

Dalhousie University

Policy On

INTEGRITY IN SCHOLARLY ACTIVITY

(Approved by the Dalhousie Senate December 11, 1995, and amended January 29, 2001)

This policy does not apply to individuals at Dalhousie University when they are engaged in research that is supported by the United States Public Health Service or for which such support is requested. In those circumstances, the Dalhousie University *Policy for Responding to Allegations of Scientific Misconduct for U.S. Public Health Service Grants Applicants and Recipients*, as approved by the Dalhousie Senate January 29, 2001, applies.

1.0 Preamble

There is increasing sensitivity in the academic community about integrity in scholarly activity and in the presentation of the results of that activity. Granting agencies, in particular, insist that universities themselves take and be seen to take responsibility for the integrity of the scholarly activity undertaken of their members, including fostering institutional discussion among students, staff and faculty on this important topic. Moreover, every member of the University community must be prepared to accept a personal share of that responsibility. This has three dimensions: first a willingness to invoke the approved procedures in any case where there is a reasonable suspicion of misconduct in

scholarly activity; second, a recognition by all of us that those of our colleagues who do fulfil their individual responsibility by invoking the approved procedures deserve approbation, not reprobation, for behaving responsibly in circumstances that must necessarily be difficult for all concerned; third, a full regard to the principles of fairness and the procedures in applicable collective agreements, so as to protect scholars from malicious or spurious allegations.

Dalhousie University is committed to excellence in scholarly activities and as such is committed to assuring that the highest standards of scholarly integrity are to be understood and practiced. Scholarly activity varies among disciplines. It encompasses a broad diversity of activity including research in sciences and humanities, original literary works, artistic or engineering design, as well as distinguished performance in the arts or in professional areas. Judgment of scholarly activity is based mainly on the quality and significance of an individual's contributions to a particular discipline. As a scholarly community, the University, through its governing bodies and all its individual members, has a responsibility to maintain the highest standards of scholarship.

2.0 Authorship and Retention of Data

The following practices are proposed to help ensure that expectations of scholastic integrity are met at Dalhousie University:

2.1 In multi-authored works, all authors shall be responsible for the content and reliability of their publication. Two critical safeguards in the publication of accurate and scholarly reports are: first, that each author has made a significant intellectual contribution to the paper, or written a portion of the paper, or produced data included in it; and second that one author accepts responsibility for the validity of the entire publication. The concept of honorary authorship is unacceptable, but proper acknowledgement of ideas, materials or technical support, as well as financial support, are appropriate.

2.2 Careful planning of research protocol shall ensure that methods of analysis are appropriate and that there will be access to data for an appropriate period, usually five years following publication.

2.3 The principal researcher is responsible for supervision of students and other research personnel, and for the accuracy of any work that is included in a manuscript that is submitted for publication.

2.4 Results shall be accurately recorded and retrievable, usually for five years following publication where the medium permits. This is of utmost importance for the progress of scholarly inquiry and to enable a scholar to account for the conclusions drawn from the research he or she has conducted. While scholars own the research data which they have created, unless there is a written contract to the contrary, the University has an obligation and responsibility to ensure the data are not lost or altered and to ensure that data are made available to coauthors for five years following publication. Coauthors may require that copies of data are maintained for their future use.

2.5 Privileged information obtained from confidential manuscripts or applications shall not be used or disclosed without the consent of the creators thereof.

2.6 Scholarly rigor shall be used when interpreting the results of research.

2.7 All research resources (funds, equipment and materials, research subjects) shall be used only for properly authorized purposes.

2.8 The regulations of the University and the agreed-upon requirements of granting agencies shall be followed.

2.9 All new faculty, staff and research trainees shall attend small-group, case-study sessions that are intended to heighten sensitivity and awareness related to research integrity issues.

3.0 Misconduct in relation to Scholarly Activity

Dalhousie University will not tolerate any form of misconduct in the pursuit of scholarly objectives by members of the University community. It will take appropriate measures to maintain an environment that promotes scholarly integrity. Further, it will take accusations of misconduct in relation to scholarly activity seriously and, as quickly as possible, determine their validity and take appropriate action. In so doing, the University will seek to protect the integrity of academic scholarship and the rights of all of its members.

We recognize, however, that not all actions that fail to meet the highest standards of scholarship constitute misconduct. Misconduct in relation to scholarly activity is related to and involves the notion of a conscious or deliberate deception or action, and even such misconduct in relation to scholarly activity has degrees of seriousness. Conversely, misconduct in relation to scholarly activity shall not include any matter involving only an honest difference of opinion or an honest error of judgement.

Misconduct in relation to scholarly activity includes, but is not limited to, the following:

3.1 fabrication of data, falsification of results or plagiarism;

3.2 taking advantage of one's privileged access to the work of others, or deliberate misrepresentation of one's own work or that of others;

3.3 material failure to comply with relevant federal or provincial statutes, regulations or guidelines and policies of granting agencies or the University for the protection of researchers, human subjects, or the health and safety of the public, or for the welfare of laboratory animals, or material failure to meet other legal requirements (or generally accepted standards) that relate to the conduct or reporting of research;

3.4 failure to reveal any material conflict of interest during review of research grant applications or manuscripts, and improper reviewing of a research grant application by another scholar;

3.5 failure to reveal any material conflict of interest to the sponsors, the University, or to those who commission work, including the testing of products for sale or distribution to the public;

3.6 failure to reveal to the University any material financial interest in a company, organization, partnership or person that contracts with Dalhousie University to undertake research, particularly research involving the company's products, or to provide research related materials or services. Material financial interest means ownership, stock holdings, a directorship, significant honoraria or consulting or other fees or payments, but does not include minor stock holdings in publicly traded corporations. Such financial interest may be held or received personally or by any member of the individual's family;

3.7 deliberate destruction of one's own research data in order to avoid the detection of wrong doing; or the tampering with or destruction of the research data of another;

3.8 significant failure to recognize by due acknowledgement the substantive contributions of others, including students, or the use of unpublished work of other authors without permission, or the use of archival material in violation of the rules of the archival source;

3.9 failure to obtain the permission of the author before making significant use of new information, concepts or data obtained through access to confidential manuscripts or grant applications during the peer review process;

3.10 attribution of authorship to people other than those who have had direct involvement in the research and who have formally accepted responsibility for the intellectual content of the published reports;

3.11 submitting for publication an article which is substantially identical to one which has been published previously, except where it is clearly indicated in the published work that the article is intended to be a republication; and

3.12 the intentional misuse of funds designated for research purposes.

4.0 Guiding Principles

A policy regarding integrity in scholarly activity should start from the premise that we are committed both individually and institutionally to integrity in scholarly activity. Policies and procedures that are in place must respond in a balanced way to concerns that are raised. Also, the University must be diligent in providing formal education to its members in order to define what constitutes proper practice and ensure that integrity in scholarship can be maintained. These guidelines are designed to reflect a number of important values, and to balance those values appropriately where they come into conflict.

First, while we all have a fundamental commitment to integrity in the conduct of scholarly activity, there will be diversity of perspectives across disciplines with respect to the dimensions of scholarly integrity.

Second, we need policies that are sensitive to the reality that misconduct in relation to scholarly activities can vary widely in both nature and cause. This means that the policies and procedures must allow realistic responses to a continuum of culpability that might range from an honest but mistaken view of the propriety of a particular practice, through behaviour that reflects various degrees of carelessness or negligence, to the extreme case of calculated plagiarism or fraud.

Third, we need procedures that ensure fairness to those whose integrity is

brought into question. In particular, privacy for such persons must be assured, where appropriate, to minimize the damage that can be done by aspersions on scholarly integrity that are ultimately not substantiated. A related value that the procedures must reflect is that of speedy investigation and disposition of complaints, so that scholarly reputations are not damaged by clouds of suspicion.

Fourth, there is a need to protect those who set the process in motion or otherwise assist in dealing with complaints. This should involve appropriate assurances of confidentiality within the institution, together with institutional reaffirmation of the impropriety of any form of retaliation against those persons. On the other hand, we must guard against the risk of confidentiality and anonymity becoming cloaks for malice or injustice. The balance we seek is one that recognizes that the values of confidentiality and anonymity may have to yield to the equally important values in any case where evidence of misconduct in relation to scholarly activity is capable of proper evaluation only if the source of the allegation is clearly identified.

5.0 Procedures for Reporting and Investigating Misconduct in relation to Scholarly Activity

These procedures are not intended to replace agreements or procedures which already exist within the University, including collective agreements. Rather, this policy is to be regarded as one which is consistent with our existing collective agreements, the Code of Student Conduct and other applicable university procedures. Whenever a collective agreement has provisions which conflict with this policy, the collective agreement prevails. The following procedures are not intended to apply to either undergraduate or graduate student misconduct related to course work, since those matters are an academic offence, handled by the Senate Discipline Committee; however, the procedures do apply to undergraduate and graduate students insofar as they are involved in either funded or unfunded research projects, and the Code of Student

Conduct applies to allegations of misconduct in relation to scholarly activity. The procedures also apply to all faculty and staff of the University and all organizations within the University involved in research. The concern of these procedures is to address misconduct in relation to scholarly activity on the part of anyone involved in such activities within the University.

5.1 Procedural Guidelines

Each Faculty shall develop policy guidelines for the recording and maintenance of original data and material products relating to scholarly activity for a reasonable period following publication or presentation; that is, until it is apparent that it is no longer reasonable to anticipate any question answerable only by reference to such data or material products. These guidelines shall also seek to prevent the destruction of original data or material products for the purpose of thwarting an actual or impending inquiry or investigation.

Each Faculty may develop guidelines for the administration of this Policy which shall not be inconsistent with it or any policy or guideline issued from time to time by Senate.

The Guidelines referred to above shall be approved by the Faculty Council and may, if Senate determines, be subject to the approval of Senate, and shall be filed with the Vice-President (Academic and Research).

5.2 Allegations and Procedures for Processing

Initial Report - The initial report of suspected misconduct in relation to scholarly activity may come from various sources within or without the University or affiliated institutions.

5.2.1 (a) All allegations of misconduct in relation to scholarly activity shall be signed by the person making the allegation and shall be directed in writing

to the Vice-President (Academic and Research). The Vice-President (Academic and Research) may refer the allegations to a designate. In order to determine whether a formal process is warranted, the Vice-President (Academic and Research) or designate shall request in writing a meeting with the employee, student or other person named in the allegations (herein called the Respondent). In the case of an employee covered by a collective agreement with the University, the Vice-President (Academic and Research) shall also invite an official representative of the bargaining agent to attend the meeting as an observer.

(b) The written notice of this meeting shall inform the Respondent of the purpose of the meeting, shall include a copy of the written allegations to allow the individual an opportunity to respond, and, in the case of an employee covered by a collective agreement, shall advise the individual concerned in writing of his/her right to be represented by the bargaining agent and that he/she should contact the bargaining agent before responding.

Any statements made during these discussions shall be on a “without prejudice” basis in relation to any subsequent formal process.

Upon written request and with the agreement of the Vice-President (Academic and Research) or designate, the identity of the person making the allegation may be kept confidential from the Respondent, provided, however, that if the formal process begins, said identity shall be disclosed to the Respondent.

(c) The Vice-President (Academic and Research) or designate may undertake such other investigations into the allegations as the Vice President considers necessary or appropriate.

5.2.2 Within fifteen (15) working days of the receipt of the allegations, the Vice-President (Academic and Research) or designate shall advise the Respondent in writing whether or not a formal process as described in 5.2.6 is

warranted, or provide reasons why the investigation is incomplete and estimate when a decision might be reached.

5.2.3 If the Vice-President (Academic and Research) or designate finds that a formal process is not warranted, the allegation shall be dismissed and no action taken. The Vice-President (Academic and Research) or designate shall inform the Respondent and the person who made the allegation of this decision in writing.

5.2.4 If the Vice-President (Academic and Research) or designate finds that a formal process is warranted, he/she shall give written notice to the Respondent and the person who made the allegation that a formal process is to be initiated. For members covered by a collective agreement, notice shall also be given to the bargaining agent.

5.2.5 The formal process begins when the Respondent named in the allegations has received the written notice.

5.2.6 If the allegations are made against a student or students, the formal process shall be referred to the Vice-President (Student Services) who shall deal with the matter pursuant to the Code of Student Conduct. In all other cases the formal process shall be conducted according to the collective agreement or procedures for discipline applicable to the person against whom the allegations have been made.

5.2.7 The Vice-President or designate may take such steps as may be necessary and reasonable to:

- (a) protect the reputation and credibility of employees, students or persons wrongfully accused of misconduct in relation to scholarly activity, including written notification of the decision to all agencies, publishers, or individuals who were informed by the University of the investigation;

- (b) protect the rights, positions and reputations of employees, students or persons who in good faith make allegations of misconduct in relation to scholarly activity, or who are called as witnesses in the formal process. Such protection may include legal representation as selected by the University and acceptable to said employee, student or person and indemnity for costs should the employee, student or person be sued for their participation in the formal process, provided they have acted in good faith;
- (c) minimize disruption to the research of the person making the allegation and of any third party whose research may be affected by securing evidence relevant to the allegation during the course of the formal process; and
- (d) ensure that any disruption does not negatively affect future decisions concerning the careers of those referenced in (a) through (c) above.

5.2.8 The University Administration may take disciplinary action against those who make unfounded allegations of misconduct in relation to scholarly activity where those allegations are reckless, malicious or in bad faith.

5.2.9 If a formal process sustains an accusation of misconduct in relation to scholarly activity, and if any research involved is funded by an outside agency or has been published or submitted for publication, the President shall inform the agency or publisher concerned of the decision. In any event, if the outside agency or publisher has been informed of the proceedings before a judgement has been rendered, the President shall send a copy of the decision of the University Administration to the agency or publisher concerned.

Note: This document has been drawn from similar documents produced by the Universities of British Columbia, Calgary, New Brunswick, Ottawa, and Regina,

and Memorial and Wilfred Laurier Universities.

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