

**TORONTO METROPOLITAN UNIVERSITY
POLICY OF SENATE**

PUBLICATION OF SRC RESULTS

Policy Number: 56

Responsible Office: Vice President, Research and Innovation

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Next Policy Review Date: 2024

PURPOSE

Academic freedom and free access to results form the basis of University research, thus any restrictions placed upon this freedom must have strong justification. In the case of research undertaken for or in conjunction with private sector and public sponsors certain restrictions may be necessary, but at no time should private or public sponsors be allowed to prohibit the publication of research results. Academic freedom must remain paramount, and the University is committed to this practice.

1. APPLICATION AND SCOPE

This policy applies to any agreements concerning scholarly, research or creative (SRC) activity entered into by the University.

2. CONFIDENTIAL INFORMATION

In the course of SRC activity, the University may receive proprietary or confidential information pertinent to the activity from a sponsor, collaborator or other party. Where proprietary or confidential information is provided by a third party to facilitate SRC activity the University can, on behalf of the individual researchers, agree that such information will be kept confidential and will not be divulged, except where such information:

1. becomes public knowledge; or
2. was developed independently by the University or by another body without access to the information; or
3. was lawfully received from a third party; or
4. was disclosed in response to a court order by a Canadian court of law, or
5. is permitted to be disclosed by the provider of the information.

All individual researchers will be bound by the University's obligation of confidentiality with respect to the information as a condition of their participation in the SRC activity.

3. PUBLICATION OF SRC RESULTS

As part of a SRC agreement a sponsor, may wish to negotiate provisions that allow for a delay in the publication or other disclosure of SRC findings. Such a delay should not normally exceed ninety days from submission of a paper or presentation.

In exceptional circumstances the University may agree to a delay up to one year after the submission of a paper or presentation, in the event:

- i) the sponsor has industrial or commercial rights which it wishes to protect arising out of the research;
- ii) the sponsor has requested a right of first publication.

As part of a SRC agreement the University may agree that a sponsor of SRC activity can review proposed publication(s) or presentation(s) arising from the SRC activity for a period of up to sixty days prior to their publication or presentation to evaluate if the results warrant protection and/or to confirm that proprietary or confidential information provided by the sponsor is not divulged by the publication or presentation. This review period will be included in the timeframe specified for any delay in publication. Sponsors should not have any editorial control, however, over the publication or disclosure of SRC results.

4. STUDENT THESES

At the request of the author, the University may withhold the publication of a thesis for up to one year following the defence and approval of the thesis. Such requests will not be unreasonably withheld.

It is the faculty supervisor's responsibility to inform all students working on the project that such a request may be forthcoming prior to the student commencing work on the project.

In the case of graduate theses, all requests must be made in writing to the Dean of Graduate Studies (or designate), stating the reasons for the requested publication delay. Prior to granting approval, the Dean (or designate) will consult with the Office of the Vice President, Research and Innovation, prior to granting such a request on behalf of the University.

In the case of undergraduate theses, all requests must be made in writing to the Dean of the relevant Faculty, stating the reasons for the requested publication delay. Prior to granting approval, the Dean will consult with the Office of the Vice President, Research and Innovation.

Any such delay cannot interfere with the granting of course credit or a degree to the student who has completed the requirements of such course(s) or degrees.