



## **DECISION OF THE CENTRAL ACADEMIC ETHICS COMMISSION OF VILNIUS UNIVERSITY**

**On the complaint submitted by R. B., /academic employee at the Unit/, on 6 February 2025**

On 6 February 2025, the Central Academic Ethics Commission (hereinafter the 'Commission') received a complaint submitted by R. B. (hereinafter the 'Complainant'), /academic employee at the Unit/, in which the Complainant requests the Commission to evaluate, in terms of academic ethics, the behaviour of student A. B. during the meeting held between the aforementioned student and the Complainant on 5 November 2024 to discuss the results of (errors made in) a test, since it was not evaluated in the decision of the Academic Ethics Commission of the Unit (hereinafter the 'Unit Commission') of 19 December 2024 and the Complainant hereby contests this decision.

In the decision of the Unit Commission, without going into details whether violations of academic ethics had been committed, the parties to the dispute (the Complainant and student A. B.) were proposed to reconcile, the reconciliation process was instructed to be organised by the head of the branch unit of the Unit, and the Students' Representation of the Unit was requested to appoint a representative to participate in the reconciliation process of the parties to the conflict.

Having familiarised itself with the Complainant's complaint and the explanations provided by the Unit Commission at the Commission's request, 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 approved by 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 approved by Resolution of the Senate of Vilnius University No. SPN-55 of 21 October 2020) (hereinafter the 'Commission Regulations'). The Commission Regulations define the Commission's competence, the decisions that it can possibly make, and describe the Commission's operating procedures.

2. In accordance with Item 13(1) of the Commission Regulations, the Commission examines the complaints regarding the legality and validity of the contested decisions of the academic ethics commissions of units or failure to act of the academic ethics commissions of units. This means that the Commission does not normally re-examine the substance of the disputes resolved by the commissions of units in the contested decisions but assesses whether the contested decisions were adopted in accordance with the procedures and principles laid down in the University's legal acts and whether these decisions are justified, complete, and clear. The failure to act of the academic ethics commissions of units shall be understood, in this context, as complete or partial disregard of the arguments presented in the appeal of the complainant, or cases when the unit commissions do not perform or only partially perform the actions established in the Regulations of the Academic Ethics Commission of Core Academic Units of Vilnius University (current version approved by Resolution of the Senate of Vilnius University No. SPN-55 of 21 October 2020) (hereinafter the 'Unit Commission Regulations').

3. The purpose of the academic ethics commissions is to examine complaints about actions of members of the academic community working or studying in that Unit, which may violate academic ethics (Item 13 of the Unit Commission Regulations). Such examination is carried out in accordance with the procedures established in the Unit Commission Regulations and the principles set out in Item 30 thereby. That includes the principle of dispositiveness, meaning, *inter alia*, that the commission, upon receiving a complaint, shall assess its contents and, if its examination falls under the competency of the commission, shall evaluate the arguments provided by the complainant and the request formulated therein for the commission in terms of academic ethics, and shall establish the fact of presence or absence of a violation of the academic ethics or a gross violation of academic ethics (Item 32(2) of the Unit Commission Regulations).

In the case in question, the Complainant detailed specific actions of student A. B. (arrogant, disrespectful communication, possible psychological pressure towards the Complainant to improve the student's grade, humiliation on the basis of age) in their appeal and asked the Unit Commission to evaluate them in terms of academic ethics, which the Unit Commission, in accordance with the principle of dispositiveness, had to do in its decision. Having familiarised itself with the content of the dispute, the Commission hereby concludes that when adopting the contested decision, the Unit Commission did not follow the procedures established in the Unit Commission Regulations in full, resulting in the decision of the Unit Commission being subject to partial amendments and to be returned to the Unit Commission to be re-investigated, with the instructions to evaluate student A. B.'s behaviour in terms of academic ethics, taking into account the circumstances detailed in the Complainant's appeal.

4. The Commission hereby also points out that the aforementioned evaluation of the situation does not negate the Unit Commission's right to suggest that the parties reconcile (Item 32(1) of the Unit Commission Regulations). Such a measure promoting cooperation between the parties and peaceful resolution of conflicts may be applied if, having evaluated the circumstances detailed in the Complainant's appeal, it is considered to be the most appropriate and its application best corresponds to the interests of the parties to the dispute and the University.

5. Having evaluated the material provided by the Unit Commission that is related to the investigation of this dispute, the Commissions hereby also notes that one of the parties to the dispute investigated by the Unit Commission (i.e. student A. B.) is a foreign citizen. In order to safeguard the interests of the aforementioned party, as well as in the implementation of the procedural equality and adversariness principles set out in Item 30 of the Unit Commission Regulations, the Unit Commission (or, on its instructions, the administration of the Unit) shall provide the party to the dispute with the most accurate and extensive translation of the dispute investigation material into English as possible, not just its summary or abbreviations.

6. The Commission hereby notes that, in accordance with Item 39 of the Commission Regulations, the depersonalised Commission's decisions (or summaries 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 as well as 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) and 35(3) of the Regulations of the Central Academic Ethics Commission, the Central Academic Ethics Commission hereby d e c i d e s :

1. To partly uphold the complaint of R. B., /academic employee of the Unit/, submitted on 6 February 2025 and return it to the academic ethics commission of the Unit for re-investigation, instructing it to evaluate the circumstances detailed in the Complainant's appeal in terms of academic ethics.

2. To publish the depersonalised decision of the Central Academic Ethics Commission on the website of Vilnius University.

The Commission's decision was adopted unanimously at the meeting attended by 6 of the 8 members of the Commission.

Chairperson

Assoc. Prof. Dr Vígita Vèbraité