



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

DECISION RELATING TO THE COMPLAINT OF THE VYTAUTAS MAGNUS UNIVERSITY OF 1 AUGUST 2016

10 January 2017 No SP-2
Vilnius

The Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter – Ombudsman), in accordance with Paragraph 1 of Article 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 of Vytautas Magnus University (hereinafter – the applicant)¹ received in the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter – the Office) on 1 August 2016 as well as submitted material regarding a possible violation of the principle of academic ethics of the Kaunas University of Technology (hereinafter referred to as KTU) for provision of possibly misleading information,

has determined as follows:

The Applicant (Vytautas Magnus University, hereinafter referred to as VMU) submitted the information on the idea of Academia Cum Laude and the establishment of the Academy at the VMU at the end of March 2016. The applicant also stated in the complaint that in 2016, June 21 KTU has published the information about the educational program “GIFTed.comm” to be launched, which, according to the applicant, “<...> is almost the same as the study system of Academia Cum Laude just under a different name”. The applicant states that statements of KTU about being the pioneers are “<...> academically unethical and false <...>”, since the VMU published about the Academia Cum Laude three months ago. The applicant attached to the complaint the publications from media portals that contain information about VMU and KTU programs.

The complaint specifies the actions of KTU appealed: embezzlement of ideas and copying thereof.

The complaint seeks to assess the actions of the KTU that are contrary to academic ethics and to oblige to adhere to the principles of academic ethics.

¹ Applicant in the text of the Ombudsmen’s decision is given as a noun of masculine gender without linking it to the sex of the student, applicant.

It should be noted that the Ombudsman, within his scope of competence, did not assess the validity of the information provided in publications of media portals.

On 18 October 2016 (letters No S-362 and No S-363), the Ombudsman applied to the rectors of KTU and VMU (correspondingly to the letters of the letters) requesting KTU to submit – “<...> the “GIFTed.comm” program <... >”, “and VDU –“ <...> Academia Cum Laude program <...>“.

The e-mail of 18 October 2016 presents the Description on the procedure for the organization of the VMU individual studies (hereinafter – Description on the procedures for Academia Cum Laude) and a broader description for the part of the academic community concerned.

The e-mail of 23 November 2016, presented the KTU documents on the description of the procedures for the organization of activities of “GIFTed.comm” talent academy (hereinafter – Description of procedures for “GIFTed.comm”). The attention should be drawn to the fact that the answer by the e-mail without a signed letter was submitted by Martynas Ubartas, Director of the Department of Student Affairs.

In order to adopt an objective decision, the Ombudsman applied to the KTU on 1 December 2016 (letter No S-434) requesting “<...> to submit arguments (analysis, investigation, etc.) based on which the article published on the news portal www.delfi.lt on 21 June 2016 “The incubator “GIFTed.comm” for science and business talents will open the doors of KTU” states that “GIFTed.comm” is<...> a unique curriculum for talented youth <... > and <...> in other Lithuanian schools of higher education have not been so far <...>” (underlined by us).

Martynas Ubartas, Director of the Department of Student Affairs of the KTU, responded partly on 23 December 2016 (letter No DV10-944) to the letter No S-434 of the Ombudsman of 1 December 2016. KTU has listed arguments about the uniqueness of the “GIFTed.comm” program, but did not provide any data based on which it is stated that such program “<...> has not been available in any other Lithuanian higher education institutions so far <...>” (underlined by us). KTU indicated that “in 2016, the ESG program (Enhanced Study Group - our note) was greatly expanded and improved, replacing its name with “GIFTed.comm”, and named “<...> exceptional opportunities for the graduate students of University which are not provided by any other Lithuanian higher education institution: 1. To study according to an individual study plan in parallel with the chosen Bachelor’s study program; 2. To receive a scholarship of EUR 150 in the first semester of the first year and to receive the highest “GIFTed.comm” scholarship of EUR 300 from the second semester of the first year in Lithuania; 3. To study and consult with top-level research and career mentors, academic advisers, business and community leaders; 4. To acquire academic and professional knowledge in strengthened study modules; 5. To choose optional subjects free of charge; 6. To develop a portfolio of competencies that provide a competitive edge on the labour market.”²

The attention should be drawn to the fact that the Ombudsman applied to the rector of the KTU dr. Petras Baršauskas and KTU by letter No S-362 of 18 October 2016, but received an e-mail from Martynas Ubartas, Director of the Department of Student Affairs, without the signature and authorization of the rector of the KTU to respond to the above-mentioned letter. By letter No S-434 of 1 December 2016, the Ombudsman addressed to Martynas Ubartas, Director of the Department of Student Affairs of the KTU and the KTU. It should be noted that Martynas Ubartas, who sent and signed the reply, did not submit the rector’s authorisation to recite the official position of the University.

² The language here and further in the text is unedited.

After analysing the information provided by the applicant and Martynas Ubartas, the Director of the Department of Student Affairs of the KTU, it has been determined:

1) Clause 7 of the Description for procedures of Academia Cum Laude provides for that “the main goal of the academy <...> is to create conditions for students <...> not to pursue a quick specialization, but to think interdisciplinary <...>”, and the goals specified in clause 3 of “GIFTed.comm” description are as follows: “<...> to develop activities and cooperation with the scientific and social partners <...>, to form an open and creative environment so as to inspire the talents and leaders.”;

2) Academia Cum Laude offers students an individual study plan that will help them achieve their goals (clause 3 of Description for procedures of Academia Cum Laude), according to which “<...> a student studies in parallel with basic study program <...>, and participating together with the curator <...> in scientific activities, conferences and preparing projects, conducting research and other investigations”. (Clause 8 of Description for procedures of Academia Cum Laude), while “GIFTed.comm” offers an individual study plan based on the field of studies, research or business and innovation of the student (sub-clause 4.3 of Description for procedures of “GIFTed.com”), which includes “<...> enhanced study modules; <...> additional studies <...>; “challenge” activities <...>; the development of personal competencies <...>”. (Clause 12 of Description of procedures for “GIFTed.comm”) (underlined by us);

3) Academia Cum Laude in the article presented by VMU is referred to as “the <...> study system for gifted, motivated students <...>”. “GIFTed.comm” in the KTU publication is described as a unified “<...> a unique educational program for talented young people <...>”, “<...> a kind of incubator of talents, stimulating and supporting future educators and business leaders <...>” (underlined by us).

In the light of abovementioned, and also considering the fact that Martynas Ubartas, Director of the Department of Student Affairs of the KTU, provided incomplete information requested by the Ombudsman, the information to state the violation of the principle of academic integrity indicated by VMU is insufficient.

After the evaluation of the information provided by the applicant and KTU, and in accordance with sub-clause 1, Paragraph 11 of Article 17 of the Law on Higher Education and Research of the republic of Lithuania, the Ombudsman:

decided:

To inform Vytautas Magnus University, Kaunas University of Technology and the Ministry of Education and Science about the Ombudsman’s decision.

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