



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

On the complaint submitted by a teaching staff member A. T. on 4 April 2024

On 4 April 2024, the Central Academic Ethics Commission (hereinafter the ‘Commission’) received a complaint submitted by Dr A. T. (hereinafter the ‘Complainant’), a teaching staff member at the /Unit/, in which the Complainant requests the annulment of the decision of the Academic Ethics Commission of the /Unit/ of 15 March 2024 adopted in regards to him. In the contested decision, the Academic Ethics Commission of the /Unit/ (hereinafter the ‘Unit Commission’) examined the official report of the /Unit/ professor B. S. regarding potential violations of academic ethics in the Complainant’s electronic correspondence with colleagues and, after hearing both parties to the dispute on academic ethics, it concluded that a violation of Item 7(10) of the Code of Academic Ethics of Vilnius University was committed, i.e. “the lack of mutual respect and collegiality that disturbs the smooth functioning of the department.” The contested decision also contains recommendations “to be mindful of the verbal and emotional expression of correspondence addressed to colleagues” and to establish clear procedures for decision-making in the internal structure in order to reduce the possibilities for similar conflicts between colleagues in the future.

The Complainant states that he does not agree with the contested decision of the Unit Commission since in the emails in which a violation of academic ethics was concluded to have been committed, he expressed his personal critical opinion on the individual aspects of the activities of the department and its head, but he did not seek to humiliate or offend members of the community.

Having familiarised itself with the Complainant’s complaint and its annexes, as well as the explanations provided by the Unit Commission at the request of the Commission, having examined the complaint at the Commission meeting on 25 April, the Commission hereby notes:

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 Code of Academic Ethics describes the standards and principles of ethical conduct 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 competency, the decisions that it can possibly make, and describe the Commission's operating procedures. In accordance with the competency specified in these legal acts, the Commission shall examine only issues related to potential violations of academic ethics and shall not make any comments on other issues and assumptions set out in the documents submitted by the parties.

2. In accordance with Item 13(1) of the Commission Regulations, the Commission examines complaints concerning the legality and validity of the contested decisions 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.

In the case in question, the Unit Commission concluded that a violation of Item 7(10) of the Code of Academic Ethics ("The principles of relationships between members of the community shall be violated by other actions that demean the name of a member of the community") was committed. The Commission notes that Item 7 of the Code of Academic Ethics establishes that "Relationships between members of the community shall be based on the principles of mutual respect, fairness, impartiality, non-discrimination and collegiality, loyalty to the University, academic cooperation, openness and transparency" and the exemplary list of actions that violate these principles is provided. This list is non-exhaustive, therefore, the aforementioned Item 7(10) of the Code of Academic Ethics provides for the possibility to conclude that violations of the ethics of relations between members of the community were committed in other cases, having assessed the specific situation under consideration and basing such a decision on appropriate arguments.

Having assessed the contested decision of the Unit Commission and the explanations provided by the parties to the dispute in question, the Commission notes that the contested decision does not contain any arguments as to which specific actions and why have been found by the Unit Commission to be demeaning the name of a member of the community and thus violating academic ethics. In view of the lack of justification and motivation, the Commission decides to partly uphold the Complainant's complaint and to change the contested decision of the Unit Commission by repealing its part regarding the violation of Item 7(10) of the Code of Academic Ethics.

3. The Commission notes that collegial and respectful communication and polite, ethical expression of opinion are values to be encouraged in the communication between members of the University community; therefore, each member of the community should consider and

choose the most appropriate form to express their opinion freely and unconstrained but without offending other members of the community and creating conditions for the development of conflicts between them. It is also important to establish a clear procedure for decision-making in departments or other structures to provide clarity in discussions of community members and reduce the likelihood of disagreements arising from different interpretations of such a procedure. Taking it into account, the Commission leaves the contested decision of the Unit Commission unchanged in the part containing the recommendations.

4. 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 submitted by the teaching staff member Dr A. T. on 4 April 2024 and to change the contested decision of the Academic Ethics Commission of the Unit of 15 March 2024 by repealing its part regarding the violation of Item 7(10) of the Code 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.

Member of the Commission Prof. Dr Jurgis Pakerys withdrew from the consideration of this complaint.

Chairperson

Assoc. Prof. Dr Vīgita Vėbraité