

Royal Roads University

Policy

Approved by RRU Academic Council –
21 November, 2007

Royal Roads University (RRU) Policy and Procedures on Academic Integrity and Misconduct in Research and Scholarship

A. Policy Statement

The purpose of this policy is to establish principles, practices and procedures to ensure the integrity, accountability and responsibility of scholarship and research carried out under the auspices of Royal Roads University. The University maintains high expectations for standards of appropriate behaviour in research for all members of the institutional research community, including honesty of researchers, respect for others, scholarly competence and stewardship of resources.

This policy, as well as the Royal Roads Research Ethics Policy covers, all those involved in research activities in any capacity whatsoever at the University. This policy covers all students, staff, associate faculty and faculty, both full-time and part-time. The procedures in this policy are divided into two sections – one for faculty and staff, and the other for learners/students.

“RRU Faculty” refers to faculty as defined in the RRU Collective Agreement (i.e., a full-time or part-time member of the faculty of RRU as defined by the RRU Board of Governors to conduct teaching, research, and administration).

“Research” is defined as systematic inquiry for the purpose of gaining new knowledge or new understanding or new application. Research activities include, but are not limited to theses, organizational consulting projects, major projects, class assignments, peer reviewed research projects, non-peer-reviewed research projects, action research, applied research, etc.

“Scholarship” relates to the principles and products of academic achievement and may include, but is not limited to dissemination of knowledge results, development of new methodologies or application of such, development of new technologies or the application of such, scholarship of teaching, relevant professional activities, integration of knowledge, and other attainments relating to academic standards such as reports, papers, and assignments.

B. Guidelines

All research and scholarship shall be carried out in accordance with the Tri-Council Policy Statement on Integrity in Research and Scholarship, the Tri-Council Policy Statement on Ethical Conduct for Research Involving Humans, BC Freedom of Information and Protection of Privacy Act and other applicable privacy legislation, codes and policies, and Requirements for Certain Types of Research (Appendix Four of the NSERC Researcher's Guide). In the case of any conflict between policy, procedures and practices established by Royal Roads University and those established under the above-mentioned documents, the latter would prevail.

C. Promoting Integrity

Each Faculty of the University shall implement measures to educate all those involved in research and scholarship about the principles and practices of scholarly integrity, accountability and responsibility. The Research Ethics Board shall be directed by the Vice President Academic and Provost (hereafter also referred to as Vice President Academic or VPA) to a) prepare a general information package on integrity in research and scholarship and b) develop written policies on such issues as authorship of publications, copyrights and patents, as directed by the Vice President Academic.

D. Data Recording, Ownership and Retention

All researchers will retain the personal information of research subjects in accordance with the data retention requirements of the BC Freedom of Information and Protection of Privacy Act and other applicable laws, codes and policies.

E. Authorship and Publication

Authorship of all published work includes all those who have materially contributed to, and share responsibility for, the contents of the publication, and only those people.

F. Misconduct in research and scholarship

Includes but is not limited to a breach of any the following principles:

1. Cheating

Cheating includes, but is not limited to, copying from the work of another learner, allowing another learner to copy from one's own work, consulting with another learner during examinations, using unauthorized aids during an examination, and the theft or unauthorized possession of an examination paper or other materials.

2. Duplicate submission of work

Submitting work for one module/course, which has been or is being submitted for another module/course, is not permitted without the express permission of the instructors involved. This includes, but is not limited to, essays, work term reports, assignments, laboratory reports, and projects. When a learner repeats a course, submission of work from the previous attempt to complete course is not permitted to be submitted a second time.

3. Non-compliance with Computer User's Guidelines and intellectual property rights

All learners who use the computer facilities at Royal Roads University are required to sign and comply with the Computer User's Guidelines and respect intellectual property rights. Non-compliance may result in penalties ranging from loss of accounts to criminal charges.

4. Non-compliance with the rules and laws relating to copying and copyright

All learners who use the computer facilities at Royal Roads University are required to sign and comply with the Computer User's Guidelines and respect intellectual property rights.

5. Plagiarism

Plagiarism is the act of presenting the ideas or works of another as one's own. This applies to all materials, electronic or in print, including essays, work term reports or assignments, laboratory reports, seminar presentations, computer programs, research projects and results, postings in discussion groups, and statistical data. The use of such material either directly or indirectly without proper acknowledgment (i.e., footnotes or endnotes) is contrary to the norms of academic behaviour.

6. Use of editors

The extensive use of editors and similar assistants may qualify as plagiarism. Learners must discuss any such editing plans in advance with their instructor/advisor. For guidance refer to:

http://myrru.royalroads.ca/roles_and_responsibilities_editor

7. Submission of false information

The submission of false or misrepresented information, the misrepresentation of one's own identity, or the submission of information under false pretences is subject to severe penalty.

8. Disclosing any and all potential conflicts of interest

Conflict of interest is a breach of an obligation that has the effect or intention of advancing one's own interest or the interests of others in a way detrimental to the interests or potentially harmful to the integrity of fundamental mission of the University.

9. Non-compliance with the provisions of University policies

Including those pertaining to use of human subjects, animal care, biohazards, and radioactive substances.

10. Authorship

Not ensuring that authorship of all published work includes all those who have materially contributed to, and share responsibility for, the contents of the publication, and only those people.

11. Sale of academic materials

Selling or otherwise providing to others, materials of evaluative nature such as tests, quizzes, papers and so forth.

12. The intentional misuse of funds

Designated for research purposes.

Royal Roads University has several other policies which touch on aspects of ethical behaviour, including:

- RRU Policy on Learner Rights and Responsibilities;
- RRU Academic Regulations on the Grades Appeal Process;
- RRU Whistleblowing Policy;
- RRU Confidentiality Policy;
- RRU Conflict of Interest Policy;
- RRU Employee Standard of Conduct Policy;
- RRU Employment of Employee Relatives Policy;
- RRU Harassment & Discrimination Policy;
- RRU Records Management Policy;
- RRU Intellectual Property Policy.

G. Allegations of Misconduct in Research and Scholarship: Procedures for Faculty and Staff

1. Allegations of misconduct may be resolvable within faculties and other administrative units. Faculties are required to follow the standardized university wide mechanism for such informal resolution. If a resolution of the matter is found to the satisfaction of the parties in question, and is consistent with the interests of the University, the matter will be closed. Even if the complaint is resolved within the unit, the University shall maintain a written record within the administrative unit, of the particulars of the allegation.
2. A formal allegation of misconduct may be made by any member of the RRU community or any other person. Allegations should be made in writing within 6 months of the alleged misconduct, but may not be disallowed solely on grounds of the elapse of time. Allegations of misconduct are to be directed in writing to

Vice President Academic and Provost, who will advise the Registrar. Anonymous allegations will not normally be considered. However, if compelling evidence of misconduct is received anonymously by the VPA, he or she may initiate the investigation process described below. If the VPA is a party to the alleged misconduct, a Faculty Director or Dean shall be designated by the President to assume the role of the investigator under this policy.

3. Upon receipt of an allegation in writing, the VPA or his/her designate shall request an informal meeting with the respondent in a timely fashion. Notice of this meeting shall inform the respondent of the allegation of misconduct, include a summary of the allegation, and state that the purpose of the meeting is to determine whether a formal investigation is warranted. The notice shall also inform the respondent of his or her right to be accompanied by any person of his/her choice at this or other future sessions related to a formal investigation. If the respondent is a member of a union or employee association, and the respondent consents, that organization will also be promptly notified of the allegation of misconduct and of future proceedings in regard to the allegation. Any statements made at the meeting will be without prejudice. The decision to proceed with a formal investigation is determined by the VPA based on his/her meeting with the respondent. If the VPA deems it appropriate, he/she can inform the person(s) against whom an allegation has been made and the VPA can strike an Investigative Committee.
4. The VPA will decide whether a formal investigation is warranted, and will so inform the respondent and complainant in writing, normally within 30 working days of the receipt of the allegation of misconduct. If VPA finds that a formal investigation is not warranted, the allegation shall be dismissed. Notification of this decision shall be given in writing by the VPA to both the complainant and the respondent. If the VPA finds that a full investigation is warranted, the notice to the respondent shall enclose a full copy of the signed allegation and an invitation to respond to it in writing. Normally an allegation unsigned by the complainant will not be processed. However, if in the opinion of the VPA there are reasonable grounds to proceed, then, an unsigned allegation can move forward.
5. The VPA or designate(s) shall investigate the allegations, fairly, judiciously and confidentially. The procedures to be followed are guided by the principles of fairness, and due process, applicable to all parties. The respondent and complainant will have adequate opportunity to know any evidence presented by any party and to respond to that evidence if he/she so chooses. If the investigation is conducted by designate(s), its purpose shall be fact finding and formulation of a recommendation as to whether misconduct in research or in scholarly activity (which includes teaching, writing, editing) has occurred. Procedures for conduct of the investigation are appended to this policy.
6. Normally within 60 working days of the commencement of the formal investigation, and after considering all the evidence gathered by him/her or the designate(s), the VPA shall reach a decision and prepare a draft written report. Interviews will be documented. The report shall include a copy of the allegation, the written response, if any, of the respondent and the findings of the VPA as to whether the allegation has been upheld or not, with a statement of the reasons for the finding. The report should also include names of interviewed witnesses.

The interviews will be documented. The appropriate criterion for a decision is the presence of clear and convincing evidence. The report shall also describe actions, if any, to be taken, which may include, but are not limited to, those listed below:

- Sanctions against a respondent found to have engaged in misconduct;
- Actions to protect or restore the reputation of the respondent, if wrongfully accused;
- Actions to protect a complainant found to have made a responsible accusation;
- Sanctions against a complainant found to have made an irresponsible or malicious allegation.

Sanctions will depend on the severity of the offense and may include (but are not limited to): reprimand, suspension and dismissal. If sanctions are to be imposed against either the respondent or complainant, the VPA will meet with that person to discuss the case, the report of the designate(s) if the investigation was not carried out by the VPA, the draft report and the sanctions, prior to his/her final decision and finalization of the report. The final report will be provided to both the complainant and the respondent.

In accordance with the Freedom of Information and Protection of Privacy Act, records containing any information used to make a decision about an individual must be retained for at least one year in order to provide a reasonable period for the submission of related access requests; and it is recommended in the RRU Records Classification System that all records relating to issues management and dispute resolution be retained for ten years to ensure their availability if any legal actions are initiated.

7. If sanctions or actions are components of the final decision, the sanctions or actions will be imposed or taken by the VPA, unless another person is designated to do so by existing university policy, collective agreement, and framework agreement or by legislation. In such cases, the report will be transmitted to that other person, as a recommendation for action.
8. If an affected person believes that the decision was reached improperly or disagrees with that decision, an appeal or grievance, as appropriate, may be filed, according to the terms of the appeal or grievance mechanism applicable to that person. If no such mechanism is in place, an appeal may be filed, within 15 working days of the receipt of the report, with the President.
9. When the case is concluded, a Final Report on the outcome (after any appeals) will be written by the VPA or designate. The Final Report will contain a summary of the allegations, the decisions of the VPA and the final outcome, including sanctions imposed and/or actions taken. The Final Report will be submitted, in a timely fashion, to the President and a copy is retained in the faculty or staff member's file.

10. If the research involved projects funded in whole or in part by one of the national granting Councils or another funding agency and misconduct was found to have occurred, a copy of the Final Report will be transmitted to that Council or other funding agency by the VPA within 30 days of the conclusion of the inquiry/investigation. If an allegation is dismissed, as described under paragraph 4 above or otherwise determined to have been unfounded, and the Council or other funding agency is known to be aware or is likely to be aware of the allegation, the VPA will so inform the Council or other funding agency. In cases where it is the Council which initiates a request for inquiry/investigation, the VPA will provide the Council, whose funds are involved, with a comprehensive report of the process and findings.
11. If the research involves projects funded in whole or in part by federal, provincial or municipal funds and misconduct was found to have occurred, a copy of the Final Report will be transmitted to the appropriate authority.
12. If the VPA determines it to be in the best interests of the University, a report on the investigation of misconduct and its outcome will be disseminated to persons with a legitimate interest in knowing about them. This report will normally contain no information that would identify the parties, unless this action is fully consistent with the final outcome of this case as described in the Final Report.

Any and all information and records relating to an action under this policy will be handled by the University in compliance with the British Columbia Freedom of Information and Protection of Privacy Act and other pertinent provincial statutes.

Investigative Committee Process

The investigation of allegations of misconduct in research is undertaken by one or more impartial designate(s), herein called 'the Investigators.' The number of Investigators will be determined by the VPA, dependent on the specifics of each case. Normally, the Investigators will be faculty members in departments other than those of the parties. They will have no prior involvement in the matter under investigation. If appropriate, one or more of the Investigators may be external to the university. It is recommended that one member of the committee be a subject matter expert with appropriate expertise in the area of research related to the allegation.

The investigation is confidential and is governed by the principle of fairness. Within this framework, the Investigators are free to develop procedures and practices, specific to the case under investigation, to collect written material and to conduct hearings, and are not constrained by strict rules of procedure and evidence. Therefore the procedures followed may deviate from those detailed below, where this is necessary to the effective gathering of evidence.

The Investigators may consult expert witnesses and solicit reports from them on the matter under investigation. The Investigators may obtain written materials relevant to the investigation, such as laboratory notebooks, manuscripts, computer files and records of the proceedings of University committees such as the Research Ethics Board.

Subject only to the need to respect the privacy of third parties, and to protect solicitor-client privilege, copies of any information received by the Investigators will be provided to the parties for their reply. Copies of replies will be communicated to the other party, subject only to the same constraint. Further comments on any reply will be requested only where the reply raises a new matter.

In the following, 'representative' refers to a person chosen by the respondent (or complainant), possibly a member or staff employee of an employee group to which the respondent (or complainant) belongs.

The following process is intended to apply where there is reason to believe that there may have been a violation of this Policy. The University reserves the right in its discretion to modify the process as it determines may be appropriate in any particular instance. The Investigators shall determine their own procedure, having regard to their duty to act fairly toward the party. The party has the right to an opportunity to be heard in connection with the allegations against them. The Review Committee will determine whether it will hear from the party in person, in writing, or by some other means.

Meetings

1. The investigation may include one or more meetings between the Investigators and the respondent. The respondent may have a representative present at such meetings.
2. The investigation may include one or more meetings between the Investigators and the complainant. The complainant may have a representative present at such meetings.

Hearings

1. The investigation may include a hearing. Written notice of a hearing and the procedures to be followed shall be provided to all parties at least five working days in advance of the hearing.
2. The two parties to a hearing (i.e., the complainant and the respondent) may each have a representative present at the hearing.
3. In exceptional circumstances, the Investigators may permit the respondent or complainant to be represented by his/her delegate in his/her absence.
4. Unless agreed to by both parties, the Investigators and all witnesses, the hearing shall be held in camera.
5. If the complainant or respondent fails to appear before the hearing at the appointed time, the Investigators may, without further notice, proceed in such absence. If there are medical or compassionate reasons for non appearance, the Investigators must be notified immediately. The Investigators will determine the acceptability of such reasons and whether the hearing should be adjourned.
6. Evidence will not be given under oath.

7. The two parties and their representatives may be present throughout the hearing. Witnesses may be present only when they present their evidence orally; the Investigators may permit witnesses to provide their evidence in writing.
8. Each of the two parties shall be given the opportunity to ask questions of any witness present at the hearing, but the Investigators shall have the right to disallow questions that are in their opinion inappropriate.
9. The Investigators shall be responsible for the maintenance of an orderly procedure in the hearing.
10. The hearing shall be audio taped to be used only by the Investigators and/or for purposes of appeal. The tape will be treated as confidential to the extent permitted by law and retained for a period of ten years.

H. Allegations of Misconduct in Research and Scholarship: Procedures for Learners

If the University has reason to believe that a student may be in violation of the Policy on Academic Integrity and Misconduct, the University may initiate the processes set out below:

1. Where appropriate, a faculty or associate faculty member, upon suspecting or determining that a learner has contravened the Policy on Academic Integrity and Misconduct, will endeavour to find an informal resolution to the matter. Faculty or associate faculty must discuss the matter with the learner within five business days of the matter being brought to their attention. If a resolution to the matter is found to the satisfaction of the faculty or associate faculty member that is consistent with the interests of the University the matter will be closed. Written confirmation of the matter may be requested by any party.
2. Should an informal resolution not be found, or not be appropriate, the matter will be referred to the head of the academic program (if applicable) or the head of the academic unit who shall make such inquiries as necessary to determine whether a violation of this Policy has occurred and endeavour to find an informal resolution to the matter. The head of the academic unit must discuss the matter with the learner and faculty member involved within five business days of the matter being brought to his/her attention.
3. Should an informal resolution not be found, or not be appropriate, the matter will be referred to the Dean who will immediately notify the Registrar. At this point, any changes to the learner's academic records will be suspended pending resolution. The head of the academic unit must provide the learner's name, student number, course in which the student is registered, the Instructor's name, a brief description of the offence, and what steps were taken to verify that the offence occurred. This report is maintained in a confidential file in the Registrar's Office pending final determination of the case.
4. The Dean shall provide the learner with an opportunity to be heard in conjunction with the allegations against them. In some cases the Dean may request an independent review by a third party, in which case the learner is to be advised

and provided with an estimate of the length of time this process will require, which will normally not exceed one month. Should the Dean determine that a violation of this Policy has occurred, actions that may be taken include, but are not limited to:

- a letter of reprimand;
- a reduction of grade;
- a probationary period;
- requiring the learner to re-submit an assignment or exam;
- assigning a grade of F (Fail) for the course;
- requiring the learner to withdraw from a course or program of study; or,
- Recommending the learner be suspended or expelled from the university.

A copy of the Dean's letter advising the learner of the penalty is provided to the Registrar and placed in the learner's file.

If the research involved projects funded in whole or in part by one of the national granting Councils or another funding agency and misconduct was found to have occurred, a copy of the Final Report will be transmitted to that Council or other funding agency by the VPA within 30 days of the conclusion of the inquiry/investigation. If an allegation is dismissed, as described under paragraph G. 4 above or otherwise determined to have been unfounded, and the Council or other funding agency is known to be aware or is likely to be aware of the allegation, the VPA will so inform the Council or other funding agency. In cases where it is the Council which initiates a request for inquiry/investigation, the VPA will provide the Council, whose funds are involved, with a comprehensive report of the process and findings.

5. The learner shall have the right to appeal the decision of the Dean to the Vice President Academic and Provost. A request for an appeal must be made by the learner, in writing, to the Vice President Academic and Provost within five business days of receiving the Dean's written decision.
6. The VPA shall request a meeting with the learner, in a timely fashion. Notice of this meeting shall inform the learner of the allegation of misconduct, include a summary of the allegation and state that the purpose of the meeting is to determine whether a formal investigation is warranted. The notice shall also inform the learner of his or her right to be accompanied by any person of his/her choice at this or other future sessions related to a formal investigation.

The VPA may, at his/her sole discretion:

- a) dismiss the allegation(s), in which case the decision of the VPA is final and not subject to further appeal by any party

- b) make a determination that a violation of this Policy has occurred. The decision of the VPA is final and not subject to further appeal. Actions that may be taken include, but are not limited to:
- a letter of reprimand;
 - a reduction of grade;
 - a probationary period;
 - requiring the learner to re-submit an assignment or exam;
 - assigning a grade of F (Fail) for the course;
 - requiring the learner to withdraw from a course or program of study; or,
 - recommending the learner be suspended or expelled from the university.

A copy of the VPA's letter advising the learner of the penalty is provided to the Registrar and placed in the learner's file.

c) strike an Investigative Committee

7. Should the VPA refer the matter to an Investigative Committee, the committee will then consider the matter and may meet with the learner.
8. The Investigative Committee will be comprised of one learner at the same academic level (i.e., undergraduate or graduate) from programs other than that in which the learner is enrolled, a core faculty member from the Faculty in which the learner is not enrolled, and a staff member who is not a member of the Faculty. Members will be appointed by the VPA. The members will select a chair by majority vote.
9. The Investigative Committee shall determine its own procedure, having regard to its duty to act fairly toward the learner. Learners have the right to an opportunity to be heard in connection with the allegations against them. The Investigative Committee will determine whether it will hear from the learner in person, in writing, or by some other means.
10. If the Investigative Committee decides to meet with the learner, the Investigative Committee will make a reasonable effort to notify the learner in writing of the meeting no less than five business days before the meeting; a reasonable attempt will be made to arrange the meeting at the convenience of the learner.
11. The Investigative Committee shall have the power to deny the appeal, to allow the appeal and to set aside the decision of the Dean, or to vary the decision of the Dean, including by substituting any penalty for that imposed by the Dean. The Investigative Committee may impose a penalty greater or lesser than that imposed by the Dean, and has the authority to recommend the suspension or expulsion of the learner.

12. Decisions of the Investigative Committee shall be final and not subject to further appeal except in cases where the decision of the Investigative Committee is to recommend the learner be suspended or expelled from the university. Decisions of the Investigative Committee shall be given in timely fashion.
13. Should the Dean, VPA, or the Investigative Committee recommend to the President that the learner be suspended or expelled, the President shall, prior to making a decision, provide the learner an opportunity to be heard in a timely fashion. The President shall determine whether to hear from the learner in person, in writing, or by some other means.
14. The learner may appeal the decision of the President. If the learner wishes to appeal that decision, he or she must submit a notice of appeal to the Secretary of the Board of Governors within five working days of receipt of the decision of the President. The appeal shall be considered by the Board of Governors' Appeals Committee, the decision of which is final and binding. Appeal procedures are outlined in the document entitled "Appeal Procedures for Decisions of the President to Suspend or Expel a Student."

Notes:

Investigations and appeals are to be conducted in a timely manner without undue delay. The communication of decisions required above shall be initiated within two working days of the final decision being reached.

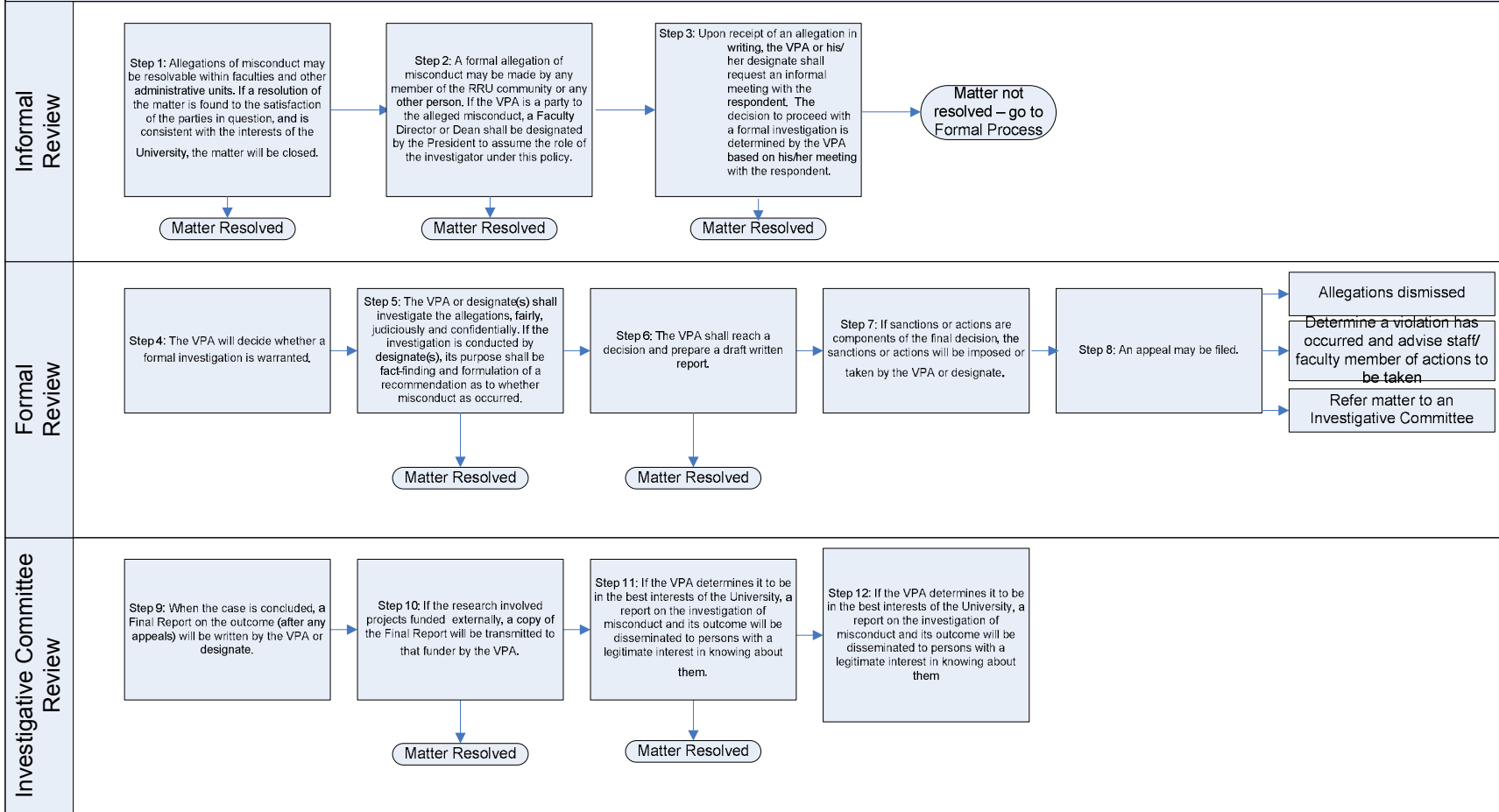
Notice required under these guidelines may be given by email to the learner's RRU account, by email to a RRU staff or faculty account, or by mail/courier to the address on record with the Registrar's Office.

The Registrar's Office is the Office of Primary Responsibility for all files in such matters and will retain the official record of any investigations and actions taken.

The Registrar will oversee the implementation of disciplinary action that results from this process.

21 November, 2007

Policy on Academic Integrity and Misconduct – Faculty and Staff Appeal Process



Policy on Academic Integrity and Misconduct – Learner Appeal Process

