

APPROVED by:
ISM University of Management and Economics
Rector's Order of January 20, 2021
No. 01-07-08

OPERATIONAL REGULATIONS OF THE COMMITTEE ON ETHICS

1. General provisions

- 1.1. All activities of the Committee on Ethics (hereinafter the Committee) are aimed at focusing the attention of ISM University of Management and Economics (hereinafter ISM University) and ISM Community Members (hereinafter the Community) on the recognition, support and promotion of ISM University's key values, including academic values, academic integrity, and adherence to general ethical norms.
- 8.1 The operational regulations of the Committee on Ethics (hereinafter Regulations) are approved by the President of ISM and become effective from the signing day.
- 1.2. The composition of the Committee is approved by the President of ISM University.
- 1.3. The Chairperson of the Committee will, twice an academic year, account for the operations of the Committee to the President of ISM University.
- 1.4. The Committee will examine cases of ethical misconduct and breaches of the Code of Ethics (hereinafter the Code) by the Community.
- 1.5. All statements and information about their authors will be held confidential. The Committee will ensure that no information about a statement as such or about the person who made it is publicised.
- 1.6. The depersonalised decisions of Committee are published on the website of ISM University, once a year, at the end of the Spring semester as indicated by.

2. Functions of the Committee

- 2.1 The Committee has four key functions, to:
 - 2.1.1 implement, monitor and evaluate the Code;
 - 2.1.2 uphold the Community's shared dedication to ethical conduct;
 - 2.1.3 encourage a strong culture of academic integrity among the Community through educational and advisory activities;
 - 2.1.4 adjudicate cases of ethical misconduct and breaches of the Code by members of the Community and to determine sanctions on Community members.
- 2.2 To effectively serve its purpose, the Committee on Ethics must be neutral, which confers two key responsibilities, one upon the University, and one upon the Committee members:
 - 2.2.1 Independence: The Committee must be independent, meaning that it requires institutional guarantees and safeguards that allow the Committee to be free from external pressures when making decisions;
 - 2.2.2 Impartiality: The Committee must make its decisions impartially, meaning that its decisions and deliberations must be objective and absent of prejudice towards any of the involved parties.

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3. Formation and composition of the Committee

3.1 The Committee will consist of seven members of the ISM Community:

- 3.1.1 three academic representatives, elected by the academic staff of ISM;
- 3.1.2 two administration representatives, elected by the administrative staff of ISM;
- 3.1.3 two student representatives, elected by the ISM Students' Association.

3.2 Committee members are elected for a three-year term. The Committee's members rotate each academic year by electing new members: first year, three academic representatives; second year, two administration representatives; third year, two student representatives. Members of the Committee can serve for a maximum of two consecutive terms.

3.3 The Chairperson of the Committee will be elected by Committee members each academic year by a secret ballot cast during the newly elected Committee's first meeting.

3.4 If any member of the Committee resigns or is withdrawn by the President of ISM before their term expires, another member of the ISM Community will be elected as specified in Art. 3.1 of this Regulation to replace them on the Committee for the remainder of their term.

3.5 Members of the Committee will enjoy equal rights, except in a case where, pursuant to these Regulations, the Chairperson's vote is the decisive one.

3.6 A member of the Committee may be removed from their position prior to expiry of his/her term, if he/she commits a violation of academic ethics or another violation of legal or moral norms that is incompatible with the position of a member of the Committee. Members of the Committee appointed by the Students' Association may also be removed in cases set by the Students' Association. A decision concerning the removal of a member of the Committee must be approved by the President of ISM University.

3.7 Any person who has breached the Code of Ethics will not be entitled to become a member of the Committee for a period of three years.

4 Meetings of the Committee

4.1 Meetings of the Committee will be closed, notwithstanding cases where the Committee and parties to the respective dispute agree on broader, Community-wide consideration of the request or complaint.

4.2 Meetings of the Committee will be organised upon receipt of a request or complaint, or with a view to drafting supplements or amendments to the Code.

4.3 The right to call a Committee meeting lies with the Chairperson of the Committee, who will call a meeting by sending an e-mail with an agenda of the planned meeting to all members of the Committee.

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- 4.4 Should unethical conduct by a Community Member attract the attention of the public, meetings may also be organised on the initiative of the Committee.
- 4.5 Meetings of the Committee will be convened and chaired by the Chairperson of the Committee.
- 4.6 If the Chairperson is withdrawn or is absent from a meeting, the Committee will hold a secret ballot to determine which member of the Committee will be Acting Chair of the meeting.
- 4.7 A member of the Committee will have the right to withdraw from the discussion of an issue or a case during a meeting for any of the following reasons:
- 4.7.1 the discussed issue is directly related to the member of the Committee herself;
 - 4.7.2 the discussed issue is related to persons who are close family members of the member of the Committee;
 - 4.7.3 the discussed issue is related to persons who are spouses, partners or carers of the member of the Committee;
 - 4.7.4 the discussed issue relates to a spouse (cohabitant), a close relative, or are directly or indirectly interested in the outcome of a Committee decision;
 - 4.7.5 a Committee member is not fluent in the Lithuanian language and a particular case requires an understanding of Lithuanian written text (e.g. plagiarism or transcription in Lithuanian) or speech. In this case, non-Lithuanian speaking members of the Committee will transfer their rights to Lithuanian-fluent Members who can objectively analyse the evidence. This person(s) must be approved by all members of the Committee;
 - 4.7.6 a perceived conflict of interest;
 - 4.7.7 there are other circumstances that raise doubts about the impartiality of a member of the Committee.
- 4.8 Committee meetings will be legally valid if attended by no less than two thirds of the Committee members.
- 4.9 Other ISM Community Members may be invited to attend the Committee's meetings; however, they will only have an advisory role.
- 4.10 If a request or complaint concerns a Committee member, aside from the usual right of all Community Members to present a response, that member will be dismissed from participating throughout the investigation.
- 4.11 If a request or complaint concerns the Chairperson of the Committee, the President of ISM will be notified about the request or complaint; the relevant meeting will be convened and chaired by the Acting Chair as prescribed in Regulation 4.6.
- 4.12 Minutes of the meetings of the Committee will be drafted and signed by the Chairperson (or Acting Chairperson). Minutes will be stored according to the procedure prescribed in the legal acts of ISM University. Meeting minutes will be written in English and translated into Lithuanian if specially requested.

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4.13 English is the first language of the Committee, Lithuanian the second (meaning that if all persons present are fluent in the Lithuanian language the meeting or a segment of the meeting may be conducted in it, otherwise the working language is English). In the event that an invitee does not understand English, that portion of the meeting will be conducted in Lithuanian. Meeting minutes are to be written in English.

5 Requests and Complaints to the Committee

5.1 The Committee will accept a request or complaint within ten days of receipt. Requests and complaints should be submitted to the Committee within ten days of the occurrence of the potential ethics violation, notwithstanding a decision by the Committee to extend this period by up to three months on reasonable grounds. After this period has expired, in extraordinary circumstances the Committee may open a case upon the initiative of the Chairperson and/or the President of ISM.

5.2 ISM Community Members are encouraged to inform the Committee about any violation of the Code of Ethics, and every community member of ISM has a right to submit a request or complaint about a potential violation of ethics.

5.3 All requests and complaints must be submitted via the submission page on the Committee's website or by email to the Committee's address: etika@ism.lt.

5.4 A request or complaint must contain the following information:

5.4.1 The name and surname of the sender, along with their official ISM email address;

5.4.2 A description of the potential violation of academic ethics, and the inclusion of any relevant evidence.

5.5 In the event that the sender of a request or complaint expresses a desire to remain anonymous (i.e. claim whistle-blower status), or does not provide their personal information in the request or complaint, an exception to section 5.4.1 can be made on the determination of the Committee.

5.6 The Committee must consider and make a decision on a submitted request or complaint within 30 calendar days of its receipt, notwithstanding an extension proposed by the Chairperson based on reasonable grounds. This deadline does not include the summer holiday period.

5.7 Community members who are the subject of a request or complaint will be informed of its contents before the Committee convenes to make a decision, in accordance with the time constraints described above.

5.8 The subjects of a request or a complaint have a right to provide a written response and/or to attend the meeting of the Committee during which the request or complaint is considered.

5.9 If the sender of a complaint requests to remain anonymous to the subject of the complaint, the Committee may inform the subject about the contents of the request or complaint without disclosing the sender's identity.

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6 Decisions and Recommendations of the Committee

- 6.1 Upon receipt of a request or complaint, the Committee will make a decision – a resolution of a particular case – upon whether or not a violation of academic ethics was committed.
- 6.2 The Committee may also make recommendations – proposals for a course of action including policy proposals, improvements of procedures, organisational or staffing changes, etc. – to the President of ISM and the administrative units of ISM.
- 6.3 Committee decisions and recommendations will be determined by a majority vote. Where votes are tied, the Chairperson will cast the deciding vote.
- 6.4 Decisions and recommendations made by the Committee will, within five business days of the decision, be issued to the President of ISM, staff members who must implement the decision, and parties subject to the decision, via email by the Chairperson.
- 6.5 Parties subject to a decision or recommendation have a right to a private meeting with the Chairperson to explain the Committee's decision and its rationale.

7 Penalties imposed by the Committee

- 7.1 Upon a decision that a violation of ethics has occurred, the Committee may impose a penalty commensurate with the violation.
- 7.2 Following a decision by the Committee that a student or unclassified student has committed a violation of academic ethics, a penalty listed in Appendix I of the Code of Ethics may be issued.
- 7.3 Following a decision by the Committee that a member of the governing body has committed an ethical violation, the Committee may provide a recommendation to the President of the ISM to initiate procedures for the termination of powers of the member of the governing body of ISM.
- 7.4 Following a decision by the Committee that a staff member has committed an ethical violation, the Committee will issue a warning and/or reprimand to the staff member and officially inform the President of ISM and the Personnel Manager, who will file the decision according to the procedure prescribed in the legal acts of ISM University.
- 7.5 Following a decision by the Committee that a violation of ethics has occurred which compromises the academic integrity of a current or former student's qualification, degree or diploma, a recommendation may be issued to the President of ISM to annul the qualification, degree or diploma.
- 7.6 Following a decision by the Committee that a violation of ethics has occurred in the production of a scientific work by an ISM academic staff member or an affiliate, the Chairperson of the Committee will initiate procedures for the revocation of authorship of that scientific work, including notifying the editor/publisher of the work.

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7.7 Following a decision by the Committee that a violation of ethics has occurred or may occur in the implementation of a research and/or experimental development project, the Committee may recommend that the researcher withdraw from the project and/or deny or withdraw ethics approval of the project.

8 Appeal process

8.1 Decisions and recommendations of the Committee are final and may not be appealed within the University. According to state regulations, Committee decisions may be appealed to Lithuania's Ombudsman for Academic Ethics and Procedures.

8.2 The President of the University reserves the right to appeal a penalty imposed by the Committee; this excludes all other aspects of the Committee's decisions and recommendations. Presidential appeals will be made in writing to the Chairperson of the Committee, and a process for a resolution will be determined on an *ad hoc* basis by the Chairperson and the President.

8.3 Penalties determined by the Committee may be appealed to the President of ISM University, who alone reserves the right to appeal to the Committee a penalty imposed by the Committee (see 8.2). The appeal must be made via email to the President, including the Committee's decision. The President must make a decision on the appeal

within five working days, unless the President is unavailable (e.g. on holiday or on a business trip), in which case the President must make a decision within five working days upon return.