



DECISION
OF THE CENTRAL ACADEMIC
ETHICS COMMISSION OF VILNIUS UNIVERSITY

On the complaint submitted by V. V., a student at the /Unit/, on 13 February 2023.

On 13 February 2023, the Central Academic Ethics Commission (hereinafter the ‘Commission’) received a complaint submitted by V.V. (hereinafter the ‘Complainant’), a student at the /Unit/, in which the Complainant complains about the decision of the Academic Ethics Commission of the /Unit/ (hereinafter the ‘Unit Commission’) of 20 January 2023. In the aforementioned decision, the Unit Commission proposed the Complainant and her course-mates who were subject to her appeal to reconcile and resolve the conflict, and provided the Unit administration and the Students’ Representation with the recommendations on reducing the likelihood of similar unethical actions in the future.. The Complainant claims that her appeal submitted to the Unit Commission was examined dismissively and the decision misrepresents the facts and does not meet the requirements of the Code of Academic Ethics.

The Complainant states in her complaint that, despite being asked by the Complainant, the elected leader of the course-mates and some other course-mates did not adhere to respectful and constructive behaviour in the Facebook group of the students of the /study programme/ at the /Unit’s/ and during the remote lectures (seminars): The Complainant claims that, amongst other things, she was subject to disrespectful epithets, the distribution of images (memes), negative remarks, harassment, other course-mates were being turned against her; in addition, the Complainant was removed from the Facebook group, the file hosting site for study compendiums and other study material, and she was interrupted (“blocked”) while speaking during the remote seminars. The Complainant requests that the unethical actions of the elected leader of the course-mates and some other course-mates, potentially in breach of Items 5 and 7 of the Code of Academic Ethics of Vilnius University, be terminated and ensured to be not repeated in the future.

Having familiarised itself with the complaint, the detailed materials (protocols, records of meetings) submitted by the Unit Commission regarding the examination of the potential violation of academic ethics, the explanations provided by the elected leader of the course-mates of the Complainant, and having regard to the Commission’s Regulations and the established Commission’s practice that the right to be heard can be exercised both in writing and orally in the Commission’s

activities, as well as the fact that all parties to the dispute had the opportunity to present their positions and explanations in person and in detail at the meetings of the Unit Commission, the Commission decided to examine the complaint in a closed session and not to invite the parties to the dispute regarding academic ethics.

The Commission hereby points out that:

1. In its activities, the Commission is guided by the Code of Academic Ethics of Vilnius University approved by the Senate of Vilnius University (current version of Resolution of the Senate of Vilnius University No. SPN-54 of 21 October 2020) (hereinafter the 'Code of Academic Ethics') and the Regulations of the Central Academic Ethics Commission of Vilnius University (current version of Resolution of the Senate of Vilnius University No. SPN-55 of 21 October 2020) (hereinafter the 'Commission Regulations'). The Code of Academic Ethics describes the standards and principles of ethical standards of community members, which must be observed both within the University and outside of it (Item 1 of the Code of Academic Ethics), and also provides examples of unacceptable behaviour at the University and guidelines for the examination of cases of possible violations of academic ethics. The Commission Regulations define the Commission's competence, the decisions that it can possibly make, and describe the Commission's operating procedures.

2. The competence limits of the Commission's activity (the issues it can examine and the decisions it can take) are set out in Item 1 of the Code of Academic Ethics and Item 13 of the Commission Regulations. In a systematic assessment of these provisions, it should be noted that the competence of the academic ethics commissions covers the resolution of disputes on academic ethics and the commissions cannot examine the disputes that are clearly indicated in the Code of Academic Ethics as not falling within their competence limits or those issues whose examination would clearly be incompatible with the purpose and objectives of these commissions. In view of this, the Commission hereby concludes that this decision will not address issues relating to the appointment of the leaders of the course-mates, the removal from private social media groups, and the disagreements clearly arising from personal relationships, and will limit itself to the examination of the dispute on academic ethics in accordance with its competence limits set out in Item 13 of the Commission Regulations.

3. In accordance with Item 13(1) of the Commission Regulations, it shall examine complaints concerning the legality and validity of the decisions of the academic ethics commissions of units, or concerning the lack of actions of the academic ethics commissions of units. This means that when the Commission receives complaints concerning the decisions of the commissions of units, it does not normally examine the substance of the dispute, but checks and assesses whether the commissions of units have complied with the dispute settlement requirements and procedures laid

down in the Commission Regulations of the Unit when making the decisions subject to the submitted complaint, whether they have assessed all relevant circumstances, and whether the decisions they have taken were clear, reasoned, and within the limits of their competence. The Commission established that in the case in question, the Unit Commission carefully, thoroughly, and objectively examined the complaint at three on-site meetings of the Commission, during which all the parties to the dispute were given the opportunity to speak out and state their position, and complied with the Commission Regulations of the Unit; therefore, there is no basis for the decision of the Unit Commission to be amended or repealed. The Commission also concludes that, although in the case in question the Unit Commission did not find any violation of academic ethics or the absence thereof, it made clear efforts and took measures to resolve the conflict, and submitted recommendations and proposals for resolving the situation.

4. The Commission also notes that the purpose of the academic ethics commissions is to ensure, in particular, compliance of University community with the norms of the Code of Academic Ethics and ethical conduct requirements established therein. Items 5 and 7 of the Code of Academic Ethics establish a standard of conduct whereby every member of the University community has the right to freely speak, state and defend their opinion, criticise and respond to criticism, but also has the duty to do so ethically, without insulting and humiliating, respecting the rights of others, avoiding conflicts, and when they arise – to resolve them on the basis of argumentation and cooperation.

The Commission underlines that in the case in question, the conflict of the /Unit's/ students is chronic, with a significant proportion of the course's students participating in the conflict in one way or another, and despite the contested decision of the Unit Commission and the recommendations implemented on its basis, this conflict continues. Upon familiarising itself with the information provided by the Complainant, the Unit Commission, and the leader of the course-mates, the Commission concludes that both parties to the conflict committed unethical behaviour, and the communication itself between the course-mates of the study programme is unethical and does not comply with the standards established in the provisions of the Code of Academic Ethics. In the light of the situation in question, the Commission is calling for the students study programme course at the /Unit's/ to act in a constructive way, avoid unethical statements and other unethical behaviour towards each other, both in live communication and on electronic platforms and social networks, and other unethical and conflict-escalating actions. The Commission also recommends that the administration of the /Unit/ and the Vilnius University Students' Representation, within the limits of their competence, pay attention to the situation, take measures to reconcile the students involved in the conflict, and ensure ethical communication between the course-mates in the future.

5. The Commission hereby notes that, in accordance with Item 39 of the Commission Regulations, depersonalised decisions of the Commission (or summaries or generalisations thereof) are published on the University's website. The Commission explains that it is done with the aim to

more clearly define the ethical standards applied at the University, to make the University community aware of the examples of inappropriate and intolerable behaviour, the examples of good practice in the activities of commissions, and to promote following the principles of academic ethics introduced and fostered by the University in their activities at the University and beyond.

In the light of the foregoing, and in accordance with Items 13(1), 35(2), 35(3) and 35(12) of the Regulations of the Central Academic Ethics Commission, the Central Academic Ethics Commission hereby decides:

1. To partly uphold the Complainant's complaint and to conclude that the communication between the course-mates of the /Unit's/ /study programme/ does not meet the standards of ethical behaviour and communication adopted by Vilnius University in accordance with the Code of Academic Ethics;
2. To recommend that the administration of the /Unit/ and Vilnius University Students' Representation, within the limits of their competence, pay attention to the situation, take measures to reconcile the students involved in the conflict, and ensure ethical communication between the course-mates in the future;
3. To make the depersonalised decision of the Commission publicly available.

Chairperson Assoc. Prof. Vigita Vėbraitė