

<b>Policy Name:</b>	Policy and Procedures Regarding Allegations of Academic Misconduct in Teaching and Research
<b>Originating/Responsible Department:</b>	Office of the Provost and Vice-President (Academic) and Office of the Vice-President (Research and International)
<b>Approval Authority:</b>	Vice-Presidents' Academic and Research Committee
<b>Date of Original Policy:</b>	1996
<b>Last Updated:</b>	September 2018
<b>Mandatory Revision Date:</b>	September 2023
<b>Contact:</b>	Vice-President (Research and International) and Associate Vice-President (Teaching and Learning)

### 1.0 Policy Scope

Carleton University is committed to upholding the highest standards of academic integrity, ethical and responsible conduct in carrying out its prime mission of teaching and research. The University has numerous policies, practices, procedures, and regulations in support of responsible academic conduct. The University requires all members of the University community to be aware of what constitutes academic misconduct and to do as much as possible to prevent academic offences from occurring. Carleton University takes all allegations of academic misconduct seriously and such allegations will be investigated.

This policy covers the procedures for investigating allegations of academic misconduct at Carleton University, including research, teaching, and breach of copyright. This policy does not cover allegations of non-academic misconduct covered by other university policies.

This policy applies to all academic staff at Carleton, including professors, instructors, contract instructors, librarians, teaching assistants, research assistants, post-doctoral fellows, and all other personnel engaged in research and/or teaching at Carleton University. This policy also applies to individuals holding honorary appointments (such as Adjunct Professors, Adjunct Research Professors, Distinguished Research Professors, and Professors Emeriti) engaged in conducting research and/or teaching at Carleton University. For matters pertaining to research, this policy is prepared in compliance with the [Tri-Agency Framework: Responsible Conduct of Research](#).

Allegations of academic offences against students in the course of their academic studies are governed by the Academic Integrity Policy.

### 2.0 Policy Responsibility

Primary responsibility for this policy lies with the Provost and Vice-President (Academic). However, the Vice-President (Research and International), the Associate Vice-President (Teaching and Learning), the Deans of the Faculties, and the University Librarian are also involved.

### 3.0 Procedures for Investigating Allegations of Misconduct in Research

To ensure that Carleton University is committed to the highest standards of ethical and responsible conduct in research, the Vice-President (Research and International), hereinafter referred to as the VPRI, is charged with investigating and reporting on instances of alleged or apparent misconduct in research. It is the VPRI's responsibility to receive, inquire into, and investigate allegations of misconduct in research,

which include, but are not limited to: fabrication; falsification; destruction of research records; plagiarism; redundant publications; invalid authorship; inadequate acknowledgement; mismanagement of conflict of interest; breach of copyright; and violations of University policies, procedures, and regulations, including any appropriate articles in relevant collective agreements, for proposing, conducting, or reporting research.

The VPRI shall secure the necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence in any inquiry or investigation into allegations of academic misconduct. The VPRI will take precautions against real or apparent conflicts of interest on the part of those involved in the inquiry or investigation.

To the extent possible, the institution shall protect the individual, who makes an allegation in good faith or provides information related to an allegation, from reprisals in a manner consistent with relevant legislation as well as those persons against whom allegations of academic misconduct are made or are not confirmed or are found to be the result of honest error or honest differences in interpretations or judgments of data.

### 3.1 Allegations of Misconduct in Research

Allegations of misconduct in research should be directed in writing to the VPRI. The VPRI shall advise the respondent of the allegation(s) and shall inform the respondent on the process for investigating the allegation(s).

Anonymous allegations will be investigated under these procedures where accompanied by sufficient information to enable the assessment of the allegation and the credibility of the facts and evidence on which the allegation is based, without the need for further information from the complainant.

Where the respondent is a member of a bargaining unit at Carleton University, the respondent will be advised to inform his/her union of the allegation and will be entitled to be accompanied by a representative of the union during any proceedings.

The VPRI will also inform the Provost and Vice-President (Academic), hereinafter referred to as the Provost, and the Dean of the respondent's Faculty. In situations where the complainant or respondent is a graduate student (such as in the case of an allegation against a Research Assistant who is also a graduate student) or a Post-doctoral Fellow (PDF) or where a graduate student or PDF is involved in the research, but is not the respondent in the allegation, the Dean of Graduate and Postdoctoral Affairs will also be notified.

Subject to any applicable laws, including privacy laws, the University shall advise the relevant granting agency (or the Secretariat for the Responsible Conduct for Research – "SRCR") immediately of any allegations related to activities funded by the agency that may involve significant financial, health and safety, or other risks. The institution may independently, or at the agency's request in exceptional circumstances, take immediate action to protect the administration of agency funds.

#### *3.1.1 Preliminary Inquiry: Allegations of Breach of Copyright Only*

In cases of allegations of breach of copyright in the conduct of research, it is necessary to act immediately to determine if such a breach has occurred and, if so, take action to stop the breach in order to limit any potential liability and costs for the respondent and/or the University. Upon receipt of an allegation of breach of copyright in research, the VPRI or designate and the University Copyright Officer will conduct a preliminary inquiry by meeting immediately with the respondent to discuss the allegation in order to determine if a breach of copyright has or may have occurred, regardless of whether the breach or potential breach was intentional or unintentional. In the case of a breach or potential breach, the VPRI

or designate and the University Copyright Officer will take immediate steps to prevent any further actions that caused the breach or potential breach. Where the respondent agrees that a breach has occurred, the VPRI or designate and the University Copyright Officer will contact the University General Counsel and seek an appropriate resolution with the complainant. Where the respondent does not agree that a breach has occurred, a Review Panel will be established and formal inquiry will be conducted; however, the University reserves the right to take actions necessary to protect it from potential legal and/or financial liability, or for any other reason it deems appropriate at any time.

### *3.1.2 Establishing Preliminary Inquiry Panel (all allegations except copyright)*

The VPRI will first establish an administrative review, hereinafter referred to as the Inquiry, consisting of at least two senior management members who have the necessary expertise and who are without conflict of interest, whether real or apparent.

The Inquiry will report their assessment as to the need for an Investigation to the VPRI. The Inquiry may seek expert advice when appropriate and as needed.

### *3.1.3 Role of Preliminary Inquiry*

The Inquiry shall:

- (i) Receive the written allegations of academic misconduct in research and initiate an immediate inquiry into each allegation. The Inquiry will involve an initial fact-finding exercise to gather information relevant to the allegation in order to determine if the matter warrants an Investigation. The Inquiry should be completed within thirty (30) calendar days of the receipt of the allegation or as soon as practicably possible given the circumstances. The complainant and the respondent will be afforded confidential treatment to the extent possible. Where either party is a member of a bargaining unit, he/she will have the right to be accompanied by a representative of his/her union at the meetings. The respondent will be given an opportunity to comment on allegations and findings of the Inquiry. The University reserves the right in its sole discretion to take immediate action, if warranted, to protect funds received in support of research, under the stewardship of the University, or for any other reason it deems appropriate.
- (ii) Prepare a written report that states what evidence was reviewed, summarizes relevant interviews, and includes the findings of the Inquiry. The respondent will be given a copy of the report of Inquiry and will be given fourteen (14) calendar days to comment. Such comments will be part of the record. If the Inquiry takes longer than thirty (30) calendar days to complete, the record of the Inquiry shall include documentation of the reasons for exceeding the thirty (30) day period. The report shall be submitted to the VPRI.

The VPRI shall maintain sufficiently detailed documentation of inquiries to permit a later assessment of the reasons for determining that an investigation was or was not warranted. Such records shall be maintained in a secure manner for a period of at least three (3) years after the termination of the Inquiry.

As required, the University shall write a letter to the relevant granting agency or the SRCR confirming whether or not the University is proceeding with an investigation where the granting agency or the SRCR was copied on the allegation or advised as per above. The University will comply with any applicable contract requirements with the relevant granting agency, the SRCR or relevant third party funder.

### *3.1.4 Investigation*

If findings from an Inquiry provide sufficient basis for conducting an investigation, or if the VPRI in his or her discretion is of the opinion that an investigation should be held, the VPRI will establish a Review

Panel, hereinafter referred to as the Panel, consisting of at least three members who have the necessary expertise and who are without conflict of interest, whether real or apparent. The Panel shall consist of at least two full-time faculty members at the rank of Associate Professor or Full Professor who are not in the respondent's Faculty, and one academic administrator (normally an Associate Dean or a Director of a School), and in accordance with the requirements of the Canadian Tri-Council funding agencies, the Panel shall also include at least one external member who has no current affiliation with the institution.

The Panel will be chaired by the Dean of the respondent's Faculty (or designate), or the University Librarian (or designate) in cases where the respondent is a Librarian, and will report to the VPRI. The Panel may seek expert advice external to the Panel when appropriate and as needed.

The investigation will include examination of all documentation and information relevant to the allegation. Interviews will be conducted with any individual the Panel, in its sole discretion, considers relevant to bring forward information regarding key aspects of the allegation. A summary will be provided to each interviewed individual in order to ensure the accuracy of the information contained in the summary of his/her interview. Each individual may provide comments or revisions within five (5) calendar days. Such comments or revisions will form part of the investigatory file. Where either party is a member of a bargaining unit, he/she will have the right to be accompanied by a representative of his/her union at meetings. The Panel may seek the assistance of the University General Counsel and other expert advice when appropriate and as needed.

An investigation shall ordinarily be completed within a reasonable timeframe given the complexity of the case before the Panel. This includes conducting the investigation, preparing the report of findings, and making the report available for comment by the respondent in the investigation. The complainant who raised the allegation shall be provided with those portions of the report that address his/her role and opinions in the investigation. Where the Panel requires an extension of time for its investigation, it shall obtain approval from the VPRI and such request shall not be unreasonably denied.

### *3.1.5 Final Report*

Upon completion of the investigation, the Panel will provide a written report containing the facts and information gathered during the investigation and their findings. The respondent will be provided with a copy of the report and be provided fourteen (14) calendar days to respond in writing.

### 3.2 Concluding the Investigation

Upon receipt of the report and the respondent's response, if provided, the VPRI will recommend to the Provost further action. If disciplinary action is required, and the respondent is a member of a bargaining unit, relevant articles of the collective agreement will be followed. If the allegation is found to be unsubstantiated, then no further action shall be taken against the respondent.

The VPRI shall prepare a report for the relevant granting agency or SRCR on each investigation it conducts in response to an allegation as reported above. Each report shall include the following information:

- the specific allegation, a summary of the findings and reasons for the findings;
- the process and timelines followed for the inquiry and/or investigation;
- the respondent's response to the allegation, investigation and findings; and any measures the respondent has taken to rectify the breach.

### 3.3 Maintenance of Records

The records of the inquiry and the investigation shall be maintained in a secure manner for a period of at least three (3) years after the termination of the investigation.

#### **4.0 Procedures for Investigating Allegations of Misconduct in Teaching**

To ensure that Carleton University is committed to the highest standards of ethical and responsible conduct in teaching, the Associate Vice-President (Teaching and Learning), herein referred to as the AVP, is charged with investigating and reporting on instances of alleged or apparent misconduct in teaching. It is the AVP's responsibility to receive, inquire into, and investigate allegations of misconduct in teaching, which include, but are not limited to: fabrication; falsification; plagiarism; breach of copyright; and violations of University policies, procedures, and regulations, including any appropriate articles in relevant collective agreements, relating to the conduct of teaching.

The AVP shall secure the necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence in any inquiry or investigation into allegations of academic misconduct. The AVP will take precautions against real or apparent conflicts of interest on the part of those involved in the inquiry or investigation.

To the extent possible, the institution shall protect the individual, who makes an allegation in good faith or provides information related to an allegation, from reprisals in a manner consistent with relevant legislation as well as those persons against whom allegations of academic misconduct are made or are not confirmed or are found to be the result of honest error or honest differences in interpretations or judgments of data.

##### 4.1 Allegations of Misconduct in Teaching

Allegation of misconduct in teaching should be directed in writing to the AVP, who shall provide the respondent with a copy of the document setting out the allegation(s), and shall inform the respondent on the process for investigating the allegation(s).

Anonymous allegations will be investigated under these procedures where accompanied by sufficient information to enable the assessment of the allegation and the credibility of the facts and evidence on which the allegation is based, without the need for further information from the complainant.

Where the respondent is a member of a bargaining unit at Carleton University, the respondent will be advised to inform his/her union of the allegation and will be entitled to be accompanied by a representative of the union during any proceedings.

The AVP will also inform the Provost and Vice-President (Academic), hereinafter referred to as the Provost, and the Dean of the respondent's Faculty. In situations where the complainant or respondent is a graduate student (such as in the case of an allegation against a Teaching Assistant who is also a graduate student) or a Post-doctoral Fellow (PDF) or where a graduate student or PDF is involved in the complaint but is not the respondent in the allegation, the Dean of Graduate and Postdoctoral Affairs will also be notified.

##### *4.1.1 Preliminary Inquiry: Allegations of Breach of Copyright Only*

In cases of allegations of breach of copyright in the conduct of teaching, it is necessary to act immediately to determine if such a breach has occurred and, if so, take action to stop the breach in order to limit any potential liability and costs for the respondent and/or the University. Upon receipt of an allegation of breach of copyright in teaching, the AVP and the University Copyright Officer will conduct a preliminary inquiry by meeting immediately with the respondent to discuss the allegation in order to determine if a breach of copyright has or may have occurred, regardless of whether the breach or potential breach was intentional or unintentional. In the case of a breach or potential breach, the AVP and the University Copyright Officer will take immediate steps to prevent any further actions that caused the breach or potential breach. Where the respondent agrees that a breach has occurred, the AVP and the

University Copyright Officer will contact the University General Counsel and seek an appropriate resolution with the complainant. Where the respondent does not agree that a breach has occurred, a Review Panel will be established and formal inquiry will be conducted; however, the University reserves the right to take actions necessary to protect it from potential legal and/or financial liability, or for any other reason it deems appropriate at any time.

#### *4.1.2 Establishing Preliminary Inquiry Panel (all allegations except copyright)*

The AVP will first establish an administrative review, hereinafter referred to as the Inquiry, consisting of at least two senior management members who have the necessary expertise and who are without conflict of interest, whether real or apparent.

The Inquiry will report their assessment as to the need for an Investigation to the AVP. The Inquiry may seek expert advice when appropriate and as needed.

#### *4.1.3 Role of Preliminary Inquiry*

The Inquiry shall:

- (i) Receive the written allegations of academic misconduct in teaching and initiate an immediate inquiry into each allegation. The Inquiry will involve an initial fact-finding exercise to gather information relevant to the allegation in order to determine if the matter warrants an Investigation. The Inquiry should be completed within thirty (30) calendar days of the receipt of the allegation or as soon as practicably possible given the circumstances. The complainant and the respondent will be afforded confidential treatment to the extent possible. Where either party is a member of a bargaining unit, he/she will have the right to be accompanied by a representative of his/her union at the meetings. The respondent will be given an opportunity to comment on allegations and findings of the Inquiry. The University reserves the right in its sole discretion to take immediate action if warranted, to protect the University, its staff, its students, or for any other reason it deems appropriate.
- (ii) Prepare a written report that states what evidence was reviewed, summarizes relevant interviews, and includes the findings of the Inquiry. The respondent will be given a copy of the report of Inquiry and will be given fourteen (14) calendar days to comment. Such comments will be part of the record. If the inquiry takes longer than thirty (30) calendar days to complete, the record of the Inquiry shall include documentation of the reasons for exceeding the thirty (30) day period. The report shall be submitted to the AVP.

The AVP shall maintain sufficiently detailed documentation of inquiries to permit a later assessment of the reasons for determining that an investigation was or was not warranted. Such records shall be maintained in a secure manner for a period of at least three (3) years after the termination of the Inquiry.

#### *4.1.4 Investigation*

If findings from an Inquiry provide sufficient basis for conducting an investigation, or if the AVP in his or her discretion is of the opinion that an investigation should be held, the AVP will establish a Review Panel, hereinafter referred to as the Panel, consisting of at least three members who have the necessary expertise and who are without conflict of interest, whether real or apparent. The Panel shall consist of at least two full-time faculty members at the rank of Associate Professor or Full Professor who are not in the respondent's Faculty, and one academic administrator (normally an Associate Dean or a Director of a School).

The Panel will be chaired by the Dean of the respondent's Faculty (or designate), or the University Librarian (or designate) in cases where the respondent is a Librarian, and will report to the AVP. The

Panel may seek expert advice external to the Panel when appropriate and as needed.

The investigation will include examination of all documentation and information relevant to the allegation. Interviews will be conducted with any individual that the Panel, in its sole discretion, considers relevant to bring forward information regarding key aspects of the allegation. A summary will be provided to each interviewed individual in order to ensure the accuracy of the information contained in the summary of his/her interview. Each individual may provide comments or revisions within five (5) calendar days. Such comments or revisions will form part of the investigatory file. Where either party is a member of a bargaining unit, he/she will have the right to be accompanied by a representative of his/her union at meetings. The Panel may seek the assistance of the University General Counsel and other expert advice when appropriate and as needed.

An investigation shall ordinarily be completed within a reasonable timeframe given the complexity of the case before the Panel. This includes conducting the investigation, preparing the report of findings, and making the report available for comment by the respondent in the investigation. The complainant who raised the allegation shall be provided with those portions of the report that address his/her role and opinions in the investigation. Where the Panel requires an extension of time for its investigation, it shall obtain approval from the AVP and such request shall not be unreasonably denied.

#### *4.1.5 Final Report*

Upon completion of the investigation, the Panel will provide a written report containing the facts and information gathered during the investigation and their findings. The respondent will be provided with a copy of the report and be provided fourteen (14) calendar days to respond in writing.

#### 4.2 Concluding the Investigation

Upon receipt of the report, and the respondent's response, if provided, the AVP will recommend to the Provost further action. If disciplinary action is required, and the respondent is a member of a bargaining unit, relevant articles of the collective agreement will be followed. If the allegation is found to be unsubstantiated, then no further action shall be taken against the respondent.

#### 4.3 Maintenance of Records

The records of the inquiry and the investigation shall be maintained in a secure manner for a period of at least three (3) years after the termination of the investigation.

### **5. Timing**

The timelines mentioned in this Policy are meant to ensure that the matters are dealt with in a timely fashion. There may be in compelling circumstances, reasons to extend a timeline. The discretion to extend a timeline shall be with the VPRI or AVP depending on whether the allegation is research or teaching related. It can be difficult to determine appropriate timelines for the resolution, investigation or a final disposition with respect to a complaint. Therefore, where no timelines are mentioned in this Policy, the intention is always to use a reasonable time period and to act as expeditiously as possible in light of the nature and complexity of the circumstances of the complaint and in light of other circumstances that may arise during the process that are beyond a party's reasonable control.