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| <b>Title</b>         | <b>Scholarly Misconduct Policy</b>  |
| <b>Policy Area</b>   | Education/Academic/Student Services |
| <b>Policy Number</b> | D.3.2                               |
| <b>See also</b>      | Scholarly Integrity Policy          |

**Effective Date:** June 25, 2008

**Approval Date:** June 24, 2008

**Applies to:** Employees and Students of Okanagan College or any individual who works under the auspice of Okanagan College  
  
Students from other institutions who are working on Okanagan College premises under the supervision of an Okanagan College employee

**Approving Body:** Okanagan College Board of Governors

**Supersedes:** OUC Scholarly Integrity Policy

**Authority:** *College and Institute Act*

The following are responsible for the administration of this policy,

| <b>Primary Office</b>                   | <b>Contact</b>            |
|---|---------------------------|
| Office of the Vice President, Education | Vice President, Education |

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### **Policy Statement**

1. Okanagan College recognizes the necessity for maintaining ethical standards in the conduct of scholarly activity. This policy applies to all Okanagan College employees and students. The definition of scholarly activity may be found in the OC/OCFA Collective

Agreement. Note that this policy is not intended to cover normal student work conducted as part of an Okanagan College course with the exception of projects that are approved by the Okanagan College Research Ethics Board.

2. The purpose of this policy is to proscribe activities which breach generally acceptable standards of scholarly conduct and to provide a process for dealing expeditiously with allegations of scholarly misconduct.

### Policy Details

3. Acts of scholarly misconduct may be committed with varying degrees of deliberateness. It is recognized that the line between scholarly incompetence, carelessness and negligence, on the one hand, and intentional dishonesty on the other, may be very narrow. The result is objectionable in any case, even if different degrees of discipline are appropriate.
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student, a member of the public, a media report, a group of individuals, or a granting agency. Note that anonymous allegations will not normally be considered.

8. Allegations of scholarly misconduct received by any member of the Okanagan College community should be forwarded immediately to the Vice President, Education (VPE). The allegation of misconduct must be made in writing, signed and dated. The allegation should contain sufficient detail to enable the VPE to understand the allegation. The VPE may require that additional information be provided in the allegation. Anonymous allegations will not normally be considered; however, if the evidence is compelling, the VPE may elect to proceed with the allegation.
9. The VPE is the central point for receiving allegations, as normally the VPE is sufficiently removed from the scholarly activity in order to be viewed as impartial and free of personal conflicts of interest. If the VPE feels it would be inappropriate to receive a particular allegation for whatever reason, the VPE shall refer the allegation to another Okanagan College Vice President. In such instances, that Vice President shall act in place of the VPE wherever the latter is named in this procedure.
10. Prior to making a decision pursuant to Sections 11-14, the VPE may do any or all of the following:
  - a) request additional information regarding the allegation;
  - b) inquire into the allegation further;
  - c) request that the relevant organizational unit review the matter, or some aspect of the matter, and report to the VPE;
  - d) appoint an individual(s) to review the matter, or some aspect of the matter, and report to the VPE; and
  - e)

- c) request that members of the Okanagan College community appear before an Investigative Committee to answer questions put by the Investigative Committee or supply materials to the Investigative Committee.

### **Investigative Committee**

15. The VPE shall appoint an Investigative Committee (hereafter the "Committee") consisting of three experienced individuals, normally faculty members, at least one of whom shall be external to Okanagan College. The members' experience shall be such that they are capable of developing a good understanding of research, scholarship or creative activity, and can adjudicate the evidence fairly. All members of the Committee shall be sufficiently removed from both the persons alleging misconduct and the persons accused of misconduct to be deemed to have no conflict of interest. The Committee shall determine if scholarly misconduct has occurred, and, if so, its extent and seriousness. The Committee shall elect one of its members to act as Chair. The Committee's decision regarding misconduct is final and binding on Okanagan College.
16. The mandate of the Committee is to determine on a balance of probabilities whether Scholarly Misconduct has occurred, and if so, its extent and seriousness. The determination is made by majority vote.
17. The Committee shall aim to review all scholarly activity with which the individuals have been involved during the period of time considered pertinent to the allegations, including any abstracts, papers or other methods of scholarly communication. A special audit of accounts may also be performed on the sponsored research accounts of the involved individuals. Individuals may be required to provide proof of their credentials.
18. The Committee has the right to see any relevant Okanagan College documents and question any students or employees in the course of its investigation. All members of faculty, staff and students must cooperate fully with the Committee and make available any documents requested by the Committee in the course of its investigation.
19. The Committee shall ensure that it is cognizant of all real or apparent conflicts of interest on the part of those involved in the inquiry, including both those accused and those making the allegations.
20. The Committee may seek impartial expert opinions, as necessary and appropriate, to ensure that the investigation is thorough and fair.
21. As part of the investigation, the Committee shall ensure that the persons alleged to have engaged in misconduct are informed of all allegations against them and are given the opportunity to respond fully.
22. The Chair of the Committee shall keep all materials, records and notes of interviews with the persons involved in a secure and confidential manner.

### **Investigative Report**

23. Due to the sensitive nature of allegations of scholarly misconduct, the inquiry by the Committee should be completed and a draft investigative report prepared within 60 working days of the initial written notification to the respondents (in complex cases the draft report may not be possible within this time limit, but some assessment must be
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provided within the 60 day period; in such instances, the draft investigative report shall be completed thereafter as quickly as possible). The draft investigative report shall include:

- a) the full allegation;
  - b) a list of the witnesses interviewed;
  - c) a summary of relevant material;
  - d) a determination of whether Scholarly Misconduct occurred and the reasons for making this determination;
  - e) if Scholarly Misconduct has occurred, its extent and seriousness; and
  - f) recommendations on any remedial action to be taken in the matter in question and changes to procedures or practices to avoid similar situations in the future.
24. If the Committee finds that scholarly misconduct has occurred, it shall also make recommendations in its draft investigative report on the need to:
- a) withdraw all pending relevant publications;
  - b) notify editors of publications in which the involved research work was reported;
  - c) ensure that the units involved are informed about appropriate practices for promoting the proper conduct of research; and
  - d) inform any outside funding agency of the results of the inquiry and of the actions to be taken.
25. If allegations are not substantiated, the Committee may make recommendations in its draft investigative report of the need for remedies.
26. The involved individuals, including collaborators and supervisors related to the investigation shall be given a reasonable opportunity to review and comment on the draft investigative report. Upon comments being received, the Committee will complete the final investigative report.
27. The final investigative report shall be addressed to the VPE and shall detail in full the allegations, the investigative process, the persons with whom it communicated, what their evidence was, its findings, and any recommended disciplinary or remedial action.
28. Upon submitting the final investigative report to the VPE, the Chair of the Committee shall also give the VPE all materials, records and notes of interviews with the persons involved. The final investigative report and related records shall be kept for a period of six years. All requests for access to the records shall be handled in accordance with the provisions of the B.C. *Freedom of Information and Protection of Privacy Act*.
29. The VPE shall forward the final investigative report to the appropriate administrative officers within 15 working days of receiving the report. For students, the President is the administrative officer with authority to receive and act on the Committee's report; for employees it is the appropriate supervisor or the President depending upon the nature of the discipline that may be recommended.

### **Actions**

30. If the Investigative Committee determines that Scholarly Misconduct has not occurred, the VPE will make a final determination on what action, if any, is necessary in light of the Investigative Committee's report and will communicate that decision to the President, the individuals alleged to have committed the Scholarly Misconduct, and the Deans and Department Chairs of the individuals named in the allegation. In such



