



**REPORT ON THE ACTIVITY OF THE OFFICE  
OF OMBUDSMAN FOR ACADEMIC ETHICS  
AND PROCEDURES OF THE REPUBLIC OF  
LITHUANIA IN THE YEAR 2014**

Vilnius  
2015

## TABLE OF CONTENTS

<b>1. INTRODUCTION .....</b>	<b>3</b>
<b>2. CONTINUITY OF THE OFFICE OF OMBUDSMAN’S ESTABLISHMENT .....</b>	<b>4</b>
<b>3. REVIEW OF APPEALS, COMPLAINTS AND INVESTIGATIONS INITIATED BY THE OMBUDSMAN .....</b>	<b>5</b>
<b>4. DECISION-TAKING AND ENFORCEMENT .....</b>	<b>9</b>
<b>5. CARRIED-OUT SURVEYS AND REVIEWS .....</b>	<b>13</b>
<b>5.1. Usage of Methods of Plagiarism Detection and Prevetion .....</b>	<b>13</b>
<b>5.2. Determination Criteria of Authorship and Succession: International Experience .....</b>	<b>14</b>
<b>5.3. Application Practice of Quotation Standards for HERI and their Communication Modes .....</b>	<b>16</b>
<b>6. INFORMATIVE – CONSULTATIVE ACTIVITIES .....</b>	<b>22</b>
<b>7. COOPERATION .....</b>	<b>25</b>
<b>8. CONCLUSIONS AND SUGGESTIONS .....</b>	<b>26</b>

## 1. INTRODUCTION

The Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter referred to as the “Office of Ombudsman”) is the State budgetary institution, which aims to ensure the functions of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter referred to as the “Ombudsman”), including considering the complaints, initiating investigations for violation of academic ethics and procedures and supervising the compliance with academic ethics provisions and procedures. In its activity, the Office of Ombudsman obeys the Constitution of the Republic of Lithuania, international treaties of the Republic of Lithuania, the Law on Higher Education and Research of the Republic of Lithuania, Statutes of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania approved by the Resolution No. XI-1583 of the Seimas (Parliament) of the Republic of Lithuania of 15 September 2011, work regulation, legal acts of the European Union, and other legislation.

In implementation of its functions, the office of Ombudsman attempts to implement effectively the legal acts of the European Union, to improve the legal acts, to induce the higher education and research institutions (hereinafter referred to as “HERI”) to comply with academic ethics and procedures in fostering of academic responsibility principles and ethical scientific practices, applying the preventive measures against plagiarism, unauthorized copying and other unauthorised use of intellectual property results developed by other people as well as counterfeiting, fraud and manipulation of research data. It is aimed to integrate the academic ethics into the higher education and research institutions and all their management levels. The Office of Ombudsman is interested in the most topical problems in the area of academic ethics and procedures and suggests how the aforementioned problems could be solved.

In November 2014 the Office of Ombudsman took into account the problems arising in its activities and gaps of legal regulation, and in order to organize own work, to take and enforce the decisions more efficiently, the Office of Ombudsman submitted the offers to the Committee of Education, Science and Culture of the Seimas regarding amendment of the article 18 of the Law on Higher Education and Research of the Republic of Lithuania and its supplementation with the articles 18<sup>1</sup>, 18<sup>2</sup>, 18<sup>3</sup>, as well as adding a new section to the Code of Administrative Offences of the Republic of Lithuania, namely “ADMINISTRATIVE OFFENCES IN THE AREA OF ACADEMIC ETHICS AND PROCEDURES”. It is suggested to impose the administrative liability in this section for writing of research works or theses with the goal to sell them, for sale of such works, provided such activity does not contain the features of enterprise and big range; for preparation of information offering paid services for writing of research works or theses or inducement of violation of academic ethics and/or procedures otherwise, and for presentation of such information for dissemination using the mass

communication and Internet; and for non-compliance with the requirements of the Ombudsman for Academic Ethics and Procedures (see Annex to the Report).

The report on the activities of the Office of Ombudsman for this year allows not only assessing the works carried out by the Office of Ombudsman from the day of its establishment, but also it serves as a reference point for planning other important future activities related to securing of compliance with the academic ethics.

## **2. CONTINUITY OF THE OFFICE OF OMBUDSMAN’S ESTABLISHMENT**

The establishment-related works, which had been started in 2013, continued in 2014, as well. During this period 57 public procurements were carried out, and 147 documents related to public procurements (contracts, tenders, certificates, procurement conditions, etc.) were formed. The computer and office equipment, software packages, stationery, office furniture, etc. were acquired in order to prepare the work places. In order to secure the continuity of the activities of the Office of Ombudsman and to satisfy the household needs, various contracts were made regarding purchase of postal, cleaning, premise administration, equipment’s lease, connection and other services, goods and repair works.

4 competitions for the duties of civil servants were organized: 3 civil servants and 1 employee (according to the employment contract) were hired. 6 work places were taken until the end of the year: chief adviser (1 employee), advisers (3 employees), chief specialist (1 employee), and chief specialist (chief accountant) (0,5 work time), and chief specialist (computer specialist) (0,5 work time).

11 documents were prepared to ensure the functions of the Office of Ombudsman (Table 1).

**Table 1. Documents on the activity of the Office of Ombudsman**

<b>Name of the document</b>
<b>Description of the Performance Procedure of Practice of the Students of Higher-Educational Schools of the Republic of Lithuania in the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania</b>
<b>Sample Form of Complaint</b>
<b>New edition of the Simplified Rules of Public Procurements of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania</b>
<b>Work Regulation of the Commission of Public Procurement of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania</b>
<b>Strategic Performance Plan of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania for the years 2014–2016</b>

**Plan of Public Procurements Planned for 2014 by the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania**

**Plan of Business Trips of the Employees of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania in 2014**

**New edition of the Manual of Organization Procedures of Public Procurements in the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania**

**New edition of the Rules on Organization, Execution, Reporting and Payment for Business Trips**

**Rules of Administration of Personal Data in the Office of Ombudsman for Academic Ethics and Procedures**

**Recommendations for Investigations conducted in the initiative of the Ombudsman for Academic Ethics and Procedures, and Examination of Complaints**

### **3. REVIEW OF APPEALS, COMPLAINTS AND INVESTIGATIONS INITIATED BY THE OMBUDSMAN**

In 2013 the Office of Ombudsman used to receive the information about violations of academic ethics and procedures mostly from other institutions: Ministry of Education and Science, Lithuanian Research Council, Supreme Commission of Officiary Ethics. Besides, the applications of persons used to be forwarded by the Committee of Education, Science and Culture of the Seimas. In total the Office of Ombudsman has received seven applications since June 2013 in such a way. As the Office of Ombudsman did not have a website before May, where the public information about the Office of Ombudsman could have been posted, and as it did not have permanent address and any premises until February, mainly the anonymous notifications and consultative appeals used to come to the personal e-mail of the Ombudsman.

In the beginning of February 2014 the Office of Ombudsman moved to the new premises and in May the new website of the Office of Ombudsman was created – [www.etika.gov.lt](http://www.etika.gov.lt). On 04 February 2014 the Ombudsman passed the Order No. V-3, whereby the sample form of complaint was approved. In 2014 36 direct appeals regarding violations of academic ethics and procedures were brought to the Office of Ombudsman in written. Other institutions forwarded the received material about the aforementioned violations 8 times. All 44 appeals could be grouped into the following categories:

1. **Applications** (in total 10 applications were received) – the appeals of the persons to the Office of Ombudsman without having completed the approved form of complaint, whereby they asked to investigate the possible violations of academic ethics and/or procedures. It was a common case that such persons did not provide all the circumstances, did not formulate the object of application and did not provide other important information that would have allowed starting the investigation or examination of the complaint.

In such the cases the Ombudsman asked the persons to complete the form of complaint or suggested to address the commission of academic ethics of certain research or educational institution or other internal authority of the higher education and research institution that solves the disputes related to academic ethics in order to induce self-regulation of the higher education and research institutions.

This category of appeals also includes anonymous applications, which are not examined in the Office of Ombudsman. The Ombudsman understands the concern of members of the academic community about attitude of other persons towards them and about preservation of work places upon making the violation of academic ethics and/or procedures public, so he notes that the legal acts oblige to ensure the effective and confidential investigation of academic ethics and procedures in the Office of Ombudsman, as well as to ensure the confidentiality of the information about persons, who have provided official information necessary for investigation, have expressed their wish to act as classified experts or who have been groundlessly accused of violations of academic ethics.

Moreover, the Ombudsman has encouraged the members of academic community more than once to consult with the Office of Ombudsman about expedience of their complaints, and guaranteed the complete confidentiality of such consultation.

2. **Notifications** (in total 14 notifications were received) – applications of the persons forwarded by other institutions or written appeal of the person to the Office of Ombudsman, where such a person states that the rights or legal interests of other person have been violated, and asks to examine the possible violations of academic ethics and/or procedures.

On the ground of such appeals, the Ombudsman started the investigation in his own initiative or asked the aggrieved person to fill in the form of complaint. 5 investigations were started in 2014 on this ground. In the end of 2013 there were 2 investigations started on the ground of 7 applications forwarded by other institutions. The investigations were carried out and the decisions were passed in 2014.

3. **Complaints** (in total 20 complaints were received) – appeals of the persons regarding violations of academic ethics and/or procedures by completing the approved form of complaint.

It is stated in the clause 11 of the article 18 of the Law on Higher Education and Research of the Republic of Lithuania that: “The Ombudsman shall examine a submitted complaint and take a decision not later than within 30 days. Due to the complexity of circumstances indicated in the complaint or because additional information must be obtained during the complaint’s examination, the time limit for examining the complaint and taking a decision may be extended for up to three months from the date of receipt of the complaint.” The applicant has to be notified hereof. It should be noted that no legal acts set the term, during which the information or material necessary to examine the complaint/ to carry out the investigation and to prepare the decision, has to be submitted.

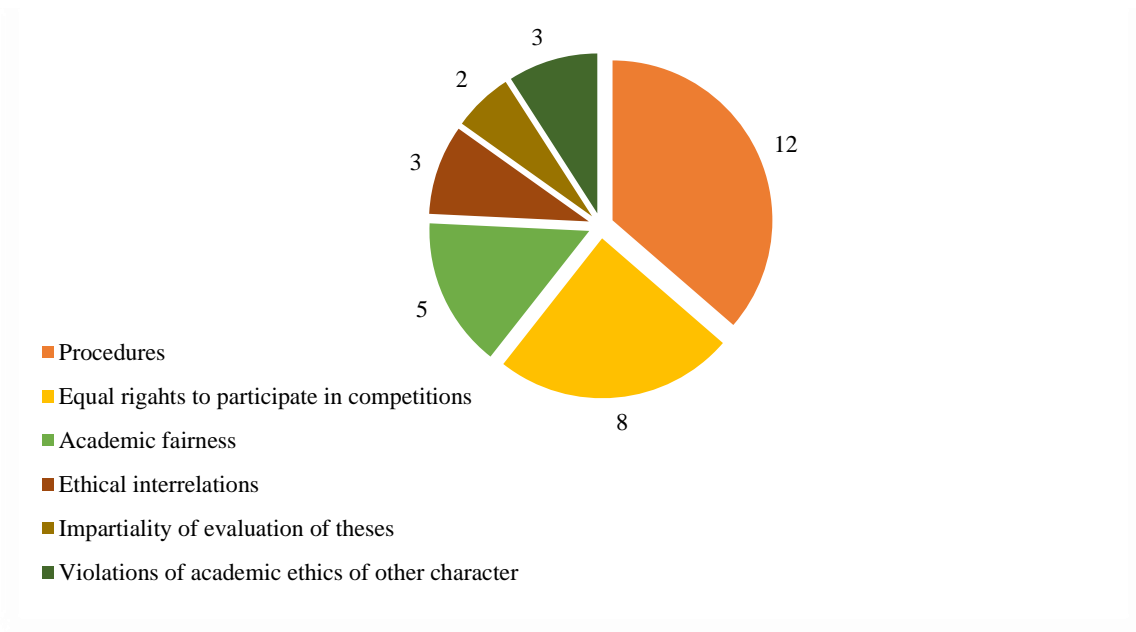
Therefore it should be stated that the aforementioned time limit for examining the complaint and taking a decision is often too short to examine the entire material of the complaint and to prepare the draft decision.

In 2014 the Office of Ombudsman sent 507 letters, received 635 documents, among which 255 were sent deeds and 190 were received documents, which were directly linked to the examination of complaints and carrying out of investigation. 171 documents were related to the investigations carried out by the Office of Ombudsman (analysis of situation in the area of academic ethics), which purpose was to learn how the research and educational institutions were following their codes of academic ethics.

Upon having divided all the complaints received by the Office of Ombudsman and initiated investigations according to the character of violations of academic ethics and procedures (Table 2, Fig. 1), it is evident that the majority of complaints were related to procedural violations or violations related to equal rights to participate in the competitions.

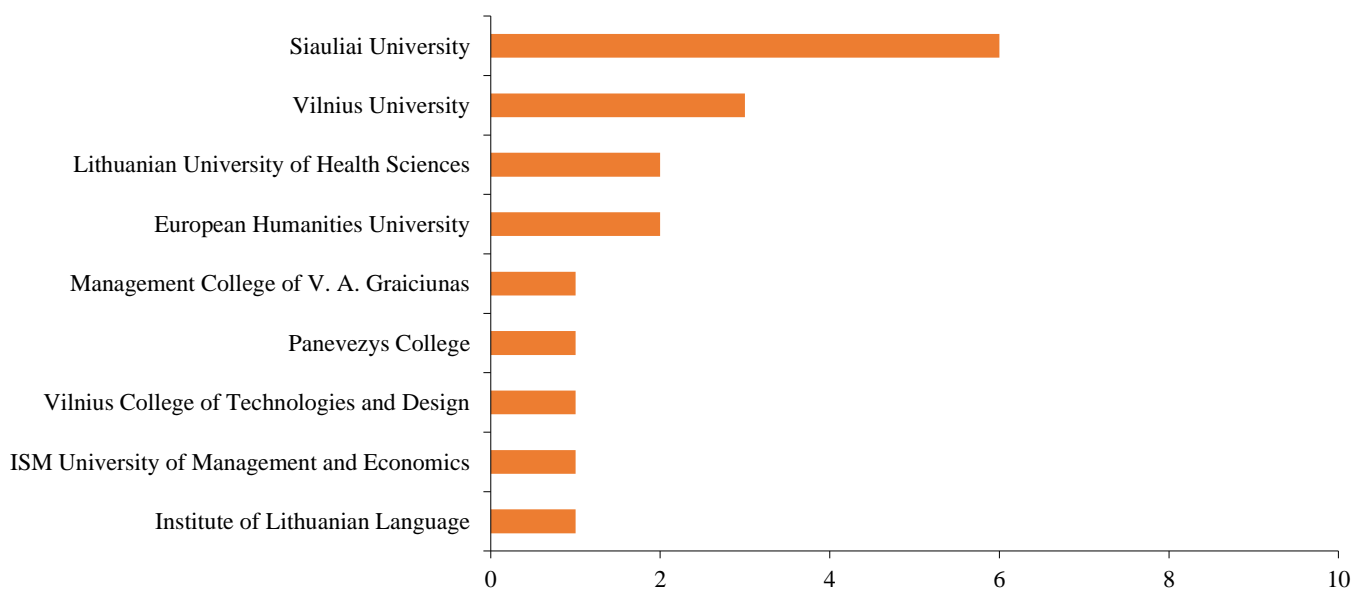
**Table 2. Review of complaints received in 2013–2014 and initiated investigations according to the character of violations of academic ethics and procedures**

Violation related to:	Number of received complaints		Number of initiated investigations	
	2013	2014	2013	2014
academic integrity	-	2	-	3
impartiality of evaluation of theses	-	2	-	-
equal rights to participate in competitions	1	7	-	-
ethical interrelations	-	3	-	-
violations of academic ethics of other character	-	1	-	2
procedures	-	10	-	2



**Fig. 1. Number of complaints received in 2014 and initiated investigations according to the particular character of violations of academic ethics and procedures**

When the examined complaints and investigations conducted by the Ombudsman’s initiative in 2014, with regard to which the decisions had been taken, were divided according to the higher education and research institutions (Fig. 2), it became evident that the actions of the members of academic community of Siauliai University were appealed the most. The complaint was recognized as unjustified only once (complaint about actions of administration of the College of V. A. Graiciunas).



**Fig. 2. Number of decisions made by the Ombudsman according to the higher education and research institutions<sup>1</sup>**

<sup>1</sup> The provided information does not mean direct dependency with the institution’s ethics in a broad sense.



#### **4. DECISION-TAKING AND ENFORCEMENT**

Upon having examined the complaint or completed the investigation in his own initiative, the Ombudsman is able to take the following decisions on the basis of the clause 2 of the article 18 of the Law on Higher Education and Research of the Republic of Lithuania:

- 1) to inform higher education and research institutions and the Ministry of Education and Science about the person who have violated the academic ethics and procedures;
- 2) to obligate the institution, which has awarded a scientific degree and/or held the competition to fill a position, to revoke the decision on the awarding of the scientific degree and/or on the winner of the competition;
- 3) to recommend higher education and research institutions to revoke a decision taken on the basis of the documents regulating the academic ethics and procedures;
- 4) to recommend an employee to refuse participating in an ongoing project of research and experimental (social, cultural) development;
- 5) to inform an institution responsible for a specific sphere about the persons (authors) who have suffered from violation of the academic ethics;
- 6) to notify law-enforcement institutions if the evidence of a criminal offence has been established;
- 7) to appeal to the court if the obligation of the Ombudsman is not fulfilled;
- 8) to make public the cases about the violation of academic ethics and procedures;
- 9) to recognize the complaint as unjustified.

Upon having examined 15 complaints and completed 3 investigations in 2014, the Ombudsman took 18 decisions.

1 decision was made to recognize the complaint as unjustified.

6 decisions were taken to state the violations of academic ethics and/or procedures and to inform the appropriate higher education and research institutions and the Ministry of Education and Science hereof.

The Ombudsman made 11 decisions to state the violations of academic ethics and/or procedures and to inform the appropriate higher education and research institutions and the Ministry of Education and Science hereof, adding also the recommendations to the higher education and research institutions regarding their enforcement, where:

- 3 decisions, with regard to which recommendations had been presented, were implemented completely by the higher education and research institutions, i.e. the Ombudsman's recommendations have been implemented;
- 2 decisions were implemented in part;

- 2 decisions were not implemented because of various objective reasons;
- 3 decisions were not implemented and were appealed to Vilnius County Administrative Court and to the Supreme Commission of Administrative Disputes;
- the implementation of 1 decision, with regard to which the recommendations had been submitted, was postponed until 2015 when the examination of the civil case is completed.

Appeals regarding the Ombudsman's decisions brought to court

5 complaints about the Ombudsman's decisions were brought.

3 decisions were appealed to Vilnius County Administrative Court, where:

- 1 decision, with regard to which the recommendations had not been provided, save for notification about committed violation of the academic ethics and/or procedures (SP-10);
- 2 decisions, with regard to which the recommendations, how to correct the committed violation of the academic ethics and/or procedures, had been provided (SP-2, SP-12).

2 decisions were appealed to the Supreme Commission of Administrative Disputes:

- 1 decision, with regard to which the recommendations had not been provided, save for notification about committed violation of the academic ethics and/or procedures (SP-18);
- 1 decision, with regard to which the recommendations, how to correct the committed violation of the academic ethics and/or procedures, had been provided (SP-17).

Implementation of strategic performance indexes

It should be noted that the evaluation criteria of effect of strategic objective were set in the strategic performance plan of the Office of Ombudsman for the years 2014-2016 approved by the Ombudsman's Order No. V-8 of 26 February 2014 (table 3).

**Table 3. Evaluation criteria of effect of strategic objective**

No.	Name of evaluation criterion of effect	Measurement unit	Objective in 2014
1.	Implementation coefficient of the decisions made upon having examined the complaints or completed the investigations in own initiative (i.e. the Ombudsman's decisions taken into account by the higher education and research institution)	Percentage from all the taken decisions	<b>70</b>
2.	Growing number of codes of academic ethics in the higher education and research institutions	Percentage from the number of previous year	<b>5</b>
3.	Reduced number of violations of academic ethics and procedures determined in the higher education and research institutions	Percentage from the number of previous year	<b>5</b>
4.	<b>Increased number of the decisions made by the commissions of academic ethics of the higher</b>	Percentage from the	<b>10</b>

No.	Name of evaluation criterion of effect	Measurement unit	Objective in 2014
	<b>education and research institutions regarding violation of academic ethics and procedures</b>	number of previous year	

**Index “Coefficient of the decisions made upon having examined the complaints or completed the investigations in own initiative”.** With regard to the implementation of the recommendations presented by the Ombudsman in 2014, the value achieved by the index “Coefficient of the decisions made upon having examined the complaints or completed the investigation in own initiative” is 64 percent<sup>2</sup>.

The Ombudsman notified the higher education and research institutions and the Ministry of Education and Science about all the taken decisions and indicated the persons, who have violated academic ethics and procedures. All the violations of academic ethics and procedures determined by the Ombudsman were posted publicly on the website of the Office of Ombudsman for Academic Ethics and Procedures [www.etika.gov.lt](http://www.etika.gov.lt). It should be noted that on the ground of the Resolution No. XII-1086 of the Seimas of the Republic of Lithuania of 17 July 2014, the Ombudsman has to post all the information about the activity of the Office of Ombudsman, complaints under examination, conducted investigations and taken decisions only on the website of the Office of Ombudsman from 17 July 2014 (previously it was mandatory to have such information published in the supplement of the Official Gazette “Information Notices”). Besides, the Ombudsman addressed the administrators of the Register of Legal Acts to be granted with the possibility to announce the Ombudsman’s decisions in the Register of Legal Acts.

**Index “Growing number of codes of academic ethics in the higher education and research institutions”.** If compared to the information received by the Office of Ombudsman about the higher education and research institutions, who had issued the ethical codes, in 2013, the value of this index was growing in 2014, i.e. 16 percent of higher education institutions and 18 percent of research institutes made their codes of ethics available to public additionally<sup>3</sup>.

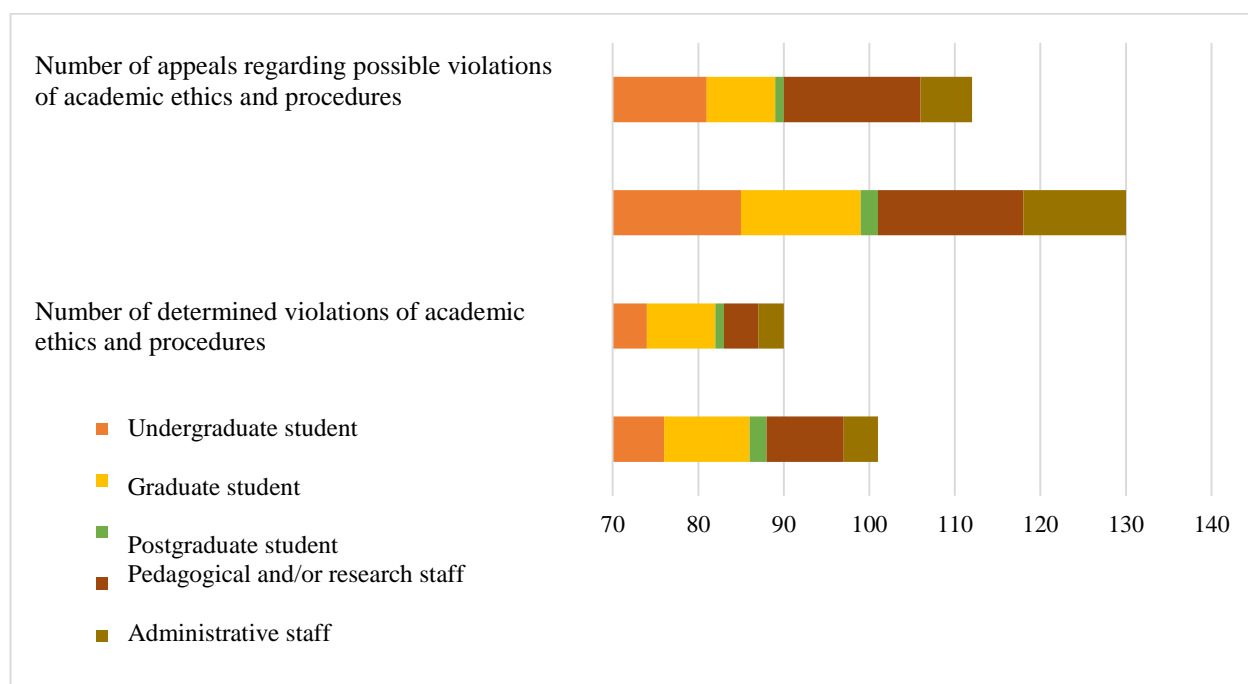
**Index “Reduced number of violations of academic ethics and procedures determined in the higher education and research institutions”.** In 2013–2014 the higher education and research institutions were addressed 242 times regarding possible violations of academic ethics and procedures, where 191 (79 percent) cases were recognized as having violated the academic ethics and procedures. The majority of appeals that year was received: in the group of universities – Mykolas

<sup>2</sup> The recommendations, which had been partly implemented, and the recommendations not implemented due to objective reasons, were also attributed to the implemented recommendations.

<sup>3</sup> In 2014 this index was calculated according to the information publicly available on the websites of higher education and research institutions; however it does not mean that the higher education and research institutions do not have a code of academic ethics or similar document. It should be noted that some higher education and research institutions integrate the ethical provisions into the quality management systems.

Romeris University (61), LCC International University (60) and ISM University of Management and Economics (15), in the group of colleges – Alytus College(16), Klaipeda State College and Management College of V. A. Graiciunas (6 each). Accordingly, the number of determined violations of academic ethics and procedures was the highest in these higher education institutions, except for Klaipeda State College. According to present statistical data, it should be presumed that the aforementioned higher education schools have sufficient mechanism to ensure the academic ethics and procedures as the components of ensuring of quality of higher education and research, i.e. these higher education schools create conditions for the members of academic community to defend their rights and legal interests and assess them with responsibility.

If compared to the data of 2013, the number of appeals regarding possible violations of academic ethics and/or procedures received in the of higher education and research institutions in 2014 increased by 16 percent, while the number of the *determined violations of academic ethics and/or procedures* increased by 15 percent. In 2013 there were 80 percent of cases and in 2014 – 78 percent of cases, on the basis of which the violations of academic ethics and/or procedures were determined.



**Fig. 3. Number of appeals regarding possible violations of academic ethics and procedures and determined violations  
In 2013-2014**

With regard to these statistical data, the evaluation criteria of effect of strategic objective set in the strategic performance plan of the Office of Ombudsman for the years 2014-2016 approved by the Ombudsman’s Order No. V-8 of 26 February 2014 will be revised.

**Index “Increased number of the decisions made by the commissions of academic ethics of the higher education and research institutions regarding violation of academic ethics and procedures”**. When the manager of the higher education and research institution solves the issues of possible violations of academic ethics and procedures, s/he often makes decisions taking the suggestions provided by the internal institution that examines issues of academic ethics into account, thus the conclusion should be made that the value of this index is the same as the value of the index “Reduced number of violations of academic ethics and procedures determined in the higher education and research institutions”. With regard to the sameness of these indexes, the evaluation criteria of effect of strategic objective set in the strategic performance plan of the Office of Ombudsman for the years 2014-2016 approved by the Ombudsman’s Order No. V-8 of 26 February 2014 will be revised.

## **5. CARRIED-OUT SURVEYS AND REVIEWS**

The sub-clauses 12.1, 12.2 and 13.4 of the Statute of the Office of Ombudsman, which set the tasks for the Ombudsman – to promote the compliance of higher education and research institutions with academic ethics and procedures, to supervise and control the compliance of higher education and research institutions with the codes of academic ethic, also provide the following function of the Office of Ombudsman – to collect, analyse and summarize the data on violations of academic ethics and procedures, violations of the Law on Higher Education and Research or statutes and codes of academic ethics of higher education and research institutions, applied cases of administrative liability as well as other information related to the compliance with academic ethics and procedures in Lithuania known to the Ombudsman.

In 2014 the Office of Ombudsman carried out 3 surveys and prepared the reviews, which are generalized separately in the clauses 5.1-5.3 herein. Upon having discussed these reviews with HERI, it is planned to make them public.

### **5.1. Usage of Methods of Plagiarism Detection and Prevention**

During this survey the Office of Ombudsman collected the data about the plagiarism cases determined by HERI in 2010-2013, as well as information about the computer programmes used to identify the coinciding texts, and applied prevention means of plagiarism. According to the survey’s results, the most popular and the most widely used computer programme to detect coinciding texts is e-platform [www.plag.lt](http://www.plag.lt). Besides, the following tools are used in the HERI practice:

- EPAS (electronic detection system of plagiarism);
- “Cross-check” programme (for articles of scientific magazines);
- check-up of works collected in the e-base of graduation works ETD;

- [www.google.lt](http://www.google.lt);
- check-up module of plagiarism “Moodle” (used to check the works inside of HERI);
- manual comparison of works, visual inspection;
- “PlagiScan” technology;
- virtual library “Aleph”;
- “Turnitin” programme;
- viper-plagiarism-scanner.software.informer.com programme;
- “Plagiarism Detector” programme;
- “iThenticate” system;
- “Anti-plagiat” programme;
- quality management system.

HERI indicated the following prevention means of plagiarism:

- strict norms of regulations of studies and codes of ethics, e.g., no re-taking of examination is allowed; the subject (module) has to be repeated; the student is expelled from the University with the possibility to renew studies not earlier than after certain amount of time, e.g., after 3 years. Plagiarism is considered one of the most severe violations of the principle of academic integrity and thus the punishment should be harsh;

- the students sign the integrity (originality) declarations/ pledges of graduation works;
- interim tests (in parts);
- individual tasks of independent works;
- reviewing and opposing of works;
- the graduation works are associated with the locations of graduation practice and reports on such practices;

- all the papers, projects and reports on practice are prepared under supervision and consultation of the supervisor;

- the students are taught to use and quote the information sources correctly;
- the authors of works sign the letter of indemnity of authors;
- the plan of prevention means of violations is approved;
- the Laboratory of Quality of Studies is operating. It takes care about the quality of papers and creates inspection and evaluation methods of works’ authenticity.

## **5.2. Determination Criteria of Authorship and Succession: International Experience**

The issues of determination of authorship and succession have been discussed more and more frequently in the academic community and international area. The international organizations pay big attention to the area of authorship’s ethics. This topic is also widely discussed in the scientific area. The present analytical review is meant to illustrate, how the ethics-related issues are settled when the

authorship in the higher education and research areas is determined in presence of interested parties – students, lecturers, scientists and other members of academic community. Moreover, it is attempted to use this analytical review to contribute to clearer notification of HERI about practice of settlement of issues related to the ethics of authorship, and thus to form the policy of academic ethics and culture of integrity in the academic community, to reduce the risk of ethical violations, and to initiate the changes in academic culture. This objective is based on the ethical principles listed in the European Commission’s Recommendation of 11 March 2005 on the European Charter for Researchers and on a Code of Conduct for the Recruitment of Researchers (2005/251/EC):

“Researchers should adhere to the recognised ethical practices and fundamental ethical principles appropriate to their discipline(s) as well as to ethical standards as documented in the different national, sectoral or institutional codes of ethics”.

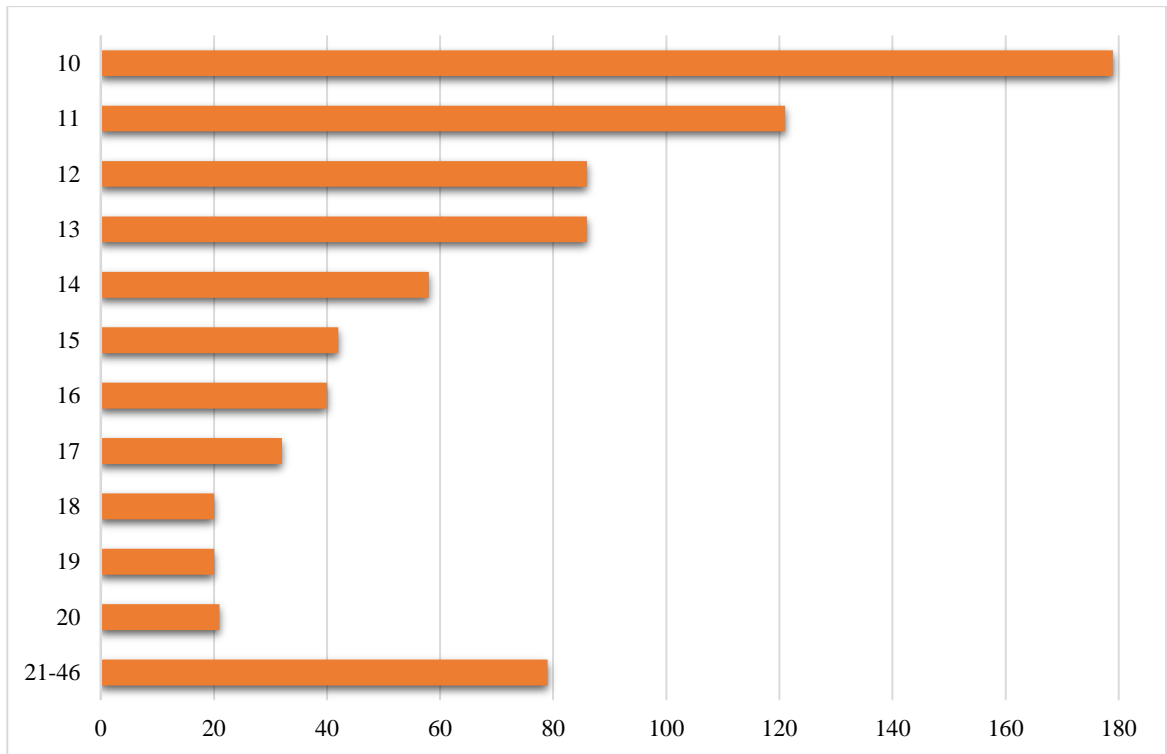
The question what criteria should be used to determine the authorship and in what sequence the authors should be listed is raised more and more often. When the determination of authorship and succession in the international area was discussed, big attention was given to the analysis of scientific discussions and positions of international organizations (for example, *Organisation for Economic Co-operation and Development*, *British Sociological Association*, *American Psychological Association*, *Committee on Publication Ethics*).

In September-October 2014 the Office of Ombudsman questioned the HERI about the researchers, who had published 10 and more scientific works in 2009-2012 (in at least one calendar year from the aforementioned). With regard to this survey, the scientific works are considered to be all the scientific articles, books, studies, summaries and other printed and/or electronic material, which satisfy the requirements and definitions provided in the Evaluation Methodology of Scientific (Art) Works of Higher Education and Research Institutions approved by the Order No. V-572 of the Minister of Education and Science of the Republic of Lithuania of 08 April 2011, except for reading of presentations during events. The survey’s data are summarized according to 69 percent of answers provided by HERI.

According to the survey’s results, the average number of scientific works per one researcher in one year is 14,2 articles<sup>4</sup> (Fig. 4).

---

<sup>4</sup> The average was derived from the number of researchers’ works known to the Office of Ombudsman.



**Fig. 4. Number of researchers, who published certain number of scientific works in one year in 2009-2012**

46 of 67 HERI encountered 450 unique researchers, who have 10 or more scientific works published. According to the survey's results, there are 42 researchers (9 percent from all the researchers), who were publishing 10 and more scientific works every year from 2009 until 2012. It should be noted that during this period more than 20 scientific works were published by 56 researchers, more than 30 scientific works – by 13 researchers, and 6 researchers published more than 40 works.

With regard to the discussions of scientists, international organizations and the results of the survey carried out by the Office of Ombudsman, the Office of Ombudsman intends to continue the research in order to pay attention to the determination practice of authorship and succession and in order to induce self-regulation of academic ethics and procedures in the higher education and research institutions.

### **5.3. Application Practice of Quotation Standards for HERI and their Communication Modes**

The purpose of the present review is to determine the application practice of quotation standards in HERI and their communication modes. In order to achieve this goal, the Office of Ombudsman asked for the following data from HERI:



- to present the information about international quotation standards applied by HERI to the students' papers (for example, written works, course papers, dissertations) according to the fields of studies and/or researches;
- to describe, how the students are introduced to the international quotation standards applied by HERI.

The Office of Ombudsman applied to 56 HERI, which implement the studies of the first (undergraduate), second (graduate) and/or third (postgraduate) cycles. 35 (62,5 percent) HERI provided the asked information, thus the surveys' data are summarized only on the ground of information provided by those HERI (Table 4).

**Table 4. HERI participation in survey**

<b>HERI number, who answered to the survey</b>	<b>HERI number, who did not answer to the survey</b>
<b>35</b>	<b>21</b>

The surveys' data were analyzed according to the fields of studies and researches, HERI groups (universities, colleges, research institutes), and forms of students' introduction to international quotation forms. The quotation requirements applicable to the Bachelor or Master theses are summarized according to the field of studies, while the quotation requirements applicable to the doctoral dissertations are summarized according to the scientific areas, i.e. such areas, in which their studies are implemented.

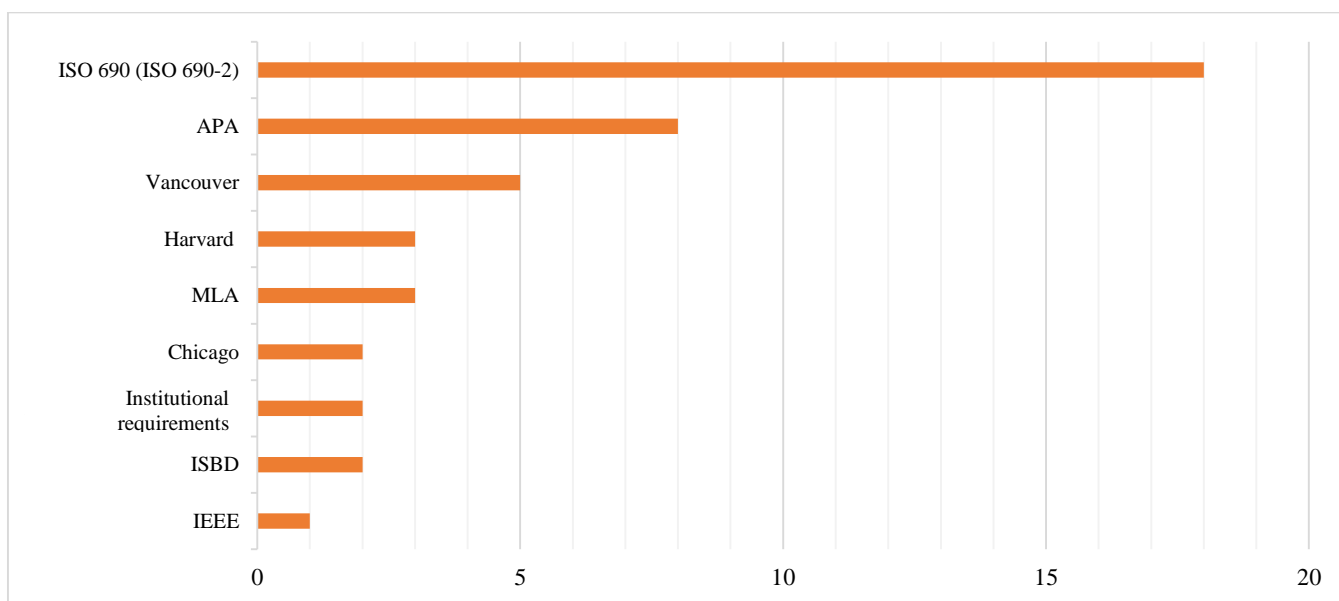
The survey's results:

**Context.** The different quotation traditions are formed in the academic community according to the disciplines. Each higher education and research institution decides what quotation standards and how should be observed. Usually the higher education and research institutions recommend to the students to apply various international quotation standards and only 3 (5 percent) from 56 higher education and research institutions have prepared their own requirements, specifically for the works in the area of humanities, social and biomedical sciences. The preparation of such requirements for the students' works shows the endeavours of the higher education and research institutions to react to concrete needs of the study process and to ensure the quality of studies. Regardless to this practice of the higher education and research institutions, the quotation standards are known in the international practice, and are especially applied in certain areas of studies/researches. For example, the quotation standard MLA (Modern Language Association) is usually applied by the researchers in the humanities, especially those of philosophy, the APA (American Psychological Association) quotation standard is usually applied by the researchers in the social sciences, especially psychology, and IEEE (Institute of Electrical and Electronics Engineers) quotation rules are usually applied by the

researchers in area of engineering, physics and medicine. ISBD aka IFLA (International Federation of Library Associations and Institutions) quotation standards are applied by the Lithuanian National Library of Martynas Mazvydas, which has posted these quotation standards in the Lithuanian language on its website<sup>5</sup>. The rules of that standard are especially used for filing, i.e. description of various sources.

Some higher education and research institutions separated the requirements for formation of bibliographical inventory from the quotation style, although the international practice shows that these two aspects are rarely separable. Therefore we will use the generalized term “quotation standard”.

**Application practice of international quotation standards for undergraduate and graduate studies.** Two fundamental international quotation standards are predominant in the undergraduate and graduate studies. The students use them for various papers (for example, written works, course papers, graduation works). These are ISO 690 (ISO 690-2)<sup>6</sup> and APA (Fig. 5). The first quotation standard is especially used in the areas of technology and social sciences, while the second quotation standard is used by higher education schools of art<sup>7</sup> (Fig. 6).



**Fig. 5.** Number of higher education schools, which apply international quotation standards for the works of undergraduate and graduate students

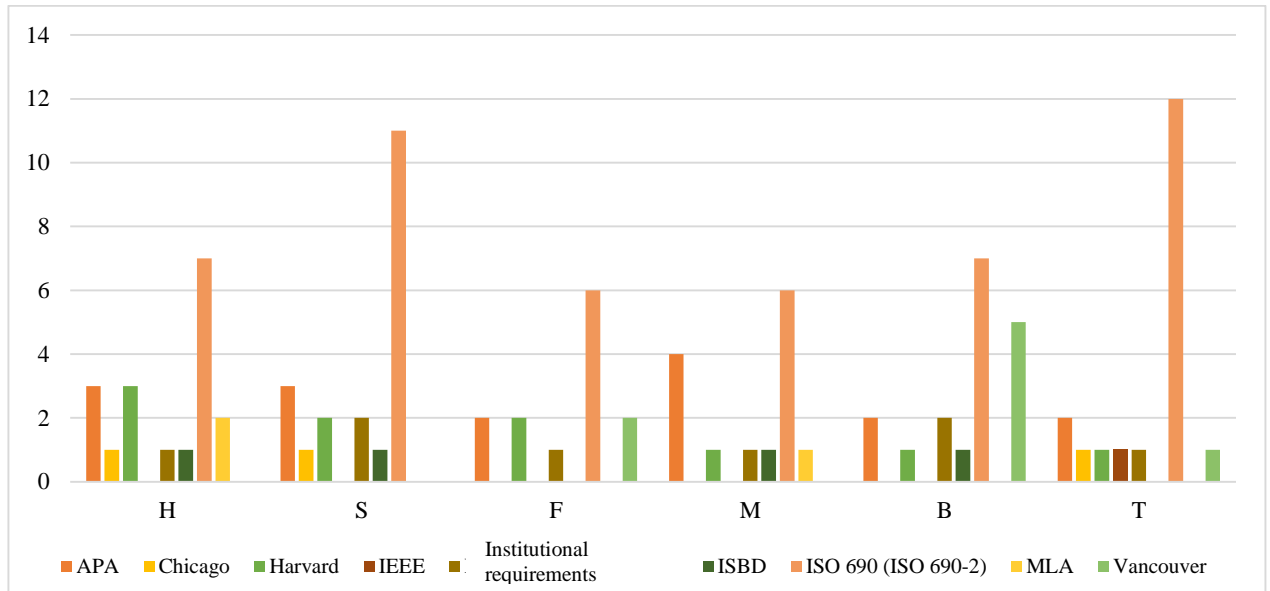
It has been noticed that the more versatile supply of disciplines in higher education school is, the bigger is variety of recommended international quotation standards. According to the survey’s

<sup>5</sup> *ISBD International Standard Bibliographical Description*. Joint edition. Online access: <http://www.ifla.org/files/assets/cataloguing/isbd/isbd-translations-2011-lt-intro.pdf> (seen on 05/02/2015).

<sup>6</sup> ISO 690 defines requirements for printed documents, and ISO 690-2 – for electronic documents. These rules of quotation Standard are not applicable for the researches in legal area.

<sup>7</sup> The clause 1 of the article 6 of the Law on Higher Education and Research of the Republic of Lithuania states that “higher education schools are of two types: universities and colleges”.

results, only the universities recommend or require the students to use the following international quotation standards: Chicago (CMS or Chicago Manual of Style), IEEE and ISBD. The same application practice of two international quotation standards is predominant in both – universities and colleges.



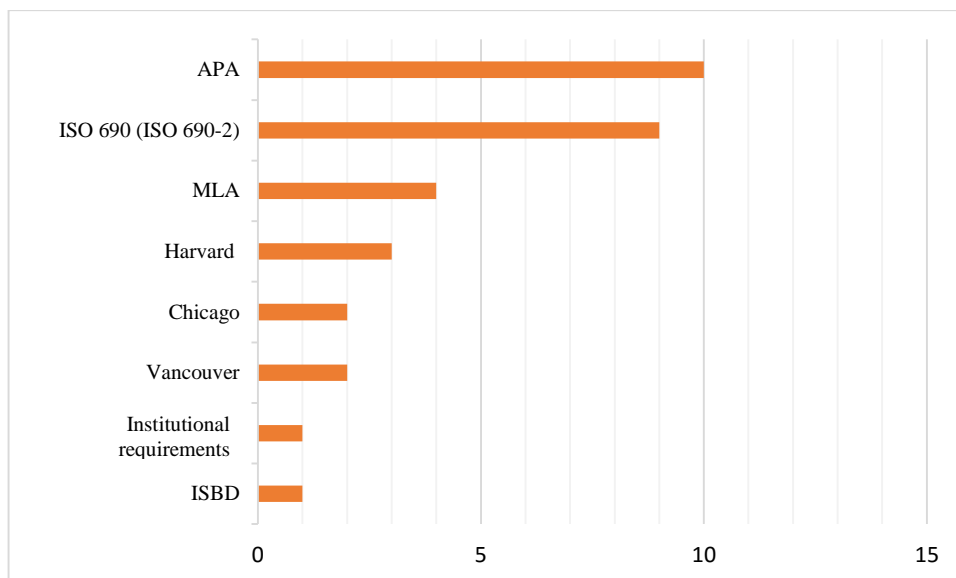
**Fig. 6. Application practice of international quotation standards for the studies of the first and second cycle according to the disciplines**

H	Humanities	B	Biomedical sciences
S	Social sciences	T	Technological sciences
F	Physical sciences	M	Arts
Ž	Agricultural sciences		

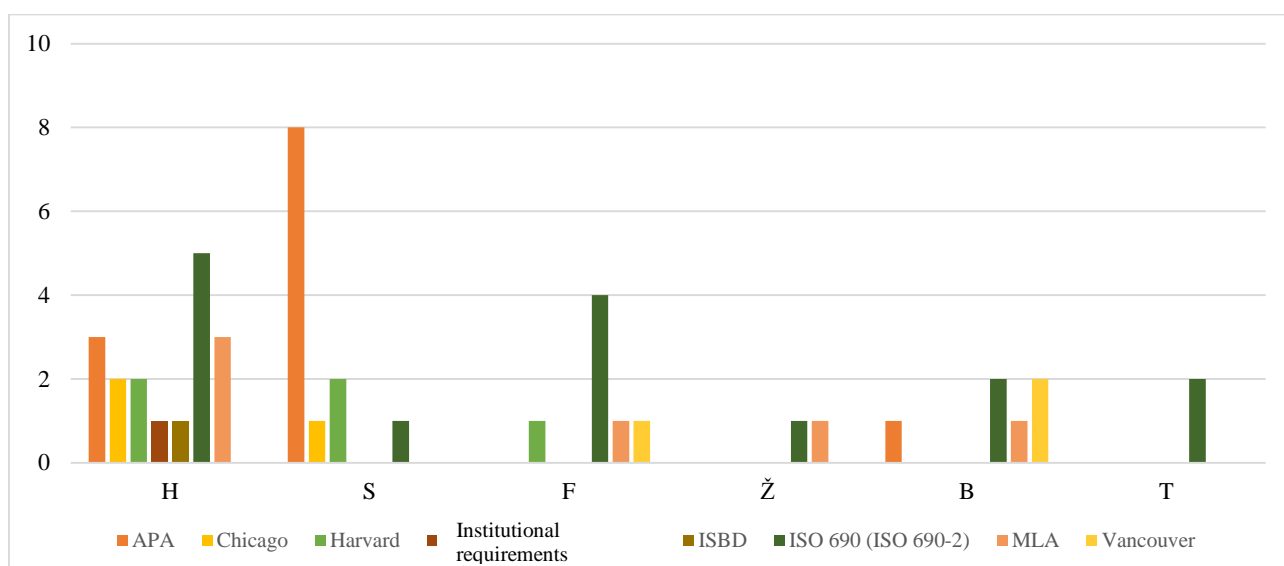
It should be also noted that the variety of international quotation standards is bigger in case of undergraduate (first cycle) and graduate (second cycle) studies than in the case of doctoral / postgraduate studies (third cycle).

**Application practice of international quotation standards for doctoral studies.** Two international quotation standards are predominant in the doctoral studies. The postgraduate students apply them to prepare dissertations. These are APA and ISO 690 (ISO 690-2) (Fig. 7). The first quotation standard is preferred by the higher education and research institutions of social sciences, while the second – by the higher education and research institutions providing doctoral studies in the area of humanities and physical sciences<sup>8</sup> (Fig. 8).

<sup>8</sup> The data provided by the universities and research institutes are generalized in present section.



**Fig. 7.** Number of higher education and research institutions, which apply international quotation standards for doctoral dissertations



**Fig. 8.** Application practice of international quotation standards for the studies of the third cycle according to the disciplines

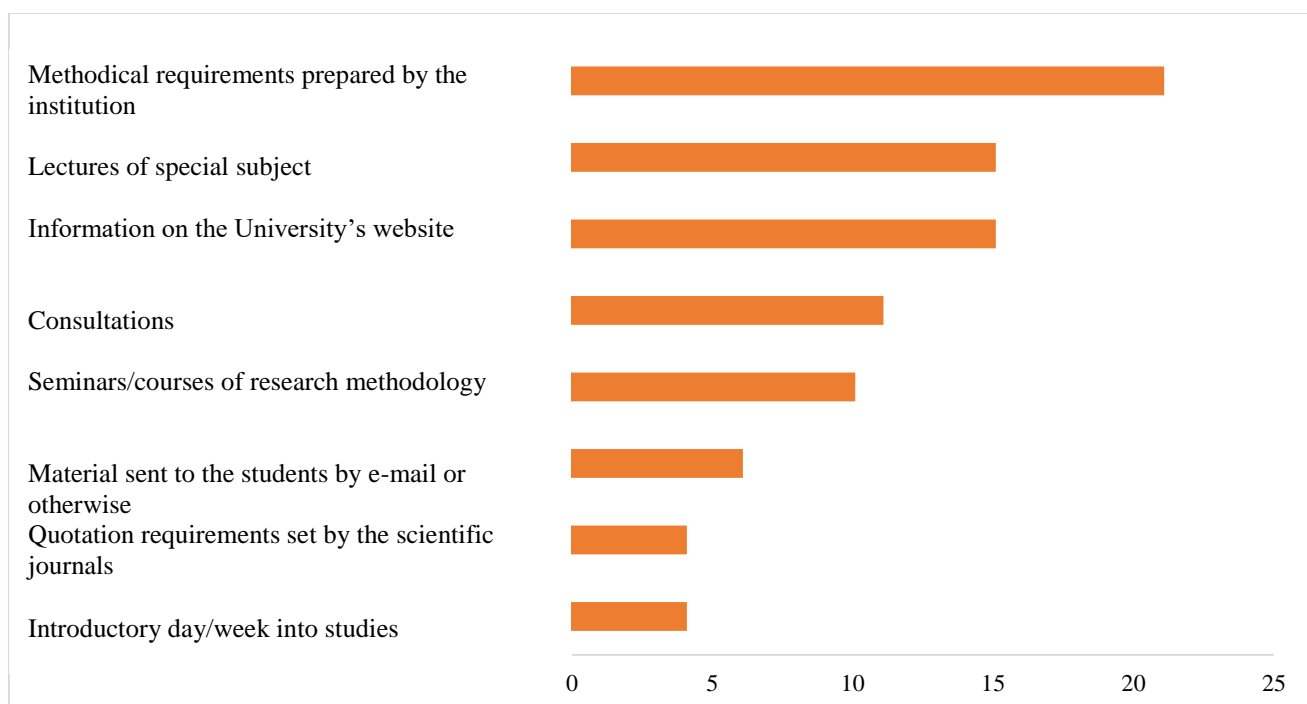
H	Humanities	B	Biomedical sciences
S	Social sciences	T	Technological sciences
F	Physical sciences	M	Arts
Ž	Agricultural sciences		

When the postgraduate students prepare such research works as scientific articles, they follow the requirements set by the publishers of scientific journals.

It should be noted that differently from undergraduate and graduate studies, the priority in postgraduate studies is given to the APA requirements. Moreover, the survey's data show that only the universities recommend or require the postgraduate students to use the following international quotation standards: Vancouver (VCC or Vancouver Citation Style) and ISBD, whereas the research institutes defined the institutional requirements. The APA requirements are mainly recommended or

set for the universities' postgraduate students, while ISO 690 (ISO 690-2) requirements are applied for the postgraduate students of research institutes.

**Introduction forms of the students to the international quotation standards.** According to the survey's data, the higher education and research institutions, which have provided information, on average apply 2-3 introduction forms to the requirements of international quotation standards (Fig. 9). 60 percent of the higher education and research institutions, which had provided information, indicated that they had prepared special methodical requirements so that the students could follow the set quality requirements, which cover quotation rules and rules of formation of bibliographical list. It should be noted that smaller part of the higher education and research institutions post them online. 43 percent of the higher education and research institutions, which had provided information, stated that they give quotation requirements to the students during certain lectures, for example, Academic Literacy, Scientific Applied Work, or Methodology. One third of the higher education and research institutions which had provided information, stated that they consult the students. Usually the students are individually consulted by the librarians and supervisors. Besides, the conditions are created to the student to ask the relevant question using the electronic robot, to search for answer among the frequently asked questions, to use the created website of information literacy, and video lessons. The librarians also contribute through organization of topical seminars/courses of research methodology. The organization of such seminars/courses becomes more intensive before preparation of the graduation works. The librarians often show initiative to organize them, while the student representative offices are not the ones to show the initiative often.



**Fig. 9. Number of certain introduction forms of the students to the requirements of international quotation standards applied by higher education and research institutions**

When the higher education and research institutions were assessed with regard to the number of introduction forms to the requirements of international quotation standards, it was learnt that Vilnius University introduces the students to the requirements of international quotation standards in 5 modes, Vytautas Magnus University, Klaipeda University, Siauliai University, Lithuanian Maritime Academy and Panevezys College – in 4 modes.

**Recommendations.** With regard to the received results of the survey and in order to increase the effectiveness of the students' introduction to the requirements of international quotation standards and to improve the quotation practice, the following recommendations are given:

1. To define clearly to the students (especially in the 1<sup>st</sup> semester of the 1<sup>st</sup> year) what quotation standards have to be applied for written works.
2. To apply at least 3 introduction forms to the requirements of quotation standards.
3. To deliver methodical requirements or other documents on quotation requirements to the students by e-mail.
4. To expand the consultation forms of the students using the possibilities of information technologies.
5. To organize the courses/seminars of methodology of papers and quotation and to avoid differentiating their need according to the study year of the students.

## **6. INFORMATIVE – CONSULTATIVE ACTIVITIES**

In implementation of the clause 4 of the article 53 of the Law on Higher Education and Research and with regard to the international experience of various organizations inducing the higher education and research institutions to form the institutional quality culture of higher education and research activity, to foster academic integrity, transparency and responsibility for interested parties, and to endeavour at socially responsible behaviour, the Ombudsman prepared and posted on 01 September 2014 on the website of the Office of Ombudsman the Draft Recommendations for the Codes of Academic Ethics of Higher Education and Research Institutions and invited the academic community to get actively involved by making suggestions regarding their improvement. Upon generalization of received suggestions, the renewed draft Recommendations will be submitted for the discussions of interested parties – Lithuanian Research Council, Conference of Rectors of the Lithuanian Universities, Conference of Directors of the Lithuanian Colleges, and Lithuanian Students' Union. Upon completion of such discussions in 2015, it is planned to prepare the final version of the Recommendations.

The main principles of the activities of the Ombudsman are consolidated in the clause 9 of the article 18 of the Law on Higher Education and Research. One of these principles is publicity. It is one

of the essential factors to assess the performance effectiveness of the Office of Ombudsman. The paragraph 8 of the clause 12 of the article 18 of the same Law provides that the Ombudsman may decide to make public the cases about the violation of academic ethics and procedures. In May 2014 the website of the Office of Ombudsman was launched ([www.etika.gov.lt](http://www.etika.gov.lt)). It provides information about the activities of the Office of Ombudsman, complaints under examination and pending investigations, as well as decisions made by the Ombudsman. The cases about the violation of academic ethics and procedures determined by the Ombudsman are also made public. In December 2014 the preliminary works for the website's preparation in English were carried out.

It should be noted that before 17 July 2014 the cases about the violation of academic ethics and procedures determined by the Ombudsman used to be published in the supplement of the Official Gazette "Information Notices". However, in order to save the budget's funds and to use the website of the Office of Ombudsman effectively, the Office of Ombudsman offered and the Lithuanian Seimas passed the resolution No. XII-1086 on 17 July 2014, whereby it changed the Statutes of the Office of Ombudsman approved by the Resolution No. XI-1583 of the Lithuanian Seimas of 15 September 2011 "Regarding Establishment of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania and Approval of Statutes of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania" as the Ombudsman's duty to publish public notices in the supplement of the Official Gazette "Information Notices" was removed.

One more function of the Ombudsman in order to make the activities public is the meetings of the members of academic community, visits to the higher education and research institutions, participation in various meetings, discussions and conferences. During such meetings, discussions and conferences the activity of the Office of Ombudsman is presented, as well as the most relevant problems of academic ethics and procedures in higher education and research institutions, topical aspects of investigation of complaints, pending/completed investigations, and the answers to the questions topical for academic community are answered:

- in May the Ombudsman took part in the discussion organized by the student representative office of the Faculty of Mathematics and Informatics of Vilnius University under the topic "What is the real price of diploma?" and made the presentation about the problem of buying of papers. He presented the data of carried-out researches and made suggestions, how to ensure honest writing of papers in the higher education schools;

- In May the Office of Ombudsman and Mykolas Romeris University organized the conference "Culture of Academic Integrity in the Changing Society". The Ombudsman made the presentation "Policy of Academic Ethics in Lithuania", presented the investigations carried out by the Office of Ombudsman regarding codes of ethics of the Lithuanian universities and colleges and

spread of plagiarism. He also submitted the principal recommendations regarding possible prevention of violations of academic ethics and procedures and improvement of current means;

- In June the Ombudsman took part in the event organized by the Research and Higher Education Monitoring and Analysis Centre (MOSTA) “Lithuanian science and studies: where are we today?” The event was used to analyze topical questions of higher education and research: How is the Lithuanian scientific world changing? With whom and how are the Lithuanian scientists cooperating? What is higher education today? Is it accessible to anyone?

- In July the Ombudsman took part in the discussion organized by the Lithuanian Research Council “National programmes of Humanities and Social Sciences: experience, lessons, and perspectives (from “Social challenges for national security” towards “Welfare society” and “Modernity in Lithuania”);

- In October the Ombudsman and senior advisor of the Office of Ombudsman Ms. K. Pazusyte and advisor Mrs. L. Tauginiene took part in the meeting of research committee of the Conference of Rectors of Lithuanian Universities and presented the directions of activities of the Office of Ombudsman, problems of academic ethics in research activity and their possible solutions, discussed other relevant issues of academic ethics, and stressed the key role of the higher education and scientific institutions for creation and support of socially responsible academic environment;

- In November the Ombudsman took part in the conference organized by the Lithuanian Research Council “Research internationality in order to improve the quality of Lithuanian science”. The participants of the conference were the managers and representatives of institutions implementing national research policy, the Lithuanian researchers working abroad, and Lithuanian scientific community;

- In December the Ombudsman had a meeting with the academic community of the Lithuanian Sport University, presented the tasks, objectives and working directions of the Office of Ombudsman for Academic Ethics and Procedures, and shared his experience in solving the problems related to the academic ethics and procedures in the higher education and research institutions;

- In December the advisors of the Office of Ombudsman Mrs. D. Urbone and Mrs. L. Tauginiene went to the event in Siauliai University “Academic dishonesty: legal gap or lack of morals” meant to commemorate the Day of Anti-corruption. The representatives of the Office of Ombudsman made the presentations about the role of the Office of Ombudsman for Academic Ethics and Procedures in supervision of academic ethics, introduced to the investigations carried out by the Office of Ombudsman, took part in the discussions and met the academic community of Siauliai University, members of the ethical commission of employees and students, and answered their questions.



In 2014 the employees of the Office of Ombudsman were consulting the waiters by phone and inside the Office of Ombudsman: they were giving explanations, advice about problems related to the academic ethics and procedures, solution methods, and regulation possibilities of disputes. The people often needed information about the form and content of the complaint addressed to the Ombudsman, and volume of the Ombudsman's powers to make decisions. The consultations regarding academic ethics and/or procedures contribute to reduction of violations of academic ethics and/or procedures.

## **7. COOPERATION**

In order to cooperate with institutions and organizations, in October the Ombudsman met the director of interim of the Centre for Quality Assessment in Higher Education Mrs. N. Skaburskiene and manager of the Department of Assessment in Higher Education Mr. A. Serpatauskas and discussed the cooperation possibilities in assessment of the level of academic ethics while carrying out assessments of higher education institutions and study programmes, also possibilities to organize joint events under the topic of improvement of study quality and inducement of ethics. In November 2014 the Ombudsman met the managers of SCOPUS database – director of “Elsevier” press in the Central and Eastern European Region Mr. T. Psonka and consultant Mr. K. Szymanski. During the meeting the SCOPUS representatives presented the resources of database and their possibilities. Besides, the discussion was held on the cooperation possibilities while carrying out the investigations in the Ombudsman's initiative, investigating violations of academic ethics, inducing formation of responsibility culture, and implementing the ethical provisions of publishing of research papers.

The cooperation possibilities were also discussed with the representatives of the Centre of Information Technologies in Education regarding access to the Register of Students and Register of pedagogues; with the representatives of the Lithuanian Network of Academic Libraries regarding access to the information system of e-documents of the Lithuanian higher education and research eLABa, where the data on publications of the Lithuanian researchers and other works are stored; with the representatives of the Law Institute of Lithuania regarding researches (comparative analysis of the activity and power of decisions of the national institutions in the area of academic ethics and/or procedures: international experience; review of sanctions for violations of academic ethics and/or procedures: international legal status and case law).

The cooperation possibilities were also looked for with the Norwegian committees on ethics of researches, Lithuanian national commission of UNESCO, and International Association of Universities.

It should be noted that the cooperation possibilities would have been increased by the improvement of qualification of the employees of the Office of Ombudsman in the international events abroad, but it was impossible due to restricted budget. We present the preliminary expenses of the events organized in 2015 regarding academic ethics per person: conference “Integrity in the Real World” (Vancouver, Canada) – €2600 (registration fee makes €462), event “4th World Conference on Research Integrity” (Rio de Janeiro, Brazil) – €2750 (registration fee makes €555), webcast “Advanced Compliance and Ethics Workshop” (San Francisco, USA) – €1442 (only the registration fee has to be paid).

The choice of events for academic ethics is not big, while the need for raising of qualification of the employees of the Office of Ombudsman is topical, as it would be meaningful to get introduced to the international topicalities of formation of integrity culture and honest researches, teaching practice of ethical behaviour (educative activities on ethics), peculiarities of relation between legal norms and ethics, and other international practice regarding academic ethics. Upon assessment of good practice, it could be transferred to the Ombudsman’s decisions and actions.

## **8. CONCLUSIONS AND SUGGESTIONS**

1. As the article 18 of the Law on Higher Education and Research regulates only single powers of the Ombudsman and the majority of them are determined in the Statutes of the Office of Ombudsman, it should be considered that such fundamental provisions as the rights and duties of the Ombudsman, procedure of complaints’ examination and investigations in own initiative, procedure of the Ombudsman’s decision-making, etc. should be consolidated on the statutory level; therefore we suggest to add the following provisions to the article 18 of the Law on Higher Education and Research (see Annex):

- Longer term for examination of complaints (instead of current minimal term of 30 days);
- Decisions and grounds, when the investigation may be cancelled and the complaint may be rejected;
- Ensuring of the Ombudsman’s requirements related to getting of information, explanations, minutes, material, data and other documents from legal and natural persons;
- Substitution of the Ombudsman when he cannot perform his duties.

2. The Code of Administrative Offences of the Republic of Lithuania should be supplemented with the new section “ADMINISTRATIVE OFFENCES IN THE AREA OF ACADEMIC ETHICS AND PROCEDURES” (see Annex). It is suggested to impose the administrative liability in this section for the following:

- writing of research works or theses with the goal to sell them, for sale of such works, provided such activity does not contain the features of enterprise and big range;
- for preparation of information offering paid services for writing of research works or theses or inducement of violation of academic ethics and/or procedures otherwise, and for presentation of such information for dissemination using the mass communication and Internet;
- for non-compliance with the requirements of the Ombudsman for Academic Ethics and Procedures.

3. The Ombudsman's technical possibilities to receive information about scientific publications of certain author are limited. The Ombudsman has addressed the Lithuanian academic e-library (eLABa) more than once regarding the possibility to use its data; however such a possibility has not been granted yet due to protracted implementation of the eLABa project.

4. The Ombudsman's technical possibilities to determine automatically the coinciding texts in research works using the computer programme or information system are limited at present. It is suggested to solve this problem by granting the access to the Office of Ombudsman to the recognition system of electronic plagiarism or similar information system.

5. The number of received complaints and initiated investigations is growing, thus the Office of Ombudsman should increase gradually the number of human resources, for example, at least by one employee for the year 2015. In lack of human resources, the threat arises regarding quality implementation of the State higher education and research policy in the area of academic ethics and procedures, ensuring of the Ombudsman's tasks, especially to contribute to ensuring of quality of higher education and research determined in the Statutes of the Office of Ombudsman approved by the Resolution No. XI-1583 of the Lithuanian Seimas of 15 September 2011 "Regarding Establishment of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania and Approval of Statutes of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania".

---

**SUGGESTIONS OF THE OFFICE OF OMBUDSMAN FOR ACADEMIC ETHICS AND  
PROCEDURES OF THE REPUBLIC OF LITHUANIA  
REGARDING AMENDMENT AND SUPPLEMENTATION OF THE LAW ON HIGHER  
EDUCATION AND RESEARCH OF THE REPUBLIC OF LITHUANIA NO. XI-242 AND  
SUPPLEMENTATION OF THE CODE OF ADMINISTRATIVE OFFENCES OF THE  
REPUBLIC OF LITHUANIA**

**Substantiation of suggested amendment and supplementation of the Law on Higher  
Education and Research:**

The current Law on Higher Education and Research does not contain the definition of academic ethics. The principle of academic ethics is included among the research principles, but not among those of higher education. It is suggested to supplement the clause 2 of the article 3 (principles of higher education) by the principle of academic ethics that is of key importance for higher education. Now this principle is listed only among research principles. The supplementation of the higher education with the principle of academic ethics would reflect better the unity of research (artistic) activities and studies declared in the article 39.

It is suggested to supplement the article 4 (“Definitions”) with the definition of “academic ethics” as it is not defined in the legal acts now.

It is suggested to correct and supplement the article 18 (“Ombudsman for Academic Ethics and Procedures”) with the following provisions: the concept “initiates investigation” used in the clause 1 should be specified as “*carrying out investigations in own initiative*”, because “to initiate investigation” and “to carry out investigation” are two different procedures (the Ombudsman has powers to examine the complaints and carry out investigations in own initiative); the clause 6 regulates the substitution of the Ombudsman (this issue is not regulated neither in the law on higher Education and Research nor in the Statutes); it is suggested to add the prohibition to work in higher education and research institutions to the restrictions applied for Ombudsman in the clause 8; it is suggested to delete the clauses 10–15, because all of their provisions (as revised and amendment) would be transferred to the articles 18<sup>1</sup>–18<sup>3</sup>; it is suggested to regulate the legal gap in the clause 14—settlement with the Ombudsman upon his dismissal in the end of office or in other cases.

The article 18 of the Law on Higher Education and Research regulates only single powers of the Ombudsman for Academic Ethics and Procedures (hereinafter referred to as an Ombudsman) and the majority of them are determined in the Statutes of the Office of Ombudsman for Academic Ethics and Procedures approved by the Resolution No. XI-1583 of the Lithuanian Seimas of 15 September 2011 “Regarding Establishment of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania and Approval of Statutes of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania”, it is suggested to add the articles 18<sup>1</sup>–18<sup>3</sup> to the Law and to consolidate there such fundamental provisions as the rights and duties of the Ombudsman, procedure of complaints’ examination and investigations in own initiative (term for bringing of complaints, refusal to examine the complaints, grounds for cancellation of examination of the complaint, etc.), ensuring of the Ombudsman’s requirements related to getting of information,

explanations, minutes, material, data and other documents from legal and natural persons, and the Ombudsman's decision-making. Such requirement to include the aforementioned provisions into the law is determined in the clause 21 of the Statutes. The following should be highlighted among the suggested provisions:

- the limitation for complaints regarding procedural violations should be two years from the commitment /learning about the appealed activity or taking of the appealed decision. The limitation would not be applied for complaints regarding ethical violations;

- the grounds for complaint's rejection should be set;

- it is suggested to replace the current term of 30 days given to examine the complaint and complete the investigation by the term of two months. According to the practice of the first year of the Office of Ombudsman, 30 days are not sufficient to examine the complaint and complete the investigation because of long-lasting collection of information about possible violation (corresponding with the institutions, collection of explanations, investigation of new circumstances, etc.);

- the list of decisions made by the Ombudsman should be supplemented and expanded by the following new decisions:

- To suggest to quash or amend the decisions, which contradict to the legal acts regulating academic ethics and/or procedures, or to suspend the validity of contradicting decisions, or to suggest taking the decisions, which have not been taken due to abuse of the managers of higher education and research institutions or administrative managers of the units in the area of academic ethics and/or procedures;
- To suggest to undertake measures in order to eliminate the violations of academic ethics and/or procedures, their causes and conditions;
- To oblige the authors of research (art) works to submit to the Ombudsman the confirmation from the publisher regarding the removal of the research (art) works from the trade places and/or databases, where the research (art) works are located, or regarding correction of technical mistakes;
- To refuse to examine the complaint;
- To cancel examination of the complaint.

In order to implement the Ombudsman's tasks and taking into account the content of the functions allocated to the Ombudsman, as well as character of his decisions, it is important and meaningful to make not only the determined violations of academic ethics and procedures public, but also the persons, who have committed such violations of academic ethics and procedures. Following the current legal regulation, the Ombudsman is entitled "to make public the cases about the violation of academic ethics and procedures", but the object, modes and limits of such publication are not regulated. Therefore it is suggested to grant the Ombudsman with the right to announce the decisions, whereby the determined violations of academic ethics and procedures public, and the persons, who have committed such violations of academic ethics and procedures, would be made public (art. 18<sup>3</sup>(3)). It should be noted that the State Data Protection Inspectorate has explained to the Office of Ombudsman that the information on the complaints under examination, pending investigations and decisions of the Ombudsman should be posted properly on the website of the Office of Ombudsman (without prejudice to legal protection of personal data): such information including personal data could be made public if such a right was provided in the legal acts, which regulate the activity of the Office of Ombudsman.

It is necessary to announce the Ombudsman's decisions in the Register of Legal Acts because the purpose of the decision is not only to make the problems public, but also the determined violations and offenders. Besides, the Ombudsman may take the decisions not only of recommending or informative character, but also binding decisions, i.e. which enforcement is mandatory.

It is suggested to amend the clause 4 of the article 53 of the Law on Higher Education and Science with the duty of the Ombudsman for Academic Ethics and Procedures to prepare recommendations for the codes of academic ethics of higher education and research institutions. With regard to the application range of the aforementioned recommendations (for higher education and research institutions), the duty to the students to adhere to the Code of Academic Ethics adopted by a higher education institution (universities and colleges) is provided in the paragraph 2 of the clause 3 of the article 55, i.e. this duty is not applicable to the postgraduate students of the State research institutes as the students of the third cycle (according to the article 5 of the Law on Higher Education and Science, the research institute is one of the groups of higher education and research institutions; according to the clause 1 of the Description of Granting the Right to Postgraduate Studies approved by the Order No. V-825 of the Minister of Education and Science of the Republic of Lithuania of 03 June 2010, the right of postgraduate studies is granted to the university or universities together with other Lithuanian and/or foreign universities and/or research institutes). In order to ensure the same duties to the students of all cycles in higher education and research institutions and clear purpose of the recommendations for the codes of academic ethics of the higher education and research institutions, it is suggested to amend the paragraph 2 of the clause 3 of the article 55 of the Law on Higher Education and Science.

When the concept "academic ethics" is defined, it is suggested to determine the responsibility for violation of academic ethics to the person (member of academic community) according to the laws (adding of clause 4 to the article 64).

### **Substantiation of suggested amendment and supplementation of the Code of Administrative Offences of the Republic of Lithuania:**

It is suggested to add the new section "ADMINISTRATIVE OFFENCES IN THE AREA OF ACADEMIC ETHICS AND PROCEDURES" to the Code of Administrative Offences of the Republic of Lithuania and to impose the administrative liability in this section for the following:

- 1) writing of research works or theses with the goal to sell them, for sale of such works, provided such activity does not contain the features of enterprise and big range;
  - 2) for preparation of information offering paid services for writing of research works or theses or inducement of violation of academic ethics and/or procedures otherwise, and for presentation of such information for dissemination using the mass communication and Internet;
  - 3) for non-compliance with the requirements of the Ombudsman for Academic Ethics and Procedures.
-