

APPROVED  
by Decision No. SEN-N-2  
of 28 February 2024  
of Vytautas Magnus University Senate

## **REGULATIONS OF THE ETHICS COMMISSION OF VYTAUTAS MAGNUS UNIVERSITY**

### **CHAPTER 1 GENERAL PROVISIONS**

1. The Regulations of the Ethics Commission (hereinafter referred to as the “Commission”) of Vytautas Magnus University (hereinafter referred to as “VMU”) (hereinafter referred to as the “Regulations”) shall regulate the formation, competence, and organisation of work of the Commission.
2. In its activities, the Commission shall be guided by the Constitution of the Republic of Lithuania, VMU Statute, the Code of Ethics of VMU (hereinafter referred to as the “Code”), VMU Study Regulations, the Law on Higher Education and Research of the Republic of Lithuania, other laws of the Republic of Lithuania, and these Regulations.

### **CHAPTER 2 FORMATION AND COMPOSITION OF THE COMMISSION**

3. The Commission shall consist of 11 (eleven) members.
4. The Commission shall be formed by VMU Senate (hereinafter referred to as the “Senate”) on recommendation of VMU Rector (hereinafter referred to as the “Rector”). When forming the Commission, a Chairperson of the Commission shall be appointed from among its members, who are VMU teachers and/or research (art) staff.
5. Members of the Commission shall be appointed for a term of office of five (5) years and may serve for no more than two (2) consecutive terms.
6. A new Commission shall be established no more than one (1) month before the end of the term of office of the current Commission and shall take office at the end of the term of office of the current Commission.
7. The formation of the Commission shall be guided by the the principle that no more than one member of the Commission shall be nominated from any single unit of the University.
8. Members of the Commission shall have equal rights, except in cases where, pursuant to these Regulations, the Chairperson of the Commission or the Chairperson of the meeting has a casting vote.
9. Only persons with an impeccable reputation can be appointed as members of the Commission.
10. Persons who have been appointed as members of the Commission must sign a confidentiality pledge and a declaration of impartiality in the prescribed form (Annex 1).
11. A member of the Commission may be removed from his/her position before the expiry of his/her term of office if he/she commits a violation of academic ethics or any other violation incompatible with the duties of the member of the Commission. The decision to remove a member of the Commission from his/her position shall be made by the Senate on the Rector’s recommendation.
12. In the event of the resignation of a member of the Commission from his/her employment at VMU, or his/her request to resign from his/her position as a member of the Commission, or his/her removal from his/her position in accordance with Clause 11 of the Regulations, the Senate shall, on the Rector’s recommendation, appoint a new member of the Commission for the remainder of the term of office. In this case, the term of office of the new member of the Commission shall not exceed the term

of office of the current Commission. If the Commission has fewer than ten (10) members remaining, the Rector may delegate the duties of a member of the Commission to a temporary member of the Commission until the appointment of a new member.

13. The material and organisational conditions necessary for the activities of the Commission shall be ensured by VMU Rector.

14. The Secretary of the Commission shall be appointed by the Rector's order.

14.1. The Secretary of the Commission shall be appointed from outside the Commission; however, in exceptional cases, a member of the Commission may also be appointed to this position.

14.2. The Secretary of the Commission who is not a member of the Commission shall be subject to the requirements set out in Clauses 9 and 10 of the Regulations.

14.3. The Secretary of the Commission must attend the meetings of the Commission. If the Secretary of the Commission is not able to attend a meeting, a member of the Commission appointed by the Chairperson of the Commission shall act as the Secretary of the Commission.

### **CHAPTER 3 STUDENT REPRESENTATIVES**

15. Two of the members of the Commission, as set out in Clause 3 of the Regulations, shall be VMU student representatives.

16. Student representatives shall be VMU students of any study form, field, or cycle.

17. Student representatives shall be delegated to the Commission for the Rector's recommendation under Clause 4 of the Regulations and for their appointment under Clause 12 of the Regulations by VMU Student Representative Council.

18. Student representatives may be dismissed on the grounds set out in Clause 11 of the Regulations.

19. The number and duration of the term of office of student representatives shall coincide with the term of office of the Commission as set out in Clause 5 of the Regulations. In cases where a student representative is delegated after the beginning of the term of office of the Commission, the term of office of the new student representative shall not exceed the term of office of the current Commission.

20. A student representative may not be appointed as the Chairperson, the Deputy Chairperson, or the Secretary of the Commission.

21. Student representatives shall be subject to the same rights and obligations as other members of the Commission as set out in the Code and these Regulations, including, but not limited to, the requirements set out in Clauses 9 and 10 of the Regulations.

### **CHAPTER 4 SCOPE OF THE ACTIVITIES OF THE COMMISSION**

22. The tasks of the Commission shall be as follows:

22.1. to provide summarised information to VMU community on issues of academic ethics, to acquaint them with the latest trends and developments, and to regularly carry out educational and preventive activities in the field of academic ethics;

22.2. to make recommendations and proposals to the management bodies of VMU on the improvement of the Code and other internal documents related to ethics, and to initiate amendments to them;

22.3. to make recommendations to the management bodies of VMU on giving incentives or rewards for fostering ethics in the activities of the University;

22.4. to investigate reports of possible violations of the Code objectively and in a timely manner and to take decisions.

23. Once a year, the Commission shall present its annual report at VMU Rector's Council. The responsibility for the preparation of the report shall rest with the Chairperson and the Secretary of the Commission.

## **CHAPTER 5 ORGANISATION OF THE WORK OF THE COMMISSION**

24. The form of work of the Commission shall be meetings organised upon receipt of a report specified in Clause 22.4 of these Regulations, or for the purpose of addressing other tasks set out in Clause 22 of the Regulations.

25. At its first meeting of the new term of office, the Commission shall elect a Deputy Chairperson of the Commission.

26. Meetings of the Commission shall be convened and chaired by the Chairperson of the Commission. If the Chairperson of the Commission withdraws due to circumstances provided for in Clause 27 of these Regulations or is not able to attend the meeting, the meeting shall be convened and chaired by the Deputy Chairperson of the Commission or, in case of his/her absence, by another member appointed by the Chairperson of the Commission.

27. The member of the Commission shall be obliged to withdraw from the issues discussed during the meeting under at least one of the following circumstances:

27.1. the issue under discussion is directly related to the member of the Commission;

27.2. the issue under discussion is related to persons with whom the member of the Commission is related by marriage, partnership, close family ties, or guardianship;

27.3. the member of the Commission, his/her spouse (cohabitant) or his/her close relatives have a direct or indirect interest in the outcome of the decision of the issue under discussion;

27.4. there are other circumstances which raise doubts about the impartiality of the member of the Commission.

28. The report may be submitted to the Commission no later than one month from the date when the possible violation of academic ethics was committed or came to light. This deadline may be extended by the decision of the Commission in the presence of valid reasons for missing the deadline and in the presence of a reasoned request of the reporting person, provided that no more than 6 (six) months have passed since the date on which the possible violation was committed or came to light.

29. Reports to the Commission shall be submitted to the Commission's email address [etikos.komisija@vdu.lt](mailto:etikos.komisija@vdu.lt).

30. The report shall be submitted in the form established by the Commission (Annex 2) and shall include the following:

30.1. the name, surname, email address, and telephone number of the reporting person; if the reporting person is a member of VMU community, the report shall also include the reporting person's status at VMU (student, teacher, etc.), the unit where the reporting person is working or studying, and the email address provided to the reporting person by the University;

30.2. the principle of the Code that may have been violated and the form of the violation, a description of and commentary on the possible violation, presenting all the circumstances of the violation (time, place, etc.), and the members of VMU community suspected of having committed the violation (hereafter referred to as the "Subjects of the Report");

30.3. documents supporting the report;

30.4. the signature of the reporting person.

31. Anonymous reports and reports that do not comply with the requirements set out in Clause 30 shall not be considered.

32. The Commission must examine the received report and take a decision no later than within 40 (forty) calendar days from the date of its receipt at the email address specified in Clause 29 of the Regulations. The deadline specified in this Clause shall not include the period of regular summer holidays granted to students or teachers.

33. The Subjects of the Report shall be informed about the reporting person and the content of the report. At the reasoned request of the reporting person, the Commission may decide not to disclose the reporting person's identity to the Subjects of the Report but shall be obliged to inform them of the content of the report.

34. Meetings of the Commission shall be closed, except in cases where the members of the Commission, the reporting person, and the Subjects of the Report agree on a public examination of the report.

35. The Commission must provide conditions for the reporting person and the Subjects of the Report to be heard. This right may be exercised in writing or orally by decision of the Commission.

35.1. The Commission may also address other persons and institutions relevant to the assessment of the circumstances of the report.

35.2. Members of VMU community contacted by the Commission in order to clarify the circumstances described in the report shall be obliged to provide the Commission with all information known to them and any documents (data) in their possession.

35.3. The Commission shall ensure the protection of confidential information in cases specified in Clauses 35.1 and 35.2 of the Regulations.

36. Minutes of the meetings of the Commission shall be drafted and the minutes shall be signed by the Chairperson of the Commission (in his/her absence, by the Chairperson of the meeting) and the Secretary of the Commission. If necessary, an audio recording of the meeting may be made during the meeting of the Commission. The minutes and audio recordings of the meetings of the Commission shall be stored in accordance with VMU Procedure for Storing Data and Documents.

## **CHAPTER 6 DECISIONS OF THE COMMISSION**

37. Upon examining the report, the Commission shall by decision:

37.1. establish the fact of presence or absence of a violation of the Code;

37.2. upon establishing that the conduct in question was close to a violation of the Code, recommend the Subjects of the Report to avoid certain conduct in the future;

37.3. upon establishing that a violation of the Code has been committed, and taking into account the impact, damage, scope, recurrence, and other relevant features of the violation, provide recommendations to the appropriate management bodies of VMU (the Council, the Senate, the Rector) or to other institutions or officials of the University to impose one or more of the sanctions provided for in the Code, and, if necessary and with appropriate justification, the sanctions not provided for in the Code.

38. The Commission may also take other decisions at the meeting which fall within its competence in accordance with Clause 22 of the Regulations.

39. Decisions of the Commission shall be deemed lawful if they are adopted at a meeting attended by at least six (6) members of the Commission.

40. Decisions of the Commission shall be adopted by a simple majority of votes of members of the Commission attending the meeting. In the event of an equal distribution of votes, the Chairperson of the Commission (or, in his/her absence, the Chairperson of the meeting) shall have the casting vote.

41. The decisions of the Commission shall be recorded in the minutes of the Commission. The minutes, signed by the Chairperson of the Commission (in his/her absence, by the Chairperson of the meeting) and the Secretary of the Commission, shall be handed over to the appropriate management bodies, institutions, and officials of VMU, and extracts thereof shall be sent to the reporting person and the Subjects of the Report by email no later than 5 (five) working days after the adoption of the decision.

42. Decisions of the Commission at VMU shall be final and not subject to appeal.

## **CHAPTER 7 FINAL PROVISIONS**

43. Specific forms of violations of the principles of the Code of Ethics (e.g., sexual harassment, mobbing) may be subject to special requirements for the organisation of the work of the Commission as specified in the internal documents of VMU. In case of any conflict between these Regulations and the requirements set forth in the internal documents, the requirements of the internal documents shall apply.

44. The documents of the work of the Commission shall be collected and stored in accordance with the procedures laid down by VMU.

45. The composition of the Commission, its contact details, and the main documents on the organisation of its work shall be published on VMU website.

46. The Regulations, along with any amendments or additions thereto, shall be approved by the Senate.

47. The Regulations shall enter into force and apply from the date of their approval by the Senate; at the same time, the Regulations of the Ethics Commission of Vytautas Magnus University approved by the Rector's Order No. 463 of 3 November 2021 shall cease to be valid.

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## **CONFIDENTIALITY AND IMPARTIALITY AGREEMENT**

\_\_\_\_\_ (day) \_\_\_\_\_ (month) 20\_\_ (year) No. \_\_\_\_\_  
Kaunas

Vytautas Magnus University, legal entity code 111950396, address K. Donelaičio g. 58, Kaunas (hereinafter referred to as the “University”), represented by Rector Prof. Juozas Augutis, acting in accordance with the Statute of the University, and

\_\_\_\_\_, personal identification number / date of birth \_\_\_\_\_ (hereinafter referred to as the “Member of the Commission”),

hereinafter jointly referred to as the “Parties” and each individually as the “Party”, have entered into the following Confidentiality and Impartiality Agreement (hereinafter referred to as the “Agreement”) and agree as follows:

### **1. PURPOSE OF THE AGREEMENT**

1.1. The parties shall share a common purpose under this Agreement to ensure the protection of confidential information (hereinafter referred to as the “Information”) which a member of the Commission becomes aware of in the course of his/ her service as a member of the Ethics Commission of the University (hereinafter referred to as the “Commission”).

### **2. DISCLOSURE**

2.1. Information may be disclosed in the following ways:

2.1.1. in writing;

2.1.2. by handing over items;

2.1.3. by providing access to Information (e.g., research results in various forms, databases, etc.);

2.1.4. through means of verbal or visual presentation.

2.2. All Information received in the course of the work of the Commission shall be treated as confidential, except where the relevant Information is marked as non-confidential.

### **3. OBLIGATIONS**

3.1. The Member of the Commission confirms that he/she is aware that the Information provided to him/her is the property of the University. In support of the University’s efforts to maintain the confidentiality of the Information, the Member of the Commission shall undertake:

3.1.1. to keep the Information received confidential, not to destroy, damage, lose, disclose or create conditions for it (in whole or in part) to be intentionally or unintentionally disclosed to any other person without the written consent of the University or its responsible representative (except in cases where the Information is required to be provided in accordance with the procedure laid down in the legislation of the Republic of Lithuania);

3.1.2. to use the Information of the University only for the purpose for which it was disclosed;

3.1.3. not to copy or reproduce the Information or any part of it in any form or by any means, except when it is necessary for the implementation of the purpose for which the Information was provided.

3.2. The Member of the Commission may disclose the Information to:

3.2.1. other members of the Commission and the Commission staff (e.g., the Secretary of the Commission, and the University's Principal Lawyer) who require to know it;

3.2.2. any other entity with the prior consent of the University.

3.3. Before disclosing Information to any of the entities specified in Clause 3.2 of this Agreement, the Member of the Commission shall ensure that the University enters into a confidentiality agreement with them.

3.4. The Member of the Commission may disclose Information only to the extent required by the legal acts of the Republic of Lithuania. The Member of the Commission shall immediately notify the University about this, so that the Member of the Commission has the opportunity to ensure the necessary protection.

3.5. The Member of the Commission shall undertake to store and process personal data in accordance with the Law on Legal Protection of Personal Data of the Republic of Lithuania.

#### **4. EXCEPTIONS TO OBLIGATIONS**

4.1. The Member of the Commission may disclose, publish, disseminate and use Information that is:

4.1.1. in his/her possession prior to the date of signature of this Agreement and is not subject to confidentiality obligations;

4.1.2. produced independently;

4.1.3. obtained without confidentiality obligations;

4.1.4. clearly marked as non-confidential;

4.1.5. publicly available at the time of receipt or becomes publicly available later, but through no fault of the Member of the Commission.

#### **5. LIABILITY**

5.1. The University shall not be held liable for damages resulting from the improper use of Information disclosed under this Agreement.

5.2. The Member of the Commission who has violated the obligation of confidentiality provided for in the Agreement shall be liable in accordance with the procedure laid down by the legislation of the Republic of Lithuania.

#### **6. DECLARATION OF IMPARTIALITY**

6.1. The Member of the Commission declares and undertakes to:

6.1.1. carry out the obligations (tasks) as the Member of the Commission objectively, constructively and without prejudice, in accordance with the principles of equality, non-discrimination, proportionality, mutual recognition and transparency;

6.1.2. immediately notify the Rector of the University or his/her authorised person in writing of any potential conflict of interest;

6.1.3. fill in a declaration of private interests as provided for by the Law on the Adjustment of Public and Private Interests of the Republic of Lithuania.

## **7. FINAL PROVISIONS**

7.1. This Agreement shall not obligate either Party to disclose or receive (accept) Information.

7.2. The Parties may not assign or otherwise transfer their rights, duties or obligations under this Agreement without the prior written consent of the other Party.

7.3. This Agreement shall enter into force from the date of its signature and shall remain valid for an unlimited period of time. All the terms and conditions of this Agreement shall also apply to the respective successors in title.

7.4. The Agreement may be terminated or amended only by written agreement of both Parties.

7.5. The Discloser may terminate this Agreement by notifying the Recipient in writing one month in advance.

7.6. The Parties confirm that they participated equally in the preparation of the Agreement; therefore, the interpretation of the provisions of the Agreement may not be directed against the Party that actually prepared it.

7.7. The Parties agree that all rights, duties and obligations of the Parties arising out of or in any way related to the subject matter of this Agreement shall be subject to, as well as interpreted and implemented in accordance with the legal acts of the Republic of Lithuania.

7.8. The Agreement is drawn up in two copies of equal legal force, one for each Party.

## **8. DETAILS AND SIGNATURES OF THE PARTIES**

**University:**

**Member of the Commission:**



Annex 2  
to the Regulations of the Ethics Commission  
of Vytautas Magnus University

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*Name, surname*

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*Address*

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*Phone number*

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*Email address*

To the Chairperson of the Ethics Commission of Vytautas Magnus University

**REPORT ON VIOLATION OF THE CODE OF ETHICS  
OF VYTAUTAS MAGNUS UNIVERSITY**

\_\_\_\_\_ (day) \_\_\_\_\_ (month) 20\_\_\_\_\_(year)

Please state the principle(s) of the Code of Ethics that may have been violated, along with the form(s) of the violation. In the “Comment” section, please outline the essence of the violation: please specify which members of VMU community, when, and through what actions or inactions may have violated the Code of Ethics in relation to you.

<b>Principle of the Code of Ethics</b>	<b>Violation</b>	<b>Comment</b>

**The following documents supporting the report are attached:**

No.

1. \_\_\_\_\_

2. \_\_\_\_\_

3.

*Please submit the report and its annexes in digital format by email at [etikos.komisija@vdu.lt](mailto:etikos.komisija@vdu.lt), titling the subject line “Report on Violation of the Code of Ethics”.*

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*(Signature, name and surname)*