

Pursuant to Article 52 of the Statute of the University of Ljubljana (Official Gazette of the Republic of Slovenia, No. 4/2017, 56/17, 14/18, 39/18, 57/18, 66/18, 10/19, 22/19, 36/19, 47/19, 82/20, 104/20, 168/20; hereinafter: the University Statute) and the University of Ljubljana Code of Ethics (dated May 26, 2009), the University of Ljubljana Senate at its 37th meeting on 20th of April 2021 adopted the following

Regulations of the University Ethical Issues Committee

I. General provisions

Article 1

This act regulates the competences, substantive framework and proceedings of the University of Ljubljana Ethical Issues Committee (hereinafter: the Committee), the planning and the convocation as well as the conducting and the chairing of its meetings, and the competences of the committee chair, its members and the secretary.

The terms in the Regulations used in the masculine gender shall apply equally to men and women as gender-neutral terms. In assessing allegations of specific cases of misconduct, the gender that applies to the specific person shall be used.

Article 2

The members of the Committee are elected by the University Senate, respecting the principle of gender-balanced representation.

The Committee has seven members. Five members are elected from the ranks of university lecturers and researchers, one member from the ranks of students and one from the ranks of the academic administration. The student member is elected by the University Senate on the proposal of the University Student Council.

First-year students of the first-cycle study programs or first-year students of the integrated Master's programs may not be elected as the student member of the Committee.

The term of office for the academic members of the Committee is four years, and the term of office for the student member is two years.

Members of the Committee may be re-elected.

Article 3

At their first regular meeting, the members of the Committee shall elect from among themselves the chair, as well as the deputy chair who will assume the duties of the chair in the chair's absence.

Article 4

The work of the Committee secretary shall be performed by a staff member of the professional services department of the University Rector's Office.

The Committee secretary shall provide technical support to the Committee, manage the documentation and meeting materials, and ensure the appropriate archiving of Committee decisions. The Committee archives shall be kept by the University Rector's Office.

II. Competences of the University Ethical Issues Committee

Article 5

The Committee shall:

- review allegations of misconduct of University lecturers, researchers and students,
- monitor the implementation of and adherence to codes of ethics at the University and its members, and in the event that misconduct is identified open assessment proceedings on its own initiative,
- submit to the University Rector and other competent University bodies proposals for the adoption of legal acts and rules regulating its operation,
- report on its work to the University Senate,
- carry out other duties in accordance with the University Statute and as instructed by the University Senate.

Article 6

The Committee shall review requests for assessment of the compliance of the conduct of University lecturers and other teaching staff, researchers and students with the University Code of Ethics, the University Researchers' Code of Ethics and applicable international documents that determine ethical standards for research and academic work.

It shall adopt opinions on the matters reviewed.

III. Rights and obligations of the Committee members

Article 7

The Committee Members shall:

- participate in the work of the committee as a member, initiator or rapporteur,
- receive meeting materials and participate in the Committee decision-making process,
- be responsible for the protection of personal data of participants in the Committee proceedings,
- treat all data contained in the meeting materials as confidential.

Committee member must act in an impartial manner and in accordance with academic integrity and other ethical standards.

IV. Planning and convocation of meetings

Article 8

The Committee shall conduct its deliberations at meetings.

Committee meetings shall be convened by the chair as required, or at the request of two or more members of the committee.

The convocation must include the materials required for the Committee deliberation.

Article 9

If a meeting cannot be held in person, a remote meeting may be held using information and communications technologies, as either a session by correspondence or a video conference.

In the event a video conference is held, the members and secretary of the Committee, and any other participants invited to the meeting must ensure that the discussion at the meeting cannot be heard by anyone not invited to the meeting.

In the event a remote meeting is held using information and communications technologies, all rules regarding the work of the Committee shall apply, except for rules relating to physical presence.

Article 10

The proposed agenda for the meeting shall be drafted by the Committee chair. The Committee secretary shall send it to the members at least one week in advance of the planned meeting. Materials relating to individual items on the agenda and the draft minutes of the previous meeting shall also be enclosed to the convocation.

If the chair fails to include matters in the agenda that were proposed by any of the Committee members, they must provide reasons for doing so at the meeting.

IV. Conducting and chairing meetings

Article 11

At the beginning of the meeting, the chair shall declare a quorum. The quorum shall be met if the majority of the members are present at the meeting.

The Committee shall adopt decisions by vote. Voting shall be by open ballot. In exceptional cases, the Committee may decide, on the proposal of the chair or any Committee member, to vote by secret ballot. This shall be determined in advance by a special decision.

At meetings held remotely using information and communications technologies, the Committee shall only adopt decisions through a vote by open ballot.

The Committee shall adopt decisions by a majority of votes of members present. The chair and members shall strive to reach consensus decisions.

The members of the Committee may not abstain from voting.

If the number of votes in favor is equal to the number of votes against, the person chairing the meeting shall be deemed to have cast the deciding vote.

Article 12

When the Committee has approved the agenda and the minutes from the previous meeting, the remaining agenda items shall be discussed in the order listed on the agenda.

Discussions of individual items on the agenda shall begin with a report from the committee chair or the rapporteur.

Article 13

Members of the Committee may decide to make an audio recording of a meeting. The Committee shall adopt a separate decision on audio recording. The decision must be unanimous.

Audio recordings of meetings shall be made exclusively in order to write the minutes, and shall be kept together with the invitation, materials and minutes of the meeting until the approval of the minutes at the next Committee meeting. The audio recording shall then be erased. Minutes shall be kept of the erasure of the audio recording.

The Committee may decide for valid reasons that an individual audio recording not be erased. In such a case, protection of personal data must be ensured in accordance with applicable regulation. The decision must be unanimous and reasoned.

Article 14

The Committee secretary shall keep minutes of Committee meetings.

The draft minutes shall be written by the Committee secretary within seven days of the meeting and sent to the Committee members, who can then submit comments within seven days of receipt.

The minutes shall become final upon their approval by the Committee.

The approved minutes shall be signed by the Committee chair and secretary.

V. Proceedings for assessing allegations of misconduct

Article 15

Proceedings for assessing allegations of misconduct are initiated on request, and the Committee can also open them on its own initiative.

A request for an assessment of an allegation of misconduct can be submitted by any person who was employed by or was a student at the University at the time that the alleged misconduct took place.

A request must be submitted in writing. It must be signed and must provide grounds.

The grounds must include a description of the alleged misconduct and evidence on the basis of which the grounds for the request can be verified.

The Committee will not review anonymous requests. However, anonymous requests can serve as a basis for the committee to initiate the misconduct proceedings on its own initiative if grounds are provided.

At the request of the complainant, the Committee may treat their name as confidential information if there are grounds for doing so.

If a request for assessment is sent to the Committee that is not within its remit, the Committee shall inform the complainant thereof and, if required, refer the matter to the competent body.

Article 16

Prior to admitting a request for an assessment of an allegation of misconduct for deliberation on the merits, the Committee shall test it.

If it finds that a request is clearly unfounded, it shall reject the request by a decision.

If a request is incomplete, i.e. if it is missing data necessary for review, the Committee shall request that the complainant provide the data within seven days.

If the complainant does not amend their request or does not request an extension of the deadline, they shall be considered to have withdrawn their request. The Committee shall adopt a decision stopping the proceedings.

Article 17

Upon receipt of a complete request, the Committee shall pass a decision on the initiation of the proceedings.

The Committee shall notify the complainant and the person alleged to have engaged in misconduct of the proceedings having been opened as well as of the content of the request without delay. The Committee shall request that the person alleged to have engaged in misconduct explain the matter and provide suitable evidence within a deadline set by Committee. The deadline may not be shorter than ten days.

Article 18

When hearing a case, the Committee may request that University bodies or the bodies of members of the University provide it with positions, data, documents and other materials that it needs for its work, taking account of regulations in the area of personal data protection.

The Committee may also request additional explanations from other natural persons or legal entities that possess data required for making a decision in proceedings being held before the Committee.

Article 19

The Committee shall hear requests for the assessment of allegations of misconduct on the basis of the documents provided and other written evidence.

Given appropriate reasons, the Committee may exceptionally hold a hearing with the persons concerned by the proceedings. It shall decide on this in advance by a separate decision. The decision must be adopted unanimously.

Article 20

In order to hear a specific case that requires in-depth knowledge of a particular area, the Committee may propose that the University Rector appoint an ad hoc working group of experts in the area in question.

An expert who is proposed as a member of a working group may refuse to participate if they have sufficient reasons for doing so. Participation in working groups is not remunerated.

When appointing members of working groups, care must be taken to avoid conflicts of interest.

The members of the working group must act in an impartial manner and in accordance with academic integrity and accepted ethical standards.

The working group, which has two or three members, shall review the materials, hold discussions, as needed, with the participants in the proceedings, and provide an opinion to the Committee. The provisions of these Regulations which apply to the Committee shall also apply to the work of the working groups.

The members of the Committee and of the working groups shall be obliged to treat all data contained in the materials and which they encounter in the course of the work of the Committee

as confidential, and to protect the personal data of the participants in proceedings taking place before the Committee.

Article 21

The Committee shall issue an opinion on the request for assessment of an allegation of misconduct after all of the relevant facts have been established either by itself or through the assistance of a working group. It shall inform the University Rector, the complainant and the person alleged to have engaged in misconduct of the content of the opinion.

The complainant and the person alleged to have engaged in misconduct may issue a response to the Committee's opinion within five days.

If the Committee determines that misconduct has occurred, it shall propose to the University Rector, the University Senate or the senate of the University member that measures be imposed against the individual.

The Committee's opinion must be reasoned.

Article 22

The following in particular are considered misconduct:

- production of research results based on fabricated or falsified data,
- fabrication or falsification of data or research results, graphs, images or other research materials or procedures,
- misleading the readers through false or incomplete reporting of research results,
- plagiarism, self-plagiarism and other forms of unjustified appropriation of another person's work,
- abuse of confidentiality in relation to unpublished work, in particular the appropriation or unjustified use of the results and materials of other people's unpublished research,
- intentional false explanation of data, selective use of data in order to falsify research results, or use of irrelevant data,
- failure to save or incorrect storage of research data and materials,
- failure to use best practices when managing and exchanging primary data, artifacts and materials,
- failure to keep records or missing records of the course of the research and the individual research activities,
- false representation of authorship or cooperation in a research project or publication, e.g. failure to list authors or co-authors of a research paper, listing of inappropriate or unjustified authorship, etc.,
- conducting research in a manner contrary to generally accepted ethical standards,
- failure to disclose circumstances that might indicate a conflict of interest,
- obstructing the academic work or research of colleagues or students,
- conduct injurious to the reputation of the University of Ljubljana,
- other conduct that constitutes a breach of the University Code of Ethics, the University Researchers' Code of Ethics or applicable international documents that determine ethical standards for research and academic work.

Article 23

When conducting hearings on misconduct and drawing up proposals for further measures, the Committee shall take the nature and seriousness of the misconduct into consideration.

In adopting its opinion it shall primarily take account of the following:

- whether the misconduct occurred intentionally or through negligence,
- whether it was a one-time occurrence or a repeated pattern of behavior,
- the effect of the misconduct on research results,
- the effect of the misconduct on participants in the research, the work of other researchers and the reputation of the institution,
- the broader societal consequences of the misconduct,
- the extent to which the individual recognized the inappropriateness of their behavior or attempted to lay the blame on their colleagues,
- whether the individual is aware of the seriousness of the misconduct and regrets their behavior,
- the individual's conduct during the course of the proceedings, in particular whether they were willing to cooperate,
- the individual's position at the faculty or in the research group, in particular whether the individual holds an administrative position or works as a faculty supervisor,
- other circumstances that can inform its decision.

Article 24

The Committee may propose the imposition of the following measures:

- a temporary or permanent ban on leading research projects or research at the University,
- a temporary or permanent ban on cooperation in research at the University,
- initiation of proceedings to revoke an academic title,
- initiation of disciplinary proceedings,
- making public the misconduct and breaches of research and academic integrity established in the proceedings,
- notification of entities (e.g. co-authors of papers, the scientific journal that published the paper or papers, the institutions whose researchers participated in the publication of the paper, the sponsor, the employer if the affected party is employed outside of the University, etc.) that have a legitimate interest in being aware of the misconduct that was the subject of the proceedings,
- report to the competent prosecuting authority if there is a suspicion of a criminal offense,
- filing a claim for damages if the misconduct resulted in property damage.

The Committee may also propose other measures depending on the specifics of the case.

VI. Final provisions

Article 25

On the day that these Regulations enter into force, the Rules of Procedure of the Ethical Issues Committee adopted by the University Senate at its ninth meeting on 26 June 2018 are repealed.

Article 26

These Regulations shall enter into force on the day after they are adopted and published on the University of Ljubljana website.

Prof. Igor Papič
Rector of the University of Ljubljana