

POLICY NO. 16 INSTITUTIONAL RESEARCH POLICY

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POLICY NO. 16

INSTITUTIONAL RESEARCH POLICY

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POLICY NO. 16

INSTITUTIONAL RESEARCH POLICY

ARTICLE 1 - RESEARCH AT JOHN ABBOTT COLLEGE

Preamble

Recent government policies have encouraged colleges in the CÉGEP system to consider intensifying their research activities. Such activities will both enhance the college learning environment and enable colleges to make beneficial contributions to regional development. John Abbott College is responding to these changes by supporting the integration of research activities and establishing its own institutional research policy.

This document outlines our vision of research activities at John Abbott College. It describes the role that research plays in the activities of our institution as well as providing a framework for its administration, regulation and dissemination. The purpose of this document, therefore, is to synthesize our collective vision of research activities. Moreover, the policy statements within this document are required by the Natural Sciences and Engineering Research Council of Canada. It can, therefore, be used to assure granting agencies and academic bodies of the quality and integrity of research conducted at John Abbott College. Ultimately, this document is both a policy statement on and a guide to the research process within our college community.

1.1 Research in a Teaching Institution

The primary activity of faculty and staff at John Abbott College is providing high-quality technical and pre-university education at the post-secondary level. Where appropriate, research can be an important component of this educational plan. There are a number of ways in which research can compliment teaching. Broadly, in-house research activities can enrich the learning of faculty, staff and students. Clearly, research on pedagogical activities enriches our understanding of learning processes. Research within our fields of academic expertise also makes a significant contribution to the learning process. ‘Teaching researchers’ can share the research process with students. Globally, continued activity in research encourages teachers to engage with new developments in their discipline. More specifically, in-house research can also create the opportunity for teachers, professionals, staff and students to work on current research projects together. Furthermore, funded research projects can increase the resources and equipment that are available to students in the classroom. Finally, ‘teaching researchers’ can assist students by linking them with academic, institutional and commercial networks.

1.2 Research in the John Abbott College Community

John Abbott College is a CÉGEP that offers technical, general and pre-university education. Its career programs grant technical diplomas in the health (Nursing and Dental Hygiene) and library sciences, business administration, engineering, computer science, criminology (Police Technology and Correctional Intervention), theatre and media technologies. Its pre-university programs include most of the major disciplines in the natural and social sciences, the liberal arts, and the fine and creative arts. General education fields include physical education, the humanities and languages and literature.

The research interests of faculty members are, therefore, wide-ranging in terms of their subject matter, methods and objectives. John Abbott College supports research that spans these fields and contributes to excellence in all of its fields of study.

Broadly, there are two primary types of research conducted within the College. First, the most common types of research envisioned by this policy include scholarly, applied and pedagogical research conducted by faculty members. This type of research can vary widely, ranging from academic research for peer review, to research about the College population, and to contract research. Any research of this type is subject to all applicable components of this policy (Section 2, 3, and 4). A second category of research at John Abbott College is research that specifically uses members of the college community as research subjects. This type of research may be conducted by the administration, teachers, students or external researchers. Any research of this type is governed by the statements on ethical treatment of human subjects contained herein (Section 4).

John Abbott College supports and encourages research in all of the above areas. For academic research within a discipline, the College supports projects that expand our understanding of the world and conform to standards established by academic bodies such as granting agencies. For externally-funded applied research projects, the College supports research that contributes to the local community and enhances research networks. In the case of pedagogical research, the College supports projects that enhance our understanding of the learning process and thereby contribute to the success of John Abbott students. Finally, in the interest of making research responsive to the broader community, the College encourages the formation of research clusters, group projects and projects based on local community partnerships.

1.3 A Research Framework

Demonstrating its commitment to expanding research possibilities, the College has developed the necessary infrastructure to support faculty in their research endeavours. A framework for the development, ethical review and adoption of a research project by the College has been established. One of the most important aspects of this process has been the establishment of the Director of the Institutional Development Service (IDS) as a research officer who can guide researchers and administer external research funding. When beginning a research project, researchers can make use of the resources of the IDS Office to find funding sources and develop their applications and proposals. The Institutional Research Policy is implemented by the Innovation, Research and Development Committee (IRDC) (See Appendix 1). This committee is responsible for applying the policy. Once a research project is developed, it will be submitted by the Director of the IDS to the IRDC for recommendation to the College. The IRDC must determine whether the proposed research respects the major principles of Research at John Abbott College listed in Section 1.4 of this document. All research involving human subjects must be directed by IRDC to the Research Ethics Board (REB). The REB's mandate is to approve, reject, propose modifications to, or terminate research projects involving human subjects. The IRDC may recommend that a proposal accepted by the REB should not be permitted to continue only on grounds other than ethical standards... Academic Council will be informed of all projects recommended by the IRDC. Having established this framework, the College can now demonstrate our research commitment to funding agencies and promote and encourage research within the College.

1.4 Major Principles of Research at John Abbott College

The following are the major principles of research at our college:

- a) Academic research at John Abbott College will adhere to established standards of academic integrity and research ethics.
- b) All research will strive to contribute to the College's academic environment, increase our knowledge-base and/or enhance the classroom experience.
- c) All research will be conducted in a manner that will maintain the academic reputation of the College.
- d) Our definition of what constitutes research will be dynamic and inclusive.
- e) Scholarly research will make a contribution to the researcher's academic field.
- f) Pedagogical research will strive to assess the learning process at John Abbott College.
- g) Contractual research will enhance our knowledge-base and create learning opportunities for John Abbott students.
- h) Research conducted for the sole purpose of advancing the interests of a corporation will not be permitted at John Abbott College.
- i) All research will be sensitive and responsive to the College's social and ecological environment.

ARTICLE 2 - TERMS AND RESPONSIBILITIES

2.1 The Purpose of the Policy

The primary goal of this policy is to advance institutional development by encouraging the integration of research into the mission and activities of the College. The objective is to create an environment that supports researchers by enabling them to continually develop skills and knowledge in their respective field of research. The policy, therefore, serves as an institutional development tool that outlines the scope, guiding principles and organizational framework for research at John Abbott College. Furthermore, the policy details the mechanisms of support available for research activities and provides guidelines regarding internal procedures when developing a research project. Finally, the policy outlines our standards of ethics, integrity and excellence in all research conducted at the College.

2.2 Scope of the Policy

This policy applies to all activities related to research projects conducted by or involving members of the John Abbott College community. The term John Abbott College community refers to all faculty, staff and students associated with the College (See Section 4.3: Definitions related to Ethics involving Research on Human Subjects). Any student enrolled in a Day Division or in Continuing Education program, whether full or part-time, is governed by the standards established in this policy except with regards to the Policy on Integrity in Research. Students committing acts of misconduct with regard to integrity as part of their course work or program of study are subject to the policies in the Institutional Policy on Evaluation of Student Assessment (IPESA). All John Abbott staff, including administrators, faculty and professionals, who are involved in research are subject to this policy. Faculty who are employed at John Abbott but are involved in a funded research project granted to another institution are subject to the policies of that institution (See Externally-Administered in Section 2.3.3: Research Frameworks and Funding Sources). Faculty who are conducting research for the completion of a graduate degree from another institution are subject to the policies of that institution unless they propose to use members of the college community as their research subjects. In this case, they will be considered external researchers and their proposals must be accepted by the REB (see Section 2.6.5 Research Ethics Board (REB)). The exception is those faculty completing degrees for the Master's Teachers Program (MTP) at the University of Sherbrooke who must obtain the approval of John Abbott IRDC and, when required, by the REB.

2.3 Definitions of Research Activities

2.3.1 General Terms

Research: The systematic and original investigation of a phenomenon that seeks to provide an innovative and explicit answer to a well-defined question. Research is directed towards making a contribution towards knowledge within a specific field of inquiry. It includes the creation and improvement of theories, methods and techniques; the enhancement of existing knowledge; and the generation and dissemination of original results. Research does not include routine activities such as testing materials and components or the development of teaching materials that do not embody original research.

Researcher: Any person that is conducting and directing a research project. Where a research project is being conducted by a team, the principal researcher is the individual who is responsible for the direction and administration of the research project.

2.3.2 Types of Research

Applied: Research that uses theories, principles and methods to solve practical problems.

Basic: Research activities that seek to develop knowledge within one or more academic disciplines.

Creative: Any research activity that is an essential part of the creative process or artistic discipline that directly fosters the creation of artistic works. This research must address clear research questions, offer theoretical contextualization within the relevant fields of inquiry, present a well-considered methodological approach and lead to substantially improved insights. The research and resulting artistic works must meet peer standards of excellence and be suitable for publication, public performance or viewing.

Institutional: Research conducted by the College to understand its services and profile its student population. This may include research on college practices, enrolment patterns as well as the analysis of pre- and post-CÉGEP student patterns at university and in the labour market.

Pedagogical: Any research conducted to directly improve the learning environment at the College. The focus of this research is on the learning process, but includes research on curriculum and course development. This can include basic and applied research conducted by faculty as well as research conducted for the completion of the Master Teacher Program (MTP) (on-campus M.Ed. accredited by the University of Sherbrooke). This category also includes research into the use of educational technology.

Program: Research conducted in order to evaluate, modify and develop pre-university and career programs. This type of research also includes the analysis of related labour markets and industry needs.

Scholarly: The creation, development and maintenance of the intellectual infrastructure of subjects and disciplines, in forms such as dictionaries, peer-reviewed journal articles, catalogues and contributions to major research databases.

Student Life: Research conducted by the College to assess student needs, student activities and student integration.

Technological: Research activities that apply scientific knowledge to the development of new technical applications or methods as well as the development of technical products and processes to be transferred to the market place. The use of existing knowledge in experimental development to produce new or substantially improved materials, devices, products and processes, including design and construction.

2.3.3 Research Frameworks and Funding Sources

Contractual: Research and development projects that are funded by a company, government ministry or organization. These projects require a formal agreement between the College, the principal researcher and the external body.

Externally-Funded: Research projects that are supported by one or more external funding sources and administered by the College. These projects require a formal agreement between the College, the principal researcher and the external body.

Externally-Administered: Funded research projects that involve John Abbott faculty but are administered by and granted to another institution. Such projects are subject to the policies of the institution administering the research grant and do not require approval from John Abbott College unless required by the granting body or agency.

Independent: Research activities that are conducted locally or in collaboration with external agencies for which no funding has been solicited or obtained. Approval of the project is required when the researcher will be representing themselves as a faculty member at John Abbott College whether in the field or in the dissemination of results.

Internally-Funded: Research projects that have been funded using College funds or other College mechanisms of support, including release time generated by the College's annual allocation project within Volet 3 (Retraining, Research and Development and Professional Development).

2.4 Institutional Objectives and Research Priorities

With the adoption of this policy, John Abbott College seeks to enhance and expand research activities in all possible areas. Broadly, the College encourages research activities that contribute to the achievement of its institutional objectives as outlined in its current strategic plan (*Strategic Plan 2010-2015*). The College encourages both individual and collaborative research projects. Collaborative research can involve the formation of disciplinary and interdisciplinary research teams among faculty and staff as well as external team members. The College encourages the formation of research teams that include students if the project can directly contribute to their education within their program of study.

Proposals for research projects may come from any member of the College's staff or faculty. The College itself may propose research projects that are identified as crucial to its development according to the strategic plan.

2.5 Integration of Research with College Activities

John Abbott College recognizes that research can make an essential contribution to its teaching mission. In order to ensure the integration of research with other activities, the College has established the following protocols:

- a) During the preparation of a research proposal for pedagogical research, the researcher must inform the departments, programs and services concerned of the research project.
- b) Before undertaking a research project, researchers must inform their Program Dean.
- c) Before undertaking a research project, researchers must present a proposal to the Director of the IDS who will submit the proposal to the appropriate committees for approval.
- d) When conducting a research project, all researchers must inform the department, programs or services concerned.
- e) When conducting a research project, the researcher must inform the IDS, the IRDC and the REB of its development and progression at regular intervals.
- f) The College will support research by providing facilities, information and coordination between the researchers and the relevant departments, services and programs.
- g) The College administration, specifically the Director of the IDS, is responsible for administering external funds used to support research.
- h) The College will support the release of personnel from their regular duties in order to complete both independent and externally-funded research projects.
- i) All decisions regarding faculty involved in research will respect the *Faculty Collective Agreement*.

2.6 Research Responsibilities

The College and its Director General are responsible for providing a suitable environment for research. The College will strive to maximize research possibilities and provide the facilities to support research projects. The College will also promote awareness of the Institutional Research Policy and ensure that all research conforms to its policies on integrity and ethical conduct. The College designates responsibility for applying the policy to five principal actors within the College infrastructure, all of which share responsibilities.

2.6.1 The Academic Dean

The primary responsibility for the application of the Institutional Research Policy lies with the Academic Dean. The Academic Dean will apply the policy in consultation with other actors and the Academic Council.

2.6.2 The Researcher

Researchers must apply the Institutional Research Policy at all stages of their respective research project. It is the responsibility of all researchers to ensure that his or her research is conducted in a manner that respects college policies on ethics and integrity.

Any researcher applying for external funding must also ensure that the proposal and budget conform to the requirements of external granting agencies. During the execution of the research project, it is the responsibility of the researcher to ensure that the regulations of the external granting agencies are respected. When submitting an application as part of a team of researchers in more than one institution, the researcher must ensure that the participation and roles played by each of these establishments have been defined and accepted.

2.6.3 Institutional Development Services (IDS)

This office will support and manage all research projects. Its primary role is coordination between the researcher, internal committees and external funding bodies. The IDS will:

- a) Keep an inventory of and circulate information on research grants;
- b) Keep an inventory of current and past research projects at the college;
- c) Provide the necessary support for eligible personnel to prepare research proposals;
- d) Manage and administer the grants awarded to individual researchers;
- e) Refer all research proposals to the appropriate committees for approval;
- f) Participate in the activities of the IRDC;
- g) Support the activities of the REB;
- h) Securely store all documents related academic misconduct and research committee activities;
- i) Ensure the dissemination of research results;
- j) Organize at least one annual event to promote awareness of the policy.

2.6.4 Innovation, Research and Development Committee (IRDC)

This Committee will evaluate and recommend all research proposals to the College. The Committee consists of four members appointed by the Faculty Association, one representative of Student Services, one representative of IDS, the Director of IDS as the Chair and one student representing the Student

Union. For information on the procedures of this committee see the *Innovation, Research and Development Committee Guidelines*. The IRDC has the mandate to:

- a) Review, evaluate and recommend all research efforts conducted by John Abbott faculty and staff to the College to ensure that they respect the major principles for research at JAC;
- b) Report research projects to the Academic Council;
- c) Refer any research project, with the exception listed in subsection e of Section 2.7, that uses the John Abbott College community as subjects to the REB;
- d) Forward all requests from external researchers that propose to use John Abbott College community members as subjects for research to the REB for authorization;
- e) Receive and review the progress reports from College researchers;
- f) Refer any act of scholarly misconduct to the Academic Dean;
- g) Review and recommend revisions to the Institutional Research Policy;
- h) Prepare an annual report.

If the IRDC determines that a research project does not respect the guidelines for research established by JAC it may recommend that the proposal in its current form be rejected, The decision and its rationale must be communicated to the applicant in writing within a reasonable period of time after the decision has been made., Applicants can request that the IRDC reconsider its decision before making a formal appeal. A request for reconsideration can be made by writing to the Director of IDS. The letter requesting reconsideration must outline the reasons for reconsideration. The IRDC must offer the applicant the opportunity to appear in support of the request although the applicant does not have the right to be present when the decision is taken. If the proposal is rejected for a second time, the Director of the IDS shall provide the researcher with all the reasons for the decision. Once a proposal has been rejected for a second time, the applicant may appeal the decision of the IRDC. The request for an appeal must be submitted by the applicant to the Director of the IDS in writing. The Director of IDS will then forward the request to the Academic Dean who will present the appeal to Academic Council. The Academic Council will, therefore serve as the appeals board for the IRDC. All materials related to the application process will be made available to members of the Academic Council. All decisions made by the Academic Council regarding the Appeal will be final.

2.6.5 Research Ethics Board (REB)

The Research Ethics Board is responsible for promoting the Policy on Ethics Involving Research on Human Subjects (Section 4) and for reviewing, evaluating and approving all proposals for research projects governed by this policy. For an outline of the responsibilities, composition and procedures of this committee see Section 4.7 of this policy.

2.7 Code of Ethics

All research activities at the College must respect the code of ethics outlined in this policy. Those projects using human subjects, initiated from within or outside of the College, must adhere to the policies outlined herein in “Section 4: Policy on Ethics Involving Research on Human Subjects”. The following are the protocols used to ensure the ethical treatment of human subjects in research projects:

- a) The Research Ethics Board (REB) will apply “Section 4: Policy on Ethics Involving Research on Human Subjects” of this policy in compliance with the standards established by the *Tri-Council Policy Statement*.

- b) All internal research projects that propose to use human subjects must be vetted by the IRDC to ensure that it meets the criteria established by the college for research at JAC then be authorized by the REB before research can begin.
- c) The IDS is responsible for collecting and submitting all research proposals that use members of the College community to the research committees. The Director of the IDS is responsible for ensuring that all proposals are complete before they are submitted.
- d) The REB will receive and analyze all internal research proposals that involve human subjects. All internal researchers must submit a research proposal that includes a detailed methodology. They must also provide a copy of the research instrument, information letter and consent form.
- e) Researchers who are proposing a project for the completion of the Master Teacher Program will only require the approval of the IRDC. If their research project poses more than minimal risk to the subject, the IRDC must refer the proposal to the REB for approval. These researchers must also provide evidence of enrollment in “Designing a Research Project Proposal” (MEC802) before approval will be granted.
- f) It is the responsibility of the REB to verify that all internal proposals meet the criteria established in “Section 4: Policy on Ethics Involving Research of Human Subjects”.
- g) The IRDC will receive, analyze and monitor all research proposals from external researchers that involve the use of members of the College community as research subjects. External researchers must submit a research proposal and copies of the research instrument, information letter and consent form. These researchers must also submit confirmation of ethical approval from the Research Ethics Board at their research institution.

2.8 Policy on Animal Care and Hazardous Materials

The College has not adopted a policy on animal care or hazards (such as biohazards or radioactive materials) in research. Research that involves the use of animals or hazardous materials requires certification from Public Health Canada. Therefore, until the appropriate certification has been granted, researchers will not be permitted to conduct research that involves animals or the use of hazardous materials.

2.9 Development of Research Skills

John Abbott College is committed to the professional development of its faculty and staff through research activities. The College will encourage the development of research skills and awareness of research policies by holding professional development activities that focus on research issues. These will include seminars on granting agencies, proposal development, academic integrity and research ethics. The IDS will hold orientation sessions on the Institutional Research Policy and its contents on an annual basis. Where possible, the College will strive to integrate students into extra-curricular activities that will build on the research skills they are developing through their specific programs of study.

2.10 Dissemination of Research Results

It is expected that the results of all research projects will be disseminated as public documents. Where the College has provided support, administered funding or has been used as the institutional affiliation of the researcher, published research must reference John Abbott College as the researcher’s institutional affiliation. The method of dissemination will depend on the type of research. The results of most research projects may be published in academic or professional journals, public reports, and conference proceedings. They may also be presented at conferences or in seminars. All academic

research conducted at John Abbott College must be made available for peer review and to the college community on request. The dissemination of results within the College via in-house presentations, seminars or within the curriculum is encouraged. Upon completion of a research project, the researcher must submit a full report to the IDS.

2.11 Implementation and Review of the Policy

The College will take the necessary measures to promote the awareness and application of the present policy and its regulations throughout the College, especially among the principal actors involved in applying the policy. The IRDC will review, evaluate and recommend revisions of the current policy to the Academic Council on an annual basis. The IDS will ensure that the College community will receive regular instruction on the policy and will formally notify the community of any changes. All such changes must be recommended to Academic Council for adoption by the Board of Governors. The College will create new policies to respond to the evolution of research activities among faculty and staff.

ARTICLE 3 - POLICY ON INTEGRITY IN RESEARCH

3.1 Purpose of the Policy on Integrity

The objective of this policy is to ensure that research and scholarship conducted at John Abbott College conforms to nationally recognized standards of integrity and scientific competency. This policy outlines our principles of integrity in research and scholarship as well as the procedures for investigating misconduct associated with the violation of these principles in research and scholarship carried out by faculty and staff of John Abbott College.

3.2 Scope and Responsibilities

This policy applies to all faculty, staff and students who are engaged in research projects at John Abbott College. External researchers whose research is facilitated by the College are governed by the integrity policies of their own research institutions. Externally-administered research projects are governed by the policies of the institution holding the research grant. The College is responsible for implementing, circulating, promoting and monitoring the Policy on Integrity in Research. Each researcher, however, is responsible for understanding, rigorously applying and ensuring conformity to the policy while conducting research. Ignorance of the principles and regulations of this policy will be treated as negligence. When a researcher is responsible for a team of researchers, this researcher is responsible for making all team members aware of the policy and ensuring that the Policy on Integrity in Research is respected by everyone. Students are only subject to this policy if they commit an act of misconduct while working as a research assistant. Students who are alleged to have engaged in misconduct in academic research solely in their capacity as students will be governed by the *Institutional Policy on Evaluation of Student Assessment (IPESA)*.

3.3 Definitions of Integrity-Related Terms

Authorship: Authors and co-authors are those persons who make a significant intellectual contribution to the collection, analysis, interpretation and dissemination of research results. Administrative and technical contributions to the research do not constitute authorship. A detailed outline of authorship is provided in “Section 3.8: Policy on Authorship and Publication”.

Complainant: The person making the allegation of misconduct in research or scholarship. This person may or may not be directly affected by the alleged misconduct. This person may or may not be part of the College community.

Conflict of Interest: A conflict of interest occurs whenever a researcher compromises his or her independence and impartiality while conducting a research project and the personal interests of the researcher are given priority over the objectives of the research. A detailed outline of conflicts of interest in research is provided in “Section 3.10: Policy on Conflicts of Interest in Research”.

Misconduct: Any deliberate attempt to mislead the scientific community or the public or to profit unduly from a situation related to the research activity. Scholarly misconduct is any action that contravenes or is inconsistent with the College’s Policy on Integrity in Research. For a detailed outline of what constitutes scholarly misconduct see “Section 3.11: Scholarly Misconduct”.

Respondent: The person who is alleged to have committed misconduct in research or scholarship on behalf of the College.

Scholarly Integrity: Research activities that strive to maintain the highest standards of academic responsibility and respect for ethical and scientific standards of conduct. The guiding principle of

scholarly integrity is the practice of intellectual honesty at all stages of the research process. For a detailed outline of scholarly integrity see “Section 3.6: Standards of Integrity”.

3.4 Application of General Principles of Research Integrity

John Abbott College holds all of its researchers responsible for conducting their research and scholarly activities in compliance with internationally recognized standards of research ethics and integrity (For the definition of ‘researcher’ see Section 2.3 of the Institutional Research Policy) The College is responsible, therefore, for ensuring that all research and scholarly activity conforms to the standards outlined in this policy. The College will strive to prevent misconduct by promoting awareness of the standards of integrity outlined in this policy. In the event that an allegation of misconduct is made, the College will ensure that the allegation is investigated in an impartial, expedient and confidential manner following the procedures outlined in this policy. The College will also ensure that when a case of misconduct has been confirmed, corrective measures are taken in order to rectify the situation. Finally, the College is also responsible for reporting the conclusions and actions taken in any case of confirmed misconduct to the relevant granting agencies.

3.5 Promoting Integrity and Preventing Misconduct

The College is committed to developing awareness of our standards of scholarly integrity, accountability and responsibility among its researchers. The responsibility for the promotion of principles of integrity in research lies with the IDS in consultation with the IRDC. There are a number of different mechanisms that these bodies will use to increase awareness of the policy. First, these bodies will ensure that the policy and its procedures are accessible to the College community. The policy will be available to all departments and offices through the College website. In an effort to create an environment that is committed to scholarly integrity, the policy will regularly be presented to relevant committees.

The IDS will ensure that the policy is distributed to any staff or faculty that are proposing a research project. Secondly, the IDS will periodically hold information sessions on the principles and practices of scholarly integrity for all potential and existing researchers. The orientation of new faculty and staff will include the circulation and discussion of this and other College research policies. Finally, to ensure that the policy responds to the needs of the college community, the IDS and the IRDC will monitor and review the policy as needed. (See “Section 2.11 : Implementation and Review of the Policy.”)

3.6 Standards of Integrity

At John Abbott College the primary responsibility for demonstrating honesty and scientific competence in research rests with researchers. Researchers are responsible for observing established standards of integrity and adhering to the College policies on integrity in research. Specifically, researchers must uphold the following principles:

- a) Researchers must use scholarly and scientific rigour and integrity in obtaining, recording and analyzing data and in reporting and publishing results. The fabrication or falsification of data or results is a serious breach of scholarly integrity.
- b) Researchers must acknowledge the substantive contributions of collaborators and students. The unpublished work of other researchers and scholars can only be used with their permission and with due acknowledgement. Archival materials must be used in accordance with the rules of each archival source.
- c) Researchers must obtain the written permission of the author before using new information, concepts or data originally obtained through access to confidential manuscripts or applications

for funds for research or training that may have been seen as a result of processes such as peer review.

- d) Researchers must ensure that the authorship of public works includes all persons who have materially contributed to, and share responsibility for, the contents of the publication, and only those persons.
- e) Researchers must provide the College with a research proposal that provides a rigorous outline of the stages of the research project, a clear definition of the roles and responsibilities of all members of the research team, and a detailed explanation of how all funds and resources will be managed during the research project.
- f) Researchers must obtain the approval of the IRDC before conducting a research project on behalf of the College or using College facilities, materials or personnel.
- g) Researchers must obtain the approval of the REB before engaging in any research involving human subjects. Once approval has been granted, researchers must ensure that the research is conducted in compliance with the *Policy on Ethical Research using Human Subjects*. Furthermore, the researcher must respect the procedures, the norms and regulations of the College and its funding agencies while conducting the research project.
- h) Researchers must insure that all information that has been part of data analysis is retained for a period of five years. The data must be stored in a secure place and be accessible in the event that the findings are contested. Storage of this material must respect principles of confidentiality and intellectual property.
- i) Researchers must reveal to sponsors, the College, journals or funding agencies, any inter-personal conflict of interest that exists before or arises during the research project.
- j) Researchers must reveal to sponsors, the College, journals or funding agencies, any material conflict of interest, financial or other, that might influence their decisions on whether the individual should be asked to review manuscripts or applications, test products or be permitted to undertake work sponsored from outside sources.

3.7 Policy on Data Recording, Storage and Retention

All recorded results of a research project must be stored and retained in accordance with this policy.

- a) Primary data must be accurately and clearly recorded in a permanent form. All results must be retrievable. When human subjects have been used to generate the data, the principal researcher must use and retain a coding system to ensure the confidentiality of the research subjects. The principal researcher must arrange for secure and confidential storage of these results. The results must be made available to the College on request. If the principal researcher leaves John Abbott College during this period, they must insure that the Director of IDS can have access to the data in the event of an investigation into misconduct.
- b) All co-researchers will have free access to all primary data and other products of the research at all times. Before any member of the research team makes copies of the primary data for their own use, they must obtain the permission of the principal researcher. The principal researcher must have a valid reason for refusing such requests by members of the research team. An explanation must be provided in writing to the Director of the IDS.

- c) The provision of material products, such as software prepared during research, substances, or equipment, to third-parties for non-commercial research purposes within or outside of the research unit must have the approval of the principal researcher.

3.8 Policy on Authorship and Publication

The attribution of authorship in all research publications must accurately reflect the intellectual contribution of each member of the research team. The author or co-authors of a research publication include all persons who have made a significant intellectual contribution to the collection, analysis, interpretation and dissemination of research results. Where students have made a significant scholarly contribution that is intellectual in nature, they must be given due prominence in the list of authors. Any member of the research team that submits any portion of the research project for publication or presentation is responsible for acknowledging all relevant co-authors in the appropriate order as outlined by Natural Sciences and Engineering Council of Canada (NSERC). Each author is also responsible for circulating a draft of any manuscript stemming from the research project for comment and approval by all appropriate co-authors. Co-authors must also approve their co-authorship and the order of authorship for publication.

Administrative and technical contributions to the research do not constitute authorship. Authorship cannot be determined on the basis of an employment contribution. Unless the individuals who have provided technical support to the research project have also made an intellectual contribution to the project, they will not be considered to be authors. Authors, therefore, do not necessarily include those individuals who have been paid to collect data, supervise a laboratory, conduct data analysis, provide technical support or administer the research project. Individuals who provide critical reviews of manuscripts, papers or reports before publication cannot be considered to be authors. Honorary co-authorship is not permitted. Any of the above contributions, however, should be acknowledged in a footnote or in an acknowledgements section.

In the event that a conflict arises between authors on any issues of content or authorship, every effort should be made to resolve the issue informally. In the event that this is not possible, the Director of the IDS will attempt to mediate a resolution. If mediation does not resolve the conflict, an allegation of misconduct can be presented to the Academic Dean (See “Section 3.12: Procedures for Reporting, Investigating and Sanctioning Misconduct”). All decisions regarding authorship must respect the Faculty Collective Agreement (Appendix V-4: Pertaining to the use of a work of which a professor is the author or one of the co-authors).

3.9 Policy on Intellectual Property

The College has not adopted a separate policy on the management of intellectual property in research. All management of intellectual property issues, however, must conform to the norms established by the Natural Sciences and Engineering Research Council of Canada’s guidelines as outlined in their document Policy on Intellectual Property. All decisions regarding intellectual property must respect the Faculty Collective Agreement (Appendix V-4: Pertaining to the use of a work of which a professor is the author or one of the co-authors).

3.10 Policy on Conflicts of Interest in Research

3.10.1 Defining a Conflict of Interest

Conflicts of interest are instances when the researcher compromises his or her independence and impartiality while conducting a research project and the personal interests of the researcher have been given priority over the objectives of the research. Conflicts of interest arise when:

- a) The researcher uses, without authorization, the services, materials and equipment of the College for personal ends or for work paid for by agencies or organizations outside of the College;
- b) The researcher uses, without *authorization*, confidential information that has been obtained during a research project for personal gain;
- c) The researcher forces his or her collaborators to work on projects that are more for personal benefit than for academic or professional development;
- d) The researcher compromises the scholarly integrity of the research in order to generate findings that are favourable to the interests of the funding body;
- e) The researcher favours a person in his or her immediate entourage or makes a financial connection with him or her;
- f) The researcher uses the name of the College for personal gain without authorization.

3.10.2 Declaring a Conflict of Interest

The researcher must immediately declare any existing, potential or apparent situation of a conflict of interest to the Director of the IDS. In the case of a conflict with this individual, the researcher can make his or her declaration to the Academic Dean.

The declaration of a conflict of interest allows for the maintenance of a necessary level of confidence and integrity and permits good conduct in research. The declaration of a conflict of interest does not necessarily require the stoppage of all research activities. The following measures can be put in place to assist in resolving and avoiding conflicts of interest in the future. These measures can consist of:

- a) Changing the terms of the contract or the project of research;
- b) Withdrawing the researcher who is influencing the orientation of the research from his or her responsibilities;
- c) Establishing a uniform procedure for hiring research personnel;
- d) Prohibiting the continuation of the research project until the researcher rectifies the situation.

3.11 Scholarly Misconduct

Scholarly misconduct includes any action that contravenes or is inconsistent with the principles outlined above. Acts of misconduct do not include honest errors, differences of opinion or differences in the interpretation of scientific findings. Acts of misconduct may include, but are not limited to, any or all of the following actions taken during a research project:

- a) The lack of consideration and acknowledgement of existing knowledge on the subject matter of the research being conducted.
- b) The falsification, suppression and fabrication of data.
- c) The plagiarism of the ideas, data, or findings of other researchers.

- d) The failure to give due acknowledgement to the significant contributions of others.
- e) The use of unpublished work of other researchers without permission.
- f) The use of archival materials in violation of the rules of the archival source.
- g) The wilful misrepresentation or misinterpretation of findings resulting from the research conducted.
- h) The general lack of respect for the confidentiality of information.
- i) The failure to respect the confidentiality of information that has been guaranteed to participants during the data collection.
- j) The failure to inform the College of the involvement of human subjects in the research.
- k) The failure to comply with federal and provincial regulations for the protection of human participants, the general public, the environment and the welfare of laboratory animals.
- l) The abuse of power directed toward the personnel assigned to the research.
- m) The demonstration of bias, negligence or discrimination in any activity related to the research and to research personnel.
- n) The deliberate misuse of research funds allocated by granting agencies.
- o) The failure to adhere to the terms and conditions of contracts with a third party that is sponsoring the research, including government funding agencies and other external contractors.
- p) The failure to disclose a conflict of interest that is apparent before the research project begins or arises during the course of the research.
- q) Any other form of misconduct such as introducing computer viruses, tampering with another's research, and so on.

The College is responsible for investigating allegations of misconduct in research involving its researchers. When allegations of misconduct are found to be unquestionably confirmed, sanctions will be imposed. Such sanctions must respect the *Faculty Collective Agreement*. In the first instance, the researcher will receive a warning. In the event of another confirmed act of misconduct, the respondent may be reprimanded as appropriate to the circumstances.

3.12 Procedures for Reporting, Investigating and Sanctioning Misconduct

Allegations of misconduct may come from anonymous or identified sources from within or outside the College. They may be well-founded, honestly erroneous or even mischievous. Whatever their source, motivation or accuracy, allegations of this nature have the potential to seriously harm the respondent and the complainant as well as the institution and granting agencies. Therefore, the College has put in place a procedure for addressing allegations of misconduct in an expedient, just and accountable manner. This process must be rigorous, fair, confidential and respectful of the rights of the people implicated. At every stage in the process, investigations into misconduct must respect the *Faculty Collective Agreement* and conform to the Commission d'accès à l'information du Québec, specifically *An Act respecting Access to Documents held by Public Bodies and the Protection of Personal Information (Loi sur l'accès aux documents des organismes publics et sur la protection des renseignements personnels – RSQ Chapter A-2.1)* hereinafter referred to as the *Québec Public Information Act*. Using the procedure outlined below, the respondent and complainant will be fully informed of all evidence presented and given the opportunity to respond accordingly.

3.12.1 Allegations

The following procedures will ensure that fairness and equity are applied. They are applicable to all contraventions of the Research Integrity Policy.

1. An allegation of misconduct must be received in writing by the Director of the IDS within six months of the discovery of the alleged misconduct before any investigation against the researcher or researchers who are the subjects of the allegations may begin. Allegations received after six months of the discovery will only be considered in compelling circumstances. Any person, even those outside of the College, can make an allegation if they can reasonably demonstrate that an individual has breached the Policy on Research Integrity. This includes external complainants such as from co-researchers, funding agencies, Tri-Council bodies and contractors. Anonymous allegations will not be considered unless the circumstances are compelling.
2. Members or participants in research who hold well-founded suspicion of misconduct on the part of any researcher may seek informal assistance and may request a preliminary investigation from the Director of the IDS. The Director of the IDS must report such complaints in writing to the Academic Dean. Such inquiries must be kept confidential.
3. Any members and participants who have allegations of misconduct reported to them must report that in writing to the Director of the IDS or the Academic Dean.
4. The Director of the IDS and Academic Dean must take reasonable steps to protect complainants, including students, staff and research assistants when they are supervised by the person against whom the complaint has been lodged.
5. Anonymous allegations will not normally be entertained; however a preliminary investigation will be initiated if compelling evidence of misconduct is received from an anonymous source.
6. Complaints should be sufficiently detailed to permit the Director of the IDS to understand and be able to evaluate in a preliminary manner the potential seriousness of the allegation. All allegations of misconduct must identify the respondent, provide a description of the case of misconduct and be signed by the complainant. Descriptions of an alleged act of misconduct must be as thorough as possible and include all documentary evidence that supports the allegation. Cases of misconduct submitted to any other individual must be redirected to the Director of the IDS in order to ensure consistency and equity of treatment. The Director of the IDS may require that the person making the complaint be identified if it is concluded that such identification is necessary to investigate the allegations. No one will be identified without their agreement. At all times, the Director of the IDS will maintain the anonymity of the complainant in conformity with the norms established in the *Québec Public Information Act*.

3.12.2 Informal Preliminary and Confidential Inquiry

1. Within five working days of receiving an allegation, the Director of the IDS must meet with the researcher named in the complaint to inform the researcher of the complaint, provide him/her with an opportunity to respond to the charges or allegations and to understand whether information provided by the researcher resolves the issue or whether grounds exist for further action.
2. The Director of the IDS may decide that the complaint has no merit and that no further action should be taken. In such a case the he or she must immediately inform the complainant of the result of the inquiry and provide written explanations for the decision not to proceed any further. The complainant may appeal the decision of the Director of the IDS to the Academic Dean who will forward it to the college's REB for consideration and a decision. The decision of the REB will be binding.

3. If as a result of the preliminary inquiry, the Director of the IDS decides that the complaint has merit but that it may be possible to resolve it through mediation, an informal process of mediation may be followed. The Director of the IDS will attempt to find through mediation a solution which is acceptable to all the parties concerned. If the mediation is successful, no further action will be taken and the file will be destroyed. The complaint will be deemed resolved through an informal mediation process when both the complainant and the researcher agree that it has been resolved. The complaint will be considered to have been formally withdrawn.
4. If the mediation process fails to produce a resolution, or if it is decided that a more detailed investigation is required, the Director of the IDS must immediately inform the Academic Dean. The Academic Dean will appoint two members of the College ethics committee for research to carry out the informal investigation.
5. The Academic Dean must ensure that the members of the informal inquiry committee are not collaborators with the complainant or the person charged. The members shall be unbiased and have appropriate background to judge the issues being raised.
6. The members of the informal inquiry committee will meet and discuss, with confidentiality and with promptness, with the person or persons at the centre of the allegation (person charged) and try to reach a mutual agreement and solution. The members may have to carry out an informal investigation of the allegation, thus providing the person charged the opportunities to respond to the allegation and explain the situation. Within two weeks the members of the informal inquiry committee should provide a report to the Academic Dean.
7. Within five days of receiving the report of the informal investigative committee, the Academic Dean must then decide what action should be taken. He may decide that there are no grounds to substantiate the allegation and conclude the procedure. He may determine that the allegation has merit, is sufficiently serious and make arrangements for a formal inquiry.

3.12.3 Formal Inquiry

1. The Academic Dean will create a formal investigative committee consisting of three individuals including the Director of the IDS no later than five working days after receiving the report of the informal investigative committee. The formal investigative committee is authorized to decide on misconduct and *its decision is binding on the institution*.
2. None of the members of this committee shall have been members of the informal inquiry committee and they shall be subject to the same provision for appointment as described in point 5 of the previous section.
3. All the pertinent and relevant materials will be presented to the investigative committee.
4. The person charged has the right to contest the nomination of any member in the investigative committee.
5. Any member of the investigative committee also has the right to withdraw from the committee because of conflict of interest or professional competency.
6. The investigative committee has the right to interview any appropriate person, consult experts in order to verify facts pertinent to the inquiry.
7. The person charged will be provided with the evidence and will have the opportunity to be heard and respond to the allegations and to be accompanied by an Advocate of his/her own choosing. Until the

matter has been brought to a resolution, disbursement of funds granted the research project from agency will be withheld.

8. Based on all the evidence from both sides, the investigative committee will make a recommendation to the Academic Dean concerning appropriate penalties or solutions.

9. All the proceedings of the inquiry including any interviews of all parties involved should be recorded. Copies of these documents must be stored under tightly limited access in the files of the Research Officer for a period of not less than 10 years.

10. The inquiry should not take more than 30 days from the receipt of the commission from the Academic Dean. The committee should make its report no later than 10 days from the end of the inquiry.

11. The person charged will be informed of the decision within one week. Both complainant and Respondent must be provided with a draft of the committee's report. They will be permitted five working days to submit comments in writing to the committee. The committee will then make its final report to the Academic Dean, who will provide copies to the Director of the IDS and to both complainant and Respondent within five working days.

The report will outline the inquiry and its findings. This report must demonstrate whether or not the respondent committed an act of misconduct and, if so, indicate the seriousness of the act. The findings must be based on clear and convincing evidence. The report must specifically include the following:

- a) A brief overview of the alleged act of misconduct;
- b) the list of the members of the committee and why they were chosen;
- c) A description of the methods and procedures used to conduct the inquiry;
- d) The names and roles of all third parties who were interviewed;
- e) An outline of the evidence evaluated;
- f) A statement of the findings and the reasons for these findings;
- g) Recommendations on actions to be taken;
- h) Recommended sanctions to be taken against the respondent or the complainant; and
- i) Recommended measures to be taken to restore reputations that may have been damaged and to protect complainants who have acted in good faith. It should also include any other details that may shed light on the process that was followed to arrive at the conclusions of the report.

Once the report has been submitted to the Academic Dean, he or she will have fifteen working days to consult its recommendations and inform the respondent and complainant of its findings. Based on this report, the Academic Dean will recommend sanctions or actions to be taken. The Academic Dean will also take actions to protect the reputation of the complainant.

If the complaint proves to be false or unfounded, the Academic Dean must take measures to repair any inadvertent damage to the reputation of the respondent.

3.12.4 Sanctions

1. If the allegations of misconduct are found to be groundless, no punitive action will be taken and all the records will be destroyed to protect the person's reputation. The college must take all reasonable

steps to restore the reputation of those who have been unjustly accused. If the allegations have been deemed to have been unfounded, malicious and reckless, the complainant may be subject to sanctions.

2. If there is evidence of misconduct, the Academic Dean in consultation with the Director of Human Resources, when appropriate, will take measures depending on the seriousness of the misconduct. The sanctions applied will depend on the severity of the act of misconduct and will be at all times guided by Article 5-18.00 of the *Faculty Collective Agreement*. The person charged will be informed in writing of the decision, as well as the measures to be taken. In some cases, the nature of the misconduct may require that law enforcement agencies be notified.

3. The appropriate funding agencies will be notified of the investigation and the action taken and a copy of the report of the investigation committee must be forwarded to the funding agencies within 30 working days. This stage of the process must be conducted in accordance with the *Québec Public Information Act*.

If the investigation was requested by the Granting Agency, a full copy of the report should be sent to the Agency within 30 days, whether or not the committee has concluded that misconduct has occurred.

3.12.5 Recourse

All researchers who are found guilty of academic misconduct have the right to an appeal. The appeal procedure must be conducted in accordance with Article 9-1.00 of the *Faculty Collective Agreement*.

The person charged and found guilty of misconduct may file an appeal to the Director General within one week after being informed. An appeal may be requested only if:

1. The procedures of the formal inquiry have not been followed; and
2. New information, not previously presented, can be provided.

3.12.6 Documentation and Conservation of the Evidence

All documents involved in a case of misconduct must be registered and retained during and following any stage of the inquiry. Once an allegation is made, the Director of the IDS is responsible for recording and retaining all documentation in a secure location and in a confidential manner. The Director of the IDS is responsible for conserving and maintaining the confidentiality of the files. All documents and evidence collected during the inquiry must be recorded and retained in the Office of the Director of the IDS for a period of not less than 10 years.

This documentation must be sealed and stored in files with restricted access. At the end of the inquiry, all additional copies of the documents will be destroyed and the originals will be retained by IDS. Access to the reports and files of the inquiry will be permitted under the restrictions outlined in the *Québec Public Information Act*. Any person who wishes can request the right to access these College documents. Such demands must be directed in writing to the Director of the IDS.

ARTICLE 4 - POLICY ON ETHICS INVOLVING RESEARCH ON HUMAN SUBJECTS

4.1 Purpose of the Policy on Ethics Involving Research on Human Subjects

The objective of this policy is to ensure that research and scholarship conducted at John Abbott College conform to nationally recognized standards of research ethics and scholarly competency. This policy outlines our principles of ethics in research involving human subjects. To this end, John Abbott College accepts and will follow the recommendations of the federal *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (TCPS)*. This policy, therefore, describes how the College will apply Tri-Council guidelines. It outlines the principles and standards established in the Tri-Council statement and the mechanisms and procedures that have been created to ensure their application in all research and scholarship at John Abbott College. The overall objective of this policy, therefore, is to protect the rights of all human subjects that participate in research associated with John Abbott College.

4.2 Scope and Responsibilities

This policy applies to all staff and students engaged in research and scholarship in any capacity at John Abbott College, as well as authorized external researchers whose research is facilitated by the College. As such, it provides a framework for ethical practices when conducting research that uses human subjects in any capacity at John Abbott College. It must be noted, however, that different types of researchers will follow different procedures when seeking ethical approval for their research. All scholarly research involving human subjects conducted by John Abbott faculty and staff must be authorized by the College's Research Ethics Board (REB).

All research conducted by external researchers using members of the college community must have ethical approval from their own research institution and be recommended by the Innovation, Research and Development Committee (IRDC). Research conducted as part of the everyday operations of the College must also conform to the policy, but is not subject to review by the REB, unless the IRDC determines that it may give rise to a more than minimal risk to the participants... Students who conduct research using human subjects as part of their course work must obtain the approval of their instructor. In short, the principles established in this policy must be respected by all, but different mechanisms will be used to monitor their application.

Responsibility for the application of the policy lies with five different agents. First, the College is responsible for implementing, circulating, promoting and monitoring the Policy on Ethics in Research Involving Human Subjects. It is the responsibility of the College to ensure that all activities related to research in the College, or in collaboration with other institutions, conforms to the framework outlined in this policy.

Secondly, all researchers are responsible for understanding, rigorously applying and ensuring conformity to the policy while conducting research. Researchers have the responsibility for developing research projects that respect ethical standards for the treatment of human subjects. Finally, all research conducted within the College, whether it is conducted by faculty and staff at John Abbott College or by an external researcher using members of the John Abbott College community, must be reviewed and recommended by the designated College Committees.

For John Abbott faculty members, recommendation must be obtained from the REB and the IRDC. The exception to this rule is research conducted by candidates for the MTP from the University of Sherbrooke. These researchers need only receive approval from the IRDC. The IRDC may, however, refer

these proposals to the REB if the research poses more than minimal risk to the subjects. External academic researchers that propose to use members of the College community as subjects, require the approval of the REB from their own research institution and the recommendation of the College's IRDC.

All applications must be submitted to the Director of the IDS and forwarded to the REB and the IRDC for review and approval. The Director of the IDS is responsible for coordinating the ethics review process, ensuring that the IRDC and the REB are informed about any changes to the Tri-Council ethics policies, and serving as the secretary of the REB. The REB is responsible for applying the regulations of the policy (see Section 4.7: Research Ethics Board (REB)).

4.3 Definitions related to Ethics involving Research on Human Subjects

Human subjects: Individuals or groups of individuals, such as publically identifiable social, ethnic, religious, or economic groups that are the source of raw or unformulated data in a research project.

John Abbott College Community: All students, staff or volunteers of John Abbott College, regardless of status. Students include all full-time, part-time and visiting students whether enrolled in Day Division or Continuing Education programs. Staff members include people employed in administration, as support staff, faculty or as professionals at all levels of employment status including part-time, full-time or contractual employees.

Minimal risk: "If potential subjects can reasonably be expected to regard the probability and magnitude of possible harms implied by participation in the research to be no greater than those encountered by the subject in those aspects of his or her everyday life that relate to the research then the research can be regarded as within the range of minimal risk" (TCPS section 1: C1)

Research ethics: A set of values, principles and rules that should be promoted in the framework of research involving human subjects that define the responsibilities of the researcher and the institution involved with regard to the subjects of their research project.

Research Ethics Board (REB): A multi-disciplinary board established by an institution to conduct ethics reviews of research projects involving human subjects developed or undertaken within that institution.

Research involving humans as subjects: Research that includes the observation of people going about their daily activities, evaluation of a new teaching method, testing of new drugs or medical devices, interviewing an individual in public life for a scholarly purpose, and research involving remains, cadavers, tissues, biological fluids, embryos or fetuses.

It includes naturalistic observation, physical, sociological or psychological tests and measurements, survey research, non-intrusive systematic observation, and the study of recorded data from previous studies, databases, and archives, in which it is possible to identify living individuals. This also includes human remains, cadavers, human organs, tissues, and biological fluids, for individually identified subjects, embryos, or fetuses. It does not include research about individuals (usually in the public arena or an artist) based exclusively on publically-available information such as documents, records, works, performances, archival materials or third-party interviews.

4.4 Ethical Guidelines

The ethical guidelines that inform John Abbott College's are based on the federal *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* (TCPS), which are outlined in detail below. In addition, all activities of research at John Abbott College must respect Canadian and Quebec legislation in determining the fundamental human rights and the values and regulations outlined in this policy.

They include all applicable articles of *The Québec Charter of Rights and Freedoms* (R. S. Q. C. C-12), *The Canadian Charter of Rights and Freedoms*, *The Québec Civil Code*, and the following Québec laws: *An Act respecting Access to Documents held by Public Bodies and the Protection of Personal Information* (RSQ Chapter A-2.1); *An Act Respecting the Protection of Personal Information in the Private Sector* (RSQ Chapter P-39.1); and the *Archives Act* (RSQ A-21.1).

According to the *Tri-Council Policy Statement*, “an ethic of research involving human subjects should include two essential components: 1) the selection and achievement of morally acceptable ends and 2) the morally acceptable means to those ends” (TCPS i.4). The first point concerns defining an acceptable means to achieve ‘benefits’ to research subjects while the second concerns the ‘ethically’ appropriate means of actually conducting the research. Both should be guided by the moral imperative of respect for human dignity that is supported by a number of related ethical principles adopted by the Tri-Council.

4.4.1 Human Dignity

This is a cardinal principle of research ethics that aspires to “protect the multiple and interdependent interests of the person – from bodily to psychological to cultural integrity” (TCPS i.5). Respect for human dignity is the basis of all ethical obligations in research and must be monitored by individual researchers and research ethics boards.

4.4.2 Free and Informed Consent

A fundamental ethical principle is the requirement that the participation of a research subject must be based on individual consent. Additionally, consent must be voluntary and based on complete information regarding the research project. During an ethical review, committees should apply “the principle of respect for persons”, which is concerned with “the dialogue, process, rights, duties and requirements for free and informed consent by the research subject” (TCPS i.5).

4.4.3 Protection of Vulnerable Persons

When applying the principle of respect for human dignity, the ethical obligations towards vulnerable persons are amplified and must follow special procedures. Vulnerable persons are “those whose diminished competence and/or decision making capacity make them vulnerable”, and include “children, institutionalized persons and others who are vulnerable” (TCPS i.5). In the course of research, such individuals are entitled to “caring, solidarity and fairness, to special protection against abuse, exploitation or discrimination” (TCPS i.5).

4.4.4 Privacy and Confidentiality

Protecting the private identity of research subjects is a fundamental principle of respect for human dignity. Specifically, ethical “standards of privacy and confidentiality protect the access, control and dissemination of personal information” (TCPS i.5). Respecting standards of privacy, confidentiality and anonymity are essential to the protection of a subject’s psychological and social integrity.

4.4.5 Justice and Inclusiveness

The term ‘justice’ refers to both to the treatment of the researcher and the research subject, otherwise referred to as procedural and distributive justice. Procedural justice refers to the treatment of the researcher and “requires that the ethics review process have fair methods, standards and procedures for reviewing research protocols” (TCPS i.6).

Distributive justice refers to the role of the research subjects in the research project and strives to balance the “benefits and burdens of research”. When research is ‘just’, in this sense, it does not exploit

its research subjects. With regard to the potential harms, the participants in the research should not be “unfairly burdened” (TCPS i.6). Finally, ‘inclusiveness’ refers to the potential benefits of the research in that populations that may benefit from the research cannot be excluded or neglected.

4.4.6 Balancing Harms and Benefits

Research ethics boards should employ a ‘harms-benefits analysis’ when assessing research projects. The goal of all research that involves human subjects should be to achieve a ‘harms-benefits balance’ in which “the foreseeable harms should not outweigh anticipated benefits” (TCPS i.6). In other words, research that uses human subjects must strive to minimize harms and maximize benefits.

4.4.7 Minimizing Harms

Research involving human subjects is informed by the principle of ‘non-maleficence’, “the duty to avoid, prevent or minimize harms to others” (TCPS i.6). When subjecting a research proposal to a harms-benefits analysis, two aspects of minimizing harm should be considered. First, “research subjects must not be subject to unnecessary risks of harm” (TCPS i.6).

Secondly, when a research project poses more than ‘minimal risk’ to the participants, their participation must be “essential to achieving scientifically and societally important aims that cannot be realized without their participation” (TCPS i.6). Finally, sample sizes and the amount of testing should be minimized. In other words, research must “involve the smallest number of human subjects and the smallest number of tests on these subjects that will ensure scientifically valid data” (TCPS i.6).

4.4.8 Maximizing Benefits

Research involving human subjects is also informed by the principle of ‘beneficence’, which is “the duty to benefit others and ... to maximize net benefits” (TCPS i.6). Ideally, research that uses human subjects must benefit society as a whole and lead to the advancement of knowledge.

4.5 Research Requiring Ethical Review

Unless explicitly excluded, all internal research involving human subjects must be reviewed by the REB before it is started. According to Article 1.1 of the TCPS, “the undertaking must involve ‘research’, which involves the systematic investigation to establish facts, principles or generalizable knowledge” and “involve humans as ‘research subjects’”. The three primary categories of research that fall under this heading include:

- a) Research that involves intervention or interaction with living individual(s) as a primary source of data collection. This includes naturalistic observation, physical, sociological or psychological tests and measurements, testing of new drugs or medical devices, survey research, non-intrusive systematic observation as well as interviewing an individual in public life for a scholarly purpose.
- b) Research that involves the use of secondary data (medical or school records) from non-public records that contain identifying information that may be linked to individuals by inference or elimination. This includes the study of recorded data from previous studies, databases, and archives, in which it is possible to identify living individuals.
- c) Research that involves the use of human remains, cadavers, human organs, tissues and biological fluids from individually identified subjects, embryos or foetuses. Such research must also be subject to a bio-safety review.

4.6 Research Not Subject to Ethical Review

Research that is not subject to an ethical review by the REB falls into two categories: research that uses public sources and research that is part of the normal operations of the College.

4.6.1 Research Using 'Public' Sources

Research on human subjects that is based on public sources is not subject to review. Such research includes:

- a) Research that uses information about any individuals that is already part of the public domain (autobiographies, diaries or public archives).
- b) Research about a living individual involved in the public arena, or about an artist, based exclusively on publically available information, documents, records, works, performances, archival materials or third-party interviews. Such research only requires a review if the subject is approached directly for interviews or if access to private documents is requested.
- c) Research that involves the naturalistic observation of participants in the public domain, such as during political rallies, demonstrations, or public meetings, where it can be expected that participants are seeking public visibility.

4.6.2 Research as Part of the Normal Operations of the College

Research that is part of the normal operations of the College is not subject to review.

This type of research includes:

- a) Student evaluations of teaching performance and course content distributed in class by instructors or other College staff.
- b) Informal surveys conducted by teachers in class as part of the course content or for the development of instructional strategies.
- c) Quality assurance studies conducted by College faculty and staff to evaluate the performance of College services and programs. Projects of this nature must follow the ethical guidelines governing research at John Abbott College.
- d) Research conducted by the IDS or by others authorized by the Board of Governors where such research is conducted to meet external reporting requirements or to facilitate the management of the institution.
- e) Research conducted by students as part of course requirements. Teachers and departments are responsible for the ethical review of student research proposals. These projects should always be designed in accordance with the principles outlined in this policy. Student projects must, moreover, be designed as 'minimal risk' research projects (see Section 4.3: Definitions related to Ethics involving Research on Human Subjects). It is important that the REB have some manner of ensuring that these research projects respect the ethical requirements for research on human subjects while not unduly burdening teachers and departments with onerous reporting practices. To this end once every three years the Chair of each department must provide the Academic Dean with a report indicating the range of topics generally assigned by teachers and the methodology used in the preparation of the research papers where human subjects are involved. The Academic Dean must forward these reports to the REB. Once the REB is assured that student research projects, where they are assigned, do respect the principles outlined in the college's research policy the REB will then issue a Certificate of Ethical Approval covering the research for the next three years. In addition, at the end of each semester, the Chair of each

department will provide to the REB a short summary of the research projects assigned in the department and assurances that these projects have been properly supervised and have met the requirements of the college's research policy. Any dispute as to the ethical validity of an assignment must be reported to the REB for a decision.

4.7 Research Ethics Board (REB)

4.7.1 Authority

John Abbott College endorses the principles cited in the *Tri-Council Policy Statement* and has mandated its Research Ethics Board (REB) as the only body within the college authorized to ensure that all research involving human participants conducted at the College is in compliance with the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (TCPS)*. John Abbott's REB will have authority over all internal research involving human participants (including stopping research not in conformity with agreed ethical principles or the TCPS). Relevant research projects will only be conducted after REB review and approval. The REB is an independent committee within the college and its decisions are subject to reversal only by the Research Ethics Appeal Board following a formal appeal process laid down in the John Abbott College Policy on Research. The College commits itself to provide the REB with the financial and administrative resources necessary to carry out its mandate.

4.7.2 Responsibilities

According to the *Tri-Council Policy Statement*, an institutional REB has a dual role to play regarding the ethics policy:

"The REB is established to ensure that ethical principles are applied to research involving human subjects. The REB, therefore, has both educational and review roles. The REB serves the research community as a consultative body and thus contributes to education in research ethics; it also has responsibility for independent, multidisciplinary review of ethics of research to determine whether the research should be permitted to start or continue." (TCPS 1.1)

The John Abbott College REB will review and consider matters of policy related to research with human subjects. It will also review research proposals involving human subjects on referral from the Director of the IDS. Once approval is granted it *will recommend research proposals to the IRDC*.

This board is, therefore, responsible for:

- a) Developing policies regarding ethical issues related to the use of human participants in research;
- b) Reviewing and approving all research projects requiring the participation of human participants and recommending them to the IRDC;
- c) The annual review and updating of all policies regarding ethical issues related to human participants in research projects;
- d) Considering all matters concerned with human-based research referred to the REB by the Director of the IDS;
- e) Preparing an annual report for submission to the Academic Dean;
- f) Assisting the Director of the IDS in organizing professional development activities related to ethics in research involving human subjects.

According to the *Tri-Council Policy Statement*, the REB must review and recommend all relevant research conducted by faculty and staff (see Sections 4.5 and 4.6). The REB is mandated to recommend, reject, propose modification to, or request the termination of any proposed or ongoing research

involving human participants which is conducted within, or by members of, the John Abbott College community, using the considerations set forth in the .

4.7.3 Committee Composition

The *Tri-Council Policy Statement* requires that an institutional REB have at least five members that include an unaffiliated community representative, two faculty members knowledgeable in research methods involving human subjects, one faculty member that is knowledgeable in ethics and at least one individual who is knowledgeable in the relevant law with no formal affiliation with the College. At John Abbott College, the REB will follow the composition of other College Committees. The College REB shall have no fewer than five members, including both men and women, appointed by the Director General and include:

- a) At least one community representative with no formal affiliation with the College, appointed for a three-year term;
- b) At least one individual who is knowledgeable in the relevant law with no formal affiliation with the College, appointed for a three-year term;
- c) At least two faculty members with broad expertise in the methods of research involving human participants appointed by the Director General in consultation with the John Abbott College Faculty Association (JACFA);
- d) At least one faculty member who has a broad knowledge of ethics or with experience in evaluating the ethical implications of research involving human participants appointed by Director General in consultation with the John Abbott College Faculty Association (JACFA).

The Director of the IDS will serve as a non-voting ex officio member who is responsible for coordinating the ethics review process. This director also serves as the secretary of the REB.

All faculty appointments to the REB are made in consultation with the John Abbott College Faculty Association (JACFA). Appointments are normally for a three-year term that is renewable for one additional term.

In the event that there is a lack of continuity in membership, exceptions can be made regarding the length and number of appointments. One faculty member will serve as the Chair of the REB. The Chair is elected by the membership of the REB.

Alternates may be appointed but must meet the above criteria for selection. Members of the REB are subject to the college Policy on Conflicts of Interest (see *College Policy on Conflicts of Interest*).

4.7.4 Meetings, Decision-Making and Minutes

The REB shall meet regularly to review submissions and discuss issues related to its mandate. Meetings are not required in the case of an expedited review of a research project. The REB shall require a quorum of at least two thirds of its members (taking into consideration the membership requirements above) at all meetings concerned with ethics review and approval of research proposals. Decisions to grant ethical approval require a majority to carry (in the case of five members, three votes are required). The minutes of meetings shall clearly document all decisions of the REB including details of dissenting arguments and votes. The minutes of the meeting shall be kept in the office of the IDS where they shall be made available to applicants upon request. An annual schedule of REB meetings will be published in a manner that renders them accessible to all members of the JAC community.

4.7.5 Confidentiality of the REB Proceedings

The proceedings of the REB are strictly confidential. At every stage in the process, the REB proceedings must conform to the *Québec Public Information Act*, specifically *An Act respecting Access to Documents held by Public Bodies and the Protection of Personal Information* (RSQ Chapter A-2.1).

4.8 Procedural Guidelines for the Review of a Research Proposal

4.8.1 Submission

The basic principle is that ethical review and approval of all John Abbott College research comes under the jurisdiction of the REB. This refers to research involving human participants undertaken by members of the College community. While it is not necessary for the REB to review a proposal before it is submitted to a funding agency, REB approval must be obtained before the research begins. Submissions for review and approval by the REB must be given to the Director of the IDS with a copy to the Chair of the REB.

Applicants submitting proposals for review will be required to submit:

- a) Ethics Submission Form for Research involving Human Participants that has been signed and dated by the applicant's Program Dean;
- b) A sample Information Letter used to inform potential participants about the research;
- c) A sample Free and Informed Consent Form;
- d) A research proposal that includes research question, methodology, sampling framework and measurement instrument (where applicable);
- e) A brief covering letter addressed to the Chair of the REB that clearly outlines how the proposed research conforms to the *Tri-Council Policy Statement*;
- f) Any peer reviews; and
- g) Ethics certificates from any other institutions involved in the research project.

4.8.2 Assessment Criteria

There are a number of ethical criteria that must be assessed when deciding whether or not to give a research project ethical approval. For details on informed consent, privacy and confidentiality and other ethical issues, see Sections 2 to 7 of the *Tri-Council Policy Statement*. The following list describes a number of issues to be addressed but is far from exhaustive.

4.8.2.1 Informed Consent:

One of the major considerations of a REB should be the extent to which the proposed research conforms to standards of 'Informed Consent' (see *TCPS* Section 2). Whether or not subjects are adequately informed, whether or not there is deception, and whether participants can give informed consent are major ethical concerns. When a proposal has been approved, the principal researcher (head of research team) must ensure that all participants are fully informed about the nature of the research, their roles, any risks involved and the perceived benefits of the research. Consent must be voluntary and not the result of misinformation, misrepresentation, manipulation, undue influence or pressure; disagreement with any aspect of the process on the part of a potential subject will preclude his or her participation. The participants must consent in writing to participate by signing the relevant form. If written consent is not appropriate, either due to cultural norms or in situations where such written consent may pose risks to the participants that they may be unwilling to accept, the methods used to achieve free and informed consent must be documented and reviewed by the Chair of the REB before

the research may begin. Original consent forms must be kept by the department responsible for the research.

Researchers shall provide to prospective participants, or to authorized third parties, full and frank disclosure of all information relevant to their free and informed consent. Throughout this process, the researcher must ensure that prospective participants are given adequate opportunities to discuss and contemplate their participation. The REB will be guided by Article 2 of the TCPS which sets out conditions under which exceptions to the requirement of fully informed consent may be entertained. The REB may approve a consent procedure¹ that does not include, or that alters, some or all of the elements of informed consent set forth above, or waive the requirement to obtain informed consent, provided that the REB finds and documents that:

1. The research involves no more than minimal risk to the subjects;
2. The waiver or alteration is unlikely to adversely affect the rights and welfare of the subjects;
3. The research could not practicably be carried out without the waiver or alteration;
4. Whenever possible and appropriate, the subjects will be provided with additional pertinent information after participation; and
5. The waived or altered consent does not involve a therapeutic intervention.

In studies including randomization and blinding in clinical trials, neither the research subjects nor those responsible for their care know which treatment the subjects are receiving before the project commences. Such research is not regarded as a waiver or alteration of the requirements for consent if subjects are informed of the probability of being randomly assigned to one arm of the study or another. (TCPS Article 2.8)

REB review is normally required for research involving naturalistic observation, except for observation of participants in public meetings, demonstrations, political rallies or like activities where participants are expected to be seeking or are aware of public visibility. Naturalistic observation is used to study behaviour in a natural environment. If the naturalistic observation does not allow for the identification of the subjects, and is not staged, then the research will normally be considered as of minimal risk. However, naturalistic observation still raises the concerns of privacy and the dignity of those being observed. Accordingly, REB review is required, and free and informed consent should be obtained from the participants following this practice. (Niagara College: Research Involving Human Subjects. Section 6.7)

4.8.2.2 Minimum Information:

Researchers shall provide at a minimum the following information:

- a) information that the person is being invited to participate in a research project;
- b) a comprehensible statement of the research purpose, the identity of the researcher and College, the expected duration and nature of participation, and a description of the research procedures;
- c) a comprehensible description of reasonably foreseeable risks and benefits that may arise from participation in the research, as well as any consequences of non-action, particularly

- related to research involving treatment, or where invasive methods are involved, or where there is a potential for physical or psychological harm;
- d) assurance that the prospective participants are free not to participate, and are able to withdraw at any time without prejudice;
 - e) assurance that the participants have ongoing opportunities to decide whether or not to continue to participate during the course of the research;
 - f) the potential of commercialization of research findings, and the presence of any apparent, actual, or potential conflict of interest on the part of the researchers, sponsors, or institutions.

The name, and contact information for a person who may be contacted for information on the nature of the research, or in the case of concerns, complaints, or consequences.

Additional information may be required, depending on the nature of the research project, including:

- a) assurance that new information will be provided to the participants in a timely manner whenever such information is relevant to the participant's decision to continue or withdraw from the research;
- b) information on the resources available outside the research team to contact regarding possible ethical issues in the research;
- c) an indication as to who will have access to the information collected on the identity of participants, descriptions of how confidentiality will be protected, and the anticipated uses of the data;
- d) an explanation of the responsibilities of the participant;
- e) information on the circumstances under which the researcher may terminate the individual's participation in the research;
- f) information on any costs, payments, reimbursement for expenses, or compensation for injury;
- g) in the case of randomized trials, the probability of participant assignment to each of the options;
- h) the ways in which research results will be published, and how the participants will be informed of the results of the research.

Written consent must normally be obtained and properly filed.

4.8.2.3 Competence

The competence of the potential participants to provide free and informed consent is an important factor in the validity of the consent. Competence refers to the ability to understand the information presented about the research, to appreciate the potential consequences of a decision, and to provide free and informed consent to participate in a specific research project. Competence is not an all or nothing condition. The prospective participants do not need to have the capacity to make every kind of decision, only the informed decision about participation in the specific research.

Researchers must ensure that they comply with all applicable federal and provincial legislative requirements and the legislative requirements of the jurisdiction in which participation takes place.

Individuals who are not legally competent to participate in the proposed research shall only be asked to become research subjects when:

- a) the research question can only be addressed using the identified group(s); and
- b) free and informed consent is sought from their authorized representatives, such as parents or legal guardians; nevertheless permission of an authorized representative cannot override the dissent of an individual who is not legally competent to participation as a research subject. The refusal to participate on the part of the individual must be respected;
- c) the research does not expose them to more than minimal risk without the potential for direct benefits to them.

For research involving individuals who are not competent, the REC shall ensure that, as a minimum, the following conditions are met:

- a) the researcher shall show how the free and informed consent will be sought from the authorized third party, and how the participant's best interests will be protected;
- b) the authorized third party is not the researcher or any other member of the research team;
- c) the continued free and informed consent of the authorized third party is required in order for the continuation of the participation of the legally incompetent person in the research project, as long as the person remains incompetent;
- d) if the incompetent participant becomes competent during the research project, his or her informed consent will be sought as a condition of continuing participation.

4.8.2.4 Additional Assessment Criteria

- a) **Minors as Research Subjects:** The participation of students who are minors (under 18) will require parental consent and the assent of the minor. Note that normally minors cannot be involved as subjects in research that poses more than minimal risk. Furthermore, the Quebec Civil Code prohibits the participation of minors in experiments except under specific conditions (see Government of Québec, *Civil Code of Québec*, Articles 20 and 21). Under some conditions, researchers may apply to waive parental consent. For details on waivers see the *Innovation, Research and Development Guidelines*.
- b) **Privacy:** Another concern is the extent to which the proposed research respects the privacy of the individual participants. Attention to the ways in which the data will be collected, stored and published should inform this assessment. The issue of the type of information being sought and the level of invasiveness of the research method should also be considered. Researchers must ensure that they comply with all legislation governing the privacy of individuals that apply in the jurisdictions where the research is being performed. They must submit and gain approval from the REB of any interview procedures designed to elicit identifiable personal information from research subjects, whether the interview is in person, on the telephone, electronic media or by means of individualized questionnaires.

In evaluating this aspect of research proposals, the REB must consider: (Niagara Research Involving Human Subjects p. 12)

- the type of data to be collected;
- purpose of collection;
- limits on use, disclosure and retention of data;

- safeguards for security and confidentiality;
- modes of observation or access to information that allows identification of particular participants;
- anticipated secondary use of identifiable data from research;
- anticipated linkage of data gathered in the research with other data about participants;
- provisions for confidentiality of data resulting from the research.

The primary researcher has the exclusive right to use the data collected in any study for the approved period of time that is required for the completion of the approved research. Following this period, the researcher is encouraged to make such data available to other researchers. Secondary use of the data will not normally include access to any personal identifiers. REB approval is required for any secondary use of the data.

- c) **Conflicts of Interest:** The role of the researcher and any possible conflicts of interest in the research process are another central concern, especially in pedagogical research that uses our own students. The REB should assess how the research proposes to gain access to the subjects and whether or not this creates any conflict of interest, imbalance of power or coercion.
- d) **Inclusiveness:** Inclusiveness is an issue of distributive justice that centres on the extent to which all who might benefit from the research have been included. There are also basic standards of inclusion that simply require that no one group (or groups) have been purposely excluded from the research sample or population. It is important, therefore, to ensure that the sample and population are logical and inclusive.
- e) **Accessing Communities:** Issues of access and respect for the context of other communities should inform all research that proposes to include participants from communities other than that of the researcher. The researcher must demonstrate how they will present themselves and their research in a context that acceptable to their subjects.
- f) **Intervention:** Any research involving human subjects that involves a ‘treatment’ (or intervention of any kind) must be subject to harms-benefits analysis. If the treatment has too great an impact on the subjects, the benefits of the research must be assessed. In assessing the probable benefit of research that involves more than a minimal risk of harm, the REB must satisfy itself that the benefits outweigh the harms and that the research design will enable the researchers to adequately answer the research question.

4.8.2.5 Research in Emergency Health Situations:

Research conducted in emergency health situations give rise to challenges to the requirement for informed consent. John Abbott College will comply with the requirements and limitations recommended in article 2.8 of the TCPS with regard to the conduct of research under such conditions. The requirements and the conditions under which exceptions may be made are: Article 2.8

Subject to all applicable legislative and regulatory requirements, research involving emergency health situations shall be conducted only if it addresses the emergency needs of individuals involved, and then only in accordance with criteria established in advance of such research by the REB. The REB may allow research that involves health emergencies to be carried out without the free and informed consent of the subject or of his or her authorized third party if ALL of the following apply:

1. A serious threat to the prospective subject requires immediate intervention; and
2. Either no standard efficacious care exists or the research offers a real possibility of direct benefit to the subject in comparison with standard care; and
3. Either the risk of harm is not greater than that involved in standard efficacious care, or it is clearly justified by the direct benefits to the subject; and
4. The prospective subject is unconscious or lacks capacity to understand risks, methods and purposes of the research; and
5. Third-party authorization cannot be secured in sufficient time, despite diligent and documented efforts to do so; and
6. No relevant prior directive by the subject is known to exist.

When a previously incapacitated subject regains capacity, or when an authorized third party is found, free and informed consent shall be sought promptly for continuation in the project and for subsequent examinations or tests related to the study.(TCPS: Article 2.8)

4.8.3 Proportionate Review Process

The REB will use a proportionate approach based on the general principle that the more invasive the research, the greater should be the care in assessing the research. The level of review will depend on the risk of harm to the participants.

Research involving human subjects will be subject, therefore, to one of two types of ethics reviews and, if required a scholarly review, as outlined below.

4.8.4 Expedited Review

On receipt of a research proposal the Chair of the REB must determine whether it merits a full review or an expedited review by the REB. For research that involves no more than 'minimal risk' (see Section 4.3: Definitions related to Ethics involving Research on Human Subjects), an expedited review can be requested of the REB. Research that is not likely to meet this threshold includes research on vulnerable populations, research that includes a highly invasive methodology or a highly sensitive subject matter, and research in a different cultural context. An expedited review does not require face-to-face meetings of the REB members. It is usually completed within ten working days of the submission of a completed application form. The Chair of the REB and two other members conduct the review. The Chair will determine whether an expedited review is adequate based on whether it fulfills one of the following criteria:

- a) The research obviously involves no more than minimal risk to the participants;
- b) The research requires an extension of the ethics certificate but it has already been recommended by the REB and no significant changes to the research plan or protocol have been made.

The research has been recommended but minor modifications were requested by the REB.

The Chair may reject any request for an expedited review and refer a project to the REB for full review if necessary. The applicant must be informed of the decision no later than 14 days after the submission of the application. All approvals of applications under expedited review must be reported at the next

meeting of the full REC. An application cannot be rejected without a Full Review and an applicant always has the right to request such a review.

4.8.5 Full Review

The term 'full review' refers to a face-to-face meeting of the full REB. The researcher submitting a proposal may be invited to meet the REB to respond to questions, but the researcher cannot be present for their initial review or when the REB is making a final decision. When the REB is considering a negative decision, all reasons for this decision will be made available to the researcher and a reply from the researcher will be requested. The IDS will take minutes of these meetings and store them in the appropriate case files.

The REB may determine whether the proposed research is:

- a) Acceptable as submitted and therefore recommended;
- b) Acceptable with modifications, in which case the REB will discuss appropriate modifications with the applicant and make formal recommendations (recommendation will be granted when the amendments have been made);
- c) Acceptable but requires additional review such as a scholarly review;
- d) Unacceptable, in which case the applicant will be advised that they have the right to have their application reconsidered.

The REB shall keep an 'open' file in a secure place in the office of the IDS for researchers applying for ethical approval. The file shall be opened by the Director of this service and the Chair of the REB when sufficient information has been submitted by the researcher to start the review process. The original application, descriptions, of research and methodology, correspondence, relevant documents, ethical certificates, revised materials, and any comments from the public or other information relevant to the research project shall be kept in the file.

It is the responsibility of the researcher to address all the recommendations made by the REB and keep the file complete and up to date at all times. Insufficient information in the file is grounds for refusing or delaying ethical approval.

When the research project is finished, and the researcher notifies the Director of the IDS, these files shall be 'closed' and kept as records in accordance with Tri-Council Policy. The files remain the property of John Abbott College and cannot be removed from the office of the IDS. They shall be subject to audit by authorized representatives of the College, members of appeal boards and funding agencies when necessary (see Section 3.12.6: Documentation and Conservation of the Evidence).

4.8.6 Scholarly Review

When the project poses more than minimal risk, the REB must insure that the design of the research project is capable of addressing the questions being asked in the research (TCPS Article 1.5). This must be determined through peer review. Sufficient peer review may be considered to be any of the following:

- a) Successful approval of the REB, but only if the research is in the REB's field of expertise;
- b) Successful funding of a grant proposal by a funding agency;
- c) An ad hoc independent external peer review reporting directly to the REB.

The extent of the review for scholarly standards that is required for biomedical research that does not involve more than minimal risk will vary according to the research being carried out.

Research in the humanities and social sciences, which poses, at most, minimal risks shall not normally be required by the Research Ethics Board to be peer reviewed.

Certain types of research, particularly research in the social sciences and humanities that uses public sources, may legitimately have a negative effect on public figures in politics, business, labour, the arts or other walks of life, or on organizations. Such research is not subject to ethical review and should not be blocked through the use of harms-benefits analysis or because of the potentially negative nature of the findings. The safeguard for those in the public arena is through public debate and discourse and, in extremis, through action in the courts for libel.

4.8.7 Program Level Review

If human participants are involved in a teaching exercise (e.g. as part of a student research paper) it must be reviewed and approved by the instructor in consultation with the Program. Each program with student research projects requiring review will propose procedures for a Program REB which will then be submitted to the College REB for approval. The program must report results of such reviews and approvals to the REB at the end of the academic year.

Students are not permitted, under any circumstances, to conduct research that poses more than minimal risk.

4.8.8 Continuing Ethics Review

Ongoing research shall be subject to continuing ethics review. Continued review will consist of a succinct annual status report to the IRDC by June 30 of each year.

Ethics certificates are issued for one year. When the research poses of 'minimal risk' and there have been no significant changes to the research plan or protocol since it was initially authorized by the REB, the Chair of the IRDC will issue a one year extension if requested.

In the case that the research poses more than 'minimal risk', the researcher must submit a report on the research and its progress. If no substantial change has been made to the research plan or protocol, since its initial authorization by the REB, the Chair of the IRDC may issue a one-year extension. If, in the opinion of the IRDC Chair, the research plan or protocol has been substantially changed, re-submission and review by the REB is required.

The Chair of the IRDC must be promptly notified of any substantial change to the research plan or research protocol and must forward such information to the Chair of the REB. Researchers will be asked to include monitoring mechanisms by which the public participating in the research may contact the Chair of the IRDC. Problems or complaints will be taken seriously and researchers may be asked to modify their studies in view of such complaints.

The IRDC shall be promptly notified by the researcher when the project concludes. The researcher will submit a written report of the research project and its findings to the IDS.

4.8.9 REB Conflict of Interest

If a member of the REB has a personal interest in the research under review, conflict of interest principles require that the member not be present when the REB is discussing or making its decision. In cases of disagreement over conflicts of interest, both the REB member in the alleged conflict and the

researcher may present evidence and offer rebuttal concerning the nature of the conflict of interest. Other members of the REB will make a final decision regarding how to proceed.

4.8.10 Ethics Review and Approval of Multi-Centred Research

The REB shall review all research proposals involving human subjects that involve College faculty and staff as researchers, even when researchers from other institutions are part of the research team or the principal researcher is working at another research institution. If a multi-centred research project has been approved by an REB at another institution, the Chair of John Abbott College's REB will review the project.

If all ethical concerns have been addressed or if only minor changes are required, the Chair may recommend the research project. However, at the Chair's discretion, a review (full or expedited) by John Abbott College's REB may be required. If the research project has not been reviewed by a REB at another institution, or if the institution's ethics policy does not comply with the *Tri-Council Policy Statement*, John Abbott College's REB must undertake a review of the project.

In situations where John Abbott College faculty or staff members are part of a multi-centred research project, the College REB, through its Chair, may cooperate with other REB's at other institutions in the ethics review process in order to reduce the number of separate reviews that are necessary. In such situations, the College's REB must ensure that the research has been appropriately reviewed and recommended, and adheres to accepted ethical norms for research that involves human participants as set out in the *Tri-Council Policy Statement*.

Research to be performed outside the jurisdiction or country of the institution that employs the researcher shall undergo prospective ethics review both (a) by the REB within the researcher's institution; and (b) by the REB, where such exists, with the legal responsibility and equivalent ethical and procedural safeguards in the country or jurisdiction where the research is to be done.

Rules pertaining to research abroad should be created and interpreted in the spirit of the Helsinki Accords and subsequent documents that encourage the free movement of researchers across national boundaries. REBs should, therefore, not veto research about authoritarian or dictatorial countries on the grounds that the regime or its agents have not given approval for the research project or have expressed a dislike of the researchers. They should, however, legitimately concern themselves about the safety of research subjects and indeed of the researchers, and the security of research materials. (TCPS: article 1.14)

4.9 Decisions of the Research Ethics Board

When a research project is recommended by the REB, the Chair will issue an ethics certificate (Certificate of Ethical Approval) that is valid for one year from the date of issue. In the event that a research proposal is not accepted, all applicants to the REB have the right to have their research proposals reconsidered. In the event that the proposal is not accepted after reconsideration, applicants may make a formal appeal. Any researcher who proceeds with their research project without a Certificate of Ethical Approval from the REB may be subject to sanctions by the college.

4.9.1 Recommendation

If the REB determines that a research proposal conforms to the standards outlined in the *Tri-Council Policy Statement* it must approve said proposal and issue a Certificate of Ethical Approval (see Appendix 3). If minor modifications are required, the Chair will send a letter to the applicant recommending the

proposal and outlining the modifications required. The researcher must amend the proposal and resubmit it to the Chair of the REB for reconsideration. Once the modifications have been made, the Chair will issue a Certificate of Ethical Approval.

If a research project is rejected, applicants can request that the REB reconsider their decision before making a formal appeal.

4.9.2 Reconsideration

Researchers have the right to request, and the REB has an obligation to provide, the reconsideration of decisions affecting a research project. If a research proposal is rejected by the REB, the researcher may make a request for reconsideration by writing to the Director of the IDS.

The letter requesting reconsideration must outline the reasons for the request and be submitted within ten working days of the REB meeting at which the proposal was considered. If the proposal is rejected for a second time, the Chair of the REB shall provide the researcher with all of the reasons for doing so and give the researcher an opportunity to reply before making final decision.

John Abbott College may not override negative REB decisions without recourse to the formal appeal mechanism.

4.9.3 Appeal

Researchers must appeal a negative REB decision within ten working days of the date of their receipt of the decision. To do so, the researcher must send an appeal letter to the Director of Institutional Development Services with a copy to the Chair of the REB.

The REB of John Abbott College shall use the Research Ethics Committee of Vanier College as an Appeal Board. Non-compliance with the substance of the *Tri-Council Policy Statement* is a reason for refusing to grant an appeal. Appeals may be granted on procedural grounds or where there is a significant disagreement over an interpretation of the *Tri-council Policy Statement*. The decision of the Appeal REB shall be binding. If the Appeal REB finds in favour of the researcher, the Chair of the John Abbott College REB will issue Certificate of Ethical Approval to the applicant.

Vanier College and John Abbott College agree that the REB of each institution will act as an appeal board for the REB of the other college in those cases where the researchers and their respective REB cannot otherwise reach an agreement. The appeals considered must be limited to those areas where the recognized appeal board has expertise. Any costs incurred by the appeal board will be borne by the originating institution. This agreement can be terminated at any time through written notification of the Chair of either REB. This agreement has a term of three years, from date of signing, and can be renewed indefinitely. Agreement will be revisited, and confirmed each September by REB Chairs. (Appendix 4)

4.9.4 Sanctions

Any researcher covered under this policy who conducts research on human subjects without a Certificate of Ethical Approval issued by the Chair of the John Abbott College REB will be subject to sanctions by the college. This includes researchers who neglect to submit their proposals to the REB or researchers that have submitted proposals but have not been officially recommended by the REB before beginning their research.

The IRDC will report to the Academic Dean any cases that undermine John Abbott College's compliance with the *Tri-Council Policy Statement*. The Academic Dean will decide if and what sanctions or penalties will be imposed on the researcher in accordance with the *Faculty Collective Agreement* (Article 5-18.00).

4.10 Report of the Research Ethics Board

An annual activity report from the REB will be made to the Academic Dean who will bring the report to the Academic Council for consideration.

4.11 Additional Support and Responsibility for REB

The work involved in the ethical review and approval process as well as the promotion of the policy should be distributed appropriately among faculty members, staff, researchers and administrators.

4.11.1 The College

The College will support the administrative processes and educational activities required by the REB.

4.11.2 Program Deans

Program Deans are responsible for supporting the REB's educational activities and advising faculty members about the need to comply with the *Tri-Council Policy Statement*. They must also ensure that researchers requiring ethical review submit applications to the REB.

4.11.3 The Institutional Development Service

Responsibility for the administrative support for the REB lies with the Institutional Development Service. These responsibilities include:

- a) The distribution of forms and materials for submission of research proposals to the REB;
- b) The collection and distribution of submissions to REB members;
- c) Keeping minutes of the REB meetings;
- d) Storing submissions and related materials in a secure location;
- e) Supporting the REB in its educational activities;
- f) Acting as the point of contact for the tri-council Advisory Group; and
- g) Other duties related to the support of the REB in carrying out its mandate.

4.11.4 Programs

Programs that include primary research on human subjects as part of their course requirements are expected to train students and ensure that their required research projects are conducted according to Tri-Council guidelines. Ethical compliance of the research projects of students enrolled in Integration in the Social Sciences lies with the individual instructor supported by the Coordinator of Research Methods in consultation with the Methods Subcommittee of the Social Science Program Committee. All other programs should use a comparable framework for the evaluation of student research projects involving human subjects.

ARTICLE 5 - BIBLIOGRAPHY

Association pour la Recherche au Collégial. (2007). *Developing an Institutional Research Plan*. Montréal: L'Association pour la Recherche au Collégial.

Canada. Department of Justice. (1982). *The Canadian Charter of Rights and Freedoms*. Ottawa: Her Majesty the Queen of Canada.

Canadian Institutes of Health Research, Natural Science and Engineering Research Council, and Social Sciences and Humanities Research Council. (2007). *Tri-Council Policy Statement: Integrity in Research and Scholarship*. Ottawa: Natural Sciences and Engineering Research Council.

Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, and Social Science and Humanities research Council of Canada. (2005). *Tri-council Policy Statement: Ethical Conduct for Research Involving Humans*. Ottawa: Interagency Secretariat on Research Ethics.

Fédération des cégeps. (2006). *Innovation in the CEGEPs: From the Stakeholders' Perspective*. Montréal: Fédération des cégeps.

Government of Québec. (1975). *Charter of Rights and Freedoms*. Québec: Éditeur officiel du Québec.

Government of Québec. (1991). *Québec Civil Code*. Québec: Éditeur officiel du Québec.

John Abbott College. (2001). *Institutional Policy on Evaluation of Student Assessment (IPESA), Policy No. 7*. Ste-Anne-de-Bellevue, QC: John Abbott College.

John Abbott College. (2003). *Policy on Conflicts of Interest in Close Personal Relationships for College Employees*. Ste-Anne-de-Bellevue, QC: John Abbott College.

John Abbott College. (2004). *Strategic Plan 2004-2009*. Ste-Anne-de-Bellevue, QC: John Abbott College.

La Fédération nationale des enseignants et des enseignantes du Québec (FNEEQ(CSN)). (2006). *Collective Agreement 2005-2010*. Québec: Comité patronal de négociation des collègues.

National Science and Engineering Research Council (NSERC). (2002). *Policy on Intellectual Property*. Ottawa: Her Majesty the Queen of Canada.

Niagara College http://niagaracollege.ca/practices_research,Niagara, Niagara College of Applied Arts & Technology, College Practices, March 1, 2004.

Pasto, L. (2007). *Policies and Processes to Support Faculty Research at John Abbott College*. Ste-Anne-de-Bellevue: John Abbott College.

Québec. National Assembly. (1982). *An Act respecting Access to Documents held by Public Bodies and the Protection of Personal Information (RSQ Chapter A-2.1)*. Québec: Éditeur officiel du Québec.

Québec. National Assembly. (1983). *Archives Act (RSQ 21.1)*. Québec: Éditeur officiel du Québec.

Québec. National Assembly. (1993). *An Act Respecting the Protection of Personal Information in the Private Sector (RSQ Chapter P-39.1)*. Québec: Éditeur officiel du Québec.

- 5.1 Appendix 1: Research Proposal Process**
- 5.2 Appendix 2: Research Proposal Form**
- 5.3 Appendix 3: Certificate of Ethical Approval**
- 5.4 Appendix 4: Memorandum of Understanding (Vanier College and John Abbott College)**
- 5.5 Appendix 5: Tri-Council Policy Statement**
- 5.6 Appendix 6: Designing a Research Project Proposal – MEC802**