

REPORT OF THE SCHOLARLY, RESEARCH AND CREATIVE ACTIVITY COMMITTEE

Report #1 Winter 2020

In this report the Scholarly, Research and Creative Activity Committee brings to Senate its recommendations to retire Policy 153 – Non-Competition Agreements and to approve revisions to Policy 154 – Signing of Research Applications and Agreements in Support of Scholarly, Research and Creative Activity.

For Senate's information this report also includes a copy of the Statement on Scholarly, Research and Creative Partnerships to the Senate SRC Activity Committee.

Recommendation:

- The SRC AC unanimously recommends:
 - that Senate retire Policy 153 – Non-Competition Agreements;
 - that Senate approve the revisions to Policy 154 – Signing of Research Applications and Agreements in Support of Scholarly, Research and Creative Activity.

Respectfully Submitted,

Steven N. Liss, Chair for the Committee

SRC AC Members:

- Naomi Adelson, Associate Vice-President, Research and Innovation
- Asher Alkoby, Chair, Research Ethics Board
- Janice Waddell, Associate Dean, Graduate Studies
- Patrizia Albanese, Associate Dean, Research and Graduate Studies, Arts
- Ozgur Turetken, Associate Dean, Research and Graduate Programs, Ted Rogers School of Management
- Charles Davis, Associate Dean, SRC Activities, Communications and Design
- Jennifer Martin, Associate Dean, Faculty Development, Undergraduate Students and SRC, Community Services
- Michael Kolios, Associate Dean, Research and Graduate Studies, Science
- Sri Krishnan, Associate Dean, Research, Engineering and Architectural Science
- Dana Thomas, Associate Chief Librarian
- Donna Bell, Secretary of Senate
- Andriy Miransky, Faculty, Science
- Julia Spaniol, Faculty, Arts
- Yuanshun Li, Faculty, Ted Rogers School of Management
- Richard Adams, Faculty, Communication and Design
- Nancy Walton, Faculty, Community Services
- Ravi Ravindran, Faculty, Engineering and Architectural Science
- Brian Cameron, Librarian
- Liping Fang, Interim Dean, Engineering and Architectural Science
- Katey Park, Graduate Student
- Simon Donato-Woodger, Undergraduate Student Senator

SCHOLARLY, RESEARCH AND CREATIVE ACTIVITY COMMITTEE REPORT

Report #1 Winter 2020

At its meeting on April 6, 2020, the Scholarly, Research and Creative Activity Committee undertook reviews of Policy 153 – Non-Competition Agreements and Policy 154 – Signing of Research Applications and Agreements in Support of Scholarly, Research and Creative Activity.

This report provides a rationale for the policy revisions as well as an explanatory note for the changes made. The updated and supplementary documents as it relates to these documents have been included in Appendix A and B.

Policy 153 – Non-Competition Agreements

Policy 153 - Non-Competition Agreements is a policy that was approved March 7, 2000 and has not been reviewed or revised since that time. The policy consists of one paragraph that protects academic freedom and outlines that restrictions placed upon this freedom must have strong justification.

The OVPRI consulted with the SRC Leaders Group, which consists of Associate Dean representatives from each of the faculties as well as the library and Yeates School of Graduate Studies, and also solicited feedback from the General Counsel's office and Vice-Provost Faculty Affairs.

The consultation process included an environmental scan of other post-secondary institutions (University of Toronto, Simon Fraser University, McMaster University, University of Waterloo, and Concordia University), which determined that none had similar stand-alone policies regarding non-competition agreements but that this type of direction was captured and incorporated in other institutional documents. As a result, the OVPRI recommended, and the Senate SRC Activity Committee unanimously approved that Policy 153 be retired as the paragraph is not a policy but rather a contractual consideration.

The OVPRI will be adopting a *Statement on Scholarly, Research and Creative Partnerships* which incorporates the principle expressed in Policy 153 (in section 5) and further delineates policies and practices related to research agreements.

Recommendation

The Senate SRC Activity Committee recommends that Senate retire Policy 153 - Non-Competition Agreements.

Policy 154 – Signing of Research Applications and Agreements in Support of Scholarly, Research and Creative Activity

Policy 154 was first approved in June, 1988 and was revised on May 7, 2002. The policy outlines the delegated university signing authority for applications and agreements in support of Scholarly, Research and Creative Activity, and the scope and application for obtaining approval.

The SRC Leaders Group, which consists of Associate Dean representatives from each of the faculties as well as the library and Yeates School of Graduate Studies, were the Working Group that reviewed the policy. Additional consultations were conducted with the General Counsel Office, Vice-Provost Faculty Affairs and the Chief Librarian.

The recommended revisions were brought to the Scholarly, Research and Creative Activity Committee for approval and shared with the Academic Governance and Policy Committee.

Summary of changes for Policy 154

- Title change from 'Signing of Research Applications and Agreements in Support of Research' to 'Signing of Research Applications and Agreements in Support of Scholarly, Research and Creative Activity' to be consistent with institutional language.
- Followed the new Senate policy template and added sections to clarify:
 - Purpose of Policy
 - Application and scope
 - Definitions
 - Roles and Responsibilities
 - Procedure
 - Related Documents
- Clarified that the policy applies to all applications and agreements of any nature that concern SRC activity that is in any way to be undertaken under the auspices of the University, regardless of whether there are funds involved.
- Clarified that the University signing authority is designated to the VPRI and does not de facto include the Office of Research Services.
- Added in the signatory of the Chief Librarian for SRC activity originating from the Library.
- Ensured the policy uses consistent and up-to-date language throughout.
- Added comprehensive definitions regarding SRC applications and SRC agreements.
- Clarified the roles and responsibilities for signatures, in particular as it relates to the Principal Investigators and their responsibility to ensure the documenting of commitments and an accountability for meeting eligibility requirements.

Recommendation

The Scholarly, Research and Creative Activity Committee recommends that Senate approve the revisions to Policy 154 - Signing of Research Applications and Agreements in Support of Scholarly, Research and Creative Activity.

STATEMENT ON SCHOLARLY, RESEARCH AND CREATIVE PARTNERSHIPS

Date: March 25, 2020

Responsible Office: Vice President, Research and Innovation

Research at Ryerson University is driven by intellectual curiosity resulting in researchers creating evidence-based solutions and activating real-world transformation. Ryerson's distinctive core mission - the advancement of knowledge to address and serve societal need - responds to the demand for highly skilled creative and critical thinkers who address increasingly interconnected, complex problems and work towards effective solutions.

As a globally connected city university, we believe that inclusive and collaborative approaches are essential to great research. To that end, Ryerson is committed to cooperation and partnerships with diverse communities, industry, stakeholders, and government. Accordingly, the following statement reflects the principles that shape our Scholarly, Research and Creative (SRC) partnerships and confirms the continuing commitment of the University to foster those partnerships:

1. Foundational to SRC activity at Ryerson are the principles of equity, diversity, inclusion, and access. Together, these principles underscore our commitment to and expression of social justice and are essential to our integrated approach to SRC activity as they cross-cut Ryerson's strategic research themes and objectives.
2. Academic freedom and the ability to undertake SRC activity freely and without restriction forms the basis of the University research enterprise and Ryerson is committed to this practice. Thus, any restrictions placed upon this freedom must have strong justification. In the case of SRC activity undertaken for, or in conjunction with, private sector and public sponsors certain restrictions may be necessary, but at no time should private sector and/or public sponsors be allowed to prohibit the undertaking of SRC activity by members of the University Community.
3. The University has established various policies that govern aspects of SRC partnerships. A number of these policies apply to individual members of the University community, including but not limited to the Scholarly, Research and Creative (SRC) Activity Integrity Policy 118, which articulates the researcher's responsibility to strive for the highest standards of integrity in every aspect of their SRC activity.

4. SRC funding applications and agreements are subject to review by departmental and divisional heads, as well as the Vice-President, Research and Innovation before approval to ensure compliance with all relevant policies, procedures, ethical requirements, and legislation. This also includes funding directly provided to faculty members for SRC activity that is any way to be undertaken under the auspices of the University, even when those funds will not be administered by the University.
5. In view of the importance attached to academic freedom, the University will not enter into any research agreement that includes a general or blanket prohibition on SRC activities in specific areas.

In exceptional circumstances, the University may agree in a research agreement to restrict Ryerson students and staff from conducting similar SRC activity with or for other sponsors simultaneously with the SRC activity done for, or in conjunction with, the original sponsor.

6. The results of University research are freely publishable in accordance with the University's Policy 56 on the Publication of SRC results. To encourage the translation of knowledge into socially useful applications, the policy permits limited publication delays to the extent necessary to obtain protection of proprietary rights or confidential information.
7. The University recognizes and is committed to ensuring that all creators of intellectual property – students, faculty, staff and other contributors – have their rights protected, have their contributions acknowledged appropriately, and receive appropriate economic return for their contributions in creating intellectual property when it results in commercialization.
8. The University's research partnerships are matters of public record, except for information which is personal or proprietary, in accordance with applicable legislation.
9. As a condition of their participation in SRC activity, all individual researchers and collaborating partners will respect and be bound by the University's obligation of confidentiality, including any applicable non-disclosure agreements.

Appendix: Relevant Policies and Statements

The following Ryerson University policies and guidelines are relevant to this statement.

Academic Freedom:

[Collective Agreement between the Board of Governors of Ryerson University and the Ryerson Faculty Association](#)

Senate Policy 56 - [Publication of Research Results](#)

Access to Information:

[Information Protection and Access - Restricted Information Policy \(Privacy Policy\)](#)

[Information Protection and Providing Access to Restricted Information Procedure \(Privacy Procedure\)](#)

[Employee Confidentiality Agreement](#)

Conflict of Interest:

[Conflict of Interest Policy](#)

Institutional Review:

Senate Policy 154 - [Signing of Applications and Agreements in Support of Scholarly, Research \(SRC\) and Creative Activity](#)

Senate Policy 143 - [Policy on the Indirect Costs Associated with Scholarly, Research and Creative \(SRC \) Funding](#)

Intellectual Property:

Senate Policy 63 - [Policy on Ownership of Student Work in Research](#) (*currently undergoing review)

School of Graduate Studies - [Intellectual Property Guidelines](#)

Research Ethics:

Senate Policy 51 - [Ethical Conduct for Research Involving Human Participants](#)

Senate Policy 52 - [Ethics Review of Research Involving Animals](#)

Senate Policy 58 - [Research Using Biohazardous Materials](#)

Senate Policy 118 - [Scholarly, Research and Creative Activity \(SRC\) Integrity Policy](#)

Other relevant policies, and documents as they relate to SRC Partnerships:

Senate Policy 95 - [Development and Approval of International Partnerships and International \(and National\) Mobility Programs](#) (*currently undergoing review)

Senate Policy 103 - [Mission and Aims of Ryerson University](#)

[Strategic Research Plan 2020-2025](#)

APPENDIX B

SIGNING OF APPLICATIONS AND AGREEMENTS IN SUPPORT OF SCHOLARLY, RESEARCH AND CREATIVE ACTIVITY

Policy Number:	154
Original Approval Date:	May 7, 2002
Approval of Amended Policy:	TBC
Presented by:	SRC Activity Committee
Reviewed by:	SRC Activity Committee
Responsible Office:	Vice President, Research and Innovation

1. Purpose

The purpose of this policy is to specify the signing authorities required for applications and agreements in support of Scholarly, Research or Creative (SRC) activity that may be entered into on behalf of the University.

2. Application and Scope

SRC agreements are legally binding agreements between an external sponsor and the University on behalf of an investigator. Consequently, all applications to, and agreements with external agencies must be signed by the appropriate University officer. For the purpose of SRC applications and agreements, University signing authority has been delegated to the Vice President, Research and Innovation (VPRI). In signing on behalf of the University, the VPRI relies upon the prior assurances of the Principal Investigator, Chair/Director and Dean/Chief Librarian. Individual faculty members may not sign on behalf of the University.

This policy applies to all applications and agreements of any nature that concern SRC activity that is in any way to be undertaken under the auspices of the University, regardless of whether there are funds involved.

3. Definitions

“SRC agreement” includes but is not limited to any contract (including any renewal, extension or amendment of an existing contract), subcontract, letter of intent, memorandum of understanding, memorandum of agreement, academic agreement, assignment, obligation, certificate or other document, the provisions of which may be binding upon the University, that concern or affects the undertaking of SRC activity under the auspices of the University. This also pertains to all graduate or undergraduate scholarships that include a research allowance that will be administered by the University.

“SRC application” means any application, proposal, letter of intent, tenders or other document, including any requests for renewal or supplemental funding for existing

projects, that are submitted to a third party funder in respect of proposed SRC activity that is in any way to be undertaken under the auspices of the University.

4. Roles and Responsibilities

- 4.1 Principal Investigator/Applicant - signature indicates acceptance of academic, professional, scientific, and technical responsibility for the project. In addition, it represents an undertaking to observe sponsor and University policies and regulations, as well as any special award conditions.
- 4.2 Academic Supervisor/Applicant - signature for student projects, indicates the same undertaking as the above, as well as willingness to complete or terminate the project in accordance with sponsor requirements if student participants are unable or unavailable to do so.
- 4.3 Department Chair/Director of School/Director of Centre - for proposals that entail new or incremental space, specific material or financial contributions, or preferred use of common facilities and services, the signature indicates either approval for those items under departmental auspices or a commitment to seek the approval of appropriate Faculty and University authorities. When non-departmental commitments have not received final approval, it is the department chair/director's responsibility to state clearly any reservations or limitations, in a letter of transmittal, to the OVPRI at the time the application is submitted for University endorsement.
- 4.4 Dean/Chief Librarian - signature indicates that the Faculty is willing to accommodate the project; that required facilities and services are available; and that the researcher meets known University and sponsor eligibility requirements. It also represents general acceptance of expressed or implied time commitments, including willingness to recommend leave or other special arrangements as specified in the application.
- 4.5 Designated University Officer (VPRI) - signature confirms the Departmental and Faculty commitments, confirms that the institution will accept and administer funds in accordance with agreed terms and conditions at the time of application; and that, when applicable, the project has been or will undergo all relevant human ethics, animal experimentation, radiation and/or biosafety hazard reviews.

5. Procedure

5.1 Prior to signing a SRC application and/or agreement, the VPRI shall seek the prior signature of the following individuals, or their designate, in the following order:

- 5.1.1 Principal Investigator/Applicant
- 5.1.2 Department Chair/Director
- 5.1.3 Dean/Chief Librarian

6. Related Documents

Statement on Scholarly, Research and Creative Partnerships