



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

## DECISION REGARDING THE COMPLAINT OF M. Š. OF 10 FEBRUARY 2017

9 May 2017, No. SP-11  
Vilnius

The Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter - the Ombudsman), in accordance with Part 1 of Paragraph 17 of the Law on Higher Education and Research of the Republic of Lithuania and with Subparagraph 1 of Paragraph 13 of the provisions of the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania, approved by 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“, and after examination of the complaint (hereinafter - the complaint) of the applicant M. Š. (hereinafter - the applicant<sup>1</sup>) received in the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter - the Office) on 10 February 2017 regarding the violations of the procedures of Mykolas Romeris University (hereinafter - MRU) and the provided material,

### **determined:**

The applicant complaints to the Ombudsman of the action of the Pro-dean of the Faculty of Law of MRU S. M.: “<...> deliberate disruption of students, misleading the data on credit form in the discipline of credit.“<sup>2</sup>

The applicant stated that, “Having completed collegiate studies, 180 credits, I accessed to Mykolas Romeris University with the intention to complete undergraduate university studies. I was forced to re-take the same disciplines for the second time, with the corresponding number of credits, although based on the total number of credits in the university, there were a total of 195 credits, it is unclear why for the difference in credits, i.e. y 15 credits <...> the university chose a strategy of humiliation and bullying of me, which continues up to by using suppression, disrupting me.”

The applicant requests the Ombudsman to “<...> show how well you defend, plutocracy. Sum up the funds of mine, as of a student, spend during studies, life and credit contributions, and oblige the plutocracy representatives to return the monetary amount.”

On 10 February 2017, the applicant, together with the complaint, provided information supplementing the circumstances specified in the complaint:

1) The Certificate No. 17T3-212 of the Faculty of Law of MRU of 17 January 2017 which indicates that “[The applicant]<sup>3</sup> is the 5th year [student of] the undergraduate, part-time, state-funded studies of the law program of the Faculty of Law of Mykolas Romeris University. By the

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

<sup>2</sup> The applicant's language quoted here and hereinafter in the decision is unedited.

<sup>3</sup> Here and hereinafter in the square brackets - the comments of the Office.

decision of the Dean, by the order of 6 May 2016 <...> the studies [for the student] were suspended until 1 March 2017.” The certificate specifies the subjects of which the applicant has passed the examinations and credits;

- 2) a depersonalized list of college subjects with evaluations;
- 3) the results of the applicant's studies from “My studies from MRU Online Connection”.

By the letter No. S-76 of 14 February 2017, the Ombudsman applied to MRU requesting to submit the following:

- “1) the study agreement with [the applicant];
- 2) the request, order and other documents related to the suspension of the [applicant’s] studies at MRU from 6 May 2016 to 1 March 2017;
- 3) the legal acts regulating the admission of students completed college studies to MRU and the procedure for crediting their academic credits in MRU;
- 4) [the applicant’s] academic credit card.

In addition, please indicate the circumstances of admitting [the applicant] to study at MRU: to which course the student has been enrolled in, the scope for crediting academic credits, and other relevant information.”

By the letter No. 24T(11.21-20401)-65 of 24 February 2017, MRU indicated to the Ombudsman that “<...> is the 5th year [student of] the undergraduate, part-time, state-funded studies of the law program of the Faculty of Law of Mykolas Romeris University. By the order <...> of the Rector of 13 August 2013, [the applicant] was admitted to the undergraduate, part-time, state-funded studies of the law program of the Faculty of Law of Mykolas Romeris University (5th course). In accordance with Paragraph 135 of the University Study Procedure <...> and according to the [applicant’s] request, the studies [for the applicant] were suspended from 11 February 2015 <...> The study results obtained in the International Law and Business School credited on 3 October 2013 <...>.”

Together with the letter No. 24T(11.21-20401)-65 of 24 February 2017, MRU also provided the following to the Ombudsman: the copy of the study agreement signed by MRU and the applicant, the rules for admitting college graduates to undergraduate studies at MRU, the procedure for the recognition of academic credits in MRU valid for the recognition of academic credits gained by the applicant, the copy of the applicant's academic credit card, the copies of the applicant’s requests for suspension of the studies and the copies of the dean's orders regarding the suspension of the applicant's studies.

*It needs to be noted that the Ombudsman assessed the circumstances of the complaint and adopted the decision in accordance with the competence established in the legal acts, therefore, he did not have the power to examine and evaluate possible violations of the procedures established in the internal legal acts of MRU.*

Attention is drawn to the fact that according to Part 1 of Paragraph 18 of the Law on Education and Studies of the Republic of Lithuania, in force until 1 January 2017, which establishes that “the Ombudsman for Academic Ethics and Procedures <...> is a public official who examines complaints and initiates investigations on violations of academic ethics and procedures”, the Ombudsman has been mandated to examine complaints and initiate investigations on violations of procedures that are not established in the codes of academic ethics of science and study institutions.

After the evaluation of the information submitted by the applicant, MRU and the legal regulation, and in accordance with Part 1 of Article 17 of the Law on Education and Studies, which establishes that “the Ombudsman for Academic Ethics and Procedures <...> is a public official who examines complaints, reports and conducting investigations at his own initiative on possible violations of academic ethics and procedures that are established in the codes of academic ethics of science and study institutions <...>, *the Ombudsman did not determine any violations of the procedures established in the code of academic ethics of MRU* (underlined by us).

After the evaluation of the information submitted by the applicant and MRU as well as the legal regulation, and in accordance with Paragraph 1 of Part 11 of Article 17 of the Law on Education and Studies of the Republic of Lithuania, the principles of intelligence and publicity, the Ombudsman:

**decided:**

To inform the applicant, Mykolas Romeris 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.

The Ombudsman for Academic Ethics and Procedures  
Sadauskas

Vigilijus