

SIR SANDFORD FLEMING COLLEGE

POLICY MANUAL

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| SUBJECT: INTEGRITY IN RESEARCH AND SCHOLARSHIP | |

Effective September 2008

PURPOSE

The purpose of this policy is to promote and advance a high standard of integrity in research and scholarship. Sir Sandford Fleming College is committed to maintaining high standards of research integrity. Such integrity requires careful supervision of research, including that conducted by students; competent use of methods; adherence to ethical standards; and the refusal to engage in or to condone instances of fraud or misconduct.

BACKGROUND

This policy has been established to address any concerns about responsibility and accountability in research and scholarship. It outlines procedures for promoting integrity among researchers and scholars and for investigating allegations of misconduct in research and scholarship as directed by Tri-Council (Canadian Institutes of Health Research (CIHR); Natural Sciences and Engineering Research Council of Canada (NSERC); and the Social Sciences and Humanities Research Council of Canada (SSHRC).

SCOPE

This policy applies to any employee of Fleming College, any student enrolled in Fleming College and/or partaking in research, or anyone else engaged in research in the institution in any capacity whatsoever.

This policy is applicable to all allegations of breach of the Integrity in Research and Scholarship Policy, including without limitations:

- Misconduct in Scholarly Research;
- Data Collection, Gathering and Retention;
- Authorship;
- Responsibilities of Principal Investigators and Supervisors;
- Conflict of Interest in Research.

POLICY

Fleming expects that its staff and students will carry out research and scholarly work maintaining the highest ethical and scientific standards of academic integrity. Academic dishonesty of any sort will not be condoned and may be cause for disciplinary action. The following definitions and guidelines are intended to provide direction in the establishment of practices for the maintenance of the integrity and quality of research.

A. Definition of Research and Scholarship

All researchers are responsible for conducting their research in strict observance of ethical standards. Factors intrinsic to the process of academic research such as, honest error, conflicting data or differences in interpretation or assessment of data, or of experimental design do not constitute fraud or misconduct.

Research and scholarly activities include:

1. Course writing and course design including creation of technological materials.
2. Activities leading to the publication of books, monographs and contributions in edited books.
3. Papers in refereed and non-refereed journals, and those delivered at professional meetings.
4. Consulting and contracting work under the auspices of the College, and other professional activities involving research.
5. Participating in panels.
6. Unpublished research, including work in progress.
7. Editorial and refereeing duties.
8. Creative works and performances.
9. Any other research or scholarly activities which the College considers and which are generally considered to be research or scholarly activities by the academic community.

B. Definitions of Misconduct in Scholarly Research

Misconduct in scholarly research includes:

1. The fabrication, falsification, or intentional misrepresentation of research data.
2. Serious deviation from appropriate research practices that are commonly accepted within the scholarly and scientific community for proposing, conducting, or reporting research.
3. Unauthorized appropriation of another's work, or theft of ideas or intellectual property, or plagiarism.
4. Failure to acknowledge or recognize the contribution of others, including:
 - Co-researchers
 - Students
 - Research Assistants
5. Unauthorized use of unpublished works of research and scholars.
6. Use of archival material in violation of the Copyright Act.

7. Abuse of supervisory power affecting collaborators, assistants, students, and others associated with the research or any behaviour contrary to the Harassment and Discrimination Policy of the College.
8. Financial misconduct: failure to account for or misapplication or misuses of funds acquired for support of research, including, but not limited to:
 - a) Failure to comply with the terms and conditions of grants and contracts.
 - b) Use of College resources, facilities, and equipment without approval of Fleming College.
 - c) Material failure to comply with relevant federal or provincial statutes or regulations for the protection of researchers, human participants, or the health and safety of the public, or for the welfare of laboratory animals.
9. Material failure to meet other relevant requirements that relate to the conduct of research, or, for grant holders, material failure to comply with regulations of the relevant agency or agencies concerning the conduct of research.
10. Failure to reveal any material conflict of interest, as defined in Section G of this policy, to sponsors or to those who commission work. Failure to reveal any material conflict of interest when asked to undertake reviews of grant applications or manuscripts for publication, or to test products for sale or distribution to the public.

C. Data Collection Gathering and Retention Standards

Scientific and scholarly inquiry is dependent upon the integrity of accurately recorded data. In order to ensure this dependency, a researcher must have access to his/her original results in order to respond to questions regarding his/her research. Errors may be mistaken for misconduct when the primary experimental results are unavailable.

1. Primary data should normally be stored in a secure area of the researcher's School/Department and should remain available and preserved for a minimum of five years. For research that is published, the data will be retrievable for a minimum of five years following the publication. Original primary research data should be recorded, when possible, in bound books with numbered pages or on appropriately protected electronic media. An index should be maintained to facilitate access to data. Under no circumstances should the primary data be destroyed while investigators, colleagues or readers of published results may raise questions answerable only by reference to the data except when there is a legitimate requirement for confidentiality.
2. Entitlement to ownership, reproduction and publication of primary data, software and other products of research will vary according to the circumstances under which research is conducted. A common understanding of ownership should be reached among collaborators, supervisors, graduate students and the College before the research is undertaken. Nothing in this document on the matter of patents and copyrights supersedes the terms and conditions of Article 13 of the current Academic Collective Agreement.
3. Issues of confidentiality will arise in some disciplines and areas of research, and these must be appropriately addressed by the department or research unit involved. The Tri-Council document "Ethical Conduct for Research Involving Humans" provides guidelines for researchers in this area.
4. Pending the conditions and/or terms of grants, contracts or other arrangements for the conduct of research, the principal investigator and all co-investigators will have free access to

all original data and products of the research at all times. With the knowledge and authorization of the principal investigator, a member of the research team may make copies of the primary data for his/her own use subject to the pending conditions/terms.

5. When a principal investigator leaves the College, arrangements for the safekeeping of records, data and products of research must be made. In the case of students, the data stays in the College; in the case of a faculty or staff member, they normally would take the data with them unless the faculty or staff member is receiving any salary, grants, resources, or compensation that can be associated with the College.

D. Authorship Standards

1. In order to ensure the publication of accurate scholarly reports, two requirements must be met:
 - a) the active participation of each author in verifying and taking responsibility of the part of the manuscript that they have contributed;
 - b) the designation of one author who is responsible for the validity of the entire manuscript.
2. The principal criterion for authorship should be that the author(s) has/have made a significant intellectual and practical contribution. The concept of "honourary authorship" is unacceptable.
3. Students must be given appropriate recognition for authorship or collection of data in any publication.
4. It is essential that the application of these authorship standards be understood and agreed upon in advance of any publication undertaking by the principals involved.

E. Responsibilities of Principal Investigators and Supervisors

The primary responsibility for ensuring high standards of conduct in research and scholarship will rest with the principal investigator or supervisor accountable for the research project. He/she is:

1. To ensure that all research is conducted to the highest possible ethical standard and with scholarly and academic integrity.
2. To provide their collaborators, students, staff and assistants with all reasonable information necessary to prevent misconduct as defined in this policy.
3. To monitor the work of students, research assistants, and others, and oversee the designing of research methodology and the processes of acquiring, recording, examining, interpreting and storing data. Simply editing the results of a research project does not constitute supervision.
4. To hold mutually respectful discussions among all research personnel in a research unit on a regular basis to contribute to the scholarly efforts of group members and to provide informal review.
5. To verify the authenticity of all data or other factual information generated in his/her research.

F. Responsibilities of the College

The College will provide the ethical framework for such activities, and will provide education, guidance, and support on research and scholarly integrity. The College will promote integrity

expectations by posting the Research Integrity Policy on the College website; through annual professional development workshops with expert guest speakers on issues relevant to College researchers; through a review of the Integrity in Research and Scholarship Policy during the orientation of every academic new hire by the hiring manager; and through the celebration of good research. In addition, integrity expectations and policy references will be included in the Student Rights & Responsibilities document.

G. Definitions of Conflict of Interest in Research

The Fleming policy, Conflict of Interest in Research, outlines potential situations of conflict. Members of the College community are expected to conduct themselves at all times according to the highest ethical standards, in a manner which shall bear the closest scrutiny, and they are responsible for seeking guidance from the appropriate source before embarking on activities which might raise questions about conflict of interest.

PROCEDURES

For Investigation and Resolution of Complaints in Respect of Alleged Breaches of Research Integrity Policy

COMPLAINT PROCEDURE

1. Anyone who believes that there has been a breach of the research integrity policy may seek informal assistance and may request a preliminary investigation from the Vice President Academic (VPA) at any time.
2. Where feasible, such informal inquiries shall be kept confidential by the VPA.
3. All faculty researchers, students, research assistants and staff have an obligation to report to the VPA any circumstances which they believe involve a breach of the Integrity in Research and Scholarship policy of Fleming College.
4. The VPA shall take such steps as may be reasonable to protect against retribution or coercion of Complainants, including students, staff and research assistants under the supervision of faculty members, whose conduct is the subject of misconduct allegations.
5. A formal complaint must be made in writing before the VPA or designate takes any steps against the individual whose conduct is the subject matter of the complaint. Such a complaint may be formulated by any person who has reviewed the relevant information. Complaints shall contain sufficient details to enable the respondent to understand the matter that is to be investigated. A complaint in writing shall identify the person or persons making the allegations. Anonymous allegations will not be considered.
6. Upon receipt of a complaint, the VPA or designate shall, within 10 days, conduct an investigation into the allegation. Within five working days of receiving the complaint, the VPA or designate will discuss with the faculty member whose conduct is in question the nature of the complaint and the circumstances surrounding it.
7. In the event the VPA or designate, at his/her discretion, determines that the formal complaint is without foundation, then the VPA or designate may dismiss the complaint and immediately advise the Complainant accordingly, providing written justification for the decision. The Complainant

may challenge this decision by submitting an appeal to the President. Appeals must be in writing, and a copy of the appeal letter should also be sent to the VPA or designate. Fleming College shall use a duly constituted Appeal Committee (appointed by the President consisting of at least five members, none of whom is a member of the Research Ethics Board) to review the decision. Appeals may be granted when there is a significant disagreement over an interpretation of the Tri-Council Policy Statement. The decision of the Appeal Committee shall be binding.

8. If, in the opinion of the VPA or designate, a satisfactory resolution of a formal complaint is possible, the VPA or designate shall attempt such a resolution. The complaint will be considered resolved through an informal process when the Complainant and Respondent confirm that it has been resolved to their satisfaction (resolution, in this context, implies that the Complaint is withdrawn and the Complainant and Respondent unreservedly accept any additional resolution matters).
9. In the event the VPA or designate is unable to achieve a satisfactory resolution, or if the VPA or designate determines that an investigation is required, he/she will refer the complaint to a Committee for investigation within 10 days of receipt of the complaint.
10. The VPA or designate, in consultation with the appropriate research director, will strike a Committee of three independent persons with relevant experience in the area of research and scholarship involved in a particular case to conduct an investigation. No member of the Department/School involved shall be among the three persons appointed. Persons external to the College may be appointed, if necessary. The Committee will conduct interviews with the Complainant, Respondent and other individuals as they deem appropriate to discern the facts. All interviews will be documented. During any meeting with the Respondent, the Respondent is entitled to be accompanied by an advocate of the Respondent's choosing. The Respondent has the right to know the allegations against him/her and has the right to answer the allegations both orally and in writing.
11. The Committee will address the allegations made and determine if they have merit and in doing so will act fairly and conduct its proceedings in a manner consistent with the principles of natural justice.
12. The Committee shall make its final decision within one calendar month from its appointment. The Committee will provide the Complainant and the Respondent with a draft of their report. The Complainant and the Respondent may submit, in writing, comments to the Committee within five working days. The Committee will then report in writing to the Director of Research who will provide a copy of the final report to the individuals named and to the VPA or designate within five working days. If the investigation was initiated at the request of one of the Agencies, the report will be provided to that Agency within 30 days of completion of the investigation. Also, if the investigation was initiated within the institution and misconduct was found to have occurred in research funded by one or more of the Agencies, the institution will provide the Agency with a copy of the report. The final decision of the Committee will be binding on the institution.
13. In cases where the Committee determines that misconduct or breach of the Integrity in Research and Scholarship policy has occurred, such a determination could be cause for sanctions.
14. In the case of unfounded allegations, efforts will be made by the Institution to protect or restore the reputation of those unjustly accused, and Complainants who have been found to have made allegation of misconduct which are unfounded, reckless, malicious or in bad faith shall be subject to sanctions.

15. Sanctions will depend on the severity of the offence, which may include for faculty and staff (all or which will comply with the relevant provisions of the appropriate Collective Agreement or employment contract), but are not limited to:
- a) verbal warning,
 - b) special monitoring of future work,
 - c) letter or reprimand to the individual's permanent personal profile,
 - d) withdrawal of specific privileges,
 - e) removal of specific responsibilities,
 - f) suspension or steps to terminate the appointment.

In the case of students, sanctions may include verbal warning, special monitoring of work, letter of reprimand in the student's official file, suspension, or expulsion.

16. If sanctions are to be taken, the sanctions will be imposed by the VPA or designate.
17. A person subject to disciplinary action, who believes that the decision was reached improperly or if he or she disagrees with that decision or with the sanctions, may file an appeal or grievance as appropriate in accordance with the relevant collective agreement or employment contract or, in the case of students, with the Disciplinary Appeals Policy.
18. Reports and records will be kept by the VPA or designate for a period of 10 years, and access to such records will be by application to the VPA or designate. Access to reports and records are subject to the Freedom of Information and Protection of Privacy Act.
19. Where misconduct is found to have occurred, the VPA or designate will be responsible for the protection of agency funding by informing the Controller's Office to withhold any payments or disbursements of Agency funds, if such action is deemed appropriate.

Related Policies

- Intellectual Property and Copyright, Policy #2-215
- Conflict of Interest, Policy #4-404
- Research Involving Human Subjects, Policy #2-216

Policies under Development

- Student Rights in the Conduct of Research
- Animal Care and Research
- Conflict of Commitment
- Conflict of Interest in Research