



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

## DECISION REGARDING COMPLAINT OF 19 AUGUST 2015 OF P. Ū.

5 October 2015 No SP-21  
Vilnius

The Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter - the Ombudsman), <...> having examined the complaint of P. Ū. (hereinafter - the applicant) on possible violations during the admission to the residency studies at Lithuanian University of Health Sciences (hereinafter referred to as LUHS) received in the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter - the Office of Ombudsman) on 19 August 2015 **determined that:**

The applicant in his complaint indicated that he went to the LUHS residency studies and participated in two motivational interviews, but both motivational commissions evaluated him as unmotivated. The applicant does not agree with such evaluation stating in his complaint that “assessment of my theoretical and practical skills, achievements in medicine comply with the requirements for an entrant, are much better than many of entrants, and this is confirmed by the documents of my achievements and practical work.” The applicant indicated in his complaint that he is also participated in the competition for residency studies at Vilnius University, “in much more complex admissions”, where he was evaluated “as positive and motivated.”

The applicant requests the Ombudsman to “examine the violations of law of studies described in the complaint” and to oblige “the transgressor to remove, eliminate <...> the breach.”

<...>

It should be noted that the principles established in paragraph 8 of general admission to the non-degree (residency) studies at Lithuanian University of Health Sciences and Vilnius University in 2015 state that the evaluation of motivation for the entrants to LUHS medicine, dentistry and veterinary medicine residency programs of study is mandatory. The sub-clause 2.1 “Competitive score structure” of Chapter 2 “The principles of formation of competitive queues” of this document indicates that entering the residency studies of medical sciences, motivation interview evaluation is one of the selection criteria, and the amount of motivation interview evaluation (up 5 points) is included in the competition score formula.

The procedures for the organization of motivation interview provide for that the maximum amount of motivation interview scores is equal to 5 scores. The applicant, who has collected 0.5 points and less, is not motivated and does not participate in the competition to the residency program of studies (p. 2). This procedure provides for evaluation criteria used during the motivation interview for receiving total scores: for scientific activity of the applicant (up 0.5 points), practical activity (up to 1.5) and personal qualities (up to 3 points).

The two protocols of the Commissions of motivation interview of LUHS Family Medicine Clinic show that in motivational interview held on 4 June 2015, the applicant collected 0.4 points (scientific activity was evaluated 0 points, practical activity - 0.3 points, personal qualities - 0.1 points). During the repeated motivational interview of additional admission to the Family Medicine residency held on 8 July 2015, the applicant collected 0.2 points (scientific activity evaluated 0 points, practical activity - 0.1 points, personal qualities - 0.1 points).

It should be noted that both protocols have a note under the table (marked with \*\*) that “the most important evaluation criterion is personal qualities. If the applicant collects 0.5 points for this evaluation criterion during the motivation interview, the other evaluation criteria scores received are no longer valid.” In the column, “Personal qualities” of the table on the procedures for organizing the motivation interview is indicated that “these are candidate’s communication skills, orientation, intellect, temperament, attitude, structure of motivation letter, content, mistakes, etc.”

The lists of the candidates who participated in motivation interview on 4 June 2015 and 8 July 2015 show that on 4 June 2015 the applicant was only one of 75 who was evaluated as “Unmotivated”, on July 8 – two candidates, who arrived to the interview, were evaluated “Unmotivated”, one of which was the applicant. As LUHS stated in its letter, “lower evaluation of P. Ū. during the second motivation interview could be due to the fact that the applicant did not submit the necessary documents to the Commission on his practical experience, which is reflected in the protocol.”

In addition, LUHS in its letter noted that the composition of the Commission of motivation interviews of Family Medicine residency program was different during the organisation of both interviews. The protocols show that on 4 June 2015, the motivation commission consisted of 13 members, on 8 July 2015 - 5 members (respectively, 75 and 2 contenders were evaluated).

<...>

LUHS also explained that “the scores are given by common agreement of the members of the Commission. Each of the members of the Commission recommends giving a certain score, after the discussion between members of the Commission, the general decision of the Commission is adopted - a total score is written rather than the amount of points.” LUHS stressed that “personal qualities were also evaluated minimally by common agreement of the members of the Commission, because neither member of the Commission recommended giving a higher score.” Moreover, LUHS in its letter stated that “the point size for the participation in specialty scientific-practical conferences is given considering whether the applicant visited conferences related to residency subject, which he pretends to enter.” Since the applicant participated in specialized conferences - cardiac surgery and intensive therapy – that are not directly related to the work of family physician, he received a minimum score for this criterion. Relating to a certificate from the workplace, LUHS explained that “the applicant did not submit documents from the workplace to the second commission <...> “. LUHS stressed that the candidate himself must submit the certificates, recommendations and other documents to the commission because if they are not submitted, “it is impossible to decide on his practical skills and abilities.”

The procedure on the organization of motivation interview of LUHS Family Medicine Clinic provides for that “during the motivational interviews, the members of Commission listen to a candidate, get acquainted with the his submitted documents (letter of motivation, recommendations, participation in conferences, publications, the documents supporting his work experience/volunteering, etc.), ask the candidate questions. After the interview, the members of the

Commission suggest scores for each criteria of the candidate's evaluation <...>. The members of the Commission discuss and decide on the final total score by common agreement, which is recorded for each of evaluation criteria." This procedure indicates that the candidate is given the maximum score if his activities (scientific, practical activity) are associated with specialty subject of family medicine and themes of family medicine are topical", and his personal qualities "are characterized by excellent communication skills, empathy, temperament, versatility, which are relevant to the family physician; also in his letter of motivation, [the applicant] reasons the choice of family medicine" (information in angle brackets is ours).

LUHS in its letter No DVT2-1345 of 4 September 2015 pointed out that the applicant did not appeal against the evaluations of motivation.

*With regard to the aforementioned, the Ombudsman states that the Commission of motivation of LUHS Family Medicine residency evaluated the applicant on 4 June 2015 and 8 July 2015 in accordance with the evaluation procedures established by LUHS and evaluation criteria set forth in the documents.*

*It should be noted that the legislation does not provide the Ombudsman with authority to assess the sizes of above-mentioned scores given by the Commission of motivation to the applicant.*

By the letter No 12300-SR-1629 of 15 September 2015, VU submitted to the Office of the Ombudsman the principles and procedures for the general admission to the non-degree (residency) studies at Lithuanian University of Health Sciences and Vilnius University in 2015, procedures on the evaluation of the motivation of the entrants to the Vilnius University of Medicine and Dentistry study residency programs approved by the Order No 150000-V-109 of 9 April 2015 of the Dean of the Faculty of Medicine, as well as the protocols of the meetings of the motivation evaluation commission of the applicant's admission to the Surgery and Family Medicine residency studies. Based on these documents, the Office of the Ombudsman assessed the information stated in the applicant's complaint about his participation in motivation interviews during the admission to the residency studies at Vilnius University, where he, according to the applicant, was evaluated as "positive and motivated."

<...>

The meeting protocol of the motivation evaluation commission of the entrants to the Vilnius University residency programs of study (family medicine residency program of study, 3 June 2015) presents evaluations of 52 candidates. The highest motivational scores: 1 (given to 13 candidates), 0.94 (3 candidates), 0.88 (3 candidates), 0.81 (2 candidates), 0.75 (4 candidates), 0.69 (7 candidates), etc., and the minimum - 0.19 (to one candidate). In this motivation interview, the applicant was rated 0.25 points.

The other meeting protocol of the motivation evaluation commission of the entrants to the Vilnius University residency programs of study (surgery residency program of study, 5 June 2015) shows that 10 candidates participated in the motivational interview. The highest motivational points: 0.85 (was given to one candidate), 0.75 (one candidate), 0.69 (2 candidates), and the minimum - 0 and 0.05 (by one candidate). The commission gave 0.2 points to the applicant.

In its letter, the VU noted that "in the motivation assessment, Vilnius University does not use such wording as rated as "positive and motivated", but only motivation score is recorded." VU also pointed out that the applicant did not apply to VU regarding the appeal.

Having evaluated the information provided by the applicant, as well as supporting documents and other material of complaint and the legal framework, in accordance with subparagraph 9, paragraph 12 of Article 18 of the Law on Higher Education and Research of the Republic of Lithuania, the Ombudsman **decided:**

To recognize the applicant's P. Ū. complaint as unjustified.

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