



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

REGARDING THE COMPLAINT OF K. S. OF 12 SEPTEMBER 2016

22 November 2016, No. SP-25

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“ (hereinafter - the Provisions), by Subparagraph 13.1, and after examination of 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 12 September 2016 regarding the possible violation of the academic ethics in the Department of Cultural Studies and Ethnology of Vytautas Magnus University (hereinafter - VMU) (hereinafter - the DSCE of VMU),

determined that:

The applicant indicated in his complaint that the meeting of DSCE of VMU was held, in which the implementation of the work plan in VIIIth semester of the doctoral candidate K. S. was considered. At the meeting, the Head of the DSCE of VMU L. Anglickienė informed the doctoral candidate <...> to submit the dissertation until 22 08 2016”.

On 16 August 2016 the Head of the DSCE of VMU L. Anglickienė informed the doctoral candidate by e-mail, that “we are waiting for the text of the dissertation on 22 August. The meeting of the Department will be held on 25 August.”

On 16 August 2016 the doctoral candidate asked the Head by e-mail, for what reasons such a short period of time is given, because the “thesis is improved and extended. Previously 7 days were given”. the Head of the DSCE of VMU L. Anglickienė e-mailed back that “on 25 August all the lecturers meet at the university also for other issues <...>, therefore, the general meeting of the Department is announced, which also provides the certification [of the doctoral candidate]. On that day we are still free, and from 29 August the lectures begin <...>. After this meeting of the Department, you may be certified by the doctoral committee, it also needs time to get acquainted with your dissertation and to vote”.

The applicant in his complaint indicates that “[he fears] that the intentional 2-day appointment is intended for the pre-written conclusions.”

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.

In the complaint is requested to investigate the case, when for the dissertation, “which may have larger volume, comparable to the volume of the monograph, 2 calendar days are given for the evaluation by the supervisor.”

On 10 October 2016 (letter No. S-339) the Ombudsman addressed to VMU requesting to submit the following: “1. the legislation governing the rights, duties and responsibilities of the doctoral supervisor; 2. the legislation governing the procedure of the certification of the doctoral candidate at the Department; 3. the legislation governing the procedure of certification by the committee on the doctoral studies.”

On 17 October 2016 (letter No. G-497) the answer of VMU was received, in which it was noted that “the rights, duties and responsibilities of the doctoral supervisor, the procedure of the certification of the doctoral candidate at the Department and by the committee on the doctoral studies are governed by Chapters IV-VI of the Regulation of Ethnology Doctoral Studies of Vytautas Magnus University together with Klaipeda University and Lithuanian Institute of History. The answer was attached with the Regulation of Ethnology Doctoral Studies of Vytautas Magnus University together with Klaipeda University and Lithuanian Institute of History (hereinafter - the Regulation) and the Regulation on the work of the Committee of Ethnology Doctoral Studies of Vytautas Magnus University together with Klaipeda University and Lithuanian Institute of History (hereinafter - the Committee’s work Regulation).

After the analysis of the information provided by the applicant and the Administration of VMU as well as the legislation, the following was determined:

1. *The term for getting acquainted with the doctoral candidate’s work intended for the doctoral supervisor is not set in the Regulation and in the Committee’s work Regulation.*

2. *Subparagraph 4 of Paragraph 48 of the Regulation states that the supervisor “for each certification of the doctoral candidate provides his own conclusion on the results of the doctoral candidate’s studies and scientific researches and the appropriateness of continuing the doctoral studies” (underlined by us).*

3. *Paragraph 63 of the Regulation states that “the doctoral student carries out the scientific researches in accordance with the approved plan of the scientific researches. The content, quality, volume and terms of the carried out researches are evaluated at the certification of the doctoral candidate” (underlined by us).*

4. *Paragraph 70 of the Regulation states that “<...> The supervisor of the doctoral candidate provides the evaluation of the doctoral candidate’s performance to the Department or to the other scientific unit in writing” (underlined by us).*

Taking into account that the term for getting acquainted with the doctoral candidate’s work intended for the doctoral supervisor is not set, there is no legal basis to set the procedural violation.

Taking into account the legal regulation indicated above, it is proposed to establish the reasonable and proportional term for the submission of the conclusions on the results of the doctoral candidate’s studies and scientific researches by the doctoral supervisor and for getting acquainted with the conclusions of the doctoral supervisor for the doctoral candidate.

After the evaluation of the documents submitted by the applicant and VDU, in accordance with Paragraph 9 of Part 12 of Article 18 of the Law on Higher Education and Research of the Republic of Lithuania, the Ombudsman:

decided:

To recognize the complaint as unjustified.

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