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| <b>Category:</b>             | <b>Research and Copyright</b>              |
| <b>Approved By:</b>          | <b>Board of Governors</b>                  |
| <b>Approval Date:</b>        | <b>December 5, 2012</b>                    |
| <b>Effective Date:</b>       | <b>December 5, 2012</b>                    |
| <b>Revised Date(s):</b>      |  |
| <b>Policy Sponsor:</b>       | <b>Provost and Vice President Academic</b> |
| <b>Policy Administrator:</b> | <b>Associate Vice President Research</b>   |

## **Integrity in Research and Scholarship Policy**

### **Purpose**

The purpose of this policy is to promote and advance a high standard of integrity in research and scholarship at Lethbridge College.

### **Scope / Limits**

This policy applies to any person conducting research or engaging in scholarly activity under the auspices of Lethbridge College.

### **Definitions**

**Research and scholarly integrity** – includes but is not limited to:

- honesty and uprightness in dealings among colleagues and co-workers within the research and scholarly establishment as well as with students, assistants and employees on research projects, and in dealings with research and funding collaborators both within and outside the education community;
- respect for intellectual property; and
- due regard for the ethical points involved in the use of human and animal participants in research.

**Research and scholarly misconduct** - includes but is not limited to:

- falsifying or fabricating research data;
- plagiarism, theft of ideas or intellectual property, or appropriation of another's work;
- willfully misrepresenting and misinterpreting findings resulting from the conduct of research and scholarly activities;
- failure to recognize relevant contributions of others, including students, coworkers and research assistants, in the authorship of papers or invention disclosures;
- use of unpublished works of others without permission;
- failure to honor the confidentiality that the researcher promised or was contracted to as a way to gain valuable information from a party internal or external to Lethbridge College;
- retaliation of any kind against persons acting in good faith who have reported or provided information about suspected or alleged misconduct;
- abuse of supervisory power affecting coworkers, students, or others associated with the research;

- financial misconduct, including misuse of funds acquired for research and failure to adhere to terms and conditions of grants and contracts;
- failure to report to Lethbridge College involvement in research dealing with human subjects, bio-hazardous materials or animals;
- material failure to comply with relevant statutes, regulations or policies concerning the conduct of research;
- failure to disclose conflict of interest; and
- conflict of scholarly interest, including suppressing publication of the work of another scholar and improper negative reviewing of a research grant application or work submitted for peer review in consideration for publication by another scholar.

**Research and scholarly misconduct** does not include honest errors, differences in opinion, or different interpretations of scientific discoveries.

**Scholarly activity** includes all scholarly activity, research, or other creative activity undertaken by a person(s).

## **Policy Statements**

1. Lethbridge College is dedicated to promoting high standards of integrity in research and scholarship and will ensure, as is reasonably practicable, that research funds will be administered with a high degree of integrity, accountability and responsibility, therefore the College:
  - a) expects that any person(s) conducting research or engaging in scholarly activity under the auspices of the college will carry out research and scholarly work maintaining high ethical and scientific standards of academic integrity (refer to Appendix A); and
  - b) requires careful supervision of research (including that conducted by students), competent use of methods, adherence to ethical standards of the discipline, and the refusal to engage in or condone instances of fraud or misconduct.
2. Lethbridge College acknowledges that the following three (3) fundamental principles underlie research and scholarly integrity:
  - a) truthfulness in describing the manner in which data is collected, analyzed, and reported;
  - b) scrupulousness in recognizing the authors and sources of the original research concepts and results; and
  - c) probity in the use of research funds.
3. Lethbridge College does not condone misconduct in research or scholarship. All alleged instances of misconduct will be investigated in a timely, fair, equitable and just manner consistent with due process and natural justice. This includes imposing appropriate sanctions as necessary, and informing the appropriate Council(s) or funding agency of conclusions reached and actions taken.
4. Ethical sensitivities shall not be applied retroactively. Integrity will be judged on the ethical sensitivities of the period in which the research was conducted. Although a researcher may

have conscientiously followed the standards of the period, protocols previously in use may not necessarily accord with current standards.

5. Upon communication of a finding of misconduct and the application of disciplinary action, the person(s) may appeal the decision in accordance with Appendix B.

## **A: Policy Supports**

[Integrity in Research and Scholarship Procedures \(Appendix A\)](#)

[Integrity in Research and Scholarship Misconduct Reporting, Investigating and Appeal Procedures \(Appendix B\)](#)

## **B: Legislated References**

## **C: Other References**

Tri-Agency Framework: Responsible Conduct of Research

## **D: Related Policies**

Academic Freedom 2.27

Animal Care

Applied Research and Promotion of Innovation

Confidentiality

Conflicts of Interest and Mandatory Disclosure for Research 5.24

Research Involving Human Participants

Student Rights and Code of Conduct

Board of Governors Executive Limitations:

EL-11 Ethical Research



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|                              | <b>Appendix A</b>                            |

## **Integrity in Research and Scholarship Procedures**

The three major granting councils in Canada Canadian Institutes of Health Research (CIHR), Natural Sciences and Engineering Research Council (NSERC), and Social Sciences and Humanities Research Council (SSHRC) provide guidance on ethical conduct. More information can be found by referring to the most current version of the Tri-Agency Framework: Responsible Conduct of Research.

### **Part A: Researcher Roles and Responsibilities**

1. Persons conducting research under the auspices of Lethbridge College have the primary responsibility for high standards of conduct in research and scholarship and shall uphold the following principles:
  - a) recognize the substantive contributions of collaborators and students;
  - b) use unpublished work of other researchers and scholars only with permission and with due acknowledgment;
  - c) obtain the permission of the author before using new information, concepts or data originally obtained through access to confidential manuscripts or applications for funds for research or training that may have been seen as a result of processes such as peer review;
  - d) use archival material in accordance with the rules of the archival source;
  - e) use scholarly and scientific rigor and integrity in obtaining, recording and analyzing data, and in reporting and publishing results; and
  - f) reveal to Lethbridge College, sponsors, post-secondary institutions, journals or funding agencies, any material conflict of interest, financial or other, that might influence decisions on whether the individual should be asked to review manuscripts or applications, test products or be permitted to undertake work sponsored from outside sources.

### **Part B: Authorship Procedures**

1. Authorship of published work shall, with their consent, include all those and only those who have materially or conceptually contributed to, and share responsibility for, the content of the publication or document. This includes students and research assistants.

2. One (1) person shall be designated to be responsible for the validity of an entire manuscript, however co-authors are responsible for any part to which they have contributed and shall not knowingly allow a manuscript to be presented which is not valid in its entirety.
3. Person(s) who are not authors may be recognized in an Acknowledgements section of a publication.

### **Part C: Research Data Procedures**

1. Before commencing research, all parties should come to a common understanding regarding intellectual property rights, ownership, storage, reproduction, access to and publication of data; and any other relevant circumstances.
2. During the process of scientific and scholarly inquiry, researchers must retain accurately recorded data in order to respond to questions regarding research. Errors may be mistaken for misconduct if the primary experimental results are unavailable. A complete set of all original research data shall be retained by the principal investigator for a period of five (5) years from completion of the research or scholarly activity, unless otherwise required; for example by protocols for research involving human participants. For clarity "data" does not refer to field samples however where reasonable these should also be retained for possible re-measurement.
3. In the case of collaborative work, all members of the research team must have reasonable access to the relevant data at all times, subject to contractual obligations or other agreements regarding access to data.



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| <b>Appendix B</b>            |  |

## **Integrity in Research and Scholarship Misconduct Reporting, Investigating and Appeal Procedures**

### **Part A: General Procedures**

1. All time limits in these procedures may be extended at the discretion of the Provost and Vice President Academic for good reason(s). A formal record shall be kept of the reason(s) for any extension of time. The Respondent will be advised of both the extension of time and the rationale.
2. Lethbridge College is responsible for receiving, investigating, documenting and judging, within an established time period, allegations of misconduct involving research conducted under its auspices.
3. Allegations of misconduct may involve past or present grantees, researchers, scholars, trainees, assistants, employees, students, or others working in research enterprises, as well as private individuals, organizations and partners involved in collaborative research projects. The procedures below apply to all allegations and complaints of misconduct against any person holding an appointment or position administered by or related to Lethbridge College, and also apply with such variations as are necessary to complaints against Visiting Scientists or their equivalent. Allegations against students are governed by the college's policies dealing student rights and responsibilities and student discipline.
4. Lethbridge College will engage mechanisms consistent with due process and natural justice, and thus as further described below will:
  - a) allow accused persons full opportunity to respond to allegations;
  - b) provide an opportunity for the persons making the allegation to comment on the findings of the inquiry and the investigation, and ensure that any comments they make become part of the record;
  - c) report the results of the investigation to both the accused persons and the persons making the allegation;
  - d) report the results to the federal granting Agencies according to tri-council policy guidelines; and
  - e) inform the accused persons of any actions or sanctions that have been decided on as a result of the investigation.

## Part B: Protection of Interests

1. Whatever their source, motivation or accuracy, allegations of misconduct have the potential to harm the persons accused, the persons making the allegation, the Lethbridge College, and research and scholarship in general. Therefore, at any stage of an investigation, the the Provost and Vice President Academic is responsible for promptly notifying the Councils and Granting Agencies funding the scholarly activity in the event of:
  - a) an immediate need to protect:
    - funds or equipment,
    - the interests of the person making the allegation,
    - the interests the persons accused,
    - the interests of research participants, or
    - the interests of the co-investigators and associates.
  - b) reasonable indication of a possible criminal violation (in which case the funding Councils and/or Granting Agencies must be informed within seven (7) working days of the College receiving the information); or
  - c) the likelihood that the alleged incident will be reported publicly.
2. As far as possible, and given the need for due process in conducting investigations, the Provost and Vice President Academic is responsible for protecting:
  - a) the privacy of the person(s) accused and of the person(s) making the allegations;
  - b) person(s) deemed to have made responsible allegations;
  - c) person(s) who have cooperated with institutional investigations; and
  - d) person(s) who have alleged that Lethbridge College has inadequately responded to an allegation of misconduct.
3. If charges of misconduct have been dismissed, the Provost and Vice President Academic will extend efforts to protect or restore the reputation or credibility of any person(s) wrongly accused or implicated, by:
  - a) ensuring that copies of documents and related files provided to third parties have been destroyed;
  - b) ensuring that all references to the allegation of misconduct are expunged from the personnel files of persons wrongly accused;
  - c) ensuring that all persons who have been interviewed or otherwise informed of the charges are notified in writing that the charges have been dropped; and
  - d) consulting those wrongly accused regarding actions that might be taken on their behalf to restore their reputations, such as publicizing the final outcome in forums in which allegations may have previously been published.
4. Persons identified in cases of misconduct are reciprocally obliged to maintain confidentiality and to cooperate with the proceedings of an inquiry or investigation.
5. Anyone implicated in an investigation of an integrity case cannot be guaranteed anonymity should that case be brought to court. Certain portions of the documentation dealing with an

allegation of misconduct may be accessible to third parties according to applicable access and privacy legislation.

6. It is expected that every precaution be taken by any person to ensure that an allegation does not taint a researcher's reputation until misconduct is proven. All persons who receive or learn of an allegation of research and/or scholarly misconduct are enjoined to protect, to the maximum extent possible, the privacy of the persons accused, the persons making the allegation, and any other affected individuals. Discussion on any cases should therefore be restricted to those who need to know the details in order to determine whether there is cause for further action.
7. The Provost and Vice President Academic is responsible for ensuring administrative consistency in all cases of alleged misconduct in order to protect both the integrity of the adjudication processes and the individuals implicated in a case.
8. Accused persons, as well as the informants and witnesses affected by inquiries and investigations are all entitled to fundamental fairness throughout the proceedings. Whatever the outcome, the Provost and Vice President Academic shall take all reasonable steps to mitigate the consequences of the process for individuals who have been unintentionally adversely affected by it.

## **Part C: Reporting Procedures**

Allegations of research and scholarly misconduct may arise from anonymous or identified sources within or outside the college. The allegations may be well founded, honestly erroneous, or mischievous. Whatever their source, motivation, or accuracy, such allegations have the potential to cause great harm to the persons accused, to the accuser, to the college, and to research and scholarship in general.

1. All faculty researchers, students, research assistants and employees have an obligation to report to the Provost and Vice President Academic any circumstances which they believe involve a breach of the Lethbridge College Policy on Integrity in Research and Scholarship. Complaints received by other individuals or administrators must be channeled to the Provost and Vice President Academic.
2. The Provost and Vice President Academic will take reasonable steps to protect against retribution or coercion of individuals who report misconduct.
3. A formal complaint must be made in writing; signed and dated before the Provost and Vice President Academic takes any steps against the individual whose conduct is the subject of allegations of misconduct. A complaint may be formulated by any person who has reviewed the relevant information.
4. A complaint in writing will contain sufficient detail to enable the Respondent to understand the matter under review. The complaint will identify the person(s) who made the allegations if the Provost and Vice President Academic deems that the identification is necessary to evaluate the evidence in the complaint. However, no such person will be identified unless that person has expressly so agreed.

5. Anonymous allegations will not normally be considered. However, if the evidence is compelling, the Provost and Vice President Academic may elect to initiate a preliminary investigation.
6. Upon receipt of a written complaint, the Provost and Vice President Academic shall conduct a preliminary review of the complaint, seeking information from relevant sources. Within five (5) working days of receiving the complaint, the Provost and Vice President Academic shall discuss the nature of the complaint with the Respondent. The Respondent shall be informed of his or her right to have a third party present at this meeting (and any future meetings).
7. The Provost and Vice President Academic may attempt to resolve complaints that do not warrant an investigation (e.g. carelessness) by meeting with the relevant parties and providing a decision in writing. The complaint will be considered resolved through an informal process when the Complainant and the Respondent confirm that it has been resolved to their satisfaction (resolution, in this context, implies that the complaint is withdrawn and the Complainant and the Respondent unreservedly accept any additional resolution matters).
8. The Provost and Vice President Academic may, at his or her discretion, determine that the complaint is without foundation and dismiss the complaint. The Provost and Vice President Academic will immediately notify the Complainant and Respondent, providing written justification of the decision. The Complainant may appeal the dismissal of the complaint, in writing, to the Provost and Vice President Academic, whose decision regarding complaint dismissal is final (refer to Appendix B – Part C).
9. If the Provost and Vice President Academic is unable to resolve the complaint and determines that an investigation is warranted, he or she will refer the complaint to a committee for investigation within ten (10) working days of the receipt of the complaint.

## **Part D: Investigation Procedures**

1. When referring the complaint to a committee the Provost and Vice President Academic shall appoint committee members to conduct an investigation, shall advise the Respondent of the composition of the Committee, and shall also advise any person who is identified in the written complaint or who was identified to the Respondent during the preliminary investigation of the complaint. The committee shall be appointed and individuals notified within ten (10) working days of the receipt of the complaint.
2. The Committee to conduct an investigation will consist of three (3) independent persons with relevant experience in the area of research and scholarship involved in a particular case. No member of the program/school involved shall be among the persons appointed. At least one (1) person external to the college shall be appointed. In addition, the Respondent or Committee may request that a representative of the Executive of the Faculty Association of Lethbridge College be present as a participating but non-voting member of the Committee to conduct an investigation, provided this individual is not in any conflict of interest situation with either the Respondent or the Complainant.

3. The Complainant and Respondent will be given an opportunity to comment on the composition of the Committee to conduct an investigation and any objection shall be made to the Provost and Vice President Academic within seven (7) working days. The Provost and Vice President Academic's disposition of any such objection will be final.
4. The Committee will oversee the process of gathering information and conducting interviews with relevant parties. All interviews will be documented. The privacy of all individuals will be protected according to applicable privacy laws. Proceedings will be recorded and held confidential to the parties involved in the dispute process and determination, under the jurisdiction of the Office of the Provost and Vice President Academic. Reports and records will be kept by the Provost and Vice President Academic for five (5) years from the date the final decision is communicated and access to these records will be by application to the Provost and Vice President Academic. Access to the information shall comply with applicable access and privacy legislation. The Investigation Committee shall invite the Respondent, accompanied by an advisor if the Respondent so desires, to address it and make submissions in writing prior to its seeking or obtaining any other information or submissions. Thereafter, the Respondent may attend other meetings of the Committee only by invitation of the Chair until the Committee has received all the information or submissions it deems appropriate.
5. To conduct an investigation, the Committee shall provide the opportunity for a person who made an allegation leading to the complaint, accompanied by an advisor, if desired, to address it in person or in writing. If that person chooses to participate in the process and to be kept informed of the status of the investigation, the Committee may comply with the request. Moreover, if that person chooses to participate in the process, that individual will also agree to respect the confidentiality of the process.
6. Prior to making its decision, the Committee shall advise the Respondent in sufficient detail of the evidence being considered by the Committee and shall invite the Respondent and advisor, if desired, to meet with it and respond to that evidence orally and/or in writing.
7. Prior to receiving evidence from any person not already identified in the complaint in writing or identified to the Respondent during the preliminary investigation, the Committee shall advise that person that it may be necessary in the interests of justice to reveal that person's identity to the Respondent.
8. Within ninety (90) calendar days of being appointed, the Committee shall complete its investigation and shall report its reasoned decision in writing to the Provost and Vice President Academic. That reasoned decision will at all times be the confidential property of the Provost and Vice President Academic. The Chair of the Committee shall also send a copy of the reasoned decision to the Respondent and the Complainant at the same time as it is forwarded to the Provost and Vice President Academic.
9. The Committee's reasoned decision (hereafter deemed an investigation report) shall include:
  - a) a description of the allegations investigated;
  - b) a list of the individuals responsible for conducting the investigation;
  - c) a review of the steps taken to prevent real or apparent conflicts of interest in the investigation;

- d) the methods and procedures used to gather information and to evaluate the allegation;
  - e) a summary of the records compiled;
  - f) the conclusions of the investigation; and
  - g) a description and explanation of any sanctions recommended and/or imposed by the College.
10. The Committee is authorized to make decisions regarding misconduct, and their reasoned decision will be binding on the College, Respondent, and Complainant.
  11. The Provost and Vice President Academic will advise the President and Chief Executive Officer and any person identified to the Respondent of the complaint's outcome. No person shall use any of the reasoned decision or outcome information for any purpose other than for these procedures or for a related purpose under the Faculty Association of Lethbridge College Collective Agreement.
  12. If the investigation was requested by a Granting Council or Funding Agency, the Chair of the Committee shall send a full copy of the investigation report to the Granting Council or Funding Agency within thirty (30) days of the conclusion of the investigation, whether or not misconduct is concluded to have occurred.
  13. If the investigation was initiated internally within Lethbridge College, and the Committee concludes that misconduct has occurred in research funded by a Granting Council or Funding Agency, the Chair of the Committee shall send a full copy of the investigation report to the Granting Council or Funding Agency within thirty (30) days of the conclusion of the investigation.
  14. Funding Councils and/or Granting Agencies will have an opportunity to review the investigation report in order to ensure that the process is consistent with the College's integrity policy, and to determine whether the findings and conclusions of the investigation are based on solid evidence and reasonable arguments.
  15. On reviewing the report, funding Councils and/or Granting Agencies may request clarification or additional information or a subsequent follow-up to ascertain whether the recommendations contained in the investigation report have been implemented.
  16. Should the report continue to be deemed unsatisfactory, funding Councils and/or Granting Agencies may request that the College conduct a further investigation, either with the same or a different investigation committee. If the final report of this continued or new investigation fails to confirm misconduct, the case will be closed and all information pertaining to the case shall be destroyed.
  17. Where misconduct is confirmed, the Provost and Vice President Academic shall be responsible for the protection of agency funding by informing the Vice President Corporate Services and Chief Financial Officer to withhold any payments or disbursements of Agency funds, if such action is deemed appropriate.

18. Whenever an investigation concludes that misconduct warranting dismissal is substantiated, appropriate arrangements will be made to ensure that all other scholarly activity previously undertaken by the Respondent at Lethbridge College is evaluated to determine its integrity.

## **Part E: Appeal Procedures**

The Respondent or Complainant may submit a written appeal to the Provost and Vice President Academic within one (1) week of the communication of the decision of the Committee. The Provost and Vice President Academic shall review the written appeal and the final report of the Committee, and render a decision within five (5) business days of the receipt of the appeal. The decision of the Provost and Vice President Academic will be final and binding.

## **Part F: Definitions**

**Accused** is any person who has allegedly displayed misconduct in research and/or scholarship.

**Advisor** is any person selected by the Respondent, including a person selected by the Faculty Association of Lethbridge College at the request of the Respondent.

**Allegation** is information in any form forwarded to the Provost and Vice President Academic relating to possible misconduct in scholarly activity.

**Complaint** is a written, signed allegation of misconduct forwarded to the Provost and Vice President Academic containing sufficient detail to enable the Respondent to understand the allegations.

**Complainant** is the individual who signed the written complaint.

**Investigation** is a formal examination and evaluation of relevant facts to determine whether misconduct has occurred, and if so, to assess its gravity and propose subsequent action.

**Respondent** is a person in respect of whom the Provost and Vice President Academic has received information relating to possible misconduct in scholarly activity.