



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

**DECISION
ON THE TERMINATION OF THE INVESTIGATION INITIATED ON 7 JANUARY 2015**

7 August 2018 No SP-5

Vilnius

Following paragraph 1 of Article 17 of the Republic of Lithuania Law on Higher Education and Research and subparagraph 1 of paragraph 13 of the Statute 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 “On the Establishment of the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania and the Approval of the Statute of the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania” and having initiated an investigation on the basis of 7 January 2015 complaint of L. M. (hereinafter referred to as the “Applicant¹”) (hereinafter referred to as the “Complaint”) concerning possible violations of academic ethics and procedures at Kazimieras Simonavičius University (hereinafter referred to as the “KSU”), the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter referred to as the “Ombudsman”)

has determined the following:

The Applicant in his Complaint states that “before signing the contract with [KSU], on [9 August] 2014 information that if the financial obligations are not performed within 5 working days, the contract shall be terminated was provided. He received no warnings and on 11 [December] 2014 the [Applicant received] a <...> letter from the debt collection company <...> [stating that the Applicant] owes to [KSU] the amount of LTL 3,200 “for the provided services”. However, the [Applicant was not involved] in any activities of [KSU].”²

By the complaint the Applicant requests the Ombudsman: “to reconsider if an invoice for the provided services may be issued to a student where the services were not used for provision of false information or failure to provide information in due time and in case of a failure to contact through all possible sources of communication.”

Having evaluated the content of the Complaint, the Ombudsman opened an investigation and by 14 January 2015 letter No S-22, 23 January 2015 letter No S-32, 9 February 2015 letter No S-66, 9 February 2015 letter No 67, 25 February 2015 letter No S-105, 19 March 2015 letter No S-142, 7 April 2015 letter No S-193 and 23 April 2015 letter No S-210 addressed to KSU and representatives of KSU, i.e. the professional law partnership Miškinis & Partners. No requested information has been provided till the date of adoption of this decision.

¹ For the purposes of the text of the decision of the Ombudsman, the “Applicant” is given a noun of masculine gender without linking it to the sex of the applicant.

² Here and hereinafter the quoted text is not corrected.

By 7 October 2015 letter No S-386 the Ombudsman addressed the Applicant notifying him that examination of the complaint is impossible because KSU has not provided information necessary for examination of the afore-mentioned complaint and adoption of the decision so far, requesting to notify of the Applicant's decision, i.e. to continue or termination of examination of the complaint and support its decision. No requested information has been provided in writing till the date of adoption of this decision, the Applicant contacted by telephone and indicated that he had no claims against KSU.

In the light of the fact that it is impossible to find violations of academic ethics and/or procedures on the basis of the provided information and the information provided by the Applicant in an oral form suggests that the parties have resolved their disagreements amicably, there is no reason to continue the opened investigation. Therefore, having analysed and evaluated the collected information and following subparagraph 9 of paragraph 11 of Article 17 of the Republic of Lithuania Law on Higher Education and Research, the Ombudsman

has decided the following:

To terminate the investigation.

The decision of the Ombudsman may be appealed against in accordance with the procedure prescribed in the Republic of Lithuania Law on Administrative Proceedings.

Ombudsperson for Children's Rights

Acting Ombudsman for Academic Ethics and Procedures

Edita Žiobienė