



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

REGARDING THE PROCEDURES OF DOCTORAL STUDIES IN ETHNOLOGY SCIENCE FIELD OF VYTAUTAS MAGNUS UNIVERSITY

22 November 2016, No. SP-24

Vilnius

The Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter - the Ombudsman), in accordance with Part 1 of Paragraph 18 of the Law on Higher Education and Research of the Republic of Lithuania and with the Resolution No. XI-1583 of the Seimas of the Republic of Lithuania of 15 September 2011 “Regarding the establishment of the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania and the approval of the provisions of the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania“, by Subparagraph 13.1, and after examination of the complaint (hereinafter - the complaint) and the provided material of K.S. (hereinafter - the applicant¹) received in the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter - the Office) on 6 June 2016 regarding the possible unethical behavior of the lecturers with the doctoral students in the Department of Cultural Studies and Ethnology of Vytautas Magnus University (hereinafter - VMU) (hereinafter - the DSCE of VMU),

determined that:

The applicant in his complaint indicated that in 2008 he acceded into the extramural Doctoral Studies in Ethnology Science Field that are supervised by the DSCE of VMU. Since September 2010 (at the 3rd course), the Department, “by differentiating [the applicant] from other students, began to <...> psychologically push that [the applicant would finish] to write the dissertation at 3rd course.” Therefore, the applicant “due to <...> the psychological pressure at the Department, as well as health problems” was on the academic leave from 1 December 2011 to 1 December 2015. It is stated in the complaint that, upon his return, there were held two certifications (on 28 January 2016 and on 30 March 2016), during which “it was mocked at [the applicant], at [the applicant’s] work, it was explained that [he must] change the topic, to write all over again”. Although the applicant announced the results of his researches in 3 articles, on 28 January 2016 during the certification he was obliged to submit another one scientific article until 15 March 2016. Also the complaint states that the applicant’s scientific advisor A. M.² “does not supervise, but psychologically terrorizes [the applicant]“, “[he] never worked, did not discuss the work“, therefore, the applicant submitted the complaint to the Rector of VMU and the consultant was appointed for the applicant. According to the applicant, he “is [disrupted] specially”, so “it would be possible to

¹ “Applicant” in the text of the Ombudsman’s decision is given generally as a noun of masculine gender without linking it to the sex of the applicant.

² The name and surname are known to the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania.

steal the [applicant's] research data, the [applicant's] providers' data, the [applicant's] tables, interviews and subsequently use in writing of new projects“.

The applicant in his complaint provided the examples of another seven doctoral candidates, who were “disrupted and prosecuted” by the DSCE of VMU“, therefore, defended their dissertations only during five years.

The complaint sought to investigate “why does Vytautas Magnus University failure to comply with the requirements of the academic ethics, why are the students persecuted, and why are they told to rewrite their dissertations“, “why was the money for the doctoral studies spread for talentless students“. It is asked “to start the investigation, as well as to obtain the detailed data on how many students were disrupted”.

On 8 June 2016 (letter No. S-241) the Ombudsman addressed to the applicant regarding the initiation of the investigation of the complaint and requested “to provide the information proving the discriminatory behavior (for example, correspondence with the scientific advisor, with the members of the commission, etc.)”.

On 9 June 2016 (letter No. G-394) the applicant, in his response to the Ombudsman, forwarded the following: correspondence between the applicant and the Head and lecturer of the DSCE of VMU L. A. and the scientific advisor of the doctoral candidate by e-mail, the list of the main scientific publications of the applicant concluded by VMU, the protocol of the meeting of 28 January 2016 of the DSCE of VMU and the protocol of the meeting of the Committee on Ethnology Doctoral Studies of Vytautas Magnus University together with Klaipeda University and Lithuanian Institute of History (hereinafter - the Committee) as well as the request provided to the Rector of VMU on 11 February 2016 “to solve the situation when the supervisor does not lead, or falsely advises, and does not read the dissertation corrections. Regarding the disruption to study and fulfill the program of the doctoral studies. Regarding the appointment of the consultant“.

On 23 June 2016 (letter No. S-262) the Ombudsman addressed to the applicant inviting him to come to the Office to talk about the circumstances of the complaint submitted by the applicant. The time was agreed on 8 July 2016, but the applicant did not arrive.

On 8 July 2016 (letter No. G-415) the applicant reported that he could not participate “due to the very high level of employment in the professional sense” and asked to provide the additional questions by e-mail.

On 22 August 2016 (letter No. S-302) the Ombudsman addressed to the Head and lecturer of the DSCE of VMU L. A., inviting him to come to the Office and asking “to submit all the documents related with the doctoral studies [of the applicant] (for example, the protocols of the meetings, audio records, protocols of the certifications, correspondence and other useful material)”.

On 23 August 2016 (letter No. G-438) L. A., in response to the Ombudsman's request, submitted the reports of the VII-VIII semesters related with the applicant, the protocols of the DSCE of VMU, the protocols of the Committee, University's orders on the performance of the doctoral candidate and the doctoral candidate's complaint-request on the appointment of the consultant.

On 22 August 2016 (letter No. S-303) the ombudsman addressed to the scientific advisor of the doctoral candidate A. M. regarding the invitation to come to the Office and to talk about the doctoral studies of the applicant. On 24 August 2016 the meeting with the scientific advisor of the doctoral candidate was held in the Office, the Ombudsman was submitted with the correspondence made between the scientific advisor and the applicant by e-mails (from 17 April 2015 to 4 August 2016).

On 22 August 2016 (letter No. S-304) the Ombudsman addressed to the Rector of the VMU requesting “to explain how it was reacted to the [doctoral candidates] [K. S.] letter addressed to the Rector of Vytautas Magnus University “The request to solve the situation when the scientific advisor does not lead, or falsely advises, and does not read the dissertation corrections, regarding the disruption to study and fulfill the program of the doctoral studies. Regarding the appointment of the consultant“. What measures were taken with regard to the applicant's appeal?”

On 25 August 2016 (letter No. G-443) VMU, in response to the request of the Ombudsman, indicated that, first of all, the letter was introduced to the Committee. On 7 March 2016 “at the meeting of the Committee there was held the discussion with [the doctoral candidate’s] [scientific advisor] [A. M.] and [the doctoral candidate] [K. S.]

For the successful completion of the doctoral studies [of the doctoral candidate] [K. S.] and for the preparation of the dissertation of good quality, and taking into account the request set in the letter of 11 February 2016 [of K. S.], <...> the Committee of Doctoral Studies appointed [for the doctoral candidate] the scientific consultant – [T. K.]

<...>

We would like to note that the request set in the letter of 11 February 2016 [of K. S.] “to solve the situation when the scientific advisor does not lead, or falsely advises, and does not read the dissertation corrections, regarding the disruption to study and fulfill the program of the doctoral studies“ includes only the personal opinion [of the doctoral candidate] which does not correspond to the actual situation“.

The letter of 25 August 2016 of VMU was attached with the copy of the extract of the Committee’s meeting of 7 March 2016 and with the copy of the Order No. MD-033 of 8 March 2016 of the Vice-Rector. It should be noted that in the letter sent by VMU it is indicated that the discussion on the current situation was held with the doctoral candidate and his scientific advisor A. M., but these persons are not indicated in the protocol of the meeting.

On 24 August 2016 (letter No. S-306) the Ombudsman repeatedly addressed to the applicant inviting him to come to the Office to discuss about the circumstances of the complaint. On 30 August 2016 (letter No. G-447) the applicant, in response to the Ombudsman’s letter, reported that he would not be able to arrive to the Office. Also the applicant attached to the e-mail the requirement addressed to VMU “regarding the removal [of the scientific advisor] [A. M.] from the supervision“, in which it is requested to remove the scientific advisor of the dissertation and appoint in his place the consultant T. K., “because [he] is [competent], works [with the applicant], helps [the applicant], does not terrorize [the applicant] and is [interested in] the result – in the defense of the dissertation“; it is requested to implement the removal process “in accordance with the principles of proportionality and humanity“.

On 2 September 2016, in the Office was held the meeting with the Head and lecturer of the DSCE of VMU L. A. regarding the circumstances of the complaint. The information present in the Office was added by the e-mails of L. A. and the applicant, the Regulation of the Doctoral Studies in Ethnology Science Field of VMU (approved by the resolution No. 5-23 of 28 June 2011 of the Senate of VMU) (hereinafter - the Regulation), the report of the doctoral candidate’s work in the period 6 June 2016 - 22 August 2016, the responses on the dissertation provided by the scientific advisor and the consultant for the certification on 25 August 2016 and the reference to the to publicist article in the weekly newspaper “Laisvas laikraštis“, in which the complaint-related information is published.

On 2 September 2016 (letter No. S-316) the Ombudsman, after assessment of the large scope of the complaint's material and the lack of circumstances from the investigation of the complaint, repeatedly addressed to the applicant inviting him to come to the Office.

On 12 September 2016 (letter No. S-319) the Ombudsman addressed to the dissertation consultant T. K. appointed for the applicant inviting him to the Office "to talk about the dissertation [of the doctoral candidate] [K. S.]".

At the meeting held on 12 September 2016 the applicant once again confirmed that the dissertation "[scientific advisor] lied, falsely advising, harmed", "I worked during the academic leave [on my own], because there was no connection with [him]", at the extraordinary certification he "told not to certify me". The applicant argued that the lecturers of the DSCE of VMU behave unethically, diminish and try to disrupt the doctoral candidates.

On 13 September 2016 T. K. informed by phone that he would not come to the Office.

Taking into account the existing situation, on 14 September 2016 (letter No. S-321), the Ombudsman requested T. K. "to provide his personal, as the consultant's, assessment of the dissertation [of the doctoral candidate] [K. S.], indicating the compliance of the mentioned dissertation with the requirements applied to the dissertations".

On 16 September 2016 (letter No. G-466) the response of T. K. was received, in which it was recommended to allow the defense of the dissertation. It was noted in the response that "the level of the dissertation <...> significantly increased due to the improved ratio of the quantity and quality. The quantity (over 300 pages) itself would not be valuable, if its content would not be brought under control, but by praising the efforts [of the doctoral candidate] [K. S.], the text of this work with its maximally increased volume for the dissertation, now is more clear in respect of both the structure and the applied theory. Therefore, instead of the critics on the volume, I suggest to evaluate it <...>. For the improvement of this work I would suggest to highlight the comparative method <...>. The comparative analysis could accompany this dissertation since the very beginning. The title of the dissertation itself requests for this".

On 18 October 2016 (letter No. S-359), taking into account that the applicant submitted the unsigned list of the scientific publications, the Ombudsman addressed to the Chair of the Consortium Board L. Bloveščiūnienė of the Lithuanian Academic Electronic Library (hereinafter - the eLABa), requesting to provide the list of the scientific publications of the doctoral candidate in the ethnology science field K. S.

On 21 October 2016 (letter No. G-513) there was received the answer from the Chair of the Consortium Board L. Bloveščiūnienė of the eLABa, who informed that "in accordance with the consortium agreement and the regulations of the eLABa, each institution is its own data controller and processor, therefore the Council of the eLABa is unable to provide the data relating to the specific situation". However, "for the information requested in the letter I addressed to the Vice Rector of the Studies of VMU prof. J. Kuršienė. She informed that <...> the necessary information would be sent to the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania .

On 24 October 2016 (letter No. G-514) VMU sent the list of the publications of the applicant. It should be noted that in the letter the following is stated: "[the doctoral candidate] [K. S.] was [admitted] to the doctoral studies on 01-09-2008j. <...> On 31-08-2016 at the end of the period of the doctoral studies, [the doctoral candidate] [K. S.] [was excluded] from the doctoral studies with the right to defend the doctoral dissertation within 12 months."

On 28 October 2016 (letter No. S-375) the Ombudsman addressed to VMU for additional information and requested to indicate:

“1. the reason for exclusion [of the doctoral candidate] [K. S.] from the list of the doctoral studies, as it is determined in the letter No. 1-455 of 24 October 2016;

2. The legal basis of the decision of 28 January 2016 of the Department of Cultural Studies and Ethnology (protocol No. 2) to oblige [K. S.] to prepare the scientific publication on the dissertation topic.”

7 November 2016, No. G-547) VMU submitted the answer, in which it is noted that “[K. S.] [was excluded] from the lists of the doctoral studies with the right to defend the doctoral dissertation within 12 months“. There is indicated the following: “On 28 January 2016 at the meeting of the Department it was considered, whether the title of the doctoral dissertation [of K. S.] approved in 2008 corresponds to the content of the dissertation, and it was observed whether [the doctoral candidate] has the necessary publications, without which the doctoral dissertation can not be defended. After the presentation of the work [of K. S.] during the meeting, after the discussions, it was decided, that, in the dissertation, to little attention is paid to the problems in the Balkan region <...>. One of the proposals [for a doctoral student] was to refuse *the Balkan case* in the title <...>. Taking into account this proposal, the article [of K. S.] <..> can not be attributed to [his] dissertation topic. Another publication <...> only partially complies with the dissertation topic. <...> Only one publication fully meets the requirements of the Regulation” (underlined by us).

Also VMU attached to the answer the order of the Rector of 31 August 2016 (letter No. MD-42) “Regarding the exclusion from the doctoral lists at the end of the period of the doctoral studies”.

After the analysis of the legislation and the information provided by the applicant, scientific advisor of the doctoral candidate, the Head of the DSCE of VMU and the Administration of VMU, the following was determined:

1. The meeting of the DSCE of VMU was held on 28 January 2016, in which the fulfillment of work plan of the VII semester of the doctoral candidate was considered. As it is indicated in response of VMU of 7 November (letter No. G-547), “one of the proposals [for a doctoral student] was to refuse *the Balkan case* in the title, but to leave the examples from this region in the content (underlined by us). The proposals are also heard in the audio record of the meeting. As previously indicated, in the response of VMU (letter No. G-547), taking into account the proposal expressed during the meeting, two of the three applicant’s articles are not suitable, because one “can not be attributed to [his] dissertation topic“, and the other – “only partially complies with the dissertation topic“.

The attention should be drawn to the fact that in any protocol of the certification there is no indication for the doctoral candidate to change the topic of the title. Such proposal was submitted orally by the DSCE of VMU at the meeting of 28 January 2016. After the analysis of the e-mails, it is seen that both A. M. and L. A. inquired about the possible change of the topic, suggested options for the topic, however, when the applicant wrote that he does not agree to change the topic, L. A. in its letter of 8 June 2016 to the applicant emphasized that “at the certification you are only advised how to improve the content of the dissertation. The doctoral candidate decides on his own whether they should be considered or not.“

It is noted that in the report on the doctoral candidate’s work, among the scientific publications, there are indicated four scientific publications related with the dissertation

(contribution to the monograph³, two articles in the Lithuanian peer-reviewed scientific publications, refereed in other databases and one article in the Lithuanian peer-reviewed scientific publication).

In the protocol No. 2 of the meeting of 28 January 2016 of the DSCE of VMU it is indicated that it is decided to approve the implementation of the work plan and to “certify [the doctoral candidate] positively ([the doctoral candidate] at international and national conferences delivered presentations on the dissertation’s topic, collected and structured the material necessary for the dissertation)“. The attention drawn to the fact that the scientific publications written in the doctoral candidate’s work report are not mentioned in the protocol.

The protocol states: “in order to ensure that dissertation would be prepared on time and meet all the requirements for the dissertation, the extraordinary interim certification will be held in March 2016. [The doctoral candidate] [K. S.] [is obliged] to carry out the following works:

- a) To submit the initial version of the dissertation until 15 March 2016 <...>.
- b) Until 30 March 2016, to prepare the scientific publication on the topic of the dissertation and submit it to the publication “Soter” <...>“.

In the extraordinary certification of the doctoral candidate held on 30 March 2016 there was considered the activity of the doctoral candidate in February-March.

It should be noted that in the report on the work, at the planned and carried out scientific publications, it is indicated that “until 15 March 2016 to agree on the place for the article in the magazine “Soter” (the instructions of the protocol of 28 01 2016)“ and it is “agreed, the topic is approved, to prepare the article until May 2016.“ It is noted in the protocol of the DSCE of VMU (protocol No. 5 of the meeting of the Department of 30 March 2016) that [the doctoral candidate] “carried out the indicated works (the idea of the article intended to be published is presented to the publication “Soter”, the work plan of the dissertation and the research material are submitted for the evaluation)“.

Although the unreasoned obligation for the doctoral candidate to prepare and submit the publication to the publishing house was changed into the obligation of the report of March to agree on the place and topic of the publication, in the point of view of the Committee, K. S. “carried out the indicated works in February-March“ (the protocol No. 3 of the meeting of the Committee). In the protocols of the subsequent certifications (13 June 2016, 25 August 2016) there is no records on the obligation to prepare the article. The fact that the article was not being prepared is also approved by the list of the scientific publications of the doctoral candidate received from VMU on 24 October 2016 (letter No. G-514), which does not include the works published in 2016.

Subparagraph 2 of Paragraph 89 of the Regulation provides that the doctoral candidate may provide the dissertation for defense, when “he publishes the most important results of his researches in at least two articles, published (or accepted for publication) in the peer-reviewed scientific publications or the scientific monograph” (underlined by us).

The list of the publications of the doctoral candidate provided in the work report of the VIIth semester:

Monographs:

1. [A. R.], [A. E.], [S. E.], [A. – S. K.], [Š. I.]. Ethnic Music Revival Movement in Lithuania from the 1960s to the 2010s: monograph. 2015, 312 p. ISBN 9786094671135.

³ It is noted that the subdivisions written by the applicant are indicated in the preface of the monograph. The bibliographic description of the monograph is known to the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania.

In the Lithuanian peer-reviewed scientific publications, refereed in other databases:

1. [A., K.] The film carnival of Emir Kusturica // Tradition and present: scientific works. ISSN 2029-3208. 2011, No. 6, p. 75–89. [Databases: IndexCopernicus].
2. [A., K.] The Names of the Dukes of Tartar Origins in Lithuania // Acta Humanitaria Universitatis Saulensis. ISSN 1822-7309. 2009, T. 8, p. 354–361.

In the foreign peer-reviewed scientific publications:

1. [A. K.] Litvaks in High Panemunė town: peculiarities of the daily lifestyle and relationship with the other ethnic groups // Lithuanian Jewish cultural heritage: the everyday world / compiler Antanas Andrijauskas. 2013, ISBN 9789955868606, p. 290–324.

It should be noted that the Ombudsman, in accordance with his competence, did not evaluate the content of the applicant's publications. Also the Ombudsman did not assess whether the most important results of the researches of the doctoral candidate's dissertation are published in these articles.

The attention should be drawn to the fact that the Office received the reasons for the inadequacy of the articles only on 7 November 2016 (letter No. G-547), but they are not specified in the protocols of the certifications of the doctoral candidate of 2016.

It should be noted that in the protocol No. 2 of the 28 January 2016 of the DSCE of VMU and in the protocol No. 1 of 28 January 2016 of the meeting of the Committee it is ordered “to certify [the doctoral candidate] positively”. The pass / fail assessment of the publications of the doctoral candidate is not indicated in the mentioned protocols, therefore, the obligation of the protocol No. 2 of the DSCE of VMU of 28 January 2016 “Until 30 March 2016, to prepare the scientific publication on the topic of the dissertation and submit it to the publication “Soter”” is unjustified.

2. The comment of the scientific advisor of the doctoral candidate is provided in the work report of the VIIth semester. It is indicated that “during this reporting period there were received [from the doctoral candidate] the manuscript material of the dissertation, questionnaires of respondents. Familiarized, consulted and recommended to prepare the Ist version of the dissertation“.

In the protocol of the meeting of 28 January 2016 of the DSCE of VMU, in which the performance of the work plan of the VIIth semester for the doctoral candidate was considered, the following is stated: “in order to ensure that dissertation would be prepared on time and meet all the requirements for the dissertation, the extraordinary interim certification will be held in March 2016. [The doctoral candidate] [K. S.] [is obliged] to carry out the following works:

- a) To submit the initial version of the dissertation until 15 March 2016 <...>.
- b) Until 30 March 2016, to prepare the scientific publication on the topic of the dissertation and submit it to the publication “Soter” <...>“.

In the work report it is noted that the report of the doctoral candidate was considered at the meeting of the DSCE of VMU, and the conclusion presented to the Committee is “to suggest to certify [the doctoral candidate K. S.] positively“.

On 28 January 2016 the meeting of the Committee was held and, after consideration of the execution of the work plan of the VIIth semester of the doctoral candidate, the following was decided:

- “1. The activity provided in the work plan of the VIIth semester [of the doctoral candidate] [K. S.] is completed.

2. To certify [the doctoral candidate] positively.
3. Until 30 March 2016 to organize the extraordinary certification, for which [the doctoral candidate] must prepare the first version of the dissertation.”

Paragraph 71 of the Regulation states that “if the doctoral candidate obviously does not fulfill the requirements of the study or scientific research program, by the proposal of the doctoral candidate or the Head of the Department, as well as the Committee, there may be initiated the extraordinary certification” (underlined by us).

It should be noted that, in spite of the fact that in the comment of the scientific advisor present in the work report of the applicant it is noted that “it is recommended to prepare the 1st version of the dissertation”, the applicant was certified positively at the meetings of 28 January 2016 of the DSCE of VMU and the Committee and it was decided that the activity indicated for the applicant was fulfilled, it was decided to organize the extraordinary certification.

In view of the foregoing and in accordance with Paragraph 71 of the Regulation, it can be stated that the initiation of the extraordinary certification, in the applicant’s case, is unjustified.

3. On 29 January 2016 the applicant asked by e-mail for advice of the Head and the lecturer of the DSCE of VMU, what to do, because “I need the scientific advisor. Over 8 years there was no contact and we did not work with “[the scientific advisor]”.” On the same day it was replied that “it is impossible to change [the scientific advisor]”, arguing by Paragraph 51 of the Resolution: “The doctoral student has the right to submit the motivated request addressed to the Head of the institution of the doctoral candidate, to change the Scientific advisor not later than one year before the end of the doctoral studies. The Head of the institution of the doctoral candidate or the person authorized by him, forwards the request to the Committee, at the meeting of which it should be considered within 1 month. If the request of the doctoral candidate is approved, the Committee, with regard to the topic of the dissertation of the doctoral candidate, announces the contest for the post of the scientific advisor. If the Committee rejects the request of the doctoral candidate, the Scientific advisor continues the leadership. the change of the Scientific advisor within less than one year before the end of the doctoral studies is possible only for an important reason, and it is carried out upon the decision of the Committee.” In response to the e-mail of 29 January 2016, the applicant wrote that “[the scientific advisor] [what] is [such [he] is, and it is good that the Regulation does not allow change anything.”

In this regard, it must be concluded that the applicant was misled.

It should be noted that such order, when the same person leads the evaluation of the results of the doctoral studies in the DSCE of VMU and at the Committee’s level, may presuppose the partiality and non-objectivity of the decisions of the Department and the Committee.

4. On 11 February 2016 the applicant submitted to the Rector of VMU the request “to solve the situation when the scientific advisor does not lead, or falsely advises, and does not read the dissertation corrections, regarding the disruption to study and fulfill the program of the doctoral studies. Regarding the appointment of the consultant” (hereinafter - the request). The requirement of the meeting of the DSCE of VMU to write the scientific article is appealed, because it violated the Regulation. It is also stated that the psychological pressure is felt from the scientific advisor: he does not lead the work, “advises nothing“, “intentionally gives false advices”, “helped nothing”,

pushes the applicant to carry out the comments orally expressed at the meeting of the DSCE of VMU.

In response to the applicant's request, on 8 March 2016 there was adopted the order No. MD-033 of the Science Vice Rector "Regarding the approval of the scientific consultant [of the doctoral candidate]", and the scientific consultant T. K. was approved, however, the reasons for the appointment of the consultant for the applicant are not indicated. Also VMU noted that the request "includes only the personal opinion [of the doctoral candidate] which does not correspond to the actual situation", however, such conclusion is unreasoned.

The applicant in his request indicates that the scientific advisor does not perform his main responsibility and does not lead, does not help with the methodology. However, on 23 December 2015 the scientific advisor wrote to the doctoral candidate by e-mail that "there are so many models of the dissertations at the Department - take them, study their structure and it would become clearer, I see that you do not understand something". Also, in the e-mail of 6 January 2016 to the Head and the lecturer of the DSCE of VMU L. A., the doctoral candidate wrote, that "[the scientific advisor] gave me some dissertations that were defended as the example for the work, so it is easier now".

It is registered in the audio record of the certification of 25 January 2016 that the scientific advisor emphasized: "the manuscript work is done, but it needs a lot of hard work so that it would stand in its place. In particular, methodologically." The scientific advisor and the members of the commission pointed out that "a lot is done in the work", "here the material is collected, but it has no structure". The doctoral candidate explained that the scientific advisor does not help him, therefore, he does not know how to do, however, the scientific advisor himself and the members of the meeting of the DSCE of VMU reminded him that the doctoral candidate attended the compulsory course 'Methodology of the Ethnology Research'.

In the audio record of the certification of 25 August 2016 it is heard that the scientific advisor of the doctoral candidate, justifying himself regarding the doctoral candidate's complaint methodology, emphasized that "it should not be explained [by the scientific advisor]".

In the comment of 28 January 2016 of the scientific advisor of the dissertation prepared for the certification of the doctoral candidate K. S. it is indicated that "familiarized, consulted and recommended to prepare the 1st version of the dissertation", suggested to certify positively.

In the comment of the scientific advisor of the doctoral candidate at the extraordinary certification of the doctoral candidate of 30 March 2016 it is written that "I got acquainted with the last version of the dissertation only on 16 March when I [received] it from the Department, in my e-mail has no its last version. <...> I believe that the dissertation material should be further specified, to present the analysis of the collected content, to put it into the tables and present the results in the conclusions. Once this is done - to provide for the certification". In the conclusion presented to the Committee it is indicated "to suggest to certify [the doctoral candidate K. S.] positively".

In the comment of 13 June 2016 of the scientific advisor of the dissertation submitted for the certification of the applicant the following is stated: "Despite the provided comments, I note that the submitted material of the dissertation has reached almost the closure stage. <...> I recommend, after the completion of the dissertation, to submit its abstract for the press release and the work for defense, however, I leave the final decision for the Department and the Committee of Doctoral Studies".

In view of the foregoing, there is no basis to state that the scientific advisor did not comply with his responsibilities, however, the attention is drawn to Subparagraph 3 of Paragraph 48 of the Regulation, in which it is stated that the scientific advisor of the doctoral candidate "provides

methodological assistance for the doctoral candidate, leads the scientific activity of the doctoral candidate and continuously supervises the course of the process of the doctoral studies of the doctoral candidate” (underlined by us).

The doctoral candidate argues that the scientific advisor falsely advises him and makes pressure to change the topic of the dissertation. In the e-mail of 4 December 2015 to the doctoral candidate, the scientific advisor wrote: “I would like you to submit me the initial version of the INTRODUCTION until the new year, and the 1st part of the dissertation in January”. The applicant argues that “although I had to submit the DISSERTATION on 29 01 2016, [the scientific advisor] explained me that I should work with the introduction and the 1st part. <...> If I [listened to him], I would not be certified”.

The Head and the lecturer of the DSCE of VMU L. A., in response to this complaint of the doctoral candidate, in the letter of 11 February 2016, explained that “[the scientific advisor] does not write anything bad - [he] just suggests to discuss the specific parts of the work”.

On 6 January 2016 the applicant addressed to the Head and the lecturer of the DSCE of VMU L. A. stating that “I was informed [by the scientific advisor] that you or maybe other persons say that I should change the topic of the work. I would like to inform, that I will not change the topic of the work”. The response to this was the explanation that regarding the title of the dissertation the situation is as follows - usually many doctoral candidates, after preparation of the initial version of the dissertation, request to specify the title of the dissertation. So the question is very simple – whether the title of the dissertation that is prepared now (and, of course, first of all, the content) corresponds to the that title with which it was admitted to the doctoral studies?”

The applicant states that, at the certification of 25 January 2016, when the doctoral candidate was suggested to change the topic again, the scientific advisor of the doctoral candidate made pressure “to change the topic of the dissertation, but to change it radically: that the dissertation should be rewritten a month before the certification”.

The applicant in his e-mail of 26 January 2016 to the Head and the lecturer of the DSCE of VMU wrote: “My idea was extensive, but probably I could not do such work, what I wanted, so I agree with the need to narrow down and then everything works out. I really want this, because, in fact, I concentrated into the Lithuanian researches <...>. My researches are really the researches on the ethnic groups, and I will be able to rename the topic.”

On 31 January 2016 the scientific advisor in answering the questions of the doctoral candidate regarding the change of the topic, wrote: “after all, I do not require, I just write “How do you think”. <...> I am just asking you not to enlarge and distract, because the article also needs to be written”.

In view of the foregoing, there is no basis to state that the Scientific adviser made pressure on the applicant to change the topic of the work.

The applicant states that the DSCE of VMU and the scientific advisor for the dissertation tried to disrupt the dissertation because of its large volume. The scientific advisor in his e-mail of 4 August 2016 to the doctoral candidate wrote: “with regard to the volume of the dissertation, it would be correct, if it is not less than 10 quires. In my experience as the scientific advisor, all my doctoral candidates presented the dissertations of at least 10 quires, i.e. 160 pages. And [the doctoral candidate [V. K.], [who] [wrote] the work of 120 pages – was [not admitted] to defense“.

The applicant indicated that the consultant ensured “that there is nothing to be shortened” and said that “in practice, the work of 300 pages can be defended“.

The attention is drawn to the fact that in Paragraph 5 of the Annex 1 of the Regulation “Requirements for the dissertation of the Doctor of Science” it is stated: “The volume of the dissertation text - 6-15 author’s sheets (one author’s sheet - 40 000 characters).“ The volume of the dissertation sent to the Office on 23 August 2016 by the applicant - about 18.6 author’s sheets (743 360 characters).

In view of the foregoing, there is no basis to state on the disruption of the applicant by suggesting to reduce the volume of the dissertation.

After the evaluation of the information submitted by the applicant, the Head and the lecturer of the DSCE of VMU L. A., the scientific advisor A. M. and VMU and the supporting documentation, in accordance with Paragraph 1 of Part 12 of Article 18 of the Law on Higher Education and Research of the Republic of Lithuania, the Ombudsman

decided:

To inform Vytautas Magnus University and the Ministry of Education and Science about the decision of the Ombudsman.

The Ombudsman’s decision may be appealed in the order set by the Law on Administrative Proceedings of the Republic of Lithuania.
