



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

On the complaint submitted by A. M., a student at the /Unit/ of Vilnius University, on 4 January 2024

On 4 January 2024, the Central Academic Ethics Commission (hereinafter the ‘Commission’) received a complaint submitted by A. M. (hereinafter the ‘Complainant’), a student of a second cycle study programme at the /Unit/ of Vilnius University (hereinafter the ‘University’), seeking to annul the decision of the Academic Ethics Commission of the Unit of 13 December 2023 and requesting a new decision to be adopted, establishing that a violation of academic ethics was committed.

The Complainant states that he appealed to the Academic Ethics Commission of the Unit on 15 October 2023 regarding potential violations of the procedure for the assessment of learning outcomes. On 26 October 2023, upon examining the Complainant’s complaint, the Dispute Resolution Commission of the Unit, based on their competency, forwarded the complaint to the Academic Ethics Commission of the Unit (hereinafter the ‘Unit Commission’), stating that discussing non-depersonalised learning outcomes is in violation of Item 17(2) of the Code of Academic Ethics of Vilnius University. After examining the Complainant’s complaint forwarded by the Dispute Resolution Commission of the Unit, the Unit Commission adopted a decision on 13 December 2023 (hereinafter the ‘contested decision’) establishing that a violation of academic ethics was not committed.

The Complainant indicates to the Commission that he does not agree with the contested decision because it is unclear and contradictory (the latter claim is based on the fact that the statement of grounds consists of only one sentence which, according to the Complainant, does not accurately reflect the circumstances of the appeal and does not include all the arguments detailed by him in the appeal submitted to the Unit Commission), and also contradicts the decision of the Dispute Resolution Commission of the Unit which ‘established’ the violation of academic ethics.

Upon familiarising itself with the Complainant’s complaint and its accompanying documents, 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 Code of Academic Ethics describes the standards and principles of ethical behaviour 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.

In accordance with Item 13(1) of the Commission Regulations, the Commission speaks on the legality and validity of the contested decisions of the academic ethics commissions of units. That means that the Commission does not re-examine the dispute on academic ethics on which the Unit Commission has adopted a decision but rather assesses whether the contested decision was adopted following the procedures laid down in the legal acts of the University and whether the decision was clear, detailed, and motivated in regards of the aforementioned procedures.

In addition, the provision laid down in Item 13(1) of the Commission Regulations also means that the Commission does not address unmotivated requests by the Complainant and such requests that the Unit Commission did not speak upon in the contested decision. The Complainant may submit a motivated and substantiated appeal to the Unit Commission on the examination of issues that were not spoken upon in the contested decision.

2. Item 1 of the Code of Academic Ethics and Item 13 of the Commission Regulations grant the unit commissions and the Commission exclusive competence to adopt decisions on the violation of academic ethics or the absence thereof. Dispute resolution commissions or other structures operating at Vilnius University do not hold the aforementioned right and their establishment of the violation of academic ethics or the absence thereof have no legal force. The Commission explains that in the case in question, the fact that the Dispute Resolution Commission of the Unit quoted the Code of Academic Ethics when establishing that the dispute in question falls within the competence of the academic ethics commissions shall not be considered confirmation of the fact of violation of academic ethics (which is clearly evident from the operative part of the decision of the Dispute Resolution Commission of the Unit, where it recommends the Unit Commission to investigate the complaint and assess the potential violation of academic ethics).

3. In the contested decision, the Unit Commission investigated the substance of the situation regarding the potential violation (the discussion of non-depersonalised learning outcomes of the Complainant). The Commission’s opinion is that the Unit Commission applied the legal acts

of the University correctly, i.e. it provided the parties to the dispute with an opportunity to state their opinions, familiarised itself with and assessed the detailed accompanying material and based on it concluded that Prof. A. V., by checking with the person who assessed the Complainant's work (during the lecture, the assessment method where students assess each other's work was applied) on the assessment they gave the Complainant shall not be considered a violation of academic ethics, and detailed the motives of such decision (it indicated that the inquiry was about the application of the proper assessment method and not a discussion or disclosure of the specific assessment or mark given).

The Commission agrees in part with the Complainant's arguments regarding the contested decision not being sufficiently detailed. The Commission points out that by disclosing the motives and legal reasoning that influenced its decision in more detail, as well as by further specifying the content of the decision, the Unit Commission would provide more clarity to the parties to the dispute regarding academic ethics, which would leave less doubt regarding the legality, validity, and objectivity of the decision of the Unit Commission. The Commission hereby also points out that the deficiencies of the contested decision in question are not fundamental and the contested decision of the Unit Commission is legal and valid thus there are no grounds to repeal or amend it.

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 Item 1 of the Code of Academic Ethics of Vilnius University and 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 dismiss the complaint submitted on 4 January 2024 by student A. M.
2. To publish the depersonalised decision of the Commission on the University's website.

Chairperson
Assoc. Prof. Dr Vigita Vėbraitė