

St. Francis Xavier University

Policy on Integrity in Research and Scholarship

April 2011

1. Preamble

- 1.1** The purpose of this policy is to promote integrity in research and scholarship at St. Francis Xavier University and to provide a fair and timely process for dealing with allegations of research misconduct.
- 1.2** St. Francis Xavier University recognizes that teaching, research, scholarship and creative activity are most likely to flourish in a climate of academic freedom. The exercise of academic freedom, however, is accompanied by ethical responsibilities. In particular, the University community has always recognized the necessity for maintaining the highest ethical standards in the conduct of scholarly activities. Thus, members of the StFX academic community are responsible for the ethical conduct of their research.

2. Applicability

This policy applies to all individuals using StFX facilities to conduct research and scholarly work, with the exclusion of undergraduate students, whose conduct and obligations are covered under the University's Academic Integrity Policy and the regulations of the departmental Research Ethics Committees.

3. Promoting the understanding of integrity issues

This policy, taken together with the University's other academic and research policies, provides the ethical framework for research and scholarly activities at StFX. The University will also provide education and guidance to promote the understanding of integrity issues in research and scholarship. To this end, the Policy on Integrity in Research and Scholarship will be posted on the StFX website. The office of the Associate Vice President Research may also hold professional-development workshops or host expert guest-speakers on issues relevant to this topic.

4. Obligations of Persons Conducting Research and Scholarly Activity at StFX

4.1 Authorship and Publication

The attribution of authorship for research publications must accurately reflect the intellectual contribution of those who helped to write them. Where publications arise

from the activities of a research team, the attribution of authorship must accurately reflect the intellectual contributions of all the members of that team.

4.1.1 Eligibility

- a. The co-authors of a publication are all those persons who have made significant intellectual contributions to the results. An administrative relationship to the investigation does not, by itself, qualify a person for co-authorship. Authorship decisions should not be affected by whether participants were paid for their contributions, or by their employment status. The author who submits a manuscript or report for publication is responsible for including all appropriate co-authors, for sending each co-author a draft copy of the manuscript for comment, and for obtaining consent on co-authorship, including the order of names.
- b. Purely formal association with a research project, such as the directorship of a laboratory or an administrative position in a Faculty, does not constitute authorship, but may be recognized in an acknowledgement. General supervision of the research group, technical help, data collection, or critical reviews of manuscripts or reports prior to publication are not sufficient for authorship, but may be acknowledged in a separate paragraph. There shall be no honorary co-authorship; authorship must be based entirely on significant intellectual, professional or immediate supervisory contribution. Other contributions should be indicated in a footnote or in an acknowledgements section.

4.1.2 Student Contributors

- a. In student-professor collaborations, both should be listed as co-authors of a joint publication if and only if:
 - i) both make a significant scholarly contribution;
 - ii) both are integral to the completion of the paper or report.
- b. A student should be granted due prominence on the list of co-authors for any multiple-authored article or report that is based primarily on the student's own work, according to the commonly accepted practice in the field.

4.2 Supervision of Research Personnel

The Principal Investigator has ultimate responsibility for the supervision of a research project, whether funded or unfunded; supervision includes consideration of the best interests of the research project, the research team, the institution, the research sponsor, the academic community, and the public. Accordingly, the Principal Investigator(s) must:

- a. Provide effective and appropriate supervision of all aspects of the project;
- b. Ensure effective communication during all aspects of the project, and an appropriate ratio of research personnel, especially students, to the Principal Investigator(s).
- c. Review, edit, and approve the design of the research and the processes of acquiring, recording, examining, interpreting, and storing data;

- d. Edit all research reports prior to publication;
- e. Provide each new member of the research team with applicable governmental and institutional requirements for the conduct of studies involving human participants, animals, radioactive or other hazardous substances or recombinant DNA, the University's policies and guidelines for the ethical conduct of research, and any other information directly relevant to the research activity;
- f. Clarify the relationship among members of the research team, which may include a Memorandum of Understanding outlining roles and responsibilities;
- g. Hold regular discussions among all personnel in a research team in order to contribute to the scholarly efforts of its members, monitor progress, and provide informal review.

4.3 Data recording, ownership and retention

Primary data related to research activities should normally remain in the school or department of origin at all times and should be preserved as long as there is a reasonable need to refer to the data, normally for a period of no less than five years. In no instance should primary data be destroyed while investigators, colleagues or readers of published results might raise questions requiring reference to original data.

Entitlement to ownership, reproduction and publication of primary data, software and other products of research will vary according to the circumstances under which the research was conducted. Intellectual property guidelines as per the University's Policy with respect to Copyrightable Works and Intellectual Property will govern these matters.

4.4 Disclosure of Conflicts of interest

All persons engaged in research or scholarly activities at StFX are required to follow the University's Conflict of Interest Policy. In particular, all such persons are required to disclose to sponsors, colleges, universities, journals or funding agencies any material conflicts of interest (financial or other) that might influence their ability to review manuscripts, review grant applications, or test products for sale or distribution to the public.

5. Misconduct in Research and Scholarly Activity

5.1 Definition

Misconduct shall include:

- a. Plagiarism: the attempt to claim credit in written scholarly works for ideas, writing, research results, or methods taken from someone else;
- b. Fabrication of research data: the invention or forging of research data or citations;
- c. Falsification of research data: the alteration, selective omission or misrepresentation of research data or citations;

- d. Material failure to recognize by due acknowledgement the substantive contributions of others, or the use of unpublished material of others without permission, or the use of archival materials in violation of the rules of the archival source;
- e. Material failure to obtain the permission of the author before making significant use of new information, concepts, or data obtained through access to manuscripts or grant applications during the peer review process;
- f. Attribution of authorship to persons other than those who have participated sufficiently in the work to take public responsibility for its intellectual content;
- g. Submission for publication of articles originally published elsewhere, except where it is clearly indicated in the published work that the publication is a re-publication;
- h. Intentional diversion of the research funds of the university, federal or provincial granting councils, or other sponsors of research;
- i. Material failure to comply with University policies or 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;
- j. Material failure to meet other relevant legal requirements that relate to the conduct or reporting of research;
- k. Failure to reveal material conflict of interest to sponsors or to those who commission work, or when asked to undertake reviews of research grant applications or manuscripts for publication, or to test products for sale or for distribution to the public;
- l. Failure by those involved in a research project to reveal to the University any material financial interest in a company that contracts with the University to undertake research, particularly research involving the company's products, or to provide research-related materials or services. Material financial interest includes ownership, substantial stock-holding, a directorship, and significant honoraria or consulting fees, but does not include routine stock-holding in a large, publicly traded company;
- m. Deliberate destruction of one's own research data in order to avoid the detection of wrongdoing, or tampering with or destroying the research of another person, either for personal gain or out of malicious intent, such as the introduction of contaminants or computer viruses;
- n. Other practices that deviate significantly from those which are commonly accepted as appropriate within the scholarly communities;

Factors intrinsic to the process of academic research such as honest error, conflicting data, or differences in interpretation or assessment of data or experimental design do not constitute fraud or misconduct.

5.2. Application of Procedures

5.2.1 Scope

The procedures described below apply to all allegations of misconduct in research and scholarship against any non-student member of the university community including faculty, staff, postdoctoral fellows, research associates, assistants, and visiting scholars,

irrespective of the present source of their salary or stipend. Allegations against students are governed by the University's policy on Academic Integrity.

5.2.2 Definitions

For the purpose of the application of these procedures, the following definitions will be used:

‘Respondent’ means a person in respect of whom the Associate Vice-President Research has received information relating to possible misconduct in research and scholarship.

‘Faculty’ shall include any unit in which research and scholarship takes place, whether a teaching unit or not, even when that unit is not part of any of the University’s recognized Faculties.

5.2.3 Responsibilities of the Associate Vice-President Research

The Associate Vice-President Research may delegate any function specified in these procedures, but is ultimately responsible for ensuring that they are followed and that all allegations and complaints are properly investigated, documented and disposed of. Where the Associate Vice-President Research makes a written allegation of research misconduct, the Academic Vice-President and Provost shall be responsible for ensuring compliance with these procedures.

5.2.4 Authority of the Associate Vice-President Research and the Academic Vice-President and Provost

In the event that the University undertakes the investigation of a written allegation of research misconduct, the Associate Vice-President Research and the Academic Vice-President and Provost both have the authority:

- a. to close down the *relevant research* facilities;
- b. to protect the administration of the University and any outside funds involved in the research;
- c. to obtain and retain documentation (e.g., lab notes, computer disks, hard drives) *relevant to that* investigation;
- d. to request that members of the University community appear before a committee of inquiry or investigation and answer its questions or supply materials to it.

5.3 Procedures for Dealing with Allegations of Research Misconduct

5.3.1 All allegations shall be forwarded to the Associate Vice-President Research.

5.3.2 Where a respondent is the Associate Vice-President Research, all allegations shall be forwarded to the Academic Vice-President and Provost, who shall then be responsible for ensuring that these procedures are followed with such variations as are necessary.

- 5.3.3** On receipt of an allegation of possible misconduct in research and scholarship, the Associate Vice-President Research shall determine if it is possible to formulate a written allegation. Such an allegation may be formulated by any person who has reviewed the relevant documentation, including the Associate Vice-President Research. If for any reason a written allegation cannot be formulated, no further steps shall be taken against the respondent under these procedures.
- 5.3.4** A written allegation shall identify the person or persons who made the allegation if it appears to the Associate Academic Vice-President Research that the evidence supporting the allegation might reasonably require such identification for its proper evaluation. In any event, the allegation shall contain sufficient detail to enable the respondent to understand the matter under inquiry.
- 5.3.5** Where the documentation in support of the allegation reasonably requires knowledge of the identity of any person who caused it to be forwarded to the Associate Vice-President Research for its proper evaluation, no written allegation shall be valid unless it identifies that person. No such person shall be identified, however, unless that person has expressly so agreed. If the person does not agree to be identified and the allegation reasonably requires knowledge of that person's identity, the written allegation will be deemed invalid and no further steps will be taken against the Respondent under these procedures.
- 5.3.6** Anonymous allegations will not normally be considered; if, however, compelling evidence is received anonymously by the Associate Vice-President Research, the investigation process may be initiated, following the steps outlined above.
- 5.3.7** The investigation of a written allegation of research misconduct consists of two parts: an informal, Preliminary Inquiry, and a Formal Process.

5.4 Preliminary Inquiry

- 5.4.1** As soon as possible after an allegation has been formulated in writing and, in any event, within ten days of receipt of a written allegation, the Associate Vice-President Research shall send a copy of the allegation to the respondent, to the Academic Vice-President and Provost, and to a Committee of Inquiry.
- 5.4.2** Upon sending an allegation to a Committee of Inquiry, the Associate Vice-President Research shall simultaneously advise the respondent of the composition of that Committee, and shall also so advise any person who is identified in the allegation.
- 5.4.3** The Committee of Inquiry shall consist of three persons with the expertise required to address the issues involved, and all at arms length from both the person(s) alleging misconduct and the respondent. The Committee shall elect one of its members as Chair.
- 5.4.4** Any objection to the composition of the Committee of Inquiry shall be made to the Associate Vice-President Research within seven days. The disposition of any such objection by the Associate Vice-President Research shall be final.

- 5.4.5** The Committee of Inquiry shall proceed informally and in complete confidentiality to determine whether or not the allegation warrants a formal process of investigation.
- 5.4.6** The Committee shall advise the respondent in sufficient detail of the evidence being considered by the Committee and shall invite the respondent, accompanied by an advisor if the respondent so desires, to meet with it and respond to that evidence orally or in writing.
- 5.4.7** Prior to receiving evidence from any person not already identified in the written allegation, 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 and that the person's identity may have to be revealed according to the provisions of the *Freedom of Information and Protection of Privacy Act*.
- 5.4.8** Within thirty days of being appointed, the Committee shall complete its inquiry and shall determine whether or not it finds that the allegation warrants a formal process of investigation. The Committee may recommend to the Associate Vice-President Research a way to resolve the situation that does not involve a formal investigation. Its decision shall be reported in writing to the Associate Vice-President Research and the Academic Vice-President and Provost. The Committee shall also provide the Associate Vice-President Research with the information used to reach its decision.
- 5.4.9** If the Committee reports that the complaint does not warrant a formal investigation, the Associate Vice-President Research shall advise the respondent and any person identified in the allegation that the allegation is dismissed.

5.5 Formal Process

- 5.5.1** If the Committee of Inquiry recommends a formal investigation of the allegation, within fourteen days of receiving the Committee of Inquiry's report, the Associate Vice-President Research shall convoke a Committee of Investigation and convey to that committee all materials arising from the initial inquiry.

5.5.2 Committee of Investigation

- 5.5.2.1** A Committee of Investigation will be composed, in the first instance, of the four members of the University's Committee on Research Integrity (CORI). If the members of the Committee on Research Integrity believe that they lack sufficient expertise to adjudicate the allegation before them, they may add a fifth member with the relevant expertise. The term of a member of the Committee on Research Integrity will not be considered to have expired if that member is sitting on a Committee of Investigation while a hearing is in progress. The quorum of a Committee of Investigation is three members present, and its chair is the Chair of the Committee on Research Integrity; that Chair shall have the right to vote. Decisions of a Committee of Investigation against the respondent require three votes in favour.

5.5.2.2 All members of a Committee of Investigation are bound by the University's Conflict of Interest Policy. No person directly affiliated with the same department as that of the respondent may sit on a Committee of Investigation. If a member of the Committee on Research Integrity cannot hear an allegation because of a conflict of interest, that committee will name a replacement to the Committee of Investigation. With the agreement of the respondent, the replacement can be named from the academic community outside the University.

5.5.3 Procedures

5.5.3.1 The objective of the formal hearing is to investigate and decide whether the respondent's conduct has fallen within the definition of research misconduct and, if so, to recommend an appropriate sanction to the Academic Vice-President. The Committee of Investigation has the authority to decide on misconduct, and that decision is binding on the institution. The Committee of Investigation may also recommend procedures for redress to the complainant in the event that the charge is sustained.

5.5.3.2 As with common law, there is a presumption of the innocence of the respondent. In order to preserve confidentiality, the proceedings of the Committee of Investigation shall be *in camera*.

5.5.3.3 The Committee of Investigation shall hear accounts from the person making the allegation, the respondent, and any witness these persons or the Committee consider substantive and relevant.

5.5.3.5 No more than fourteen days after the conclusion of the investigation, the Chair, or a member of the Committee of Investigation designated by the Chair, shall write a summary report of the Committee's decision. The report shall indicate whether or not, in the judgment of the Committee, research misconduct has taken place, and, if so, shall state the recommendations of the Committee for sanctions and redress. Before that report is distributed, both the complainant and respondent must be given an opportunity to comment on it. Having considered those comments, the Committee shall send the final version of its report to the Associate Vice-President Research, the Academic Vice-President, the respondent's Dean, the persons making the allegation, and the respondent.

5.5.3.6 If the report concludes that research misconduct has not occurred, all documentation and copies of the report, with the exception of the respondent's copy, shall be forwarded to the Associate Vice-President Research, kept for two years, and then either destroyed or transferred to the respondent.

5.5.3.7 If the Committee of Investigation concludes that misconduct has occurred, then the Academic Vice-President and Provost shall inform the Committee of Investigation, the complainant, and the respondent, in writing, of the decision on the course of action to be taken. *If the person found guilty of research misconduct is an employee of the University whose terms of employment are governed by a collective agreement between the University and one of its bargaining units, any disciplinary action arising from these*

procedures shall be taken in accordance with the relevant section of the applicable Collective Agreement. In addition, all materials pertaining to the investigation (interviews, relevant documents, tapes, etc.) will be securely stored in the Office of the Associate Vice-President Research (see section 6 below).

5.6 Unfounded Allegations

5.6.1 The University will take such steps as may be necessary and reasonable to protect and restore the reputation and credibility of members of the University community who are wrongfully accused of scholarly or research misconduct, including written notification of the decision to all agencies, publishers, collaborators, or individuals who were informed by the University of the investigation.

5.6.2 The University may take disciplinary action against individuals who have been found to have made allegations of scholarly or research misconduct pursuant to this Policy where such allegations were not made in good faith.

5.7 Protection of Complainants

5.7.1 In consultation with the Academic Vice-President, it shall be the responsibility of the University President to take any action necessary to protect from retaliation persons who have made an allegation of research and scholarly misconduct in good faith, as well as all persons involved in an inquiry or investigation.

5.7.2 No person to whom this policy applies may retaliate against a person making such allegations or providing such information in good faith. Employees should immediately report any alleged or apparent retaliation to the Academic Vice-President.

5.7.3 The University will make every effort to protect the confidentiality of the persons making an allegation, so long as this does not compromise public health or safety, is permitted under the *Freedom of Information and Protection of Privacy Act* and disclosure is not required in the interests of justice.

6. Retention of Documentation

The process and its outcomes shall be fully documented. Subject to section 5.5.3.6 above, those records must be retained as a confidential file in the Office of the Associate Vice-President Research. Until an allegation is substantiated, all proceedings are to take place in the strictest confidentiality.

7. Notification of Funding Agencies & Research Collaborators

7.1 Funding Agencies

- 7.1.1 The University's decision to initiate a formal investigation of possible misconduct in research and scholarly activity must be reported in writing to all funding agencies directly supporting the research activities of the respondent. This report shall be submitted to all such funding agencies on or before the date the investigation begins.
- 7.1.2 All agency funding related to the research project under investigation shall be frozen until the matter is resolved. Funds required to pay graduate students and other academic staff related to the project under investigation shall be made available at the sole discretion of the University or funding agencies directly supporting the research project under investigation.
- 7.1.3 If the University determines that it will not be able to complete the investigation within 120 days, the University shall submit a written report to the funding agency explaining the reasons for the delay. At the request of the funding agency, reports on progress to date, and estimates of the date of completion of the report must be provided by the University.
- 7.1.4 Within 30 days of the completion of an investigation, the funding agency must be notified of the final outcome of the investigation and must be provided with a copy of the final report. Any significant variations from the provisions of the University's policies and procedures should be explained in any reports submitted to the funding agencies.
- 7.1.5 If the allegation of research misconduct was initiated by an external funding agency (i.e., outside of the University), then a full copy of the investigation's report shall be provided to the funding agency within 30 days of the conclusion of the investigation. This report shall be provided to the funding agency whether or not misconduct is concluded to have occurred.

7.2 Research Collaborators

- 7.2.1 The University's decision to initiate an investigation involving misconduct in research or scholarly activity must be reported in writing to all research collaborators, both inside and outside the University, that have made a significant intellectual and practical contribution to the research project under investigation on or before the date the investigation begins.
- 7.2.2 Whether or not misconduct is concluded to have occurred, the University shall provide a copy of the investigation's report within 30 days of its conclusion to all collaborators identified above.
- 7.2.3 The University shall provide reports on progress to date, and estimates of the date of completion of the report to all collaborators upon request.

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