Academic Leadership Program 2016

Responsible Conduct of Research: Ethics, Research Integrity & IP

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Chief Ethics Officer– Office of Research Ethics
Overview of Today’s Presentation

- Chief Ethics Officer Introduction to Office of Research.
- Legislation governing Research Integrity.
  - Navigating Research vs Academic Integrity Cases
    - Investigation Process
- Intellectual Property
  - Inventors own IP
  - VPUR must review any agreement where a student asked to waive rights in IP.
  - Policy 73.
Office of Research Ethics

- Chief Ethics Officer, Jannet Ann Leggett, JD, CIPP/C, CIPT, CIAPP-M, Ethics Fellow - IAF
  - VPUR’s delegate for reviewing Research Integrity issues.
  - Research Ethics and Integrity Advisory Committee (REIAC)
- Chief Animal Officer, Central Animal Facilities
  - Animal Care Committee (Ethics board for research requiring animal studies)
  - Central Animal Facility Advisory Committee (CAFAC)
ORE: Interesting Facts

• HREC and CREC ± 3400 new & continuing research
  • 50% increase in new applications over past five years.
  • 95% applications require revision.

• Facilitating Research
  • 98% deemed ‘minimal risk’ – Delegated Review (unique system across Canada).
    • Initial feedback within 20-30 days
  • Collaborative review agreements: WLU, UWO, Conestoga, and Tri-hospitals.
    • 53 with Laurier since 2012 (675% increase in four years)
    • 12 from UWO, Conestoga and Tri-Hospitals in first six months.

• Increased Complexity of Research Applications
  • Research growth inn AHS, Math, Science and Engineering
    • ORE-Clinical delegated review – up 29%
    • CREC and HREC combined – up 35%
Activities that Fall into “Research” Category

• Research funded by Tri-Councils (NSERC, CHIR, SSHRC) or other sponsored grants.
• Contract or industrial research.
• Research requiring HREC, CREC and/or ACC review.
• Fourth year theses, Masters theses, PhD dissertations.
• Major/Masters research projects.
• Applied research/research related to a consulting assignment.
Applying for Ethics Clearance?

• **Application process, step by step**

• **YouTube Video: How to apply for ethics clearance**

• **Samples** of recruitment materials, information letters, consent forms, and feedback letters are available on our website

• **Top 10 list: Problems that can delay the review ... and solutions**
  • e.g., missing documentation, vague descriptions, generic or formulaic consent letter, inconsistent information, etc.
Responsible Conduct of Research (RCR) Framework

- All Canadian Universities who receive funds from CIHR, SHHRC, or NSERC.

Section 14, MoA, Faculty Association of University of Waterloo (FAUW)

- *Integrity in Scholarly Research*
Research Integrity – Since 2011, more than FFP: *RCR Framework*, s. 3.1.1.

- Fabrication of data;
- Falsification of data;
- Plagiarism, **and**
- Questionable Research Practices (that may also fall under uW Policy 33 – Ethical Behavior, Policy 71 – Student Discipline)
  - Destruction of research records;
  - Redundant publications;
  - Invalid authorship;
  - Inadequate acknowledgement;
  - Mismanagement of conflict of interest;
  - Misrepresentation in an agency document;
  - Mismanagement of grants or awards;
  - Breaches of agency policies or requirements/failure to obtain approvals.
Investigational Process

• Research conducted “under the auspices” of uW must comply with Tri-Agency Framework: Responsible Conduct of Research (RCR).

• Two separate guidelines...process essentially the same
  • Allegations against uW faculty follow Art. 14 of the Faculty Memorandum of Agreement.
  • Allegations made against uW students and staff follow Research Integrity Administrative Guideline.
  • Cases of Academic Integrity, which do not fall under RCR list of research misconduct, follow uW’s Policy 71 – Student Discipline.
Research Integrity Investigation Procedures

- S. 14.4 of FAUW MoA
  - If alleged misconduct involves research conducted by Member with someone who is not a Member (i.e. student, faculty of other university), procedures may be modified to facilitate joint or parallel investigations.
  - Any oral or anonymous allegation of misconduct in research by a Member received by a Chair, Dean, Vice-President or other administrative officer of the University are to be forwarded to the VPUR, who may investigate informally to determine whether the allegation has substance.
    - VPUR (or designate) may choose to notify the subject (“Responding Member”) of the allegation in writing and direct the Responding Member to retain all materials relevant to the allegation, and invite the Responding Member to respond by meeting or written response – to take place within 10 days of notification.
  - VPUR (or designate) shall determine whether sufficient evidence to warrant a full investigation – or not (and any material collected is to be destroyed).
  - If full investigation determined appropriate, VPUR shall notify Responding Member.
    - Responding Member admits breach, VPUR may choose to forgo establishing an Investigation Committee and instead report the matter to the Dean in accordance with s. 14.4.7.
  - Investigation Committee shall be comprised of three persons: two internal members (who have no prior connection with the particular matter) and one external member who has no current affiliation with the University.
    - Responding Member and his/her Dean shall propose at least three possible internal Investigation Committee members and three possible external members.
  - Chair of Investigation Committee shall submit a report to the VPIR and Responding Member within 120 days of the date on which the allegation was received by the VPUR.
    - The decision of the Committee is final and binding on the Responding Member and the University unless successfully grieved under Article 9 (of the FAUW MoA)
  - If investigation is undertaken in response to allegation of policy breaches related to a funding application submitted to an Agency, within 7 months of completion of the investigation, VPUR shall submit to the SRSC a report.
Faculty’s Responsibilities?

1. Understand the difference between “academic integrity offenses” and “RCR Framework breaches”.
2. Ensure infractions are routed correctly (if in doubt, contact CEO).
3. Ensure all RCR breach allegations are immediately reported to the OR’s Chief Ethics Officer (VPUR’s designate).
4. Understand where responsibility for oversight begins and ends. Seek guidance from OR’s website and Chief Ethics Officer.
5. Recognize that students and/or faculty who breach the RCR framework should be handled through research integrity guidelines and processes (OR Intake by Chief Ethics Officer).
6. Recognize that failing to report can lead to additional sanctions and negative publicity for the faculty supervisors, student researchers, administration and university.
7. Reinforce RCR requirements throughout faculty about their responsibility and their opportunities for support students and colleagues to avoid an RCR breach.
RCR Training and Resources

• **Research Ethics and Integrity Advisory Committee**
  
  • Faculty working with ORE to identify emerging lines of research in each faculty to better anticipate ethical implications associated with new types of research.

• **Training** (link to ORE’s website for RCR training and resources)
  
  • Collaborative Institutional Training Initiative (CITI) Canada Education Program
    • Free online training for anyone with uW e-mail address.

• **Chief Ethics Officer**
  
  • Delegated by VPUR to receive, investigate and facilitate resolution of RCR Complaints.
    • 60% of complaints: authorship disputes.
Intellectual Property and OR’s WatCo

• uW Policy 73
• Principles of IP Rights
• *Coming soon...* WatCo’s on-line IP Reporting Tool.

Intellectual Property (IP) Policy
(Policy #73)

1. INVENTORS OWN:
   - Applies to all members (i.e., faculty, staff, students) of Waterloo
   - No obligation to share with the University

2. PHILOSOPHY:
   - Likely to attract entrepreneurial and “business friendly” researchers
   - Incentive is best motivator to stimulate commercialization

3. RESULT:
   - UW widely acknowledged as most entrepreneurial research environment in Canada

Canada’s most innovative university 24 years in a row (Maclean’s Magazine)
Principles

• Researcher's (including grad students) position at the University must not be contingent on the waiving of rights to IP
  • (Except in the case of an assigned “work for hire” relationship).

• Agreements requiring researchers to waive or assign IP rights must be approved by VPUR,
  • (plus Associate Provost, Graduate Studies if graduate students are parties to the research).
IP Electronic reporting Tool (2016)

- Form developed based on input from Dean’s Counsel, ADR’s, and selected faculty members
- Going live in mid-September and to be completed by faculty in synch with merit review process timeline

Policy 73 Disclosure Package

Intellectual Property Disclosure Form

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Briefly describe the IP and its intended application.

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University of Waterloo’s Office of Research Ethics & Watco

- A balanced approach to research review, education and support to facilitate the flow of great ideas, innovation, and research funding within the regulatory frameworks for responsible conduct of research and research integrity.

uwaterloo.ca/research