



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

**DECISION
ON THE TERMINATION OF THE INVESTIGATION INITIATED ON 20 MARCH 2018**

27 August 2018 No SP-6

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 the complaint of V. K. (hereinafter referred to as the “Applicant”)¹) received on 20 March 2018 (hereinafter referred to as the “Complaint”) concerning possible violations of academic ethics at the College², 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 “at the end of 2017 he had³ to finish the [College studies programme], <...> however <...> different obstacles were created, the benchmark for passing tests was knowingly raised, significantly higher requirements to him than to [other students] were set, finally, <...> practical training was not knowingly recognised <...>.”⁴ The Applicant requested to review the final practical training papers so that the Applicant’s results could be objectively evaluated.

Having evaluated the contents of the Complaint, the Ombudsman opened an investigation and by 24 May 2018 letter No S-110 “Regarding the Initiation of Examination of the Complaint and Provision of Additional Information” addressed the Applicant notifying him of the initiated investigation and requesting to provide additional information for determination of the circumstances relevant to the object of the Complaint.

By 25 May 2018 letter No S-124 “On the Provision of Information” the Ombudsman addressed the College with the request to provide information on evaluation of the results of the practical training of the Applicant.

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 The data of the higher education and research institutions and persons related to the object of the complaint is sensitive.

³ Remarks of the Office are made in the square brackets.

⁴ Here and hereinafter the quoted language is not corrected.

By 1 June 2018 letter No SP V9-611 “Regarding the Provision of Information” the College provided the requested information and indicated that the results of the final practical training of the Applicant during the academic year 2017–2018 were evaluated negatively, since the Applicant has failed to “fully complete” the final practical training.

By 25 June 2018 letter No S-150 “Regarding Provision of Information” the Ombudsman addressed the College with the request to provide additional information and specify if the Applicant underwent his final practical training only once in the academic year 2017–2018.

By 28 June 2018 letter No SP V9-662 “Regarding the Provision of Information” the College sent the requested information and pointed out that the results of the final practical training underwent by the Applicant were evaluated as unsatisfactory. On 15 May 2017, the Applicant took advantage of the possibility to repeatedly account for his final practical training; however, the results of the final practical training were again negatively evaluated. On 17 May 2017, the Applicant furnished the dean of the Faculty⁵ of the College with a request “to take the failed examination in the presence of the evaluation commission. The [Applicant’s] request was satisfied and by 17 May 2017 decision No SP V-29 <...> of the dean of the [Faculty of the College] a commission for evaluation of taking the failed examination of the final practical training of the [Applicant] was set up. On 23 May 2017, the Commission evaluated the [Applicant’s] final practical as unsatisfactory <...>. On 24 May 2017, the [Applicant] submitted a request for final evaluation of the subject to the director of the [College] <...>. The [Applicant’s] request was satisfied and by 26 May 2017 No SP V-34 of the dean of the [Faculty of the College] the second commission was set up and on 29 May 2017 it also evaluated the final practical training of the [Applicant] as unsatisfactory”.

Having evaluated the material provided by the College, by 17 July 2018 letter No S-171 “Regarding the Provision of Additional Information” the Ombudsman addressed the Applicant with the request to provide explanations in writing or by appearing at the Office. The Applicant has failed to provide the explanations till the date of adoption of this decision.

In the light of the fact that the provided information does not suggest violations of academic ethics and/or procedures, 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

⁵ The data of the higher education and research institutions and persons related to the object of the complaint is sensitive.