

THE MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE
NATIONAL TECHNICAL UNIVERSITY
“Kharkiv Polytechnic Institute”

CODE OF ETHICS FOR ACADEMIC RELATIONSHIPS
AND VIRTUE AT THE NATIONAL TECHNICAL UNIVERSITY
“KHARKIV POLYTECHNIC INSTITUTE”

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1. GENERAL PROVISIONS

1.1 Code of Ethics for Academic Relationships and Virtue at the National Technical University “Kharkiv Polytechnic Institute” (hereinafter the Code) defines the values that guide the participants of the university community of the National Technical University “Kharkiv Polytechnic Institute” (hereinafter NTU “KhPI”) and establishes ethical norms of relationships within the academic environment.

1.2 The Code is based on the fundamental principles of the Magna Charta Universitarum, the guiding principles of the IAU-MCO (International Association of Universities and the Magna Charta Observatory) concerning the institutional code of ethics in higher education, the European Charta of Researchers, the Berlin Declaration on the open access to knowledge in science and education area, and the Bucharest Declaration on ethical values and higher education principles in Europe.

1.3 The ethical principles of the university community and the procedures for confirming and consideration of ethics violations are determined by the Law of Ukraine “On Education”, the Law of Ukraine “On Higher Education”, by other legislative acts, the Statute of the NTU “KhPI”, the internal code of conduct, rector’s orders and instructions, as well as other legal acts.

1.4 The goals of the Code

The Code fixates the chief principles of academic behavior that are to be observed by all university community participants.

The Code enhances forming an academic environment wherein every university community participant can carry out their activity in the atmosphere of mutual respect and attaining positive emotions from work, training, or carrying out scientific research.

The Code is not called to solve conflicting situations associated with unscrupulous behavior, but it lays the foundations, guiding by which makes it possible to solve such situation with taking into consideration the accomplishment of the University’s mission.

1.5 The terms and notions in this Code are defined as follows:

- academic ethics is a total sum of moral and ethical norms, rules, and principles, including the rules of pedagogical ethics, academic virtue, and business etiquette which regulate the education process participants’ interpersonal relationships at higher educational institutions;

- pedagogical ethics is a total sum of behavior rules for pedagogical workers, relying on which high moral standards of pedagogic activities are attained and relationships determined by pedagogic activity are established;
- academic virtue is a total sum of ethical principles and rules established by law, by which education process participants are to be guided in the course of their learning, teaching, and carrying out scientific (creative) activities in order to secure trust to education outcomes and/or scientific (artistic) achievements;
- business etiquette is an procedure of the NTU “KhPI” personnel and the University education process participants’ interaction and behavior in the course of their mutual activities, including business communication, applying for a position, addressing to the management, etc.;
- a conflict of interests is a contradiction between the university community members’ private interests and their official duties;
- private interest is any property-related (commercial) or non-property interest of a person, including interest conditioned by personality, family, friendly, or other out-of-service relationships with natural persons or legal entities;
- the university community is academic teaching staff, higher education applicants, and other persons who study at NTU “KhPI”; practicing specialists who are involved in the education process by education-and-professional programs; other university employees.

2. THE MISSION AND THE FUNDAMENTAL VALUES OF THE NTU “KhPI”

The mission of the NTU “KhPi” is to form high-level behavior culture in the education process participants and other University personnel by means of carrying out educational and research activities on the level of highest professional and ethical standards.

2.1 The university community in the course of their activities are to observe the following fundamental values:

- academic virtue;
- collegiality and respect of human dignity;
- academic freedom;
- responsibility for the use of the University’s property and resources.

2.2 Academic virtue

2.2.1 The university community members observe academic honesty and actively implement this principle in learning, teaching, research activities and through the provision of other educational and consulting services.

2.2.2 Observing academic virtue by academic teaching staff supposes:

- referring to sources of information in cases of using other persons' ideas, developments, statements, data;
- observing the legislative norms on copyright and related rights;
- providing true information concerning the research methods and outcomes, the sources of information, and the author's pedagogical (academic teaching, creative) activities; control on observing academic virtue by applicants for education; realistic evaluation of the training outcomes.

2.2.3 Observing academic virtue by higher education applicants supposes:

- individual fulfilment of training tasks, the tasks of current and final control of training outcomes (for persons with special education needs this requirement applies with taking into consideration their individual needs and abilities);
- referring to information sources in cases of using other persons' ideas, developments, statements, data;
- observing the legislative norms on copyright and related rights;
- providing true information concerning the outcomes of one's learning (scientific, creative) activities, the applied methodologies of research and sources of information.

2.2.4 The following are to be considered as academic virtue violation:

2.2.4.1 academic plagiarism – publishing (in part or in full) scientific (creative) attained by other authors as one's own research (creativity) outcomes and/or reproduction of the published texts (works of art) without mentioning actual authorship;

2.2.4.2 self-plagiarism – publishing (in part or in full) one's previously published scientific outcomes as new scientific findings;

2.2.4.3 fabrication – making out data or facts that are used in the education process or scientific research;

2.2.4.4 falsification – conscious alteration or modification of the existing data concerning the education process or scientific research;

2.2.4.5 copying out (cheating) – fulfilling written works with involvement of outer information sources apart from those allowed for use, in particular when estimating the training outcomes;

2.2.4.6 deception – provision of knowingly false information as to one's educative (scientific, creative) activities or education process organization; forms of deceiving include, in particular, academic plagiarism, self-plagiarism, fabrication, falsification, and cheating;

2.2.4.7 bribery – providing (obtaining) by an education process participant or a proposal concerning providing (obtaining) money, property, services, privileges, or any other material or immaterial goods in order to attain illegal advantages in the education process.

The above enumeration is not final and does not encompass all the actions that may include signs of violating the academic virtue and academic relationships ethics.

2.2.5 Responsibility for academic virtue violation

For academic virtue violation academic teaching staff at higher educational institutions can be brought to the following academic responsibility:

- refusal to award a scientific degree or a scientific title;
- depriving of the awarded scientific degree or a scientific title;
- refusal to award or depriving of the awarded pedagogic title or qualification category;
- depriving of the right to take part in the work of certain authorities or hold certain positions as prescribed by law.

For academic virtue violation, higher education applicants can be brought to the following academic responsibility:

- undergoing re-evaluation (test, examination, etc.);
- repetitive passing the corresponding component of the education program;
- expelling from an education institution (except general secondary educational institutions);
- depriving of academic scholarship;
- depriving of privileges on tuition payment granted by a higher educational institution.

2.2.6 Committing of any violations referred to in paragraphs 2.2.4.1 – 2.2.4.6 of this Code by a person training at the NTU “KhPI” when writing a dissertation thesis results in expelling from the University.

2.2.7 Committing of any violations referred to in paragraphs 2.2.4.1 – 2.2.4.6 of this Code by a person training at the NTU “KhPI” in the first (bachelor’s degree) or the second (master’s degree) level when writing a semester paper (project) or the graduation qualification work results in repetitive passing the corresponding component of the education program. Repetitive commitment of any violation that is punished by re-training in the corresponding education program component by a higher education applicant in the course of studying at the NTU “KhPI” results in expelling from the University.

2.2.8 Commitment of bribery provided for by para. 2.2.4.7 by any higher education applicant results in their expelling from the NTU “KhPI”.

2.2.9 The university community members are to act justly and lawfully, carrying out their activities both within and outside NTU “KhPI”, make their decisions in accordance with laws and other legislative acts.

2.2.10 The university community members are to interact in good faith with their international counterparts.

2.3 Collegiality and respect of human dignity

2.3.4 The university community members are governed by the principles of academic cooperation and honest competition in their research, carrying out organizational and office duties.

2.3.5 Tolerance and respect of human dignity are one of the main principles of communicating in the university environment.

2.3.6 The university community members observe the principles of equality, justice, equal opportunities, avoid and do not accept any form of discrimination, favoritism, personalizing, persecution, sexual harassment, and power abuse.

2.3.7 The university community members protect confidential information related to the NTU “KhPI” academic activity and the community’s personal data; nevertheless, the requirement for confidentiality cannot impede consideration of academic dishonesty cases or possible violations, which is carried out by competent structural units of the NTU “KhPI” or state bodies.

2.3.8 Complaints and applications received by NTU “KhPI” are considered objectively, impartially, transparently, and in due terms.

2.4 Academic freedom

2.4.1 NTU “KhPI” in its activities implements the principle of freedom of expressing views on study, research, and opinions.

2.4.2 The university community members are obliged to aspire to genuine knowledge, spreading their experience and attained knowledge.

2.4.3 The university community members recognize and respect each other’s beliefs and convictions.

2.4.4 The university community members promote critical thinking, freedom of expressing ideas, develop opportunities for participating in debates and discussions.

2.4.5 The university community members respect each other’s dignity, oppose discrimination, hatred, dishonesty, or power abuse in their relationships.

2.5 Responsibility for the use of assets and resources

The university community members are obliged:

2.5.1 To adequately use and protect the NTU “KhPI” property.

2.5.2 To protect intellectual property rights of the University and the community members.

2.5.3 To use the NTU “KhPI” resources, personnel’s working time, equipment, services and finances exclusively to accomplish the mission and the goals of the University.

2.5.4 To recognize the sustainable development principles, to use natural and other resources with responsibility.

3. THE PROCEDURE FOR ESTABLISHING AND PROVING THE FACTS OF ACADEMIC VIRTUE VIOLATION.

3.1 Academic teaching staff (hereinafter ATS) are obliged to ensure observing the academic virtue by applicants for education in the training process and science activities.

3.2 Observing academic virtue by applicants for education:

- when fulfilling written tasks of the current and final testing in the education process is ensured by SPW (examination commission) that carry out such testing (attestation);
- when writing semester papers, it is ensured by the supervisor (consultant);
- when writing qualification works and dissertations, it is ensured by the supervisor (consultant).

Responsibility for detected academic plagiarism in graduation qualification papers of higher education applicants is borne by: the applicant – the author of the work, the supervisor of the qualification work, and the head of the diploma awarding department.

In case of detecting an academic virtue violation in the absence of the higher education applicant, (s)he is notified about this in a letter which should contain the time and location of considering the issue on establishing the fact of academic virtue violation.

3.3 Attestation works in the education process (semester papers, diploma theses, etc.) prior to their defending are to be verified for meeting the academic virtue requirements by a commission whose composition is approved by the profiling department.

Dissertation theses prior to their defending and scientific works by a scientific degree applicant are to be verified for meeting the academic virtue requirements by a commission whose composition is approved by the department where the work was performed.

The commission establishes the procedure for their work and can involve other specialists if needed and determines the extent of academic responsibility (in accordance with para. 2.2.5) if the fact of a violation is established.

3.4 Verification of attestation works (semester papers, diploma theses, dissertations) can be carried out with the use of special software or on the basis of the university SPWs' experience.

3.5 The issue of the establishing the fact of academic virtue violation and bringing the violator to academic responsibility is considered by the commission in the presence of the applicant for education, the corresponding notice of which is to be sent to his/her e-mail address. The applicant's absence without good reason at the sitting does not prevent resolving this issue in essence. The decision is announced to the applicant (if (s)he is present at the sitting) or is sent to his/her e-mail address. The commission's decision is approved through open voting by simple majority of the attending commission members. The facts of academic virtue violation and corresponding academic responsibility are stated in the form of the minutes of the commission sitting which is signed by all the commission members. If an individual commission member has his/her own point of view, it can be reflected in an appendix to the minutes. Also, the materials of comparing the work in question that prove the fact of violation are added to the minutes.

The final decision on the kind of academic responsibility is taken by the Academic Council (hereinafter the Council) of the corresponding training-and-science institute/faculty to which the department pertains.

3.6 The decision on establishing the fact of academic virtue violation and bringing the applicant for education to academic responsibility becomes valid:

- if it was appealed to the Council and granting the appeal was refused, from the moment of passing the decision by the Council;
- if it was not appealed to the Council, from the moment of expiring of the term of appeal.

4. THE RIGHTS AND THE APPEAL PROCEDURE FOR EDUCATION APPLICANTS BROUGHT TO ACADEMIC RESPONSIBILITY FOR ACADEMIC VIRTUE VIOLATION

4.1 A person, against whom the issue of their violating academic virtue is raised, has the right:

- to take part in the detection of facts of academic virtue violation, to familiarize with all the materials of the corresponding research;

- to provide oral and written explanations to the department commission in person concerning the verification materials or to refuse providing any explanations;
- to appeal against the commission's notification on passing the corresponding decision by submitting an application to the head of the Council or to a court during 5 days following the date of receiving it.

4.2 Submitting an appeal complaint:

Appeal complaint is submitted in writing in the form of an application to the head of the Council through the university chancellery office.

The appeal complaint must contain the motivation of the decision's illegality and substantiation of the negations set forth in the complaint, additional documents, etc.

The head of the Council or their deputy appoints a commission of specialists in the corresponding area who properly analyze the problematics of the issue and prepare a draft of the Council's decision. The appeal complaint is to be considered at the current Council meeting.

4.3 The consideration of appeal complaints takes place openly, in the presence of the applicant for education who submitted the complaint. The absence of the applicant at the meeting who had been duly notified as to the time and location of the meeting does not prevent the consideration of the complaint.

4.4 On the outcomes of the consideration of the appeal complaint, the Council passes the decision:

- to satisfy the complaint and to cancel the decision on establishing the fact of violation and bringing to academic responsibility;
- to change the decision on establishing the fact of violation and bringing to academic responsibility;
- to refuse granting the appeal complaint.

The violation of the procedure for considering the issue of establishing the fact of violation and bringing to academic responsibility can be grounds for cancelling the decision passed on the outcomes of such consideration only in the presence of proofs that the detected procedural violations have considerably influenced or might have considerably influenced the decision making.

The Council's decision is set forth in the form of the minutes of its meeting, which is signed by the head of the meeting and the secretary and becomes valid from the moment of its being passed. The minutes must contain the reasons, departing from which the commission has passed its decision. A copy of the minutes is sent to the applicant for education who submitted the complaint.

5. CONFLICT OF INTERESTS

5.1 The university community members are supposed:

5.1.1 Not to permit and avoid conflict of interests arising from interpersonal relationships.

5.1.2 To give priority to science and academic activities and obligations to the NTU “KhPI”; personal business or other private interests should not impede fulfilling by the University employees of their office duties.

5.2 Providing educational services for commercial purposes outside NTU “KhPI” is not permitted if such or similar services are provided by the University.

5.3 No kinds of gratitude affecting a decision making can be accepted by a university community member.

5.4 In case of arising of a conflict of interest, immediate superiors should be notified.

5.5 Due to a potential conflict of interest, a university community member should abstain from taking a decision.

6. SOLVING CONFLICT SITUATIONS

6.1 In case of receiving an application from a university community member addressed to the rector about a violation of this Code, a commission on academic ethics is formed by his/her order.

6.2 The commission investigates these facts and in case of confirming them, the infringer is brought to responsibility provided for by laws of Ukraine, this Code, and local regulating acts adopted at the University. Depending on the situation that has developed, the commission’s proposals are directed to the rector or the head of the Academic Council to be resolved.

6.3 Depending on the violation, one of the vice-rectors is appointed the head of the commission according with the field of their work. It is obligatory for the commission to include representatives of the trade union committee and students’ self-government body.

7. THE NON-DISCRIMINATION POLICIES AT THE NTU “KhPI”

7.1 The NTU “KhPI” observes the policies of respect and dignity recognition regarding every person, it condemns persecution, degrading, discrimination, and fostering hatred, it does not wish to tolerate, ignore, or leave without responsibility any kind of discrimination or infringement.

7.2 All employees and higher education applicants are to respect dignity and rights of their colleagues and the academic community they pertain to.

7.3 Every person observes the policy of non-discrimination by race, nationality, religion, age, gender, gender identification, sexual orientation, state of health, social status, etc.

7.4 Employees have the right to perform their function in the atmosphere of professionalism, which prohibits discrimination, infringements, or revenge due to any traits and in any way (physical or verbal abuse, harassment, derogative jokes or comments, etc.).

7.5 The manifestations of discrimination, infringement or revenge are considered as actions that violate the non-discrimination policies.

8. THE GENDER POLICIES AT THE NTU “KhPI”

8.1 NTU “KhPI” aspires to ensure equal opportunities for all of its employees and higher education applicants and intends to prevent any discrimination in any employment area by race, religion, color of skin, ethnic or national origin, age, health problems, sexual orientation, political beliefs, gender, or family status.

8.2 In all the aspects of work, employment, compensations and payments, training, promotion, transferring, or dismissing from work, the University will treat its employees and higher education applicants with justice, according to their skills in order to correlate the requirements and standards with their roles. No education process participant will be an object of physical, sexual, race, psychological, verbal, or any other harassments or abuse.

8.3 The NTU “KhPI” condemns gender-related violence including sexual harassment at workplace and in the education process, and undertakes to facilitate counteracting this phenomenon.

9. THE NTU “KhPI” RULES ON SEXUAL HARASSMENT

9.1 Sexual harassments directed at higher education applicants, employees, or other university community members are forbidden at NTU “KhPI”.

9.2 Sexual harassment is manifested in indecent sex-related actions, in claims for being treated favorably, in verbal expressions or physical behavior that are manifested in any of the following contexts:

- a person’s proposition of sexual activities is made in explicit or implicit form;
- a proposition or refusal from such behavior is used as grounds for making decisions concerning training or work of the victim that affect them, or such behavior is intended to interfere with performing by the victim of teaching or other work, or forming a hostile and intimidating environment for work or study.

9.3 As a rule, a common joke concerning relationships between sexes, a derogative phrase, or an invitation for a date are not a sexual harassment; but repetitive use of such jokes, phrases, and invitations may become the grounds to form a sexual harassment environment.

9.4 To determine whether the mentioned sexual behavior is an object for corrective actions, all related circumstances will be considered, including the context wherein this behavior was displayed. The facts will be estimated on the grounds of what is reasonable for common people, not on the basis of understanding and reactions of a specific individual person.

9.5 In investigating the cases associated with sexual harassment involving the use of speech expressions, the standards and norms of the freedom of speech are to be considered. In the student lecture rooms, in all other training programs, and in the university activities in general, the right on freedom of speech is implemented. Great attention should be paid to encouraging of open discussions, academic debates, and the freedom of expressing personal opinion, particularly in the classroom. Nevertheless, in the education process, the speech or hostile behavior with sexual implication may constitute a violation of academic freedom and contain traits of sexual harassment. In cases when such behavior corresponds to the definition of sexual harassment with sufficient justification, it should be considered as unprofessional language, or as not meeting the pedagogic goal or the training subject.

9.6 Employees and higher education applicants can react to instances of sexual harassment only if it becomes known about. A teacher, an employee, or a higher education applicant who believes that he or she is a victim of sexual harassment or pressure are to contact the rector's office in order to obtain help and information on possible ways of solving the problem including submitting an official claim. Such a discussion should be exclusively confidential and in accordance with the legislation. In the same manner, any university community member who believes that they became a witness of a sexual harassment case at the university territory, or possess information about impending sexual harassment from an employee or a higher education applicant should turn to the rector's office for help.

10. FINAL PROVISIONS

10.1 This Code is published on the NTU "KhPI" official site.

10.2 Higher education applicants when signing an application for (an agreement on) training confirm that they have read and undertake to observe the requirements of the Code.

10.3 Persons who are employed at the NTU “KhPI” confirm in their job application and employment agreement (contract) that they are familiarized with the requirements of the Code and undertake to observe its provisions.

10.4 The Code is discussed in the NTU “KhPI” teams, considered and approved at the Academic Council’s meetings. The changes and amendments to the Code can be entered by the Academic Council in accordance with the established operation procedures.