



# THE OMBUDSMAN FOR ACADEMIC ETHICS AND PROCEDURES OF THE REPUBLIC OF LITHUANIA

## DECISION REGARDING COMPLAINT OF ANDREJUS ROLIONOKAS ABOUT DECISIONS OF MANAGEMENT COUNCIL OF THE EUROPEAN HUMANITIES UNIVERSITY

30 April 2014 No. SP-2  
Vilnius

The **Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania** (hereinafter – Ombudsman), <...> examined the complaint of Andrejus Rolionokas (hereinafter – applicant) received in the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania on 28 February 2014 and the submitted material, and **determined that:**

The applicant appealed the following decisions of the Management Council of the European Humanities University (hereinafter – EHU): regarding Regulations of the Management Council approved on 22 December 2009 and prepared by the executive committee of EHU Management Council; regarding the decisions related to the changes in EHU management and organizational structure passed in the meeting of the Management Council of 18 April 2013; regarding the decision of Management Council of 25 January 2014 to form the organization commission of EHU competition for the posts of pedagogues and researchers. The applicant asks the Ombudsman to start the investigation regarding violation of academic ethics and procedures and to inform the European Humanities University and the Ministry of Education and Science of the Republic of Lithuania about the committed violations.

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### **The Ombudsman decided:**

1. When the EHU Management Council:
  - 1.1. assigned the executive committee of Management Council to approve the Regulations of the Management Council (22 December 2009), it violated the subparagraph 8.1.1 of EHU Statute (“The Regulations of the Management Council shall be prepared and approved exclusively by the Management Council”) and subparagraph 1.5 of the Regulations of the Management Council (“(...) the Regulations shall be approved, amended or supplemented by the Council’s decision. (...)”);
  - 1.2. made the decisions in the meeting of Management Council on 18 April 2013 regarding changes in EHU management and organizational structure, it violated the following subparagraphs of the EHU Statute: 7.4.4 (The General Meeting of Stakeholders “shall initiate, consider and adopt the changes of the Statute”), 8.4.8 (“The Management Council has a right to offer changes of the Statute to the General Meeting of Stakeholders”), 8.7 (“The Management Council has a right to make optional recommendations to the General Meeting of Stakeholders regarding the University’s management (...)”, and 13.1.7 (“The issues related to these units are regulated by the orders of Senate and Rector and consolidated in the internal order rules of the University”);

- 1.3. formed the organization commission of EHU competition for the posts of pedagogues and researchers by the decision of 25 January 2014, it violated the clause 5 of the regulations of organization of EHU competition for the posts of pedagogues and researchers approved by the Resolution No. 30-02 of the Senate on 24 March 2010 and adopted by the Rector's Order No. 01-49 ("The competition shall be organized by the Commission of competition's organization (assessment) (...) formed by the University's Senate and approved by the Rector's Order).
  2. To recommend the EHU Rector to convene the extraordinary meeting of EHU General Meeting of Stakeholders following the subparagraph 7.7 of the Statute and to inform the stakeholders about the Statute's violations determined by the Ombudsman and committed by the Management Council.
  3. To recommend to the EHU Management Council:
    - 3.1. to approve the Regulations of the Management Council as provided by the Statute;
    - 3.2. to present recommendations to the EHU General Meeting of Stakeholders regarding the issues related to the changes in EHU management and organizational structure discussed in the meeting of Management Council on 18 April 2013 as provided by the Statute; their legalization needs the amendments of the Statute;
    - 3.3. to revoke the decision of Management Council of 25 January 2014 to form the organization commission of EHU competition for the posts of pedagogues and researchers.
  4. To inform the Ministry of Education and Science of the Republic of Lithuania about the violations of the subparagraphs 7.4.4, 8.4.8, 8.7, 8.11 13.1.7 of the EHU Statute, subparagraph 1.5 of the EHU management Council and clause 5 of the regulations of organization of EHU competition for the posts of pedagogues and researchers approved by the Resolution No. 30-02 of the Senate on 24 March 2010 and adopted by the Rector's Order No. 01-49.
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