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Received

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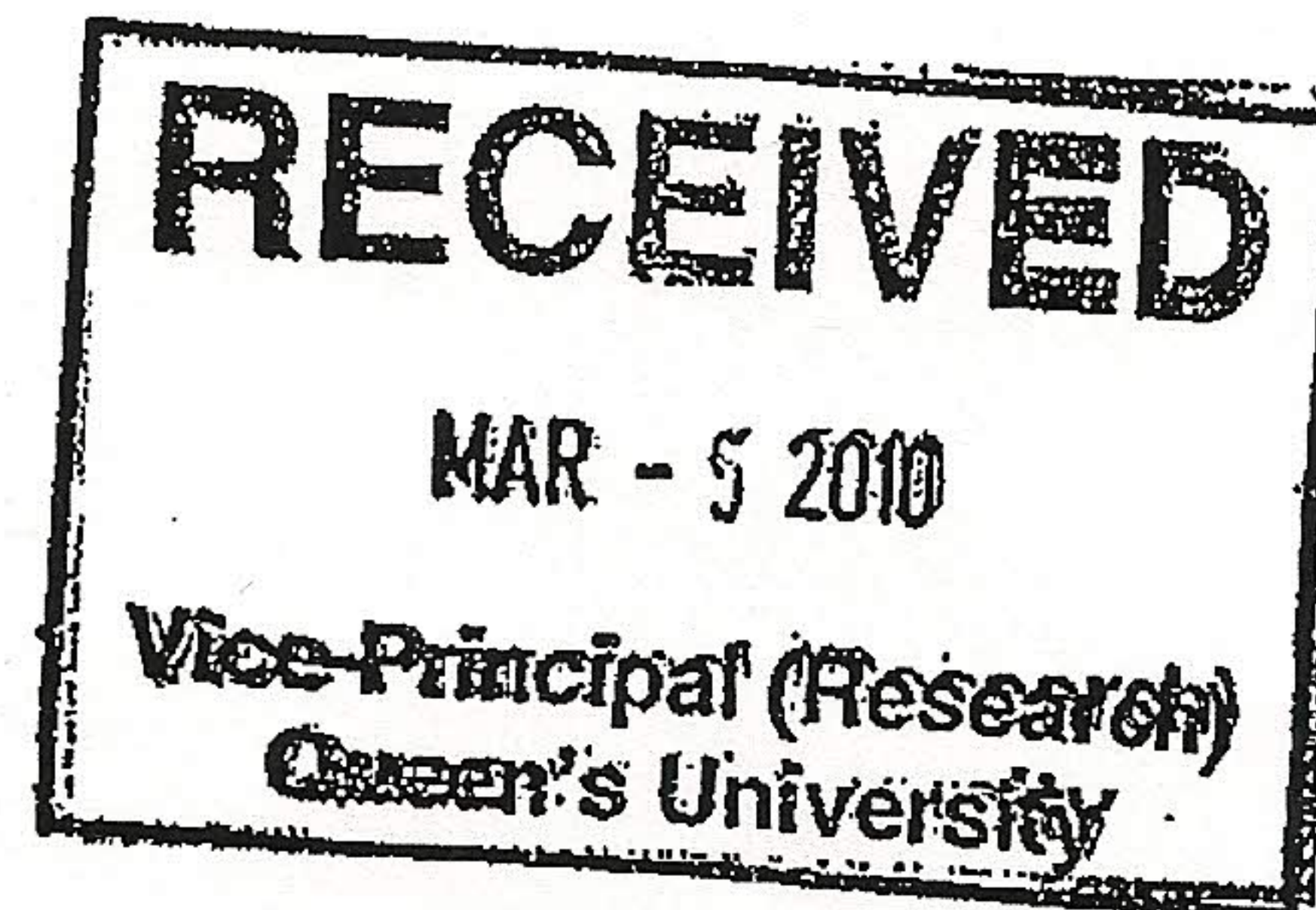
Office of the Principal

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March 4, 2010

N4130-Q1
N4245-6-Q7

Dr. Daniel R. Woolf
Principal & Vice-Chancellor
Queen's University
RICHARDSON HALL RM 206
115 BARRACK ST
KINGSTON ON K7L3N6



Dear Dr. Woolf:

Over the period December 23, 2009 to January 8, 2010 NSERC received four allegations of institutional non-compliance (see attached summary) regarding Queen's University (the institution) from Dr. M. Shirkhanzadeh, Department of Mechanical and Materials Engineering. Dr. Kerry Rowe, Vice-Principal Research at Queen's University, was copied on all allegations.

The allegations relate to the institution's investigation, led by the office of the Vice-Principal Research, into a series of allegations made against Dr. Smith and others in 2005. The institution provided NSERC with a report about the process followed and its final determination on December 22, 2005. Dr. Shirkhanzadeh, however, claims that the institution's investigation in this matter did not follow procedures consistent with the *Memorandum of Understanding on Roles and Responsibilities in the Management (MOU) of Federal Grants and Awards*, specifically, Schedule 4: Integrity in Research and Scholarship (which references the *Tri-Council Policy on Integrity in Research and Scholarship (TCPS-I)* and the *Framework for Tri-Council Review of University Policies Dealing with Integrity in Research (Framework)*).

The purpose of this letter is to seek further clarification from the institution about how the original allegations were handled. Your response should explain how the process used for those cases complied with the institution's policy in effect at the time, and Schedule 4: Integrity in Research and Scholarship of the MOU (including the TCPS-I and the Framework).

Following receipt of your response, NSERC may request clarification or additional information. NSERC may also request that the institution convene an independent review of how the original integrity cases were handled, if necessary.

Canada

Summary of Allegations of Institutional Non-Compliance
Received at NSERC for the period December 23, 2009 to January 8, 2010

1. Allegation of December 23, 2009 (3:47 pm): Allegation of data fabrication against Dr. Smith and co-authors in letter of March 22, 2005 addressed to Dr. Rowe was not investigated. It is alleged that the university did not follow appropriate procedures in arriving at its conclusions. According to the university's report submitted to NSERC, the scope of the investigation was limited to data falsification. The university did not present a complete list of allegations for investigation. It is further alleged that the external expert and university investigator were in a conflict of interest (see attached e-mail from Dr. Shirkhanzadeh for details on the nature of the conflict).
2. Allegation of December 23, 2009 (3:57 pm): Allegation of republication and recycling of old data were not addressed in the overall assessment of allegations sent to Dr. Rowe dated February 22, 2005, March 22, 2005, April 12, 2005, April 25, 2005, April 28, 2005, May 16, 2005, June 13, 2005, July 29, 2005, September 12, 2005 and October 12, 2005. It is alleged that the university did not follow appropriate procedures in arriving at its conclusions. It is further alleged that the university investigator was in a conflict of interest (see attached e-mail from Dr. Shirkhanzadeh for details on the nature of the conflict). It is requested that the university follow appropriate procedures to determine whether or not a breach of integrity took place.
3. Allegation of January 1, 2010: Allegations of intentional bogus authorship were not investigated following a series of allegations made in 2005. It is alleged that the university did not follow appropriate procedures in arriving at its conclusions. These concerns were raised in a letter to the university Principal in January 2006 with no satisfactory response. It is further alleged that the university investigator was in a conflict of interest (see attached e-mail from Dr. Shirkhanzadeh for details on the nature of the conflict), that the investigation was superficial and lacked thoroughness. It is requested that the university follow appropriate procedures to determine whether or not a breach of integrity took place.
4. Allegation of January 8, 2010:
 - a) Allegations contained in letter of December 12, 2005 have not been investigated. Letter was acknowledged by VP Research, but no further information was provided.
 - b) Allegations contained in letter of October 12, 2005 involving Josée Robert and Dr. Smith not completely addressed. Graduate School not in a position to investigate Dr. Smith. It is alleged that the university did not follow appropriate procedures.

It is requested that the university follow appropriate procedures to determine whether or not a breach of integrity took place.

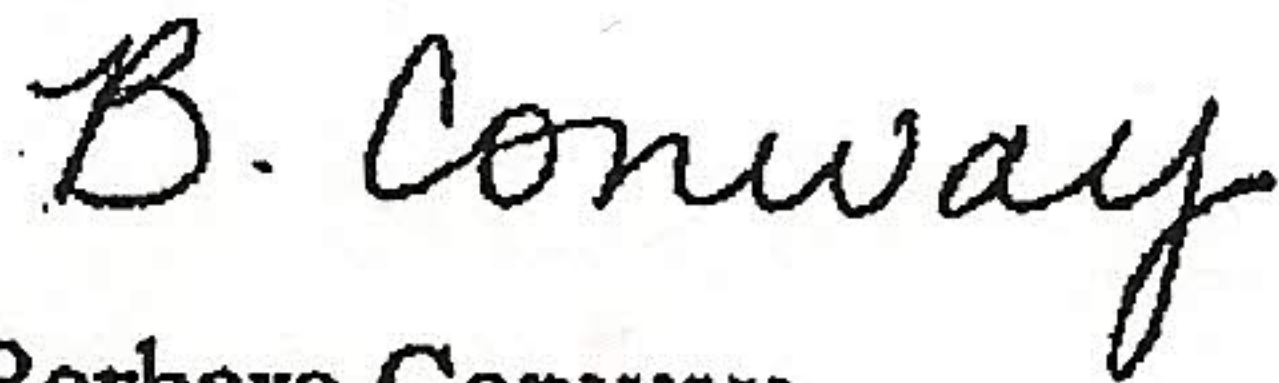
NSERC considers seriously any allegations regarding institutional violations of the MOU. If it appears to NSERC that the institution was not in compliance with the MOU (including the TCPS-I and the Framework), as per Schedule 4, NSERC may follow the procedures described in Schedule 8: Investigation and Resolution of Breach of Agency Policies, of the MOU, starting at level 3. As outlined in Schedule 8, as this matter would be considered particularly serious or sensitive, it would then be referred to senior level officials from both the institution and the agency to establish a realistic schedule for resolving the situation. For NSERC, this case has been delegated to the Executive Vice-President and the Vice-President, Common Administrative Services Division. The Executive Vice-President, as the final decision maker in this case, may also consider input from NSERC's Committee on Research Integrity (CRI).

We would appreciate a reply no later than April 6, 2010. Should you be unable to meet this deadline, please contact me by phone at 613-995-5897 or by e-mail at barbara.conway@nserc-crsng.gc.ca as soon as possible so that we can agree on an appropriate schedule.

Please note that all correspondence and documentation provided to NSERC on this matter are subject to the provisions of the federal *Privacy and Access to Information Acts*. In this regard, information provided may be accessible to the affected parties and others, subject to the applicable exemptions set out in the Acts. We also expect the University to maintain the confidentiality of the information, sharing it strictly on a need-to-know basis.

We appreciate your cooperation in this matter and should you have any questions or concerns, please do not hesitate to me.

Sincerely,



Barbara Conway
Corporate Secretary