the English for Specific Purposes (ESP) classroom and to identify the learners' attitudes, needs and expectations as far as the use of various Internet resources is concerned, a research was conducted at Mykolas Romeris University. A survey data analysis method was used. A questionnaire was developed and administered to 30 full-time students of Law and Customs Activities and 30 part-time students of Public administration specialties. As a result, in total 60 questionnaires were collected. The data analysis is presented and discussed below. The survey was accompanied by the interview: the same students were asked several open-ended questions. The answers were used as examples to illustrate certain issues.

4. Research findings

The questionnaire developed for students consisted of 8 items. The students were asked to point out whether and how often they use certain Internet resources while learning ESP. During the interview, the students were asked to comment on their choice in greater detail.

The first table illustrates the situation described by the full-time students of Law and Customs Activities.

Table 1. **Use of Internet resources for ESP learning by the full-time students of Law and Customs Activities.**

	Often use	Sometimes use	Never use	Not familiar with the term
Media sharing websites	77%	20%		3%
Media manipulation websites	10%	20%	63%	7%
Collaborative editing websites	60%	30%	7%	3%
Social bookmarking websites	27%	33%	30%	10%
Wikis	73%	17%	10%	
Conversational arenas	47%	23%	17%	13%
Social network websites	90%	10%		
Blogs	10%	33%	50%	7%

As it can be seen, the majority of the students proved to be familiar with the Internet resources mentioned and considered them to be useful and beneficial for learning ESP. Social network websites are the most popular among students, the absolute majority of the respondents claimed to use them often. Media sharing resources, as well as Wikis and collaborative editing websites, also were mentioned as commonly used by the respondents. Media manipulation websites, blogs and social bookmarking websites appeared to be the least popular. During the interview, the students were asked to provide some comments on their choice of Internet resources for learning ESP. Most of the respondents distinguished two main reasons for using Internet resources: information search and information sharing. The students agreed that *"Internet resources are very useful for searching information"*, as they *"allow accessing it easily and can save a lot of time while choosing the most necessary information"*. They also pointed out that with the help of certain Internet resources they can *"perform some tasks, such as group projects, presentations, faster and easier"*, as they can *"do it online without meeting each other directly"*. During the interview the respondents also commented: *"I often use social networks, media sharing and collaborative editing websites for making projects together with my groupmates"*, *"I always use Wikipedia as my first reference while searching for information"*, *"Media sharing websites give a possibility to share the material with my groupmates fast and easily, so that we can cooperate while doing a task"*, *"The easiest is to look for the information in Wiki, there is always a bunch of additional links provided"*. To sum up, Internet resources are highly valued for their accessibility and simplicity of use and are used mainly for information search and for collaborative working on certain tasks. However, some of the students were less eager to use Internet resources for their studying. Some of them stated that they do not have enough confidence in the quality of the resources: *"I am not quite sure whether the information taken from the Internet is reliable"*, *"I have noticed some mistakes in the articles, published online"* and *"I prefer not to waste time for forums and chats, as the information there is not reliable"*. The others seemed to be not familiar with the resources: *"I do not know what social bookmarking is, so I do not use it",* or wished for some guidance on using them properly: *"I do not know how to use media manipulation websites, maybe I would use if someone explained how they work"*.

The second table illustrates the situation described by the part-time students of Public Administration.

Table 2. **Use of Internet resources for ESP learning by the part-time students of Public Administration.**

	Often use	Sometimes use	Never use	Not familiar with the term
Media sharing websites	60%	40%		
Media manipulation websites	10%	10%	73%	7%
Collaborative editing websites	43%	47%	10%	
Social bookmarking websites	17%	23%	47%	13%
Wikis	70%	30%		
Conversational arenas	40%	40%	10%	10%
Social network websites	83%	10%	7%	
Blogs	20%	30%	43%	7%

The majority of the respondents in this group also proved to be familiar with the Internet resources mentioned and to use them frequently. Similarly to the previous group of respondents, the students of Public Administration gave clear preference to the social network websites and Wikis. They also claimed to use media sharing websites and collaborative editing websites often. Media manipulation websites and social bookmarking websites appeared to be the least popular. The popularity of blogs was higher than among the previous group of respondents. Similarly to the first group of respondents, the students of Public Administration agreed that the Internet resources provide quite a support during their ESP learning in terms of variety of information and its accessibility. They described Internet resources as *"valuable and beneficial for ESP learning as they provide varied and interesting information and help to improve communicative and other skills"*. Information search and information sharing, same as in the first group of respondents, were chosen as the main reasons for using Internet resources. The students commented on their choice: *"I think the social networks are very useful, as they allow keeping in touch with my groupmates and sharing the learning materials"*, *"I use social networks for communication with people from other countries in order to improve* *my language level"*, *"We use media sharing websites for group projects and we can edit our projects via collaborative editing websites easily"*. Some of the students pointed out that their ESP performance had advanced considerably due to self-study by using Internet resources: *"I often read articles related to my specialty on the net and I noticed that now I can understand ESP better"*, *"I studied a lot of necessary terminology online"*, *"Currently I am writing a blog, I hope it will help me to improve my writing skills"*. However, several students described some difficulties in using Internet resources, such as limited accessibility for those who live in the countryside and can use Internet only while visiting the university, being unfamiliar with the use of some websites or needing help for being able to use the websites properly. Some students also expressed certain doubt considering the accuracy of the information found on the net and stated that they rather use other sources for studying, such as textbooks and other printed materials.

To sum up, the study proved the students' positive attitude towards the use of Internet resources for the ESP learning and their awareness of the benefits provided by Web 2.0 technologies. The survey demonstrated the popularity of certain Internet resources and high involvement of the students into using those resources for learning ESP. Although some of the respondents were concerned about the accuracy of information on the net or faced certain difficulties considering the use of certain websites, the majority of the students proved to be highly interested in use of Internet resources for studying and found them highly beneficial. They especially emphasized the benefits of variety of information on the net and simplicity of use of the resources mentioned in the survey and proved to be eager to enhance their ESP knowledge and skills by the continuous use of the Web 2.0 technologies.

Conclusions

Web 2.0 technologies provide new opportunities for teaching/learning ESP. The study demonstrated a high level of awareness of new technologies among the students interviewed as well as a high level of interest in the implementation of Internet resources into the studying process. However, some respondents stated that they are not enough familiar with Internet resources mentioned and would like some guidance considering the use of them. Another problem that emerged during the research was the issue of accuracy of the information published on the net. Due to the fact that the research was conducted with a limited number of participants, the conclusions are rather of observational nature and a wider scope of research is recommended for deeper examination of the implementation of the Internet resources in students' language-learning process. Nevertheless, it is obvious that the highest benefits of Internet resources can be achieved if there is increased training in how to use them combined with a careful selection of study materials. On the whole, the new technologies provide a wide choice of educational methods and are highly appreciated and applied in the modern society.

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WEB 2.0 TECHNOLOGIJŲ NAUDOJIMAS UŽSIENIO KALBOS MOKYMO/-SI TIKSLAIS

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SANTRAUKA. Šio straipsnio tikslas yra išnagrinėti Web 2.0 technologijų sampratą ir esmę, siejant jas su užsienio kalbos mokymo/-si procesu. Straipsnyje atsispindi interneto išteklių taikymo mokymo/-si procese problemos nagrinėjimo būtinybė. Pirmiausia, straipsnyje yra pateikiama Web 2.0 technologijų samprata bei aptariami jų naudojimo užsienio kalbų mokymui/-si aspektai. Vėliau yra pateikiama interneto šaltinių naudojimo užsienio kalbos mokymui/-si galimybių ir metodų apžvalga. Galiausiai yra pateikiami tyrimo, atlikto tarp MRU teisės ir muitinės bei viešojo administravimo specialybių studentų ir nukreipto į studentų požiūrio į interneto tinklapių naudojimą mokymosi tikslais, jų poreikių bei lūkesčių išaiškinimą, rezultatai. Tyrimas įrodė aukštą interneto išteklių populiarumą bei studentų susidomėjimą jų taikymu užsienio kalbos mokymosi tikslais. Jis taip pat parodė, kad didžiausia interneto išteklių nauda gali būti pasiekta plečiant vartotojų ratą bei kruopščiai renkantis mokymosi medžiagą.

Reikšminiai žodžiai: Web 2.0 technologijos, anglų profesinė kalba, anglų kaip užsienio kalba, mokymo/mokymosi procesas, internetiniai šaltiniai.

SHIFTING UNIVERSITY VALUES, MISSION AND ORGANISATIONAL CULTURE: A DILEMMA FOR LEADERSHIP

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ABSTRACT. Shifting university values, mission and organizational culture have received an increasing attention both from academicians and practitioners in recent years. University leadership and academic communities face a dilemma what university values to adhere to, how to fulfil university mission, and balance competing factors of organizational culture. Values, mission and organizational culture is an abstraction yet forces that are created in it are powerful and have taken different roles at different times in different societies. Today universities find themselves struggling at the crossroad between conventional and corporative approaches to their values, mission and organizational culture. The article is aimed to examine theoretical framework of the prevailing approaches. Based on theoretical literature analysis characteristics and their appearance are examined. It was concluded that university leaders can resolve the contradiction between conventional and corporative approaches to university values, mission and organizational culture by exploiting fundamental value system, evaluating the spectrum of factors of both approaches and making perspective-oriented decisions.

Keywords: conventional approach, corporative approach, university mission, organizational culture.

1. Introduction

University mission and organisational culture are at the core of current debate in academia and society. They are abstractions yet forces that are created in them are powerful and have taken different roles at different times in different societies. Although it a pluralistic endeavour of theories and schools of thought and a creative and on-going inquiry that reflects the development of human thinking and calls for broader epistemological, ethno-methodological, ontological, social constructivist and interpretive science analysis, this paper will examine two major approaches behind university mission and organisational culture – Conventional and Corporative.

These two approaches work simultaneously and interchangeably nowadays. At its broadest sense, as Gasset suggests, university's mission is to lead innovation by generating and disseminating knowledge - providing education, research and outreach to society (Gasset, 2009). Gibbs has put it in other words "the higher education mission is economic and societal" (Gibbs, 2011). Bess and Dee suggest that university "missions have expanded from educating the elite for positions of community leadership to providing the primary vehicle for economic and social mobility to all strata of society" (Bess and Dee, 2008). Thus, university mission is changing from elite to mass education and involving society in the process of academic endeavours, not characteristic to traditional mode of university activities. It is a tremendous shift, first of all in the mind-set of academia, having complicated consequences at all levels of organisational life.

In order to understand an organization and its interaction with other organizations it is necessary to understand the basic factors behind its organisational culture that has taken different roles at different times and in different societies. "Universities are surrounded by a variety of forces that induce the organisation to respond in some way. External constituencies (e.g. state governments, parents, funding agencies) provided resources for higher education and also set formal and informal expectations for institutional outputs (e.g. values, skills, and competencies in graduating students and new knowledge that can be used in social, commercial and aesthetic ventures)", Bess and Dee claim (Bess and Dee, 2008). It is being argued that each university takes either Conventional or Corporative approach behind its mission and organizational culture that needs to be taken into account when seeking to understand modern university as an organization and its processes.

2. Assessment of Conventional and Corporative Approaches

2.1. Conventional Approach

Conventional approach behind university mission and organisational culture refers to the traditional model of university management. It is aimed at educating a human as a personality and carrying out fundamental or applied research. Conventional approach was based on two principal leading frames of thought – humanism and Christianity. Although they are different from their very nature, one being human-centred and the other being God-centred, both were the driving force behind innovations and societal progress for centuries. Western knowledge and civilisation was based on these two frames of thought that have worked simultaneously and interchangeably throughout human history.

Let us analyse in detail the humanistic and Christian aspects of conventional university culture. Although there are different kinds of humanism, this paper will be limited to the basic, abstracted idea of humanism with the focus on modern understanding of the concept. In essence humanism is a human-being centred rather than God-centred way of thinking, uplifting human being and his reason (Fowler, 2009). "In using the term *humanism* there must be a concentration on what it is to be a human. Humanism has this connotation – *humus*, "ground, earth", *humanus* "human", "earthy", "earth-being" (Fowler, 2009). This worldview can be found among the thinkers of the Ancient world (key figures being Democritus, Plato, Socrates), Renaissance (Shakespeare), Enlightenment (Immanuel Kant, David Hume, Voltaire, etc.), 19th century (Charles Darwin, George Eliot, John Stuart Mill, etc.) and 20th century (including Sigmund Froid, Thomas Hardy, etc.) (Fowler, 2009).

Humanism has had a profound influence on higher education system and can be traced back to Plato Academy and Aristotelian Lyceum which existed almost a thousand years due to solid material and ideological organisation. In the Ancient Greek view, the more educated a person, the more human that person was. As Hadot suggests "each school will elaborate its rational depiction of this state of perfection in the person of the sage, and each will make an effort to portray him" (Hadot, 1995). In addition, each school had a certain mission which was based on the philosophy of its leader. "The writings of each school's founder served as a basis for its instruction, and it was determined in which order the student should read these writing, in order to acquire the best possible education. We still have some writings in which Platonists gave advice on the order in which Plato's dialogues were to be read" (Hadot, 1995). What is important about the Ancient Greeks is that later in history thinkers of Renaissance and Enlightenment looked back to classical Greece as an exemplar for humanistic thought and expression. Although humanism had different aspects in the past, today the major characteristics of humanism could be said to reject religion (Fowler, 2009). Humanism is the mainstream frame of thought behind higher education today though often not verbalised and taken for granted.

What is the contribution of Christianity to higher education system? There are many different interpretations and traditions of Christianity but this paper will be limited to the basic, abstracted idea. Christianity is based on a God-centred perspective. It is believed that God created the world and humans according to His image, humans sinned, Jesus, incarnated God came on the earth to reconcile humans with God. The belief system is based on the life and teachings of Jesus Christ, who was crucified, died and resurrected, is now alive and actively engaged in human life and who will judge every human the last day according to His Word (the Bible). This God-centred perspective that can be found in the writing of thinkers of the 1st century (Apostle Paul, John the Evangelist, etc.), Middle Ages (Thomas Acquinas, Augustine, T.C. Eliot, etc.), Reformation (Marthin Luther, John Calvin, etc.), 19th century (Soren Kierkegaard, Friedrich Schleiermacher, etc.) and 20th century (including Louis Berkhof, Thomas Hardy, Alasdair MacIntaire etc) (Hadot, 1995). Christianity is the largest religion in the world today, having about 38 000 Christian denominations and about 2.1 billion adherents (Hinnels, 2012). Christianity had a profound influence on Western higher education system. Prior to the establishment of universities, European higher education took place for hundreds of years in Christian cathedrals and monastic schools and the main mission was education of professional clergy, monks and nuns. Later Christian beliefs were transferred to universities that today are even considered to be secular, as for example, Vilnius University which was established by Jesuit Order in the 14th century but today is a secular, state owned university. To sum it up, Christian worldview has had a significant impact on higher education institutions throughout history and today and is one of the major frames of thought behind the Conventional Approach.

Let us analyse the characteristics and criticism of university mission and organisational culture under the Conventional approach. First, universities have always been increasingly aspiring to be both models and catalysts of change in the society, "yet complex and ineffective governance, traditional disciplinary boundaries, and the lack of a shared vision at academic institutions often hinder progress toward this goal" (Polock, 2000). Second, universities under Conventional approach performed like isolated islands in the society being not accountable for their use of resources, management structures, out-put of their performance. The government would provide funding but do not expect any accountability from universities on how the funds have been used, universities would not communicate evidence-based solutions to the society, increase awareness and knowledge but not make an impact on decision making (Geertshuis, 2009). Third, university management was different from corporate one. Issues of efficient resource allocation were not raised, universities were not accountable to the society for using the state budget funds, were led by researchers and not managers. For example, majority of universities would be self-governed by the Senate, the highest governing body based on elected distinguished researchers. On the whole, the Conventional approach behind university mission and organisational culture was very different from the wide-spreading Corporative approach.

2.2. Corporative Approach

Corporative approach behind university mission and organisational culture refers to a modern market oriented model of university management. Its major characteristics include response to the market, profit making and managing university like a business company. First, it is aimed at educating a person and providing the skills necessary for being employed in the market. Educational programmes are designed to help students find a job in the market. Research is carried out in the ways to serve immediate societal challenges; therefore, focus is given to applied and not fundamental research. Second, universities are being managed in a way to make profit from education as from any other business. Therefore, they are interested attracting the greatest number of students who can pay their tuition fees instead of attracting the smaller number, though the brightest and the most talented ones. Research is also targeted at achieving fund-raising purposes; thus, making researchers engage into research that brings the highest monetary value. Third, universities are managed like business corporations. For example, universities are led not by the most prominent professors as it used to be centuries ago but by managers. Efficient resource allocation is another characteristic of corporative universities. "Business practices of cutting production costs, abandoning courses and programmes not in demand, offering more popular programmes and facilities and advertising to increase brand image, sales and the profit margins: a business language and culture unfamiliar in HE twenty years ago (Kwong, 2000; Young, 2002 in Hemsley-Brown, 2011).

Let us analyse some characteristics and criticism of Corporative approach. As Kim, T. in her article *Changing University Governance and Management in the U.K. and elsewhere under Market Conditions: Issues of Quality Assurance and Accountability* suggests, under corporative approach a different distribution of power between universities and the state appears, dignity of academic lifestyle is being lost and academic life conforms to management laws (Kim, 2008). Furthermore, Currie, J.; Vidovich, L. in the article *Privatization and competition policies for Australian universities* analyses the influence of corporative university management model on Australian universities. They claim that university mission is to foster conventional academic traditions and to serve public interest. However, under the Corporative approach state owned universities are losing their voice in society, and privatization brings harm to state universities. Organizational university culture is also changing and universities become a place of businessmen and not of academia (Currie, 2008). In addition, Corporative approach threatens university autonomy. The notion to make profit of education and research provides incentive to be bribed, to violate the research principle of neutrality and objectivity, even to universities to be blackmailed. For example, Hunsaker, J.S. in the article *Fundraising and Values: When Do You Say „No“ to Money* analyses a situation when the interests of a major university donor do not agree with the university mission and conflict appears in the later stage of a cooperation (Hunsaker, 2010). Furthermore, as Gumport P. in the book *Academic Restructuring: Organisational Change and Institutional* suggest, "increased collaboration in research among university, industry and government resulted in the creation of a new and hybrid organisational forms that blend the features of public, private non-profit, and for-profit forms. University-based spin-offs, research joint ventures (RJVs), university-industry cooperative research centres and (UICRCs) and a host of other organisational forms created to take advantages of technology transfer opportunities fuse the work practices, cultures, governance structures and management styles of these different domains (Gumport, 2000). Despite criticism and adherence to conventional approach to university mission and organizational culture, corporative approach is gaining more power and spreading globally.

3. Research results / findings.

Modern academic world is experiencing shifting university values, mission and organizational culture. University leadership and academic communities face a dilemma what values to adhere to, how to fulfil university mission, and make the competing factors meet. The article analysed theoretical framework of the dominating approaches in academia. Based on theoretical literature analysis characteristics, appearances and their criticism were analysed. University leaders can resolve the contradiction between conventional and corporative approaches to university values, mission and organizational culture. First, they need to exploit fundamental value system that led Western civilisation throughout centuries that is humanistic and Christian frames of thought. They need to apply it in daily university practice and processes. Second, university leaders need to evaluate the spectrum of factors of both – Conventional and Corporative approaches, based on their characteristics, potential impact and scientific criticism. Finally, university leadership needs to make perspective-oriented decisions as suggested by the dominating and emerging trends in global society.

4. Conclusions

After theoretical analysis it can be stated that:

1. It is very important for university leadership, academic community and society in general to be aware of the dominating approaches behind university values, mission and organizational culture.
2. Based on the literature analysis two major approaches behind university mission and organisational culture – Conventional and Corporative were analysed.
3. Conventional approach behind university mission and organisational culture refers to the traditional model of university management and it was based on two principal leading frames of thought – humanism and Christianity. Its major characteristics include university isolation from the society, lack of accountability and self-management structures led by researchers.
4. Corporative approach behind university mission and organisational culture refers to a modern market oriented model of university management. Its major characteristics include response to the market, profit making and managing university like a business company.
5. University leaders can resolve the contradiction between conventional and corporative approaches to university mission and organizational culture by exploiting fundamental value system, evaluating the spectrum of factors of both approaches and making perspective-oriented decisions.

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UNIVERSITETO VERTYBIŲ, MISIJOS IR ORGANIZACIJOS KULTŪROS KAIRTA: VADOVAVIMO DILEMA

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SANTRAUKA. Kintančios universiteto vertybės, misija ir organizacinė kultūra pastaruoju metu sulaukia vis daugiau akademinės ir praktikų bendruomenės dėmesio. Universitetų vadovai ir akademinės bendruomenės susiduria su dilema, kokiomis universiteto vertybėmis vadovautis, kaip įgyvendinti universiteto misiją ir suderinti prieštaraujančius universiteto organizacinės kultūros veiksnius. Nors vertybės, misija ir organizacinė kultūra yra abstrakcijos, jos sukuria stiprią galią ir vaidina svarbų vaidmenį skirtingais visuomenės raidos laikotarpiais. Šiuolaikinių universitetų vadovai atsiduria kryžkelėje tarp tradicinio ir korporatyvinio požiūrio į universitetų vertybes, misiją ir organizacinę kultūrą. Šiuo straipsniu siekiama išnagrinėti teorinius vyraujančių požiūrių pagrindus. Literatūros analizės metodu analizuojami tradicinio ir korporatyvinio požiūrių bruožai ir apraiškos. Daroma išvada, kad universitetų vadovai gali suderinti priešpriešą tarp tradicinio ir korporatyvinio požiūrio į universitetų vertybes, misiją ir organizacinę kultūrą remdamiesi fundamentine vertybių sistema, įvertindami abiejų požiūrių veiksnių spektrą ir priimdami į perspektyvą orientuotus sprendimus.

Reikšminiai žodžiai: tradicinis požiūris, korporatyvinis požiūris, universiteto vertybės, misija, organizacinė kultūra.

SOCIAL MEDIA IN UNIVERSITY STUDIES: ADMINISTRATOR ATTITUDE

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ABSTRACT. Rapid development of new Web 2.0 technologies and their applications such as social networks raises the question of the proper technology use in the process of university studies. It is important to develop technology awareness and its effective use in teaching/learning processes. Social networks include billions of users and the numbers are constantly growing. The generation of future students is already participating in social networks actively. They are using digital media and creating digital content. Various technologies and their applications using Web 2.0 advantages acquire vast influence as they improve digital literacy and act as effective teaching/learning aids. Educational institutions are able to apply the advantages of Web 2.0 such as simple and fast micro content creation and social factor which ensures immediate communication and feedback which leads to further development and creation of digital knowledge. Institutions of higher education face numerous possibilities of using social networks in the study processes and some institutions start using them already. However, different institutions choose different ways of using social networks. Some institutions trying to ensure safe study environment start creating their own inner networks, whereas others apply integrative approach and start using already existing public social networks in such a way trying to move the study process into the public environment and create learning communities in the public space. Therefore, it is important to explore institution administrators’ views and attitudes towards the use of social networks in the study process.

Keywords: social media, social networks, administrator, higher education

1. Introduction

Our world as well as educational processes have been changed by the emergence of Web 2.0 technologies and their applications like social media. Some theoreticians and researches explore the ways how mastering new social technologies could ensure better quality of life. Other researchers try to warn against the risk of mixing reality with illusionary concepts, the appearance of simulated reality which leads to implementation of manipulative projects distorting natural human life. Despite the variety of the attitudes the role of social media is increasing and it is changing the ways people accept and process information.

According to the recent research approximately 95% of young people (age groups 13-17 and 18-29) use social media regularly (Amanda Lenhart, 2010) Applications of Web 2.0 technology get applied more and more in our daily lives, especially in the lives of young people in various places and various social contexts. (Hargittai, 2007) Social networking sites include billions of users and the numbers are constantly growing. The generation of future students is already using social media actively. They are using digital media and creating digital content.

The potential offered by Web 2.0 technology which could change social distributions, which creates possibilities and re-moulds our links with objects, places and each other is not fully explored (Beer and Burrows, 2007). Research how social media influences pedagogics and social links in education is a scarce but growing research field. (Selwyn 2007)

Research focus in the field of education has a tendency to shift towards student use of social media for studying purposes (Ellison, Steinfield, and Lampe 2007; Selwyn 2007; Petkūnas and Jucevičienė, 2006). Another research trends related to the use of social media are pedagogue professional transformation (Oberg and Bell, 2012) and transformation of teaching practices while using social media (Cheal, Coughlin, and Motore 2012), educator use of social media in their work practices (Hewitt and Forte 2006; Mason 2006; Mazer, Murphy, and Simonds 2007), as well trust and privacy problems related to the use of social media (Lange2007; Mitrano 2006). Educators have to accept the reality of the growing use and influence of social media in the educational and education administrators have to shape their attitudes and decisions, so it is interesting to research education administrator attitudes and experience in the use of social media.

2. Aims and objectives

The aim of the phenomenological study is to describe and analyze the phenomenon of the use of social media at the institutions of higher education. The research of the phenomenon is based on administrator experience. The main research question is focused on how administrators perceive and name their experience connected to the use of social media in their institutions.

3. Methodology of the research

Van Manen's (1990) insights about the connectedness of phenomenology and pedagogy allow to justify phenomenological approach in the research. Describing hermeneutical phenomenology Van Manen claims: (1990, quoted from Creswell, 2007) that research is focused on lived experience and research analysis is of interpretative manner. Phenomenology is perceived as not pure description but as an interpretation of lived experiences related to the phenomenon. The research is focused on how administrators in MRU perceive and name their experience related to social media use in their institutions.

Speaking about the collection of the empirical data, semi-structured interviews are used for data collection. Interview allows the interviewees themselves to point out the problems which are important to them and as well allows the interviewees to provide their own versions about their experience. In-depth interviews were conducted with 5 MRU administrators. The selection of research participants from the same institution contributed to the homogeneity of the research participant background. The research participants were chosen considering the promotion of the use of social media in their departments and their personal experience in the use of social media. The fact that all the research participants were personally acquainted with the researcher helped the research participants to relax and open up during the interviews. As well the research participants were informed about the research purpose and procedures and ensured that their anonymity would be secured.

Empirical research data were processed according to the phenomenological data analysis steps establish by Moustakas (1994). First, the data were preliminary overviewed and then the meaningful statements, sentences or extracts (parts of the sentences) which contain essential information about the experience of the research participants were highlighted. Moustakas (1994) identifies this stage of data analysis as the process of horizonalization. Next stage included organizing the highlighted statements into subcategories forming certain clusters of meaning which later fall into certain categories (topics). Finally, the highlighted statements and categories were used to provide textual description. They were used to describe the context of the research participant experience to provide structural description of the phenomenon of the use of social media at the institutions of higher education.

4. Research findings

Through the analysis of the interviews with the administrators of the institutions of higher education certain categories, which are overviewed below, have been identified.

Category 1

Understanding social media

Subcategories

1. Perception of social media – means for communication and sharing information – 'digital technologies promoting communication, enabling to upload one's own information, edit it and share the information'
2. Ways of the use – communication and collaboration, creating and sharing information, advertising and ensuring feedback – 'we published an article in Delfi and got many responses, social media gives more possibilities to advertise and reveal the advantages of study programs, I use social media to get more information on the subject I need and communicate with friends'

Category 2

Attitudes and concerns

Subcategories

1. institutional social media sites versus public – 'university uses distant learning system Moodle (it's a closed system), we are not thinking about open public social media sites, we use institutional social media sites'

2. anonymity of feedback – ‘we prefer ensuring anonymity while getting full student feedback, anonymous environment should be ensured for student feedback’
3. subjective and superficial information – ‘information on social media sites has a tendency to be subjective and superficial, mostly based on appearance and other factors characteristic to social media’

Category 3

Preconditions for the use of social media

Subcategories

1. technical support - ‘our institution supports social media use, we have well-equipped study rooms, video rooms, lecturers are able to record their lectures and create interactive online lectures as well’
2. teaching staff training – ‘in the first place we have to prepare our lecturers and enable them to use social media in teaching processes’

The first category related to understanding of social media is divided into two subcategories: perceptions of social media and the ways of its use. The subcategory of social media perception refers to how administrators name their grasp of social media. The research participants name and characterize social media as a means of communication and sharing information. According to postmodernist view social research is closely connected to the use of language, its multiple layers and meanings, the play of meaning and its changeability. In this way the researcher has to apply additional attempts to get the meaning underlying institutional discourses. Many postmodernist insights (Derrida 2000, Lyotard 1993) are connected with careful text analysis and reflective practices which enable the researcher to recognize the reality embedded in various discourses. Returning to the understanding of social media we can identify a difference between scientific discourses and definitions of social media and how institutional administrators perceive it in their daily work situations. As it has been mentioned above in scientific discourses social media definition includes creation of new micro content not only information exchange and communication as the administrators name it. The definition of social media includes the aspect of creativity, while the interview data reveals that administrator perception is more focused on information exchange and communication.

It is interesting to analyze the first subcategory of social media perception because it gives a good explanation how administrators of the institutions of higher education understand and use social media. The second subcategory, related to the ways of social media use, reveals that administrators use social media to generate new content, publish new information, advertise study programs but attach such use to institutional space like collaborating with colleagues and working on the institutional matters. They do not think students could use social media for learning or creating knowledge.

Speaking about the second category, which represents attitudes and concerns, reveals a quite cautious administrator attitude towards social media in education. The first subcategory is related to the use of closed institutional social media. Institution administrators express concern and unwillingness to use public social media as they are not sure about privacy matters. This is very closely connected to the second subcategory – anonymity of feedback. Administrators see the importance of ensuring feedback anonymity and keeping personality privacy. Their concern is understandable, however, the age of digital media and the use of social media makes ensuring privacy a questionable notion. According to Foucault (1998), who introduces the notion of Panopticon, the processes of globalization and digitalization reduce personal privacy to overall translucency and control via making everything translucent. In such a way privacy and democracy become only the empty notions in the play of various discourses of postmodernist world. Still educators and institutions of higher education would like to protect the remnants of personal privacy and democratic thinking. The third subcategory reveals administrator concern about the information acquired via social media being subjective and superficial. Digital information has a tendency to be mosaic and more like hypertext with many links which allow move easily in any direction in the field of information. According to Mcluhan (2003) new generation who grew up with new technologies are used to getting fast information which is fragmented and mosaic. Linear way of thinking is gradually replaced by multitasking and simultaneous thinking. In a way administrator concern expresses their attitude to social media characteristic to linear thinkers who would turn to the Internet for information second rather than first. It is evident that administrator attitude is rather reserved based on their background accepting social media as an alien tool to which one has to adapt.

However, the third category related to preconditions of using social media reveals a positive picture. The first subcategory here is the availability of technical support. And as the interviewee answers state, the institutions are well-equipped and the use of social media is supported. Administrators speak positively about equipping classes and providing better conditions for teaching via social media. The second subcategory reveals that administrator realize the necessity of lecturer training, preparing and enabling them to use social media in teaching.

5. Conclusion

The interviews with administrators reveal that they use social media as a means of communication and sharing information. Administrators use social media to generate new content, publish new information, advertise study programs but attach such use to institutional space like collaborating with colleagues and working on the institutional matters but they do not think students could use social media for learning or creating knowledge. As well administrators have a cautious attitude towards social media in education. They are concerned with such matters like ensuring privacy and prefer closed institutional social media. Administrators express their wish to ensure the anonymity of feedback not to breach their student personal privacy. As well they think that the information acquired via social media tends to be subjective and superficial. Such attitude could be explained by administrators not being used to the mosaic hypertext nature o digital information available through social media.

However, administrators express their readiness to support the teaching staff by providing the necessary equipment. As well administrators understand the necessity to train the staff to enable them to use social media in teaching.

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SOCIALINĖS MEDIJOS UNIVERSITETINĖSE STUDIJOSE: VADOVŲ POŽIŪRIS

Prof. Dr. Jolita Šliogerinė, Giedrė Valūnaite Oleškevičienė

SANTRAUKA. Greitas naujų Web 2.0 technologijų ir jų taikymo, tokio kaip socialiniai tinklaraščiai ir socialinės medijos, vystimasis kelia tinkamo technologijų naudojimo universitetinėse studijose klausimus. Yra svarbu vystyti technologijų suvokimą ir jų tinkamą naudojimą mokymo(si) procesuose. Socialiniai tinklaraščiai apima milijardus vartotojų ir šie skaičiai nuolat auga. Būsimų studentų karta jau dabar aktyviai dalyvauja socialiniuose tinklaraščiuose. Jie naudoja skaitmenines medijas ir kuria skaitmeninį turinį. Įvairios technologijos ir jų taikymas, naudojant Web 2.0 privalumus, įgyja didelę įtaką, kadangi jie gerina skaitmeninį raštingumą ir veikia kaip efektyvios mokymo(si) priemonės. Švietimo įstaigos gali pritaikyti tokius Web 2.0 privalumus, kaip paprastas ir greitas mikro turinio kūrimas ir socialinis faktorius, kurie užtikrina tiesioginį bendravimą ir grįžtamąjį ryšį, kas lemia tolesnį vystimąsi ir skaitmeninių žinių kūrimą. Aukštojo mokslo institucijos su daugybe galimybių naudoti socialinius medijas mokymo procese ir kai kurios institucijos jau pradeda jas naudoti. Tačiau skirtingos institucijos pasirenka skirtingus socialinių medijų naudojimo būdus. Kai kurios institucijos bandydamos užtikrinti saugią studijų erdvę, pradeda kurti savo vidinius tinklaraščius, kai tuo tarpu kitos institucijos taiko integracinį požiūrį ir pradeda naudoti jau egzistuojančius socialinius tinklaraščius, tokiu būdu bandydamos perkelti studijų procesą į viešą erdvę ir kurti besimokančias bendruomenes viešoje erdvėje. Todėl yra svarbu ištirti institucijų vadovų požiūrį į socialinių tinklaraščių ir socialinių medijų naudojimą studijų procese.

Reikšminiai žodžiai: socialinės medijos, socialiniai tinklaraščiai, vadovas, aukštasis mokslas

KRIMINALISTIKOS METODŲ TAIKYMO GYNĖJO PROCESINĖJE VEIKLOJE METODIKOS PRINCIPAI

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SANTRAUKA. Straipsnyje pateikiama kriminalistikos metodų taikymo gynėjo procesinėje veikloje metodikos samprata bei jos pagrindiniai principai. Kriminalistikos metodų taikymo gynėjo procesinėje veikloje metodika yra moksliškai pagrįstų ir praktiškai naudojamų rekomendacijų sistema, skirta tam, kad gynėjas turėtų faktinę galimybę optimaliai įgyvendinti kompleksą veiksmų pirmiausiai ruošiantis atlikti gynybos funkciją ikiteisminio tyrimo metu, o taip pat baudžiamosios bylos nagrinėjimo teisme metu betarpiškai šią veiklą įgyvendinant. Sisteminis gynėjo procesinės veiklos charakteris tiek ikiteisminio tyrimo metu, o taip pat bylos nagrinėjimo teisme metu nulemia jos įgyvendinimą prisilaikant tam tikrų principų. *Lot. „principium“ – pagrindas, pirmasis šaltinis arba pagrindinė veikimo taisyklė.* Šie principai yra būtinoji turiningo gynėjo dalyvavimo baudžiamajame procese sąlyga. Gynėjo procesinė veikla – sudėtingas ir nevienalytis procesas. Jo esmė nėra vien tik gynėjo procesinio dalyvavimo ikiteisminio tyrimo veiksmuose ar formalaus dalyvavimo bylos nagrinėjimo teisme, klausimas. Iš čia išplaukia tai, kad šios veiklos rezultatas ne visada nulemiamas vien tik gynėjo veiklos procesiniu reglamentavimu. Gynėjui svarbu ne vien puikiai išmanyti baudžiamąją ar baudžiamojo proceso teisę, nusikalstamų veikų kvalifikavimo teorijos pagrindus, tačiau ir sugebėti įvaldyti gynėjo procesinės veiklos metodiką, išplaukiančią iš kriminalistikos mokslo, o taip pat įvairių rūšių atskirų nusikaltimų

baudžiamosiose bylose tyrimo problematikos. Todėl, darome išvadą, kad kriminalistikos metodų gynėjo procesinėje veikloje metodikos principai tai sistematizuota pagrindinių ir būtinųjų sąlygų visuma, įgyvendinama gynėjo ir sąlygota gynybos funkcijos jai ruošiantis ir ją atliekant ikiteisminio tyrimo bei baudžiamosios bylos nagrinėjimo teisme metu. Gynėjo procesinės veiklos, taikant kriminalistikos metodus, metodikos principai apibrėžia būtent gynėjo veiklos turinį ir kryptis, šiam įgyvendinant teisės į gynybą funkciją ikiteisminio tyrimo bei bylos nagrinėjimo teisme, metu. Atsižvelgiant į gynėjo procesinės veiklos norminę reglamentaciją, įstojimo į baudžiamąjį procesą momentą, gynėjo praktinės-procesinės veiklos trukmę, principus, jo teises ir pareigas, mes išskiriame šiuos principus: ***1 principas.*** *Kriminalistikos metodų gynėjo procesinės veiklos taikymo apribojimas nagrinėjamos baudžiamosios bylos įrodinėjimo dalyku ir ribomis, sąlygojamomis įtarimo ikiteisminio tyrimo metu bei pareikšto kaltinimo asmeniui teisminio nagrinėjimo metu, turiniu.* ***2 principas.*** *Ikiteisminio tyrimo medžiagos analizės ikiteisminio tyrimo metu ir susipažinimo su baudžiamosios bylos medžiaga teisminio nagrinėjimo metu savalaikiškumas, išsamumas bei visapusiškumas, vykdant gynėjo procesinę veiklą.* ***3 principas.*** *Gynėjo teisinės sąmonės, kurios sudedamasis elementas kriminalistikos mokslo žinių ir su jomis susijusių naujausių technologijų įsisavinimas, turinio visapusiškumas.* ***4 principas.*** *Ginamojo asmens ir gynėjo procesinių santykių pagrindimas tarpusavio pasitikėjimu ir bendradarbiavimu.* ***5 principas.*** *Gynėjo veiklos ikiteisminio tyrimo metu ir teisminiame nagrinėjime planavimas.* ***6 principas.*** *Tyrimo, analizės ir pozicijos pareiškimo susipažįstant su prokuroro pateiktais ikiteisminio tyrimo duomenimis ikiteisminio tyrimo metu, kuriais grindžiamas įtarimas bei duomenimis, valstybės kaltintojo pateiktais teisiminiam bylos nagrinėjimui, kuriais grindžiamas kaltinimas teisme, aktyvumas.* ***7 principas.*** *Procesinių-kriminalistinių galimybių, kad būtų nustatytos aplinkybės, teisinančios ginamąjį ar lengvinančios jo atsakomybę, ir suteikta ginamajam reikiama teisinė pagalba, išnaudojimo maksimalumas.* ***8 principas.*** *Ikiteisminio tyrimo metu gynėjo iniciatyvos surenkant, pateikiant ir priimant į bylą, ikiteisminio tyrimo duomenis, kuriais neigiamas įtarimas bei duomenis, gynėjo pateikiamus teisminiam bylos nagrinėjimui, kuriais neigiamas kaltinimas, visapusiškumas.* Apibendrinant darytina išvada, jog gynėjo procesinės veiklos, taikant kriminalistikos metodus, metodikos principų turinio atskleidimas bei gebėjimas juos taikyti praktikoje yra sėkmingo šiuolaikinių technologijų taikymo kriminalistinėje advokato veikloje pagrindas.

Reikšminiai žodžiai: kriminalistikos metodų taikymo gynėjo procesinėje veikloje metodika, metodikos principai, gynėjo procesinė veikla

1. Įvadas

Sisteminis gynėjo procesinės veiklos charakteris tiek ikiteisminio tyrimo metu, o taip pat bylos nagrinėjimo teisme metu nulemia jos įgyvendinimą prisilaikant tam tikrų principų. Šie principai yra būtinoji turiningo gynėjo dalyvavimo baudžiamajame procese sąlyga. Gynėjo procesinė veikla – sudėtingas ir nevienalytis procesas. Jo esmė nėra vien tik gynėjo procesinio dalyvavimo ikiteisminio tyrimo veiksmuose ar formalaus dalyvavimo bylos nagrinėjimo teisme, klausimas. Iš čia išplaukia tai, kad šios veiklos rezultatas ne visada nulemiamas vien tik gynėjo veiklos procesiniu reglamentavimu. Gynėjui svarbu ne vien puikiai išmanyti baudžiamąją ar baudžiamojo proceso teisę, išmanyti nusikalstamų veikų kvalifikavimo teorijos pagrindus, tačiau ir sugebėti įvaldyti gynėjo procesinės veiklos metodiką, išplaukiančią iš įvairių rūšių atskirų nusikaltimų baudžiamosiose bylose tyrimo problematikos.

2. Gynėjo procesinės veiklos, taikant kriminalistikos metodus, metodikos principų samprata ir turinys

Remiantis galiojančiu Lietuvos Respublikos baudžiamojo proceso kodeksu (toliau straipsnyje LR BPK) gynėjai Lietuvos baužiamajame procese yra advokatai[1]. Advokatai, vykdantys gynėjo baudžiamajame procese funkciją, savo procesinę veiklą tiek ikiteisminio tyrimo metu, o taip pat ir baudžiamosios bylos nagrinėjimo teisme metu privalo grįsti vadovaujantis baudžiamojo proceso principais, o taip pat išimtinai griežtai laikantis advokato veiklos principų. Lietuvos Respublikos advokatūros įstatymo 5 straipsnyje[2] yra įtvirtinti pagrindiniai advokatų veiklos principai:

1) advokato veiklos laisvė ir nepriklausomumas;
2) advokatų tarpusavio santykių demokratiškumas, kolegiškumas ir sąžininga konkurencija;
3) advokatų veiklos teisėtumas;
4) kliento paslapties neatskleidimas;

1 Vadovaujantis LR BPK 47 straipsniu **gynėjai yra advokatai**. Advokato pavedimu gynėju gali būti advokato padėjėjas, jeigu tam neprieštarauja ginamasis. Advokato padėjėjas negali būti gynėju nagrinėjant teisme bylą dėl sunkaus ar labai sunkaus nusikaltimo.

2 Lietuvos Respublikos baudžiamojo proceso kodeksas // Valstybės žinios. 2002. Nr. 37–1341.

5) lojalumas klientui ir interesų konflikto vengimas;
6) nepriekaištingas elgesys[3].

Be pagrindinių advokatų veiklos principų būtina pabrėžti, kad gynėjo procesinė veikla yra paremta konkrečiomis taip pat įstatymu nustatytomis pareigomis, kurios pagal LR advokatūros įstatymo 39 straipsnį yra šios:

1) sąžiningai atlikti savo pareigas. Advokatas privalo laikytis Lietuvos advokatų etikos kodekso reikalavimų ir elgtis dorai bei pilietiškai;
2) savo veikloje laikytis duotos advokato priesaikos ir įstatymų;
3) saugoti advokato veiklos metu jam patikėtą informaciją ir jos neatskleisti;
4) teismo posėdžio metu dėvėti mantiją;
5) nuolat tobulinti profesinę kvalifikaciją. Advokatų profesinės kvalifikacijos tobulinimą organizuoja Lietuvos advokatūra šios nustatyta tvarka;
6) Lietuvos Respublikos archyvų įstatymo nustatyta tvarka saugoti advokato veiklos dokumentus.

Tam, kad advokatūra dirbtų dorai, kiekvienas advokatas turi būti nepriekaištingos reputacijos. Tai yra demokratijos vertybė. O kadangi nei demokratinės valstybės, nei jos teisinės sistemos negalima įsivaizduoti be advokatūros, ši veikla privalo būti etiškos laikysenos ir darbo pavyzdys. Pagrindines dorovines kiekvieno gynėjo veiklos dorovines gaires yra apibūdinęs dar prof. P. Leonas. Kuris teigė jog advokato veiklos prigimtis, jo veiklos uždaviniai ir darbo tikslas reikalauja:

a) tam tikrų jo asmens savybių (mokslinio pasiruošimo ir dorovinio išsiauklėjimo);
b) atitinkamų teisinių jo veiklos sąlygų: laisvės ir laisvos advokatų korporacijos jai apsaugoti;
c) nuolatinės griežtos dorovinės disciplinos ir priežiūros, kurią vykdo advokatų korporacija[4].

Advokato veiklai taikomi ne tik bendražmogiškieji elgesio standartai, bet ir specialūs reikalavimai, nustatyti tiek advokatūros veiklą reguliuojančių teisės aktų, tiek ir profesinės etikos normų. Jų nustatyti reikalavimai advokato elgesiui yra objektyviai būtini - tik nepriekaištingo profesinio elgesio žmogui gali būti patikėta dalyvauti teisingumo įgyvendinimo procese, priešingu atveju tai diskredituotų pačią teisingumo įgyvendinimo idėją.

Nepakanka įvertinti advokato veiklą tik įstatymų aspektu, bet būtina jo veiksmus vertinti ir profesinę etiką reguliuojančių normų kontekste. Lietuvos advokatų etikos kodekse[5] pabrėžiama, kad advokato profesinė veikla reikalauja laikytis *teisinių ir moralinių įsipareigojimų* (1.2. p.). Advokatas visada privalo saugoti profesinę garbę ir orumą ir *nediskredituoti advokato vardo, duotos priesaikos ir teisingumo idėjos* (1.3. p.). Advokatas savo profesinėje veikloje turi pareigas, *nurodytas Lietuvos Respublikos Konstitucijoje, Advokatūros įstatyme, kituose teisės aktuose ir Lietuvos advokatų etikos kodekse* (2.2. p.).

Tačiau nepriklausomai nuo to, kad LR advokatūros įstatymo 5 straipsnyje yra įtvirtintas advokato veiklos laisvės principas, gynėjo veiklai baudžiamajame procese yra taikomi visi baudžiamojo proceso principai, nes gynėjo atliekama ginybinė veikla nei ikiteisminio tyrimo metu, nei nagrinėjimo teisme metu negali būti chaotiška ir prieštaraujanti LR BPK 4 straipsnio nuostatoms (baudžiamojo proceso tvarką Lietuvoje nustato LR BPK). Šie gynėjo veiklai taikomi principai yra kaip savotiškas rėmas ant kurio laikosi baudžiamieji procesiniai santykiai, susiję su visu įrodinėjimo procesu. Nagrinėjamų principų turinys yra sąlygotas ne tik fundamentaliais baudžiamojo proceso, gynėjo veiklą reglamentuojančiais principais ir priemonėmis, bet ir kriminalistikos, psichologijos ir kitų mokslų krypčių teorinėmis žiniomis ir praktine veikla, kurių galimybės ir integruojasi į metodiką.

Gynėjo procesinės veiklos, taikant kriminalistikos metodus, metodikos principai apibrėžia būtent gynėjo veiklos turinį ir kryptis, šiam įgyvendinant teisės į gynybą funkciją ikiteisminio tyrimo bei bylos nagrinėjimo teisme, metu. Atsižvelgiant į gynėjo procesinės veiklos norminę reglamentaciją, įstojimo į baudžiamąjį procesą momentą, gynėjo praktinės-procesinės veiklos trukmę, jo teises ir pareigas, mes išskiriame šiuos principus.

1 principas. *Kriminalistikos metodų gynėjo procesinės veiklos taikymo apribojimas nagrinėjamos baudžiamosios bylos įrodinėjimo dalyku ir ribomis, sąlygojamomis įtarimo ikiteisminio tyrimo metu bei pareikšto kaltinimo asmeniui teisminio nagrinėjimo metu, turiniu.*

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3 2004 m. kovo 18 d. priimto Lietuvos Respublikos advokatūros įstatymas Nr. IX-2066.
4 Leonas P. Advokatų profesija ir jų organizacija.– Kaunas, 1930.
5 2005 m. balandžio 8 d. visuotiniame advokatų susirinkime priimtas Lietuvos advokatų etikos kodeksas. Valstybės žinios, 2005-11-03, Nr. 130-4681.

LR BPK 187 straipsnyje įtvirtinta, jog prieš pirmąją apklausą įtariamajam turi būti pasirašytinai įteiktas pranešimas apie įtarimą ar pateiktas prokuroro nutarimas pripažinti jį įtariamuoju. Pranešime apie įtarimą, prokuroro nutarime ar ikiteisminio tyrimo teisėjo nutartyje pripažinti įtariamuoju turi būti nurodyta nusikalstama veika (padarymo vieta, laikas, kitos aplinkybės) ir baudžiamasis įstatymas, numatantis tą nusikalstamą veiką, taip pat išvardytos įtariamojo teisės. Taip pat, įvertinus LR BPK 255 straipsnio, kuriame nustatyta, jog byla teisme nagrinėjama tik dėl tų kaltinamųjų ir tik dėl tų nusikalstamų veikų, dėl kurių ji perduota nagrinėti teisiamajame posėdyje ir, kad kaltinamasis negali būti nuteistas pagal kitą baudžiamąjį įstatymą, numatantį sunkesnį nusikaltimą ar baudžiamąjį nusižengimą, arba dėl nusikalstamos veikos, kurios faktinės aplinkybės iš esmės skiriasi nuo kaltinamajame akte išdėstytųjų, jeigu apie tokią galimybę teisiamajame posėdyje jam iš anksto nebuvo pranešta, turinį, atsižvelgiant į Lietuvos Respublikos Konstitucinio Teismo nutarimais bei Lietuvos Aukščiausiojo Teismo sprendimais formuojamą praktiką, galime daryti išvadą, jog gynėjo procesinės veiklos, panaudojant kriminalistikos metodus, metodika ne tik yra sąlygota įrodinėjimo dalyku, bet ir juo apribota. Teismui ar valstybiniam kaltintojui išėjus iš pateikto kaltinamajam kaltinimo ribų tai yra pripažįstama esminiu baudžiamojo proceso įstatymo pažeidimu. O tai atsitinka todėl, kad atsidūrus prieš faktus, reikalaujančius oficialaus teisinio vertinimo, neišvengiamai tenka naudotis labai sudėtingu norminiu instrumentu, apimančiu ir materialinę, ir proceso teisę. Dažnai pasitaiko taip, kad padaryta veika yra kvalifikuojama ypatingai tiksliai nurodant reikiamą nusikaltimo ar baudžiamojo nusižengimo sudėtį, tačiau nepaisant gero kvalifikavimo baudžiamosios teisės požiūriu, rezultatas bus nepatenkinamas, o sprendimas naikinamas, jeigu tą padarys nekompetetingas subjektas arba, tarkime, bus pažeistos kaltinimo keitimą baudžiamajame procese reglamentuojančios taisyklės, lygiai kaip kitu atveju pavyzdžiui skundo nagrinėjimo ribos ir pan. Taigi, įrodinėjimo veikla turi būti įgyvendinama ne bet kaip, bet nenukrypstant nuo teisinių taisyklių ir formalumų, o tai reiškia, jog ir gynybos ribos turi neviršyti pareikšto įtarimo ar kaltinimo ribų.

2 principas. *Ikiteisminio tyrimo medžiagos analizės ikiteisminio tyrimo metu ir susipažinimo su baudžiamosios bylos medžiaga teisminio nagrinėjimo metu savalaikiškumas, išsamumas bei visapusiškumas, vykdant gynėjo procesinę veiklą.*

Galiojančiame Lietuvos baudžiamojo proceso įstatyme tokio reikalavimo gynėjui nėra reglamentuota. Nes iš LR BPK 181 straipsnio turinio seka, kad tai yra gynėjo teisė, o nepareiga. Pagal šį reglamentavimą įtariamasis ir jo gynėjas, nukentėjusysis ir jo atstovas ikiteisminio tyrimo metu bet kuriuo momentu turi teisę susipažinti su ikiteisminio tyrimo duomenimis, išskyrus proceso dalyvių asmens duomenis, saugomus atskirai nuo kitos ikiteisminio tyrimo medžiagos, taip pat susipažinimo metu daryti ikiteisminio tyrimo medžiagos kopijas ar išrašus. Rašytinis prašymas susipažinti su ikiteisminio tyrimo medžiaga ar susipažinimo metu daryti ikiteisminio tyrimo medžiagos kopijas ar išrašus pateikiamas prokurorui. Prokuroras privalo išnagrinėti prašymą ne vėliau kaip per septynias dienas nuo jo gavimo dienos, o kai prašymui išnagrinėti reikalinga ikiteisminio tyrimo medžiaga, – per septynias dienas nuo šios medžiagos gavimo. Prokuroras turi teisę neleisti susipažinti su visais ikiteisminio tyrimo duomenimis ar jų dalimi, taip pat neleisti daryti ikiteisminio tyrimo medžiagos kopijas ar išrašus, jei toks susipažinimas, prokuroro manymu, galėtų pakenkti ikiteisminio tyrimo sėkmei. O kadangi pagal LR BPK 177 straipsnį ikiteisminio tyrimo duomenys neskelbtini, šie duomenys iki bylos nagrinėjimo teisme gali būti paskelbti tik prokuroro leidimu ir tik tiek, kiek pripažįstama leistina. Tokiu būdu analizuojamo ir mūsų manymu vieno iš esminių apibrėžiamos metodikos principo įgyvendinimą galime nukelti iki kaltinamojo akto surašymo įtariamajam momento arba iki viso ikiteisminio tyrimo pabaigos, taip visiškai atimant iš įtariamojo teisės į gynybą realų realizavimą. Be to, būtina pabrėžti, kad tokį sprendimą ikiteisminiame tyrime priima prokuroras, kuris privalo puikiai žinoti, kad Lietuvos Respublikos generalinio prokuroro 2004 02 25 įsakymu Nr.I-40 patvirtintose rekomendacijose[6] 5 punkte yra nustatyta, jog prokuroras, organizuodamas ikiteisminį tyrimą ir jam vadovaudamas, pagal savo kompetenciją privalo: 5.1. užtikrinti ikiteisminio tyrimo teisėtumą, kad baudžiamasis procesas nebūtų pradėtas, o pradėtas būtų nutrauktas esant aplinkybėms, dėl kurių baudžiamasis procesas negalimas. Be to, pagal rekomendacijų 5.4. p. ne kas kitas, o prokuroras šiuo atveju privalėjo kontroliuoti, kad ikiteisminio tyrimo pareigūnai, atlikdami ikiteisminį tyrimą, nepažeidinėtų asmens teisių, numatytų BPK 44 straipsnyje. O nustačius tokius pažeidimus, nedelsiant imtis priemonių jiems pašalinti bei kaip tai įtvirtinta minimų rekomendacijų 5.6.p. įstatymo nustatytais atvejais išaiškinti proceso dalyviams jų procesines teises ir užtikrinti galimybę jomis pasinaudoti (BPK 45 str.). Todėl iš čia darytina išvada, kad siekiant sudaryti realias sąlygas LR BPK 21 straipsnyje įtvirtintų įtariamojo procesinių teisių įgyvendinimui, o taip pat visapusišką LR BPK 48 straipsnyje įtvirtintą gynėjo procesinių teisių įgyvendinimą, būtina keisti LR BPK 181 straipsnį, panaikinant privilegijuojančią prokuroro veiklą šios procesinės normos dalį, kuri suteikia teisę prokurorui visiškai neleisti gynėjui įgyvendinti procesinės jo veiklos ir tuo pačiu esmingai apriboti įtariamojo teisės į gynybą realizavimą ikiteisminio tyrimo metu.

6 Lietuvos Respublikos generalinio prokuroro 2004 02 25 įsakymo Nr.I-40 Lietuvos Respublikos generalinio prokuroro 2008 06 19 įsakymo Nr. I-86 redakcija „Dėl prokuroro veiklos organizjuojant ikiteisminį tyrimą ir jam vadovaujant“.

3 principas. *Gynėjo teisinės sąmonės turinio visapusiškumas.*

Advokato pagrindinis tikslas – rūpintis galiojančios teisės apsauga ir užtikrinti tinkamą jos įgyvendinimą. Jo sąžiningumas, orumas, padorumas, korektiškumas, garbingumas ir kitos dorovinės savybės padeda užtikrinti advokato profesinės veiklos laisvę ir nepriklausomumą. Šiuolaikinė Lietuvos advokatūra pradėjo formuotis labai nepalankiu laiku, kai žmogaus dvasinės vertybės buvo trypiamos, o Lietuvai buvo primesta tarybinė socialistinė teisė, labai nutolusi nuo pasaulinio teisės mokslo. Ji reikalavo iš kiekvieno žmogaus politinio paklusnumo, visiškai užmiršdama pareigą jį ginti. Tarybinė aristokratija ir jos žemesnės pakopos atstovai kūrė savus nerašytus įstatymus, kaip Romos pretoriai ir naudojosi jais sudarydamos sąlygas visiškai savivalei ir korupcijai. Kovą už piliečių teises ir teisėtus inetresus traktavo kaip trukdymą „normaliai" gyventi. Tikriausiai dėl to, jog teisėjų kandidatūros buvo parenkamos ne pagal intelektą ir dalykines savybes, o pagal „nepriekaištingą kilmę", todėl kai kurių teisininkų darbas menkino teismo procesą, smukdė teisinę kultūrą. Be to, daugelis iš jų nesuvokė tikrosios advokatų funkcijos teismo procese: į advokatų kalbas buvo žiūrima kaip į ritualą, sakoma, kad jos beprasmiškos, kad tai tik atgyvenęs reliktas. Nepaisant, kad tokios nuostatos dar pakankamai gajos iki šiol, padėtis keičiasi ir prie tos padėties kaitos į teigiamą pusę svariausiai prisideda patys advokatai. Pirmiausiai per Lietuvos advokatūros advokatų Garbės teismo veiklą, kurios metu nuolat ir visapusiškai tiriami Lietuvos advokatų veiklos ir profesinės etikos pažeidimai, taip pat jų ir teismų bei kitų institucijų santykiai ir iš jų kilę ginčai. Garbės teismas per kiekvienos kadencijos bylų santraukas kiekvienam advokatui eilinį kartą ir pastoviai primena, kad advokatui privalu ne tik laikytis bendrų advokatų veiklos principų, nusistovėjusios praktikos ir advokato profesijai keliamų reikalavimų. Advokato elgesys negali kelti abejonių dėl advokato asmeninės garbės, sąžiningumo, garbingumo, nes šios tradicinės dorybės yra tapusios advokato profesine ir žmogiškąja pareiga. Kiekvienam advokatui ir advokato padėjėjui būtina įsisamoninti, jog ir neatlikdamas profesinių pareigų jis privalo laikytis įstatymų, būti teisės principų saugotoju ir pavyzdingu teisės principų įgyvendintoju bei savo elgesiu nepakenkti advokato vardui, nes tai yra įsipariogojęs duodamas advokato priesaiką. Advokatų tarybos narys advokatas Jonas Kairevičius yra pasakęs, jog norint tapti geru advokatu, būtinas pašaukimas: „Advokatūra yra ne amatas, ne verslas, o kūryba, šiai profesijai reikia pašaukimo."[7] Čia būtina prisiminti 1990 m. rugsėjo 7 d. Jungtinių Tautų patvirtintų Pagrindinių teisininkų vaidmens principų 9 punktą, kuriame kalbama ne apie advokatūrą kaip apie amatą, o apie advokatūros idealus.

4 principas. *Ginamojo asmens ir gynėjo procesinių santykių pagrindimas tarpusavio pasitikėjimu ir bendradarbiavimu.*

Tai pasiekiama konkrečiomis teisinėmis priemonėmis. Pagal LR BPK 48 straipsnio 2 dalies 4 punktą gynėjas privalo saugoti profesinę paslaptį; advokatas ir jo padėjėjas neturi teisės paskelbti žinių, kurias sužinojo vykdydami gynėjo pareigas, o štai Lietuvos Respublikos advokatūros įstatymo 46 str. 3 d. yra nustatyta, jog draudžiama apžiūrėti, tikrinti ar paimti advokato veiklos dokumentus ar laikmenas, kuriuose yra jo veiklos duomenų, tikrinti pašto siuntas, klausytis telefoninių pokalbių, kontroliuoti kitą telekomunikacijų tinklais perduodamą informaciją ir kitokį susižinojimą ar veiksmus, išskyrus atvejus, kai advokatas yra įtariamas ar kaltinamas padaręs nusikalstamą veiką. Šis leidimas taikomas tik su pareikštais įtarimais ar kaltinimais susijusiems dokumentams. O 6 to paties straipsnio dalyje yra nustatyta, jog draudžiama viešai arba slaptai susipažinti su advokato profesinę paslaptį sudarančia informacija ir ją naudoti kaip įrodymą. Tokio imuniteto nuo operatyvinio tyrimo, kokį turi advokatai, neturi teisėjai, notarai, gydytojai, valdžios atstovai ir kiti asmenys (išskyrus Lietuvos Respublikos Prezidentę). Iš čia akivaizdu, kad Lietuvos įstatymų leidėjas yra tinkamai įvertinęs ir pripažinęs gynėjo profesinės veiklos svarbą, nes operatyvinio tyrimo apribojimai advokato atžvilgiu taikomi advokato statusą turintiems asmenims visą laiką ir nepriklausomai nuo to, ar asmuo vykdo profesines advokato pareigas, ar veikia kaip privatus asmuo. Tam taip pat yra pagrįstas paaiškinimas – advokatūros įstatymo 5 straipsnyje įtvirtintas būtinasis advokato veiklos principas – nepriekaištingas elgesys. Gynybos funkcijos realus įgyvendinimas, teisės į gynybą užtikrinimas yra pamatiniai teisinės valstybės principai. O kadangi advokatą ir jo klientą paprastai sieja tarpusavio pasitikėjimo santykiai, kuriuose klientas privalo būti atviras, kad advokatas, žinodamas visą informaciją, galėtų suformuluoti kuo efektyvesnę gynybinę poziciją. Sudarydami sąlygas tretiesiems asmenims sužinoti kliento patikėtą informaciją advokatui, skatintume baimę kalbėti, nes kliento parodytas atvirumas gali būti panaudotas prieš jį patį, kas, be abejonės, neigiamai įtakotų žmogaus teisių apsaugą Lietuvoje.

5 principas. *Gynėjo veiklos ikiteisminio tyrimo metu ir teisminiame nagrinėjime planavimas.*

Advokato veikla yra sudėtingas ir įvairialypė. Pagrindinis jos uždavinys – panaudoti visas įstatyme nurodytas gynybos priemones ir būdus, kad būtų išaiškintos aplinkybės, teisinančios įtariamąjį, kaltinamąjį ar lengvinančios jo atsakomybę. Siekdamas įgyvendinti šį esminį gynybos uždavinį, advokatas turi žinoti ne tik tai ką jam reikia daryti ikiteisminio

7 Advokatų savivalda. Lietuvos advokatų tarybos žurnalas, 2002, Nr. 4 (6).

tyrimo ar teisminio nagrinėjimo teisme metu, bet ir tai, kaip reikia daryti, tai yra, jis turi kvalifikuotai ir efektyviai atlikti sudėtingą įtariamojo, kaltinamojo gynybos funkciją. Planavimas – tai gynėjo darbo tvarkos tam tikram laikui nustatymas. Gynėjo veiklos ikiteisminio tyrimo ir teisminio nagrinėjimo metu planavimas yra viena iš prielaidų, užtikrinančių efektyvią gynybą. Sudarant planą, turėtų būti numatoma:

1) visi veiksmai, kurie gynybos interesais atliktini, priklausomai nuo baudžiamojo proceso stadijos (pvz.: kokius prašymus pareikšti; kokius duomenis rinkti, į ką ir kokiu būdu kreiptis dėl šių duomenų surinkimo ir pan.);
2) šių veiksmų atlikimo laikas ir eiliškumas;
3) numatytų atlikti gynėjo veiksmų apimties ir turinio nusistatymas (pvz.: su kokia ikiteisminio tyrimo bylos medžiagos apimtimi susipažinti pradiniame gynybos etape, kokius aspektus pabrėžti įtarimo pareiškimo metu apklausiant įtariamąjį, kokius klausimus pasiruošti ir užduoti liudytojo ar nukentėjusiojo apklausos pas ikiteisminio tyrimo teisėją metu, kuriuo ikiteisminio tyrimo ar teisminio nagrinėjimo momentu pateikti prašymą dėl specialių žinių panaudojimo, ištiriant neaiškius tyrimo objektus ir pan.).

Kad planavimas būtų veiksmingas jis turi atitikti tam tikrus reikalavimus, pirmiausia planavimo indiviualumo, kuris reiškia, jog nevalia vadovautis iš anksto parengtais veiklos planais ir juos naudotis atliekant gynybos funkciją visose baudžiamosiose bylose, nes tokie planai neatspindėtų konkrečių bylos ypatybių. Antra, planavimas turi būti pagrįstas, tai yra gynėjo veiklos planas turėtų būti pagrįstas konkrečiais baudžiamosios bylos duomenimis, į tokį planą įtraukiant visus klausimus, kuriuos reikia išsiaiškinti bylos tyrimo eigoje bei priemones, kurias būtų realu įgyvendinti. Ir trečia, gynėjo veiklos planavimas tiesiog privalo būti dinamiškas, nes ikiteisminis tyrimas nėra nekintamas procesas, jo eiga nuolat papildoma naujomis faktinėmis, procesinėmis aplinkybėmis, tad ir planavimas turėtų būti pastoviai koreguojamas, atsižvelgiant į būtinybę įtraukti į jį atliktinus, anksčiau nenumatytus gynybos veiksmus.

6 principas. *Tyrimo, analizės ir pozicijos pareiškimo susipažįstant su prokuroro pateiktais ikiteisminio tyrimo duomenimis ikiteisminio tyrimo metu, kuriais grindžiamas įtarimas bei duomenimis, valstybės kaltintojo pateiktais teisiminiam bylos nagrinėjimui, kuriais grindžiamas kaltinimas teisme, aktyvumas.*

Vadovaujantis LR BPK nuostatomis teismas, išnagrinėjęs bylą, turi priimti nuosprendį, kuris būtų pirmosios instancijos teismo teisiamajame posėdyje priimtas dokumentas, kuriuo kaltinamasis pripažįstamas kaltu arba nekaltu dėl baudžiamajame įstatyme numatytos nusikalstamos veikos padarymo. Tokį sprendimą įmanoma priimti tik įvertinus visus baudžiamojoje byloje esančius įrodymus, po ko konstatuojant, ar kaltinamojo veikoje yra visi nusikalstamos veikos sudėties požymiai ir jų buvimas yra įrodytas konkrečiais įrodymais šioje byloje. Tiek LR Konstitucijos 31 straipsnyje[8], tiek LR BPK 44 straipsnio 6 punkte yra įtvirtinta, jog valstybės kaltintojas privalo ne tik sugretinti įvykio aplinkybes su LR BK uždrausta veika ar ji formaliai atitinka dispozicijoje nustatytą nusikaltimo sudėtį, bet ir įrodyti, jog nusikalstamos veikos padarymu kaltinamas asmuo padarė ne ką kitą, o baudžiamuoju įstatymu uždraustą nusikalstamą veiką, o po to teismas konstatuoti, jog tai yra įrodyta. Iš čia kyla valstybės kaltintojui pareiga pateikti teismui konkrečius liečiamumo ir leistinumo reikalvimus atitinkančius duomenis, kurie sudarytų pagrindą jam teigti, kad kaltinimas asmeniui yra pagrįstas. Remiantis LR BPK 7 straipsniu įtariamasis, kaltinamasis, o savaime suprantama, kad ir jų gynėjas nagrinėjant baudžiamąją bylą teisme, turi teisę ginčyti kitos šalies argumentus ir pareikšti savo nuomonę visais klausimais, kylančiais nagrinėjant bylą ir turinčiais reikšmės jos teisingam išsprendimui. Tad šio principo įgyvendinimui baudžiamosios bylos nagrinėjimo teisme metu tiesioginių procesinių kliūčių nėra.

Tačiau savalaikiai, objektyviai patikrinti ar ikiteisminio tyrimo metu surinkta pakankamai duomenų, pagrindžiančių įtariamojo kaltę dėl nusikalstamos veikos padarymo, pavyzdžiui pateikiant motyvuotus prašymus dėl klausimų specialistui formulavimo, atitinkamų duomenų, tyrimų, liudytojų apklausų išreikalavimo pagal šiuo metu galiojantį Lietuvos Respublikos baudžiamojo proceso įstatymą gynybos šaliai ypatingai sunku arba praktiškai neįmanoma. Ir štai dėl ko.

Visiškai pritariame E. Latauskienės nuomonei, jog specialių žinių taikymas baudžiamajame procese iš esmės pasižymi klasikiniu nusikalstamų veikų įrodinėjimo modeliu, tačiau įrodinėjimo proceso pokyčiai, kuriuos nulėmė Baudžiamojo proceso kodekse įtvirtintos „įrodymo“ sąvokos ir įrodinėjimo kaip baudžiamojo proceso teisės instituto vystymasis sudaro teisines galimybes nevienaprsmiam specialių žinių panaudojimo interpretavimui <..>, tačiau galiojančio baudžiamojo proceso kodekso spragos susijusios su specialių žinių instituto reglamentavimu, Lietuvos teisinėje praktikoje specialių žinių panaudojimo rezultatų įvertinimo gynėjui galimybę nukelia tik į teisminio bylos nagrinėjimo stadiją. Nes vadovaujantis LR BPK 209 straipsnio 1 dalimi prokuroras, pripažinęs būtinumą skirti ekspertizę, raštu apie tai praneša

8 Lietuvos Respublikos Konstitucija, Lietuvos Respublikos piliečių priimta 1992 m. spalio 25 d. referendume (su pakeitimais ir papildymais). Valstybės žinios. 1992. Nr. 33-1014.

įtariamajam, jo gynėjui ir kitiems ekspertizės rezultatais suinteresuotiems proceso dalyviams ir nurodo terminą, per kurį šie asmenys gali pateikti prašymus dėl klausimų ekspertui, dėl konkretaus eksperto skyrimo ir pateikti papildomą medžiagą ekspertizei. Tačiau dažniausiai prokurorai pripažįsta būtinybę ne skirti ekspertizę, o specialų objektų tyrimą, reglamentuotą LR BPK 205 straipsniu, kada siekiant surasti nusikalstamos veikos pėdsakus ir kitus objektus, turinčius reikšmės tyrimui, nustatyti įvykio situaciją ir kitas reikšmingas bylai aplinkybes, atliekamas įvykio vietos, žmogaus kūno, lavono, vietovės, patalpų, dokumentų ir kitokių objektų tyrimas. Prokurorams specialisto tyrimai ikiteisminio tyrimo metu paskiriami dažniausiai, nes paskyrus ekspertinį tyrimą, remiantis LR BPK 211 straipsnio 2 dalimi, gavęs ekspertizės aktą, prokuroras apie tai raštu privalėtų pranešti įtariamajam, jo gynėjui ir kitiems proceso dalyviams, kurių prašymu buvo skirta ekspertizė arba kurie buvo pateikę prašymų skiriant ekspertizę, ir privalėtų nurodyti, kur ir kada galima susipažinti su ekspertizės aktu. Reglamentuojant specialisto tyrimą pareigos pranešti apie tyrimo rezultatus arba galimybės suformuluoti ir pateikti klausimus tyrimui iš įtariamojo, jo gynėjo pusės įstatymų leidėjas galiojančiu kodeksu nenumatė. O juolab, kad remiantis Lietuvos Aukščiausiojo Teismo praktika, teismas yra konstatavęs, kad specialisto išvada, kaip įrodymų šaltinis nėra menkesnė už ekspertizės aktą, o procesiškai specialisto paskyrimas yra paprastesnis nei ekspertizės skyrimas, todėl paspartėja bylos tyrimas. Tačiau akivaizdu, kad toks specialisto tyrimo teisinis reglamentavimas aiškiai pažeidžia LR BPK 10 straipsnyje įtvirtintą įtariamojo, kaltinamojo ir nuteistojo teisės į gynybą užtikrinimo principą, nes iš minėtų proceso dalyvių akivaizdžiai yra atimama teisė įstatymų numatytomis priemonėmis (klausimų formulavimu atitinkamam specialisto tyrimui) gintis nuo įtarimų bei kaltinimų.

Vadovaujantis LR BPK 181 straipsnio 1 dalimi prokuroras turi teisę neleisti susipažinti su visais ikiteisminio tyrimo duomenimis ar jų dalimi, taip pat neleisti daryti ikiteisminio tyrimo medžiagos kopijas ar išrašus, jei toks susipažinimas, prokuroro manymu, galėtų pakenkti ikiteisminio tyrimo sėkmei. O pagal 2-ąją šio straipsnio dalį logiškai sektų, kad jis turi teisę neleisti susipažinti su ikiteisminio tyrimo duomenimis iki pat ikiteisminio tyrimo pabaigos ir kaltinamojo akto rašymo momento. Čia vertėtų dar pabrėžti, kad remiantis LR BPK 218 straipsnio 4 dalimi ir po to kai gynėjas sulaukia prokuroro pranešimo, kad ikiteisminis tyrimas pabaigtas bei pateikia prašymą vienaip ar kitaip papildyti ikiteisminį tyrimą, įstatymų leidėjas prokurorų patogumui yra priėmęs įstatyminę nuostatą, jog prokuroro nutarimas atmesti prašymą papildyti ikiteisminį tyrimą yra neskundžiamas. Tokiu būdu iš gynėjo atimama bet kokia galimybė tinkamai vykdyti gynybos funkciją ikiteisminio tyrimo metu.

7 principas. *Procesinių-kriminalistinių galimybių, kad būtų nustatytos aplinkybės, teisinančios ginamąjį ar lengvinančios jo atsakomybę, ir suteikta ginamajam reikiama teisinė pagalba, išnaudojimo maksimalumas.*

Procesines-kriminalistines galimybes, kad būtų nustatytos aplinkybės, teisinančios ginamąjį ar lengvinančios jo atsakomybę ir suteikta ginamajam būtina teisinė pagalba, gynėjo privalėtų būti įgyvendinamos tiek ikiteisminio tyrimo metu, tiek teisminio nagrinėjimo teisme metu lygiai taip pat savalaikiai ir visapusiškai kiekvienoje baudžiamojo proceso stadijoje. Procesinėms galimybėms priskirtinos LR BPK įtvirtintos gynėjo procesinės teisės. Procesinėms gynėjo teisėms LR BPK 48 straipsniu įstatymų leidėjas priskyrė:

1) susipažinimą su įtariamojo sulaikymo protokolu;
2) dalyvavimą įtariamojo apklausose;
3) matymąsi su sulaikytu arba suimtu įtariamuoju be pašaliečių, kurių skaičius ir trukmė neribojami;
4) dalyvavimas veiksmuose, kurie atliekami su įtariamuoju, taip pat įtariamojo arba jo gynėjo prašymu atliekamuose veiksmuose;
5) ikiteisminio tyrimo pareigūno, prokuroro ar teisėjo leidimu dalyvavimas bet kokiuose kituose įrodymų rinkimo veiksmuose;
6) savarankiškas rinkimas gynybai reikalingų duomenų, kuriuos gynėjas gali gauti nesinaudodamas procesinėmis prievartos priemonėmis: gavimas iš įmonių, įstaigų ir organizacijų bei asmenų gynybai reikalingų dokumentų ir daiktų, kalbėjimasis su asmenimis apie jiems žinomas įvykio aplinkybes, apžiūrėjimas ir fotografavimas įvykio vietos, transporto priemonių ar kitoks fiksavimas gynybai reikalingos informacijos;
7) ikiteisminio tyrimo metu susipažinimas su proceso veiksmų dokumentais LR BPK nustatytais atvejais ir tvarka;
8) pateikimas prašymų ir pareiškimas nušalinimų;
9) ikiteisminio tyrimo pareigūno, prokuroro, ikiteisminio tyrimo teisėjo ir teismo veiksmų bei sprendimų LR BPK nustatyta tvarka apskundimas ir dalyvavimas teismo posėdžiuose nagrinėjant šiuos skundus.

Įgyvendindamas šias procesines teises gynėjas be jokių abejonių bus pripažįstamas teisėtu kiekvieno ikiteisminio tyrimo metu ar bylos nagrinėjimo teisme metu atliekamo procesinio veiksmo dalyviu, tačiau vien procesinių, nors ir visų minėtųjų, gynėjo teisių realizavimas formaliai ir atitiks gynėjo funkcijos esmę, tačiau nebus veiksmingas, o LR BPK 48 straipsnio 2 dalyje įtvirtinta kiekvieno gynėjo pareiga panaudoti visas įstatymuose nurodytas gynybos priemones ir būdus, kad būtų nustatytos aplinkybės, teisinančios ginamąjį ar lengvinančios jo atsakomybę, ir teikti ginamajam reikiamą teisinę pagalbą, nebus visapusiškai ir rezultatyviai atlikta. Nes be kriminalistinių žinių panaudojimo, įgyvendinant savo procesines teises, gynėjas bus panašus į ikiteisminio tyrimo tyrėjo ar prokuroro marionetę, kuri bus kreipiama į tą pusę, kuri naudinga būtent tyrėjo ar prokuroro tikslams ikiteisminio tyrimo metu ar teisme pasiekti, taip pat teisėtumo principo įgyvendinimo imitavimui proceso metu, atlikti. Remiantis LR BPK 178 straipsniu atliekant kiekvieną ikiteisminį tyrimą laikydamiesi LR BPK nustatytos tvarkos, prokuroras ir ikiteisminio tyrimo pareigūnas gali ne tik apklausti įtariamąjį, liudytojus, nukentėjusįjį, bet ir taikyti procesines prievartos priemones: suėmimą, namų areštą, įpareigojimą gyventi skyrium nuo nukentėjusiojo, kurios gali būti paskirtos tik ikiteisminio tyrimo teisėjo ar teismo nutartimi, o taip pat užstatą, dokumentų paėmimą, įpareigojimą periodiškai registruotis policijos įstaigoje, rašytinį pasižadėjimą neišvykti, atlikti kitus LR BPK numatytus veiksmus: laikiną sulaikymą, atvesdinimą, asmens apžiūrą, pavyzdžių lyginamajam tyrimui paėmimą, poėmį, kratą, laikiną nuosavybės teisių apribojimą, elektroninių ryšių tinklais perduodamos informacijos kontrolę, slaptą sekimą ir kitus.

Šių ikiteisminio tyrimo veiksmų atlikimas yra neišvengiamai susijęs su pagrindinių kiekvieno žmogaus laisvių ir teisių ribojimu, tad jų teisėtumas yra būtina sąlyga. Tačiau ne mažiau reikšmingas faktorius gynėjui yra ne vien šių procesinių veiksmų procesinės taisyklės, bet ir kriminalistikos mokslo rekomendacijų, kiekvieno iš minėtų ikiteisminio tyrimo veiksmų atlikimo metu, išmanymas. Taigi, konkrečių ikiteisminio tyrimo veiksmų efektyviausių būdų, tų veiksmų atlikimo specifikos, eiliškumo ir jų ypatumų, taktinių būdų išmanymą ir gebėjimą panaudoti gynėjo procesinėje veikloje ir vadiname kriminalistinėmis gynėjo galimybėmis. Štai tarkime gynėjas kviečiamas dalyvauti vieno iš ikiteisminio tyrimo veiksmų – parodymo atpažinti veiksme. Remiantis LR BPK 191 – 195 str. parodymas atpažinti yra ikiteisminio tyrimo veiksmas, kurio metu ikiteisminio tyrimo pareigūnas, prokuroras pateikia nukentėjusiajam, liudytojui atpažintiną objektą (asmenį šiuo atveju), kuriuos šie lygina su anksčiau stebėtais ir nustato ar tie objektai (asmuo) yra tie patys ar ne. Todėl dalyvaudamas kaip atpažįstantysis asmuo privalo arba konstatuoti, kad jis atpažino asmenį, arba nurodyti, kad jis to padaryti šiuo metu negali. Atpažįstamojo asmens gynėjo pareiga tokiu atveju užtikrinti, kad tyrimo veiksmo protokole nebūtų užfiksuota, kad atpažįstantysis nurodė asmenį kaip labiausiai tikėtiną ar panašų į įvykio vietoje matytą. Nes tai bus bandymas į kriminalistikos mokslą įvesti naują sąvoką – asmens atpažinimas darant prielaidą, kad tai galėjo būti tas pats asmuo ir tuo aiškiai pažeidžiant minėtus BPK straipsnius. O kadangi parodymą atpažinti kaip pakankamai sudėtingą ikiteisminio tyrimo veiksmą, išsamiai reglamentuoja LR BPK 191 – 195 str., todėl akivaizdu, kad ši tvarka negali būti pažeista, nes priešingu atveju bus prarasti reikšmingi duomenys byloje, kurių įtvirtinimas kitais proceso veiksmais praktiškai neįmanomas. Todėl akcentuotina, kad būtent minimo ikiteiminio tyrimo veiksmo turinio, jo atlikimo tvarkos išmanymas yra būtina tokio veiksmo atlikimo teisėtumo ir objektyvumo sąlyga. Kadangi parodymo atpažinti pagrindą formuoja psichologinis procesas, kurio esmę sudaro tai, kad atpažįstantysis mintyse lygina praeityje matytą asmenį su jam pateiktu atpažinti asmeniu, kuris parodomas kartu su kitais asmenimis, todėl būtent dar prieš pradedant šį proceso veiksmą, pirmiausia atpažįstantysis asmuo privalo būti išsamiai apklaustas apie aplinkybes, kuriomis jis matė ar kitaip įsidėmėjo atpažintiną asmenį, taip pat apklausiamas apie asmens žymes ir ypatybes, pagal kurias jis gali atpažinti tą asmenį. Apklausos metu svarbu išsiaiškinti ar atpažįstantysis asmuo gerai prisimena asmenį, kurį jam teks atpažinti, kokiomis sąlygomis jį stebėjo, kokius būdingus požymius pastebėjo, taip pat išsiaiškinama ar atpažįstantysis iš viso galėtų atpažinti asmenį. Ir jeigu apklausos metu asmuo pareiškia, kad jis nepamena asmens, kurį pareigūnas planuoja pateikti atpažinimui, atlikti šį ikiteisminio tyrimo veiksmą nėra prasmės.

Būtent šių kriminalistikos mokslo žinių panaudojimas ir sąlygoja gynėjo procesines-kriminalistines galimybes, kad kiekvieno ikiteisminio tyrimo veiksmo atlikimo metu būtų nustatytos maksimaliai visos aplinkybės, teisinančios ginamąjį ar lengvinančios jo atsakomybę, ir suteikta ginamajam maksimali reikiama teisinė pagalba.

8 principas. *Ikiteisminio tyrimo metu gynėjo iniciatyvos surenkant, pateikiant ir priimant į bylą, ikiteisminio tyrimo duomenis, kuriais neigiamas įtarimas bei duomenis, gynėjo pateikiamus teisminiam bylos nagrinėjimui, kuriais neigiamas kaltinimas, visapusiškumas.*

Nors gynybos šaliai įstatymų leidėjas nesuteikė įstatyminės galimybės naudoti procesinės prievartos priemonių – tokia teisė suteikta tik kaltintojui, LR BPK 48 straipsnio 2 dalis nurodo, kad gynėjas privalo panaudoti visas įstatymuose nurodytas gynybos priemones ir būdus. Ir kadangi įstatymų leidėjas šiame straipsnyje kalba apie įstatymus, savaime suprantama jų yra ne vienas. Pirmiausia būtina pabrėžti, kad gynybos šaliai yra suteikta pasirinkimo galimybė arba ji gali rinkti reikšmingus jai duomenis pati, įgyvendindama taip vadinamo lygiagretaus (alternatyvaus) tyrimo galimybes arba pasirinkdama elgesio variantą LR BPK normų pagrindu, tai yra kreipiantis į tyrėją, prokurorą, kad reikiamas ikiteisminio tyrimo veiksmas būtų atliktas. Lietuvos Respublikos teisės gauti informaciją iš valstybės ir savivaldybių institucijų ir įstaigų įstatymas[9] užtikrina asmenims, tame tarpe ir advokatams teisę gauti informaciją iš valstybės ir savivaldybių institucijų ir įstaigų, nustato šios teisės įgyvendinimo tvarką ir reguliuoja valstybės bei savivaldybių, institucijų ir įstaigų veiksmus teikiant informaciją asmenims. Remiantis 14 straipsniu informacija pareiškėjui turi būti pateikiama ne vėliau kaip per 20 darbo dienų nuo prašymo gavimo įstaigoje dienos. Remiantis kitu teisės aktu, t.y. Lietuvos Respublikos advokatūros įstatymu, jo 44 straipsnis sako, jog advokatas, vykdydamas advokato veiklą, turi teisę: 1) gauti iš valstybės ir savivaldybių institucijų veiksmingoms teisinėms paslaugoms teikti reikalingą valstybės ir savivaldybių institucijų turimą ar kontroliuojamą informaciją, dokumentus, jų nuorašus arba motyvuotą atsisakymą juos pateikti. Advokato kreipimesi turi būti pateikti duomenys, įrodantys prašomų pateikti dokumentų ar jų nuorašų ryšį su teisinių paslaugų teikimu; 2) savarankiškai rinkti teisinėms paslaugoms teikti reikalingus duomenis, kuriuos advokatas gali gauti nesinaudodamas procesinėmis prievartos priemonėmis, t. y. gauti iš asmenų reikalingus dokumentus ar jų nuorašus, ar kitokią teisinėms paslaugoms teikti reikalingą informaciją. Advokato kreipimesi turi būti pateikti duomenys, įrodantys prašomų pateikti dokumentų ar jų nuorašų ryšį su teisinių paslaugų teikimu. Asmenys, pateikę advokatui reikalingus duomenis, turi teisę į būtinų tokios informacijos pateikimo sąnaudų kompensavimą, išskyrus įstatymų nustatytus atvejus; 3) susipažinti su teismų ir kitų institucijų, nagrinėjančių ginčus ir skundus, praktika, taip pat ir su priimtais įsiteisėjusiais teismų sprendimais, nuosprendžiais, nutartimis ir bylų medžiaga. Jeigu ginčas ar skundas buvo nagrinėjamas uždarame teismo posėdyje, pateikiama susipažinti tik ta bylos medžiaga, kurioje nėra duomenų, dėl kurių skundas ar ginčas buvo nagrinėjamas uždarame teismo posėdyje; 4) daryti bylos, kurioje jis yra atstovas ar gynėjas, dokumentų kopijas, išskyrus bylas, kurios nagrinėtinos uždarame teismo posėdyje; 5) tvirtinti bylai nagrinėti teisme reikalingų rašytinių įrodymų nuorašus. Nuorašų tvirtinimo ir registravimo tvarką nustato Lietuvos advokatūra, suderinusi su Lietuvos Respublikos teisingumo ministerija; 6) naudotis kitomis įstatymų numatytomis teisėmis, susijusiomis su advokato veikla. Kalbant apie specialių žinių formas, jų panaudojimo svarbą ir galimybių visapusiškumą gynėjo procesinėje veikloje iš vienos pusės tenka konstatuoti, kad įtariamaojo, kaltinamojo ir jų gynėjo procesinės galimybės pasinaudojant specialiomis žiniomis yra ribojamos, nes įstatymas nereglamentuoja ikiteisminio tyrimo pareigūnui, prokurorui pareigos pranešti apie užduoties specialistui paskyrimą, tačiau kita vertus, realizuojant LR BPK 48 straipsnyje įtvirtintą teisę gynėjui savarankiškai rinkti gynybai svarbius duomenis, būtina konstatuoti, jog praktinėje gynėjo veikloje toli gražu ne visada pasinaudojama Lietuvos Respublikos teismo ekspertizės įstatymo[10] 18 straipsnyje įtvirtinta galimybe sutartiniais pagrindais kviestis privatų teismo ekspertą konsultantu.

Kalbant apie gynėjo iniciatyvos savarankiškai rinkti reikiamus duomenis visapusiškumą būtina pabrėžti, kad Lietuvos Respublikos teisingumo ministro įsakymu patvirtinti ekspertizių (tyrimų) atlikimo Lietuvos teismo ekspertizės centre nuostatai[11], kurie reglamentuoja teismo ekspertizių, objektų tyrimų ir ekspertizių, neturinčių teismo ekspertizės statuso, atlikimo taikant specialias žinias Lietuvos teismo ekspertizės centre. Būtent kurių 7 punktas nustato kiekvienam gynėjui galimybę pateikus rašytinį prašymą gauti ekspertizės, neturinčios teismo ekspertizės statuso, aktą, kuri yra atliekama nors ir fizinių ar juridinių asmenų rašytiniu prašymu, tačiau yra pagrįsta tais pačiais mokslinio tyrimo metodais ir priemonėmis, kaip ir teismo ekspertizė. Taip pat pažymėtina, kad Lietuvos policijos generalinis komisaras įsakymu yra patvirtinęs objektų tyrimų, ekspertizių atlikimo ir paaiškinimų teikimo Lietuvos policijos kriminalistinių tyrimų centre bei teritorinių policijos įstaigų kriminalistinių tyrimų padaliniuose nuostatus[12], kurie nustato objektų tyrimų, ekspertizių atlikimo ir paaiškinimų teikimo, taikant specialiąsias žinias, Lietuvos policijos kriminalistinių tyrimų centre bei teritorinių policijos įstaigų kriminalistinių tyrimų padaliniuose tvarką. Remiantis 64 šių nuostatų punktu objektų tyrimas fizinio ar juridinio asmens prašymu atliekamas esant Centro vadovo ar jo pavaduotojo, kriminalistinių tyrimų padalinio vadovo rezoliucijai ant prašymo atlikti tyrimą bei gavus tyrimo išlaidų apmokėjimą patvirtinantį dokumentą. Lietuvoje veikia ir dar viena valstybinė ekspertinė įstaiga - Valstybinė teismo medicinos tarnyba prie Lietuvos Respublikos teisingumo ministerijos, kurios paskirtis - atlikti teismo medicinos ekspertizes pagal teismų nutartis ir tyrimus pagal prokurorų ir ikiteisminio tyrimo įstaigų pareigūnų užduotis bei fizinių ir juridinių asmenų prašymus, diegti naujus tyrimo metodus ekspertinėje praktikoje, vykdyti mokslo tiriamąją ir taikomąją bei metodinę veiklą teismo medicinos srityje.

9 2000 m. sausio 11 d. Nr. VIII-1524 Lietuvos Respublikos teisės gauti informaciją iš valstybės ir savivaldybių institucijų ir įstaigų įstatymas. Valstybės žinios, 2005-11-26, Nr. 139-5008

10 2002 m. spalio 29 d. Lietuvos Respublikos teismo ekspertizės įstatymas. Valstybės žinios, 2002-11-22, Nr. 112-4969

11 Lietuvos Respublikos teisingumo ministro 2007 m. rugsėjo 4 d. įsakymu Nr. 1R-327 patvirtinti ekspertizių (tyrimų) atlikimo Lietuvos teismo ekspertizės centre nuostatai.

12 Lietuvos policijos generalinio komisaro 2008 m. liepos 11 d. įsakymu Nr. 5-V-398 patvirtinti objektų tyrimų, ekspertizių atlikimo ir paaiškinimų teikimo Lietuvos policijos kriminalistinių tyrimų centre bei teritorinių policijos įstaigų kriminalistinių tyrimų padaliniuose nuostatai.

Taigi, įgyvendinant LR BPK 48 straipsnyje nustatytą pareigą, gynėjui įmanoma gauti taip pat ir specialių žinių teismo medicinos srityje reikalaujančias tyrimų išvadas.

3. Išvados

1. Kriminalistikos metodų gynėjo procesinėje veikloje metodikos principai tai sistematizuota pagrindinių ir būtinųjų sąlygų visuma, įgyvendinama gynėjo ir sąlygota gynybos funkcijos jai ruošiantis ir ją atliekant ikiteisminio tyrimo bei baudžiamosios bylos nagrinėjimo teisme metu.
2. Atsižvelgiant į gynėjo procesinės veiklos norminę reglamentaciją, įstojimo į baudžiamąjį procesą momentą, gynėjo praktinės-procesinės veiklos trukmę, principus, jo teises ir pareigas, mes išskiriame šiuos principus: **1 principas.** Kriminalistikos metodų gynėjo procesinės veiklos taikymo apribojimas nagrinėjamos baudžiamosios bylos įrodinėjimo dalyku ir ribomis, sąlygojamomis įtarimo ikiteisminio tyrimo metu bei pareikšto kaltinimo asmeniui teisminio nagrinėjimo metu, turiniu. **2 principas.** Ikiteisminio tyrimo medžiagos analizės ikiteisminio tyrimo metu ir susipažinimo su baudžiamosios bylos medžiaga teisminio nagrinėjimo metu savalaikiškumas, išsamumas bei visapusiškumas, vykdant gynėjo procesinę veiklą. **3 principas.** Gynėjo teisinės sąmonės, kurios sudedamasis elementas kriminalistikos mokslo žinių ir su jomis susijusių naujausių technologijų įsisavinimas, turinio visapusiškumas. **4 principas.** Ginamojo asmens ir gynėjo procesinių santykių pagrindimas tarpusavio pasitikėjimu ir bendradarbiavimu. **5 principas.** Gynėjo veiklos ikiteisminio tyrimo metu ir teisminiame nagrinėjime planavimas. **6 principas.** Tyrimo, analizės ir pozicijos pareiškimo susipažįstant su prokuroro pateiktais ikiteisminio tyrimo duomenimis ikiteisminio tyrimo metu, kuriais grindžiamas įtarimas bei duomenimis, valstybės kaltintojo pateiktais teisiminiam bylos nagrinėjimui, kuriais grindžiamas kaltinimas teisme, aktyvumas. **7 principas.** Procesinių-kriminalistinių galimybių, kad būtų nustatytos aplinkybės, teisinančios ginamąjį ar lengvinančios jo atsakomybę, ir suteikta ginamajam reikiama teisinė pagalba, išnaudojimo maksimalumas. **8 principas.** Ikiteisminio tyrimo metu gynėjo iniciatyvos surenkant, pateikiant ir priimant į bylą, ikiteisminio tyrimo duomenis, kuriais neigiamas įtarimas bei duomenis, gynėjo pateikiamus teisminiam bylos nagrinėjimui, kuriais neigiamas kaltinimas, visapusiškumas.
3. Gynėjo procesinės veiklos, taikant kriminalistikos metodus, metodikos principų turinio atskleidimas bei gebėjimas juos taikyti praktikoje yra sėkmingo šiuolaikinių technologijų taikymo kriminalistinėje advokato procesinėje veikloje pagrindas.

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DEFENCE METHODOLOGY PRINCIPLES IN DEFENCE PROCEDURAL ACTIVITIES AND THE POSSIBILITIES FOR THE USE OF FORENSIC SCIENCE IN THE WORK OF THE DEFENCE COUNSEL

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Summary. The proper implementation of the adversarial principle in criminal procedure requires improvements to existing methods as well as the creation of new methods of defence tactics during legal deliberation of a case. The defence counsel also requires knowledge of forensic theory, techniques and tactics – a certain set of skills what would allow the defence counsel to properly and effectively defend the rightful interests of the suspect, the accused or the convicted, as well as to reasonably prevent violations of their rights. The purpose of formulating defence forensics as a separate field of forensic science would be to use scientific methods to thoroughly analyse the professional work of the defence counsel and his or her use of forensic knowledge in defending the client. In order for defence methodology to be effectively applied in the practical work of the defence counsel, i.e. – to create an approach for a certain category of cases, every discrete method of defence forensics must have basis in specific information typical only to that category of cases. The article reviews the general concept of defence methodology and the main defence methodology priciples, which gives possibilities for the use of forensic science in the work of the defence counsel.

Keywords: defence methodology, defence methodology priciples, defence forensics, defence procedural activities.

SOME DIFFICULTIES OF LEARNING/TEACHING ESP TO STUDENTS OF FINANCIAL ECONOMICS AND LAW AND CUSTOMS ACTIVITIES

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ABSTRACT. The paper analyses the difficulties that ESP teachers and students face during their English course at university. A different level of ESP students' knowledge of General English, what teaching methods to apply or what teaching material to use, what vocabulary to teach, and even psychological difficulties, the atmosphere during ESP classes are some of the problems that ESP teachers have to handle. Language learners also have a number of expectations, priorities, wishes and difficulties during their ESP course at university. Thus, the aim of the paper is to analyse these problems that ESP teachers and students of Financial Economics and Law and Customs Activities at Mykolas Romeris University face and try to suggest what could be done to help them.

Key words: English for Specific Purposes (ESP); English as a Foreign Language (EFL); General English; social and professional needs.

1. Introduction

English for Specific Purposes (ESP) has grown to become one of the most prominent areas of teaching EFL today. In Lithuania too, the ESP movement has shown a slow but definite growth over the past few years. This has led to a rapid growth in English courses aimed at specific disciplines, e.g. Legal English, in place of the more traditional General English courses. There are many different definitions of ESP. Generally ESP is defined as the teaching of English used in academic studies or the teaching of English for vocational or professional purposes. Dudley-Evans (2001) worked out three absolute characteristics of ESP: 1) ESP is defined to meet specific needs of the learners; 2) ESP makes use of underlying methodology and activities of the discipline it serves; 3) ESP is centered on the language appropriate to these activities in terms of grammar, lexis, register, study skills, discourse and genre. Moreover, ESP may have the following variable characteristics: 1) ESP may be related to or designed for specific disciplines, 2) ESP may use, in specific teaching situations, a different methodology from that of General English, 3) ESP is likely to be designed for adult learners, either at tertiary level institution or in professional work situation, 4) ESP is generally designed for intermediate or advanced students, 5) Most ESP courses assume some basic knowledge of the language systems.

However, ESP should be seen as an approach to teaching, or what Rata (2010) described as an approach to language teaching in which all decisions as to content and method are based on the learner's reason for learning. One may ask "What is the difference between ESP and General English approach?" The answer is quite simple, "in theory nothing, in practice a great deal". Teachers of General English would rarely conduct a needs analysis to find out what was necessary to actually achieve their specific purpose. According to R.G. Moron (2009), teachers nowadays are much more aware of the importance of needs analysis, and materials writers think very carefully about the goals of learners. However, the line between where General English courses stop and ESP courses start has become very vague indeed.

ESP teachers face many different problems as to what teaching methods to apply or what authentic material to use, even whether ESP teacher should be specialist in the field or general English/EFL teacher. Moreover, ESP students have different background and no knowledge of the field as well.

In order to find out the students' opinion about the ESP course they had at university and to analyse the problems they faced when doing it, we did a research with second year students of Financial Economics and Law and Customs Activities at Mykolas Romeris University.

Research object: problems of learning ESP at university level.

Research aim: to get an insight into the present situation as for the students' preferences they have when learning ESP as well as problems they face when doing the English course at university.

Research task is to identify learners' attitudes, needs and expectations as far as ESP course at Mykolas Romeris University is concerned.

Research methods are questionnaire data analysis, literature analysis, analysis of the practice of giving the English language course.

Research sample: a questionnaire was developed and administered to 30 students of Financial Economics and 30 students of Law and Customs Activities at Mykolas Romeris University who did their ESP course last year.

Thus, the first step will be to take a look at the problems that ESP teachers face during their courses. Then, questionnaire findings on the problems that ESP students face will be presented and analysed.

2. Difficulties That ESP Teachers Face

The subject of this part of the paper is an overview of the main problems connected with teaching ESP at university. It is urgent to discuss what to teach and how to teach a foreign language taking into account the professional needs of future specialists. Economists, lawyers, businessmen all over the world must know English because it is the international means of exchange of information and experience.

ESP teachers face many different difficulties, such as a different level of ESP students ☐ knowledge of General English, what teaching methods to apply or what teaching material to use, what vocabulary to teach, and even psychological difficulties, the atmosphere during ESP classes. Furthermore, there has been much discussion among ESP specialists and as to who should teach legal English or business English: EFL/ESL teachers or specialists in the field? Let us analyse these problems in greater detail.

The first difficulty that ESP teachers face while teaching first-year students is that they have different language background. What ESP teachers could do is to introduce diagnostic tests followed by an introductory English course if there is a need for students. However, as English course traditionally takes only one semester, ESP teachers hardly have enough time to cover the obligatory teaching material and topics. Fikru (2011) claims, that the only solution could be offering the students who lack general English knowledge some additional material for independent studies reach an appropriate level of English knowledge. That is the case in many private higher educational institutions.

Basturkmen (2010) claims, that the task of teaching ESP at university level is to teach students ESP as an actual means of communication among specialists of different countries, meaning both- oral and written kinds of communication, i. e. ESP is oriented towards mastering skills for professional communication. Although the ability to speak the language is not emphasized as much as the ability to write, and above all, the ability to read the language, young learners give a clear priority to improving their speaking skills. According to Hicks (2005), the most important point to remember while teaching ESP is that it is necessary to take into account changes in the nature of students ☐ need and the context in which they live, study and work. In any case the syllabus of ESP must improve the students ☐ skills in all the aspects of language activities. The goal is the development of professional qualifications, for practical training abroad or for work in joint ventures.

According to Dudley-Evans (2001), the key defining feature for ESP is its teaching and materials development on the basis of the results of needs analysis. At university level, where learners have not yet begun their professional work and have poor subject knowledge, methods of teaching ESP courses will be similar to those of general English. Dudley-Evans argues that ESP is a materials-led field, and that most materials are prepared by individual teachers for particular situations. This is, of course, no simple job. Tomlinson (2010) claims, that teaching materials cause problems to ESP teachers as authentic texts are not always created for the purpose of language learning.

Teaching methods must be learner oriented. According to Grunert O'Brien (2008), ESP is concerned, first and foremost, with satisfying the real needs of the students and not with revealing the knowledge of the teacher. The intensive and efficient teaching of vocabulary, translation, etc. must concentrate only on those items which students actually need. The primary goal of the ESP course is to teach professional communicative competence that is the ability to communicate in English according to the situation, purpose and specific roles of the participants. The ESP course builds on and extends the foundations for accurate communication. It extends the learner's grammatical, lexical and functional skills (Paltridge, 2012). Professional communication may be taught by making up patterns of communicative process. It is based on a situation, as the whole communicative process is a series of changing situations. There is a great need in making up typical communicative situations, covering the part of the professional communication domain, in selecting language and speech patterns to provide communication in typical situations, in constructing a complex of exercise base on the methods of teaching a foreign language. To make good progress, a student has to practise various language activities, related to reception, production, interaction or mediation, each of these types of activity being possible in oral or written form, or both.

Another problem of teaching ESP is vocabulary from the general and professional points of view. Vocabulary plays a key role in teaching foreign languages in general and in professional course in particular. ESP teaching implies teaching the vocabulary of a special text. According to Khan (2008), the vocabulary of a special text consists of three layers: general words, scientific words and terms. Basic general words must have been learnt before university studies. Terms are the essence of the speciality and are usually better known by students than by teachers. The emphasis, consequently, is on the scientific vocabulary which is the skeleton of every special text. However, the general vocabulary is never taught properly at school and has to be acquired at university as well, especially nowadays that the demand for colloquial language has become so great. A very important point in ESP course is the topics to be discussed and learnt, the thematic choice of language to be activated.

One more aspect of teaching ESP is a psychological aspect. According to Maruenda (2011), learning a foreign language, like no other subject, requires a special psychological approach, the atmosphere of relaxation, trust and faith. Learning a strange language, a strange mentality is a difficult psychological barrier for many learners. Teaching ESP to university students of non-philological specialities is complicated by the fact that for these students a foreign language is not a part of professional education, which may result in a lack of motivation. Teachers' skills for communication and mediation create the classroom atmosphere. Students acquire language when they have opportunities to use the language in interaction with other speakers. Being their teacher, you may be the only English speaking person available to students, and although your time with any of them is limited, you can structure effective communication skills in the classroom. That's why the teacher should create an atmosphere in the language classroom which supports the students. Learners must be self-confident in order to communicate, and you have the responsibility to help build the learner's confidence. The teacher is a resource that helps students to identify their language learning problems and find solutions to them, find out the skills they need to focus on. The teacher serves as a source of information to the students about how they are progressing in their language learning.

Teaching English for Specific Purposes is a controversial issue among EFL teachers. Whether the EFL teacher or the specialist in the field should teach ESP is one matter of controversy. The role of the ESP teachers is more complex and more responsible than teaching General English. The ESP teacher is rather a practitioner who apart from teaching, provides materials, designs a syllabus, collaborates with subject specialists, conducts research and evaluates the course and the students. Furthermore, some people claim that EFL teachers do not possess the necessary grip of the subject matter, and therefore he/she may not be able to exchange ideas which contribute to bringing about the intended learning outcomes. However, the aim of teaching ESP is not to teach special terminology in a specific field of study. According to Fortanet-Gomez (2008), the goal of ESP is not primarily the teaching of a subject in English as a foreign language, but rather that the aim is to teach English with a specific content which is normally mixed with general topics. To reach that goal, we should pave the way for EFL teachers to undertake the task, because they are those who are solely qualified for the job. A number of surveys were carried to find out who were better ESP practitioners - EFL teachers or specialists in the field. They all proved that EFL teachers can fulfil course goals much better than specialists in the field. Therefore, it is strongly recommended that ESP courses be taught by EFL teachers rather than specialists in the field. Those specialists interested in teaching English should attain the necessary qualifications.

3. Research Findings

3.1. Research methodology

In order to get an insight into the present situation in the ESP classroom and to identify the learners' attitudes, needs and expectations as far as ESP courses are concerned, a survey data analysis method was used. A questionnaire was developed and administered to 30 students of Financial Economics and 30 students of Law and Customs specialities at Mykolas Romeris University. All of the students completed their ESP course last year. As a result, in total 60 questionnaires were collected. The data analysis is presented and discussed below. The survey was accompanied by the interview: the same students were asked several open-ended questions. The answers were used as examples to illustrate certain issues.

3.2. Research findings

The questionnaire developed for the students consisted of 11 items. The students were asked to point out whether they agree or disagree with the statements. During the interview, the students were asked to comment on their choice in greater detail.

The table illustrates the ESP course evaluation by the students of Financial Economics and the students of Law and Customs Activities.

Table 1. **The ESP course evaluation by the students of Financial Economics and the students of Law and Customs Activities**.

		Financial Economics				Law and Customs Activities			
		Strongly agree	Rather agree than disagree	Rather disagree than agree	Strongly disagree	Strongly agree	Rather agree than disagree	Rather disagree than agree	Strongly disagree
1	My Professional English teacher's method of teaching was excellent.	77%	23%	-	-	80%	20%	-	-
2	I was highly motivated in the English class.	50%	50%	-	-	53%	47%	-	-
3	My level of English was similar to that of my groupmates.	17%	70%	10%	3%	13%	67%	10%	10%
4	My teacher taught Professional English, not General English or something else.	83%	17%	-	-	87%	13%	-	-
5	My English class was varied and interesting.	77%	23%	-	-	83%	17%	-	-
6	Now, I can use English as a means of communication in my professional area.	43%	57%	-	-	47%	53%	-	-
7	I understand English structure much better than before.	57%	43%	-	-	43%	57%	-	-
8	I can read Professional English texts much better now.	50%	50%	-	-	50%	50%	-	-
9	I wish I could repeat the Professional English course.	30%	63%	7%	-	27%	63%	10%	-
10	I had enough of study materials to improve my Professional English.	37%	63%	-	-	40%	60%	-	-
11	In my English course I faced some problems.	-	33%	30%	37%	-	37%	33%	30%

As it can be seen, the students of Financial Economics, as well as the students of Law and Customs Activities, gave a high evaluation to their teachers' methods of teaching and admitted the high level of their motivation during the course. The students of both specialities also strongly agreed that the ESP course was strictly following the ESP materials and was not oriented towards general English issues. The respondents also pointed out that the course was varied and interesting and consisted of many different activities. The students of both specialities assessed the ESP course as highly beneficial for them and admitted that their performance had advanced considerably and after completing the course they were able to understand and use English better. However, some of the students pointed out the difficulties concerning their level of English. 13% of the students of Financial Economics described their level as different from the classroom average, and during the interview commented: *"My level was higher, so sometimes I did not know what to do"* or *"My level was slightly higher, so I think, it was difficult to find the right speed of studying for everyone"*. The same problem emerged while interviewing the students of Law and Customs Activities. 20% of them described their level as different from the classroom average, pointing out that their level was higher or lower than the classroom average. The comments varied from *"My level was higher, so I was finishing all the tasks faster than my groupmates"* to *"I had difficulties, because my level was considerably lower"*, *"It was hard to study, because I was studying Russian as the main foreign language at school and English was only the 2nd foreign language"*. The respondents also provided their comments on the study materials. As it can be seen from the table above, all of the students agreed that the amount of the materials was varied and sufficient as it *"included not only textbooks, but also audio, video and Internet sources"*. However, during the interview 3 students of Financial Economics as well as 3 students of Law and Customs Activities pointed out that *"would like to have had more of audio and video materials"*. During the interview, the students were also asked to comment on their wish to repeat the course. The absolute majority of the students of Financial Economics pointed out, that *"the course was very useful"*, *"essential for the future career"*, *"useful and interesting"*, and they *"would like to repeat the course in order to find out more"*. Similar situation was observed among the students of Law and Customs Activities. The majority of them also agreed, that they would like to repeat the course, as it *"was very useful"*, *"very interesting and motivating"*, *"helped to advance communicative skills"* and *"taught a lot of professional terminology"*. Several students also wished *"the course would last at least two semesters"*. Finally, regarding the problems the students faced during the course, most of the respondents of both specialities stated that they did not have any problems, however, several respondents of Financial Economics speciality pointed out that they were hesitating *"to talk in front of the class"* and *"to present in front of groupmates"*. Some of the students of Law and Customs Activities faced *"certain difficulties because of different level of English"* which led to *"difficulty in covering the required material in time"*; they also *"hesitated to deliver a presentation in front of the classroom"* and *"sometimes could not plan their study time well enough"*.

Conclusions

Although ESP teachers face many different difficulties, such as a different level of ESP students' knowledge of General English, a correct choice of teaching methods and teaching material, vocabulary to be taught, and even psychological difficulties during English classes, ESP course must be learner-oriented. The main aim of ESP is to meet the students' needs in our changing society today, i. e. to master skills for professional communication. ESP practitioner has to perform the roles of a teacher, course designer and materials provider, collaborator, researcher, evaluator. The study carried out with ESP students of Financial Economics and Law and Customs Activities proved that:

1. The students have a positive attitude towards their ESP course at university, they are aware of the benefits of their ESP course.
2. The students claim to have had a sufficient amount of teaching material provided and adequate methods applied by their ESP teachers.
3. The students especially emphasized the benefits of professional terminology and lexis and seem to be willing to enhance their ESP knowledge and skills in the future.
4. The problems that some students face are connected with different language level in the classroom, psychological difficulties, complications caused by planning their own time, delivering presentations in front of the class, a lack of audio, video materials and Internet sources used during the classes.

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PROFESINĖS ANGLŲ KALBOS MOKYMO/-SI SUNKUMAI, MOKANT FINANSŲ EKONOMIKOS IR TEISĖS IR MUITINĖS VEIKLOS STUDENTUS

Dalia Gulbinskienė, Aleksandra Paciuk

SANTRAUKA. Šio straipsnio tikslas yra išnagrinėti sunkumus, su kuriais susiduria anglų kalbos dėstytojai bei studentai, besimokantieji profesinės anglų kalbos universitete. Mokomoji medžiaga yra parenkama, nustatant mokymo tikslus ir mokymo turinį, atsižvelgiant į reikalingus tobulinti profesinius įgūdžius, pritaikant efektyviausius mokymo/-si metodus. Dėstytojo vaidmuo mokymo procese yra itin svarbus, suteikiant studentams ne tik užsienio kalbos, bet ir profesines žinias. Jaunųjų teisininkų ir ekonomistų manymu, anglų kalbos kursas universitete jiems buvo labai naudingas, ypatingai akcentuojant šnekamąją anglų kalbą, profesinės terminologijos žinias, todėl jie mielai toliau tobulintų kalbėjimo, klausymo, taip pat ir specialybės kalbos komunikavimo bei supratimo įgūdžius.

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