

Procedural Framework Governing Violations of Academic Integrity

(Endorsed at the 126th Senate Meeting, 21 April 2015.)

Preamble

Maintenance of high academic integrity is essential to every aspect of the academic purpose: quality research and education, mutual trust among colleagues, building nurturing relationships with our students, etc. Academic integrity cannot be maintained without a system that facilitates the uncovering of violations when they occur and deals with each occurrence APPROPRIATELY.

The very concept of integrity also requires that we deal with those who are accused of wrong-doing FAIRLY, and fairness requires due process. Certain minimum safeguards are required in any due process. Among these are:

- **presumption of innocence**
- **separation of prosecutorial, adjudicating, and appellate powers**
- **requirement of clear and specific charges**
- **requiring prosecution to meet the appropriate burden and standard of proof of being proven on the balance of probabilities**
- **right of defense :**
 - ▶ to cross-examine witnesses and refute evidence
 - ▶ to present the defense's own witnesses and evidence
 - ▶ to present mitigating circumstances
 - ▶ to appeal

Embodying these principles in a simple and not unduly legalistic framework is the goal of this Framework.

The Framework and its procedures are part of a larger process. The process as a whole involves everyone in the University to commit to the values intrinsic in the academic enterprise, to be vigilant in preventing violations, to mentor junior colleagues and students, and in general to help build a culture in which lapses of integrity are a rarity.

1. Purpose

To establish appropriate procedures for dealing with alleged violations of academic integrity.

2. Definition

Violations of academic integrity are acts of DISHONESTY, EXPLOITATION, ABUSE, or contravention of University regulations and policies committed in teaching, research, service, and teacher-student interactions.

3. Personnel Covered

All current members of the University who engage in academic functions, and all former members in relation to academic functions undertaken by them whilst working or studying at the University.

Procedure for Investigation

4. Initiation

Any person can initiate a complaint by writing to the Vice-President for Research and Graduate Studies (VP-RG) for alleged research misconduct and to the Executive Vice-President and Provost (EVPP) for all other alleged violations of academic integrity.

5. Responsibility of the Executive Vice-President & Provost or Vice-President for Research and Graduate Studies Receiving the Complaint

- 5.1 It is the responsibility of the EVPP or VP-RG receiving the complaint to undertake the following tasks:
- (a) Notify the targeted person of the nature of the complaint.
 - (b) Conduct a timely investigation, including interviews with both the initiator and the accused.
 - (c) Dismiss the complaint and so notify the accused and initiator if, as a result of item 5.1(b) above, the EVPP or VP-RG finds that there is insufficient evidence to conclude that there has been any violation of academic integrity.
- 5.2 If the EVPP or VP-RG finds sufficient evidence to meet the burden of proof to support charges of integrity violation, he/she may take one of the following two actions:
- (a) In those cases where the violation is minor, send a letter of reprimand to the violator. Any letter of reprimand shall be made part of the personnel file of the violator. This action will then close the case.
 - (b) In cases where the violation is judged to be serious, file a complaint with the Committee on Academic Integrity. For such cases, the EVPP or VP-RG is referred to as the Plaintiff and the alleged violator is referred to as the Defendant.

The Plaintiff shall state in writing the specific charges against the Defendant and shall have the burden to present CLEAR and CONVINCING evidence and the Defendant shall be given a copy of the complaint and alleged misconduct.

6. Responsibility of the Committee on Academic Integrity (the Committee)

- 6.1 Upon receiving a written complaint from the EVPP or VP-RG, the Committee shall make sufficient inquiries to make a PRIMA FACIE determination which is defined as follows:
- A prima facie case exists when the charges, if proven, constitute a violation of academic or research integrity or misconduct.
- 6.2 Failing to find a prima facie case, the Committee shall dismiss the charges.
- 6.3 If the Committee determines that a prima facie case exists, it shall conduct a hearing. The Committee may form an *ad hoc* committee of experts from within and/or outside the University to determine integrity violations related to the case, if deemed necessary.
- 6.4 At the conclusion of the hearing, the Committee shall find the allegations either proven or not proven on the balance of probabilities, by a majority vote. The Defendant shall receive a summary of the Committee's findings.

7. Sanctions and Appeals

- 7.1 Where the Defendant is a faculty or staff member and the case has been found proven, sanctions will be recommended by the Committee on Academic Integrity for the consideration of the President. Sanctions shall include one of the following:
- (a) financial penalty (e.g., forfeiture of salary, fines);
 - (b) suspension;
 - (c) dismissal; and/or
 - (d) other penalties as the President deems suitable.
- 7.2 Where the Defendant is a student and the case has been found proven, the Committee's decision will be submitted to the President, and charges will be referred to the Student Disciplinary Committee to decide on the sanction to be imposed in accordance with those prescribed in the 'Regulations for Student Conduct and Academic Integrity'.
- 7.3 Where the Defendant is a former faculty or staff member, or former student when the case is found proven, the sanction will be recommended by the Committee on Academic Integrity, for the consideration of the President.
- 7.4 The Defendant has the right of appeal by writing to the President.

8. Responsibility of the President

The President shall:

- (a) have the responsibility to affirm or reject any verdict of the Committee and impose the final penalty, and
- (b) respond to appeals by the Defendant, and appoint specific ad hoc committees for further investigation, if necessary.

9. Time limits

- 9.1 In relation to 5.2(a), the violator has 30 calendar days from the receipt of a letter of reprimand to appeal to the President, in writing, whose decision shall be final.
- 9.2 In relation to 5.2(b), the Committee has 90 calendar days from the date it receives the EVPP's or VP-RG's complaint to conclude whether the Defendant is guilty. In exceptional circumstances where an extension of time is required, the Committee may request this by writing to the President with reasons for the request.
- 9.3 In relation to 6.4, the Defendant has 30 calendar days from the receipt of the summary of the Committee's findings to appeal to the President, in writing, whose decision shall be final.
- 9.4 The President has:
 - (a) 30 calendar days from the date he receives the Committee's report to affirm or reject any verdict and impose the final penalty sanction, and
 - (b) 90 calendar days from the date he receives the defendant's appeal to respond, whichever is later. In exceptional circumstances where an extension of time is required, the Defendant and the related parties will be notified.

10. Confidentiality and Anonymity

- 10.1 The University will take all reasonable steps to preserve the anonymity of:
 - those against whom an alleged violation of academic or research integrity or misconduct has been made; and
 - those who initiate an accusation,and protect them from reprisals and retaliation.

In the event the initiator does not wish to testify at the hearing, the case will be found not proven and will be dismissed unless the Plaintiff has independent evidence to support the charges without relying on the testimony of the initiator.

- 10.2 Confidentiality shall be observed by the EVPP, VP-RG, the Committee, Defendant, and all participants throughout the process.
- 10.3 Proceedings or reports of cases shall not be made public in any form. A summary of the report of the Committee to the President shall be made available to the Defendant.

11. The Committee on Academic Integrity

Appointing Authority : President

Composition : 5 - 1 (to be appointed by President)
 - 4 (one to be nominated by each School)

Co-option : Chairman of the Student Disciplinary Committee, when a case involves a student(s)

Chair : To be appointed by the President from amongst the 5 Members

Terms of Service : two years; renewable.

Eligibility : Holders of office at Dean's level and above or their equivalent
 are not eligible to be nominated and appointed.

Resources : President to provide the budget as and when needed.