



SUBJECT POLICY #87 – RESEARCH
POLICY #91 – PURCHASE OF ANIMALS FOR RESEARCH AND TEACHING

MEETING DATE APRIL 14, 2016

Forwarded to the Board of Governors on the Recommendation of the President

**APPROVED FOR
SUBMISSION**

Martha C. Piper, Interim President and Vice-Chancellor

**DECISION
REQUESTED** ***IT IS HEREBY REQUESTED that the UBC Board of Governors:
1) approve revisions to Policy #87 (Research), effective April 14, 2016, and;
2) approve the deletion of Policy #91 (Purchase of Animals for Research and
Teaching), effective April 14, 2016.***

Report Date March 14, 2016

Presented By Hubert Lai, Q.C., University Counsel
John Hepburn, Vice-President Research & International

EXECUTIVE SUMMARY

<p><i>If this item was previously presented to the Board, please provide a brief description of any major changes since that time.</i></p>	<p>Policy #87 has been in place, without amendment, since 1995 and the associated Procedures have not been comprehensively revised for many years. The Office of the University Counsel convened a Policy Review Committee to review and propose amendments to the existing Policy #87 which were presented to the Board for information on December 3, 2015. The Office then solicited comments on the proposed policy amendments from the UBC community. The Office provided all of the feedback from this consultation process to the Committee. After thoroughly considering this feedback, the Committee prepared revised proposed policy amendments to Policy #87. A summary of the feedback that was received during the consultation process and the Committee's response to each are attached.</p>
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INSTITUTIONAL STRATEGIC PRIORITIES SUPPORTED

- Learning
 Research
 Innovation
 Engagement
 International
 (Internal / External)
- or Operational

**DESCRIPTION &
RATIONALE** UBC wishes to support research excellence and facilitate the creation and advancement of knowledge and understanding. Policy #87 provides the framework within which UBC supports and enhances UBC researchers' grant

funding success and also establishes the administrative processes necessary to assist researchers in navigating the process of attracting and managing research funding.

The current version of Policy #87 has been in place, without amendment, since 1995 and the associated Procedures have not been comprehensively revised for many years. UBC's administrative processes with respect to research have evolved such that the current version of Policy #87 no longer reflects UBC's current practices. In addition, many of UBC's other research-related policies have been revised and updated, leaving the current version of Policy #87 out of step.

Accordingly, the proposed amendments are intended to update the Policy and Procedures to:

- (1) provide a concise statement of the obligations of UBC researchers and administrators with respect to the conduct and administration of research;
- (2) accurately reflect UBC's current practices with respect to research and research administration;
- (3) incorporate the content of Policy #91 (Purchase of Animals for Research and Teaching) into Policy #87 to enable Policy #91 to be deleted contemporaneously with the approval of a revised Policy #87;
- (4) ensure consistency and remove duplication with other UBC policies;
- (5) where appropriate, remove procedural details from the Policy and Procedures in order to enable change in administrative processes in the future without the need to update the Policy or Procedures; and
- (6) in place of having procedural details in the Policy or the Procedures, provide a mechanism for the Responsible Executive to create and maintain Directives for the research community that can set out administrative processes and requirements at a level of detail that would be unwieldy in a Board of Governors Policy or Procedures.

BENEFITS Learning, Research, Financial, Sustainability & Reputational	The adoption of the proposed amendments will clarify UBC's current research practices and the responsibilities of UBC researchers and administrators. This reinforces and supports UBC's commitment to research excellence. The deletion of Policy #91 will assist in ongoing efforts to reduce and consolidate Board of Governors policies where appropriate.
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SCHEDULE Implementation Timeline	The proposed amendments to Policy #87 and the repeal of Policy #91 are submitted for the approval of the Board of Governors. They are both unanimously recommended by the Policy Review Committee. The recommendation has the support of the University Counsel and the Vice President Research and International.
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If the proposed amendments to the Policy are approved by the Board of Governors, the Office of the University Counsel will 1) publish the amended Policy #87 on the UBC website and delete Policy #91 from the UBC website and 2) distribute the amended Policy #87 to affected stakeholders and distribute a notification of the deletion of Policy #91 to affected stakeholders.

CONSULTATION
Relevant Units,
Internal & External
Constituencies

The policy review process was initiated at the request of the Vice-President Research & International. The Office of the University Counsel and the Office of the Vice-President Research & International consulted with the administrative units most impacted by Policy #87 to solicit advice on potential revisions to the Policy. In addition, as part of the due diligence normally undertaken by the Office of the University Counsel during the policy development/review process, a survey of the research policies of a variety of other universities in and outside of Canada was undertaken.

The Office of the University constituted a Policy Review Committee comprised of the following members, to consider and advise on the proposed amendment of the Policy:

- Mark Crosbie, Associate University Counsel (Chair)
- Christopher Lennon, Associate (External Legal Counsel)
- Helen Burt, Associate Vice-President, Research & International
- Martin Kirk, Director, Research Services
- John-Paul Heale, Managing Director, Industry Liaison Office
- Tammy Brimner, Director, Business Development & Operations, Animal Care Services
- Allison Matacheskie, Director Faculty Relations
- Ian Welch, University Veterinarian, Animal Care Services
- Sharon Wu, Portfolio Finance Director, Office of the Vice President Research & International
- David Shorthouse, Director, Academic Initiatives, Office of the Vice-President, Academic
- Ross T. MacGillivray, Professor, Biochemistry and Molecular Biology, Faculty of Medicine
- Evelyn Miguel, Manager, Research & Trust Accounting
- T. Bruce Anderson, Director, Occupational & Research Health & Safety, Risk Management Services
- Matthew Evenden, Associate Professor, –Department of Geography, UBC Vancouver Faculty of Arts
- Paul Van Donkelaar, Health & Social Development, School of Health and Exercise Sciences, UBC Okanagan Faculty of Health and Social Development
- Enav Zusman, Vice President University & Academic Affairs, Graduate Student Society

The Committee initially developed proposed amendments to the Policy which were presented to the Board of Governors for information on December 3, 2015. The Office of the University Counsel then widely solicited comments on the proposed amendments to the Policy in the following manner:

- The proposed amendments were published on UBC’s website under a call for comments on December 4, 2015. The comment period was set to run from December 4, 2015 until January 29, 2016.
- The Office of the University Counsel sent emails on December 7, 2015 and again on January 20, 2016 highlighting key elements of the proposed amendments and inviting responses to the call for comments via the “Heads Up” email list on both campuses to: the UBC executive team, associate vice-

presidents, deans, principals, associate deans, directors and heads of units, department directors, student leaders and union leaders.

Upon review of responses from the community, it came to the attention of the Office of the University Counsel that some members of the community may have referred to a black-line posted on the web site of the Board of Governors as part of the docket package for their December 3, 2015 meeting. While the proposed policy language in that black-line was correct, it was compared to an out-of-date version of the policy. If relied upon, it would have given readers an incorrect impression of which portions of the existing Policy were changed by the proposed policy. To address this the Office of the University Counsel:

- prepared a revised call for comments on February 2, 2016 which extended the deadline for submitting comments to February 16, 2016. (Included in this revised call for comments was black-line that accurately showed the differences between the existing Policy and the proposed policy.);
- sent an email on February 2, 2016 advising of the revised deadline and inviting responses to the call for comments via the “Heads Up” email list; and
- wrote to the persons who had provided comments on the proposed policy to advise them of the revised deadline and inviting them to submit new or updated responses if they wished to do so.

A total of 9 responses were received during the period December 4, 2015 to February 16, 2016, all of which were considered by the Committee. A summary of the substantive comments and the Committee’s responses to each are attached.

The proposed amendments to Policy #87 and the deletion of Policy #91 are unanimously recommended by the Policy Review Committee.

Additional Materials


A clean copy of the proposed policy #87 is attached.

Click [here](#) for a blacklined version comparing the proposed policy to the current Policy #87, a blacklined version showing the revisions to the proposed policy #87 since December 3, 2015 and a summary of the feedback received during the public consultation process and the Committee’s responses.

A copy of the current Policy #87 is available at <http://universitycounsel.ubc.ca/files/2014/03/policy87.pdf>

A copy of the current Policy #91 is available at <http://universitycounsel.ubc.ca/files/2010/08/policy91.pdf>

Previous Report Date December 3, 2015

 <p>The University of British Columbia Board of Governors</p>	<p>Policy No.: 87</p>	<p>Approval Date: July 1993 Last Revision: March 1995 [Anticipated April 2016]</p>
	<p>Responsible Executive: Vice-President, Research and International</p>	
<p>Title: Research</p>		
<p>Background & Purposes</p> <p>A core function of UBC is the pursuit and dissemination of discovery and knowledge through research and enquiry. This Policy aims to set out the responsibilities and standards required of UBC Persons involved in Research and to articulate the authority, requisite processes, and requirements surrounding various aspects of Research activity undertaken by UBC and UBC Persons.</p> <p>Related Policies, Materials and Notes:</p> <p>Policy 7 – University Safety Policy 9 - Hazardous Materials Management Policy 10 - Procedures for Working with Biohazardous Materials Policy 11 - Radiation Safety Policy 85 - Scholarly Integrity Policy 88 - Inventions and Discoveries Policy 89 - Research Involving Human Participants Policy 90 - Over- Expenditure on Research and Specific Purpose Trust Project / Grants Policy 97 - Conflict of Interest and Conflict of Commitment Policy 114 – Fundraising and Acceptance of Donations</p>		

POLICY

Defined terms are capitalized in this Policy and Procedures.

Scope

- 1.1 This Policy applies to all UBC Persons who conduct, supervise or otherwise participate in Research ("**UBC Researchers**").
- 1.2 UBC Researchers are responsible to UBC for the manner in which they conduct their Research and must comply with this Policy, the Funding Terms, and any other requirements of UBC, including those set out in the Procedures.

- 1.3 **"Funding Terms"** means the policies, rules and regulations that govern the use of Research Funds. They may come from various sources including UBC policies, the provisions of a contract for Research Funds, or the policies of the organization providing the Research Funds. Please note that the terms and conditions associated with an application for Research Funds are often incorporated into the Funding Terms.
- 1.4 **"Publish" and "Publication"** mean making the results of Research publicly available, whether through papers in scholarly journals or otherwise.
- 1.5 **"Research"** means any disciplined enquiry or systematic investigation intended to extend knowledge or to establish facts or principles that is conducted by UBC Persons acting in their UBC capacity but does not include quality assurance and quality improvement studies, program evaluation activities and performance reviews, or testing within normal educational requirements when undertaken for UBC's internal assessment, management or improvement purposes ("**Internal Assessment**"). For greater certainty, where data is collected for Internal Assessment but later used for Research purposes, such secondary use of the Internal Assessment data constitutes Research to which this Policy applies.
- 1.6 **"Research Funds"** means any funds designated to be used to pay expenses related to the conduct of Research, including funds directed to UBC through third party donations, grants, awards and other contractual funding arrangements as well as funding from internal UBC sources.
- 1.7 **"UBC Person"** means full-time and part-time faculty members, students, and staff members of UBC and any other person who is employed by, holds an appointment at, or otherwise participates in scholarly activity at or under the auspices of UBC or under the supervision of a UBC Researcher. For greater certainty, UBC Persons include but are not limited to students, adjunct and clinical faculty, librarians, lecturers, post-doctoral fellows, faculty on study leave, emeritus professors, honorary professors, research associates, staff members, volunteers, and visiting scholars.

2. General

- 2.1 Every application for external Research Funds (including renewals of prior awards) must be approved by the Responsible Executive or his or her delegate in accordance with the processes and procedures maintained by the Office of Research Services and the University-Industry Liaison Office.
- 2.2 Research Funds are held by UBC and are not the property of any individual UBC Researcher. Unless otherwise directed by UBC, anything purchased with Research Funds becomes the property of UBC. UBC will only direct otherwise where it is permitted by the Funding Terms.
- 2.3 UBC wishes to facilitate the discovery and the development and dissemination of knowledge. Accordingly, the ability of UBC Researchers to Publish the results of Research must be protected in all instances, including in all Funding Terms, subject only to the limited exceptions set out in the Procedures.

PROCEDURES

Approved: July 1993

Revised: [Anticipated April 2016]

Pursuant to Policy #1 – Administration of Policies, “Procedures may be amended by the President, provided the new procedures conform to the approved policy. Such amendments are reported at the next meeting of the Board of Governors.” Note: the most recent procedures may be reviewed at <http://universitycounsel.ubc.ca/policies/index/>.

1. Administration

- 1.1 The Vice President Research and International is designated as the Responsible Executive having responsibility for the administration of this Policy and these Procedures.
- 1.2 The Responsible Executive may sub-delegate duties hereunder but remains responsible for oversight and answerable to the President with respect to such duties.
- 1.3 The Responsible Executive may issue and maintain administrative directives (“Directives”) regarding the subject matter of the Policy and these Procedures, providing, however, that such Directives must not be inconsistent with the Policy or Procedures. UBC Persons must comply with Directives. Prior to creating or substantively revising a Directive the Responsible Executive will establish an advisory committee which will consist of representatives from the Office of the University Counsel and the units responsible for the subject matter of the Directive as well as representatives of the primary UBC constituencies that would be impacted by the Directive. The advisory committee will provide advice to the Responsible Executive on the form and content of the applicable Directive. All Directives can be found at <http://universitycounsel.ubc.ca/policies/index/>.
- 1.4 As used in these Procedures:
 - 1.4.1 **"Principal Investigator"** means the UBC Researcher who has primary responsibility for the design, conduct and supervision of a Research project. The Principal Investigator is normally the person identified as such to the funding agency and will normally be delegated Research Spending Responsibility over any Research Funds spent for a Research project.
 - 1.4.2 **"Provost"** means, as applicable, the Provost and Vice Principal – UBC Okanagan or the Provost and Vice-President Academic – UBC Vancouver.
 - 1.4.3 **"University Veterinarian"** means the veterinarian employed by UBC Animal Care Services to manage UBC’s veterinary services for UBC’s Animal Care and Use Program.

2. Responsibilities

- 2.1 Without limiting the generality of section 1.2 of the Policy, UBC Researchers must:
 - 2.1.1 ensure all Research is conducted to the highest scientific, ethical, and professional standards, and in accordance with Policy #85 (Scholarly Integrity);
 - 2.1.2 ensure any proposed or resulting Research involving human subjects complies with Policy #89 (Research and Other Studies Involving Human Subjects);

- 2.1.3 ensure any proposed or resulting Work with Animals complies with the policies of the ACC and the other requirements necessary to maintain the UBC GAP Certificate (as defined in section 6 of these Procedures);
 - 2.1.4 ensure any proposed or resulting Research is conducted safely in accordance with all applicable laws, regulations, and in accordance with the safety policies of UBC including without limitation UBC policies governing the safe use of equipment, biohazardous materials, radioactive materials, and certain chemical materials;
 - 2.1.5 ensure they comply with all Funding Terms;
 - 2.1.6 ensure all Research Funds are properly managed, which will include ensuring all expenditures authorized against UBC accounts conform with the approved budget and with UBC policies on financial management including Policy #90 (Over-Expenditure on Research and Specific Purpose Trust Project/Grants);
 - 2.1.7 where they have Research Spending Responsibility for a UBC research account, notify the Responsible Executive immediately upon becoming aware of any circumstances which could: (i) hinder or prevent the satisfactory completion of the Research project related to such research account; or (ii) impact the UBC Researcher's eligibility for Research Spending Responsibility;
 - 2.1.8 ensure they and all aspects of the Research project are compliant with UBC's Policy #97 (Conflict of Interest and Conflict of Commitment);
 - 2.1.9 inform themselves of the regulatory framework relevant to their Research;
 - 2.1.10 where they wish to mobilize the results of Research, including through commercialization, to do so in accordance with UBC Policy #88 (Inventions and Discoveries);
 - 2.1.11 ensure the work of UBC employees in the furtherance of Research is carried out in compliance with applicable legal employment standards and the policies and procedures of UBC Human Resources; and
 - 2.1.12 where they are the Principal Investigator, ensure all members of the Research team are aware of and comply with the foregoing requirements.
- 2.2 UBC is committed to providing an environment that supports UBC Researchers and fosters the best Research practices. In that regard the Responsible Executive has established offices responsible for:
- 2.2.1 the negotiation of Research contracts between UBC and public sector contracting agencies, industry, or any other third parties;
 - 2.2.2 the negotiation of licences and other contracts which deal with UBC-owned intellectual property;
 - 2.2.3 accepting and administering awards of Research Funds secured in accordance with the requirements of this Policy and these Procedures;
 - 2.2.4 maintaining the research ethics boards necessary to review and maintain oversight of the ethical acceptability of Research involving human participants; and
 - 2.2.5 maintaining the UBC GAP Certificate in order to meet certain Research funding eligibility requirements.

3. External Funding

- 3.1 **Applications** - Every application for external Research Funds (including renewals of prior awards) must be approved by the Responsible Executive or delegate in accordance with the processes and procedures maintained by the Office of Research Services and the University-Industry Liaison Office. Guidance about which units at UBC are responsible for obtaining the appropriate UBC approvals on applications for external Research Funds can be found on the website maintained by the Office of Research Services. Every application for external Research Funds and a complete application package must be provided to the Office of Research Services before the application can be considered and approved by UBC. UBC may refuse any award of Research Funds arising from an application not properly approved by UBC.
- 3.2 **Signing Contracts** - Various organizations provide financial or other support for Research. No UBC Person can sign contracts or commitments which are binding on UBC unless they have been delegated that authority by the UBC Board of Governors pursuant to a Board of Governors Policy or pursuant to a Signing Resolution issued by the Signing Committee of the UBC Board of Governors. UBC may refuse any award of Research Funds arising from a contract not properly signed. UBC Persons must ensure that all contracts are properly signed. Guidance about which units at UBC are responsible for obtaining the appropriate signatures on contracts related to Research Funds can be found on the website maintained by the Office of Research Services.
- 3.3 **Personal Contracts** – If a UBC Person chooses to enter into a contract directly with a third party then the contract is the personal responsibility of that UBC Person. UBC is not liable for any obligations that may arise under a personal contract entered into between a UBC Person and a third party. UBC will not accept such contracts or any monies payable under such personal contracts for administration. No UBC facilities or UBC resources may be used for work carried out under such contracts. Any UBC Person entering into a personal contract must comply with UBC Policy #97 (Conflict of Interest and Conflict of Commitment).
- 3.4 **Approval of Funding** – When funding has been approved by a funding agency the Principal Investigator is responsible for providing the Office of Research Services with a copy of any documents containing the Funding Terms from the funding agency unless they have already been sent to the Office of Research Services directly by the funding agency.
- 3.5 **Donations** - Funds for Research are periodically received in the form of donations and thus formal grant applications may not exist. Donations are to be processed through the Development Office in accordance with UBC Policy #114 (Fundraising and Acceptance of Donations). Donation documents containing Funding Terms will be sent to the Office of Research Services by the Development Office.
- 3.6 **Indirect Cost Recovery** – The Responsible Executive may establish requirements for the recovery of the indirect cost of research from Research Funds. Any such requirements can be accessed from the website maintained by the Office of the Vice President, Research and International.

4. Administration of Research Funds

4.1 **Eligibility for Research Spending Responsibility** – All Research Funds must be received by UBC and deposited into UBC research accounts. UBC delegates to eligible UBC Persons the responsibility for ensuring that these research accounts are managed properly and in accordance with UBC policies, Funding Terms, and any other applicable requirements (“Research Spending Responsibility”). The following UBC Persons are eligible for Research Spending Responsibility:

4.1.1 UBC Persons who have a tenure stream faculty appointment as a Professor, Associate Professor, Assistant Professor, Instructor, Senior Instructor, or Professor of Teaching or comparable Emeritus status;

4.1.2 UBC Persons who have one of the following faculty term appointments without review and also have the prior written approval of both the appropriate Department Head and Dean: (i) Professor, (ii) Associate Professor, (iii) Assistant Professor, (iv) Instructor, (v) Senior Instructor, (vi) Professor of Teaching, (vii) Adjunct Professor, (viii) Clinical (ix) Honorary or (x) Research Associate;

4.1.3 Librarians who have the prior written approval of the University Librarian; and

4.1.4 Post-Doctoral Fellows solely where the Funding Terms for a research project specifically require it and they have the prior written approval of both the appropriate Department Head and Dean.

Research Spending Responsibility will not be granted to students or visitors. UBC Persons with positions not addressed above will require the written approval of both their Department Head and Dean (as applicable) and the Provost prior to being granted Research Spending Responsibility.

4.2 The Office of Research Services or the University-Industry Liaison Office (as applicable) must ensure that all persons granted Research Spending Responsibility are approved for such Research Spending Responsibility and are legally bound to comply with UBC policies, rules and procedures on the conduct of Research before such Research Spending Responsibility is granted.

4.3 **Opening and Amending Accounts** - No payment may be made from any Research Funds until the opening of a financial research account (or the amendment of an existing account) has been authorized in writing by the Office of Research Services or the University-Industry Liaison Office. Requests for new accounts or amendments, such as budget increases to existing accounts, must be made in writing in accordance with the processes implemented by the relevant office.

4.4 **Delegation of Research Spending Responsibility** - UBC Researchers given Research Spending Responsibility for a UBC research account may delegate their authority to approve expenditures from such research account to another UBC staff or faculty member provided that their Department Head is notified in writing of the delegation. For clarity, any UBC Researcher with Research Spending Responsibility who delegates authority will continue to be responsible for ensuring all transactions in such research account, including all expenditures approved by the person(s) with delegated authority, are fully compliant with Funding Terms, UBC policies and any other applicable requirements.

- 4.5 **Payment of Funds** - Any Research Funds must be payable directly to UBC. UBC Researchers must not accept funds in support of Research made payable to the UBC Researcher personally. In the event Research Funds are received directly by UBC Researchers such funds should be forwarded to the Vice President, Research and International Portfolio Finance Group
- 4.6 **Responsibility for Financial Statements** - Financial statements or claims, if required by the sponsoring agency, will be prepared by the Vice President, Research and International Portfolio Finance Group on the basis of their records. The Responsible Executive may authorize certain UBC employees, or classes of employees, to issue and sign financial statements or claims on behalf of UBC. UBC Researchers may request amendments to such statements or claims if it can be established, with supporting evidence, that the statements or claims are in error.
- 4.7 **Payments to Employees** - All payments for services to UBC employees (in their capacity as employees) must be paid through the UBC payroll system managed by UBC Financial Operations. Research project budgets must account for required source deductions and employee benefits.
- 4.8 **Payments to Independent Contractors** - All payments for services in support of UBC Research made to independent contractors (incorporated or unincorporated) must be paid in accordance with the processes established by UBC Financial Operations.
- 4.9 **Purchase of Equipment and Supplies** – All purchases of equipment and supplies for UBC Research must be made in accordance with the processes established by UBC Financial Operations.
- 4.10 **Travel Expenses** - Travel expenses incurred for UBC Research must be incurred and reimbursed in accordance with UBC's Policy #83 (Travel and Related Expenses).
- 4.11 **Honoraria** – The execution or approval of any applications, grants, donations, or contracts between UBC and a third party that involves the payment of honoraria to UBC Persons must be approved in writing by:
- 4.11.1 the Head of Department or Director of the UBC Person; and
 - 4.11.2 the Dean of the Faculty where the UBC Person holds his or her primary appointment (where applicable).

Where such approval has been obtained, UBC signing officers are authorized to sign or approve such applications, grants, or contracts on behalf of UBC, and UBC staff are authorized to pay such honoraria (in accordance with UBC procedures), subject to the following sentence. Where honoraria for a UBC Person from all third party sources (contracts, grants, etc. whether the funding source is Research related or otherwise and whether the honorarium is for Research activities or otherwise) exceeds one-sixth of the UBC Person's total compensation (excluding benefits) from UBC during the annual period July 1 to June 30, then the approval in writing of the Provost is also required in addition to the approvals listed in sections 4.11.1 and 4.11.2.

- 4.12 **Separate Accounts** – Research Funds from different sources may not be placed in the same UBC account except where permitted by UBC's financial policies and procedures. Transfers between UBC accounts may only be made if a) the transfer is permitted by all

applicable Funding Terms and b) is permissible pursuant to the financial policies and procedures of UBC.

5. **Publication**

5.1 UBC Researchers must be able to Publish the results of all Research subject only to the restrictions outlined in sections 5.2 to 5.5 of these Procedures. Where consensus about Publication cannot be achieved between UBC Researchers involved in a Research project, a UBC Researcher may request the assistance of the Office of the Vice President Research and International which will make every effort to facilitate a resolution of any disagreements. The Office of the Vice President Research and International may obtain assistance and advice from appropriately qualified persons with respect to any such matter. Where UBC Researchers are involved in a research project, no UBC Researcher can unilaterally withhold the right of others to Publish.

5.2 **Sponsor Requirements** - A Research funding sponsor may be given the right under the Funding Terms to have the initial right to publish Research results, or to review such publication in advance. Funding Terms must ensure that UBC is completely free to Publish the Research results, typically within 90 days but in all cases, no later than 12 months after termination of the project or submission of the final report, whichever is later. Delays in Publication at the request of a Research sponsor are permissible only if the public interest is best served by such a delay or if patent protection is being sought.

5.3 **Fee-for-Service Work** - UBC may, upon the request of the relevant Principal Investigator, enter into contracts with third parties to provide such third parties access to unique UBC research related expertise and facilities on a fee-for-service basis ("**Fee-for-Service Projects**"). Under a Fee-for-Service Project, UBC may relinquish the right to retain and use data from the Fee-for-Service Project and the right of the UBC Researchers to Publish the results. Fee-for-Service Projects must typically meet the following criteria:

5.3.1 they involve routine use of research equipment or facilities;

5.3.2 they are not supported directly by external Research Funding other than the funds provided by the third party funding the Fee-For-Service-Project;

5.3.3 the third party is required to provide UBC with reasonable compensation for the provision of services, equipment or facilities;

5.3.4 they do not include the participation of any students in their thesis related Research;

5.3.5 the UBC Researcher(s) involved have confirmed that they do not wish to retain data or Publish the results of the work undertaken; and

5.3.6 the UBC Researcher(s) involved have no conflict-of-interest with the third party funding the Fee-For-Service-Project.

The Responsible Executive has the authority, in the event of a disagreement, to determine whether a project meets the criteria of a Fee-for-Service Project.

5.4 **Theses** - No restriction shall prohibit or delay in any way the use of Research results by graduate students in the Publication of their theses or for other academic purposes except

in the circumstances outlined in section 5.2 with the written consent of the student prior to the student's involvement in the relevant research project.

- 5.5 **Confidential Data** - If, under the terms of a funding contract, a sponsor agrees to provide data essential to the Research which is clearly labeled as confidential data, UBC may, with the consent of the Principal Investigator, accept such a contract and observe such confidentiality obligations provided that the results of the Research may be Published without identifiable reference to the confidential data and that no limitations are placed on the Publication of results other than those outlined in this section 5.5.

6. **Working with Animals in Research and Teaching**

- 6.1 **Canadian Council on Animal Care** – UBC is the holder of a Good Animal Practice Certificate (“**UBC GAP Certificate**”) issued by the Canadian Council on Animal Care (“**CCAC**”). To ensure UBC is in compliance with the standards required to maintain the UBC GAP Certificate, UBC operates an Animal Care and Use Program which includes an Animal Care Committee (“**ACC**”) that reports to the Responsible Executive, with Terms of Reference consistent with those mandated by the CCAC. Copies of the policies of the ACC may be found at www.animalcare.ubc.ca. All Research or teaching involving animals at UBC or governed by the UBC GAP Certificate (“**Work with Animals**”) must comply with ACC policies and the animal use protocol approved by the ACC for such Research or teaching.
- 6.2 **Responsibility of User** – Work with Animals is a privilege granted to certain UBC Persons. It is the responsibility of each UBC Person involved in Work with Animals to ensure such Work with Animals meets high scientific standards and, in the case of teaching, has pedagogical merit.
- 6.3 **Animal Care Committee** - The Responsible Executive has delegated to the ACC the authority to implement and enforce policies to ensure compliance with any requirements necessary to maintain the UBC GAP Certificate including the authority to approve, monitor and intervene in any Work with Animals conducted at UBC or governed by the UBC GAP Certificate including the procurement and living conditions of the animals.
- 6.4 **Authority of UBC Veterinarians** - The ACC may delegate portions of its authority to the University Veterinarian. Such delegated authority may include the authority to:
- 6.4.1 inspect, at his or her discretion, all animal facilities involving animals under the control of UBC or governed by the UBC GAP Certificate to ensure that standards of housing and care are uniformly acceptable;
 - 6.4.2 review and advise UBC Persons on methods of facility maintenance and use;
 - 6.4.3 advise on the design of new and renovated animal facilities; and
 - 6.4.4 co-ordinate the basic training of UBC Persons who Work with Animals.

The University Veterinarian oversees all veterinarians operating under the direction of UBC's Animal Care and Use Program (“**UBC Veterinary Practitioners**”). UBC Veterinary Practitioners have been delegated the authority in an emergency to treat, remove from a study, or otherwise intervene in Work with Animals and to proceed with any necessary emergency measures.

- 6.5 **Animal Facilities** – No animal facilities under the control of UBC or governed by the UBC GAP Certificate may be constructed or renovated until the Responsible Executive or, where such authority has been delegated, the University Veterinarian has approved the design of such construction or renovation.
- 6.6 **Acquisition of Animals** - The acquisition of animals to be used in Work with Animals must be approved by the ACC and carried out in accordance with the processes and procedures maintained by UBC Animal Care Services.

7. Reporting of Concerns

- 7.1 UBC will consider allegations of non-compliance with this Policy or these Procedures made against those to whom this Policy applies and, where appropriate, investigate such allegations. Such investigations will be conducted in accordance with UBC's processes. In the event the allegations relate to matters addressed by another UBC policy or its procedures, the investigation will be conducted in accordance with the policy deemed most suitable by UBC.

UBC Persons are expected to report in good faith any information pertaining to possible non-compliance with this Policy and these Procedures to UBC, and must cooperate fully with UBC in any process under this Policy. UBC will not tolerate any retaliation against anyone who, in good faith, makes an allegation, gives evidence, or otherwise participates in a process under this Policy.