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31 March 2011

Provost and Executive Vice-President Academic
Grant MacEwan University

Dr. Janet Paterson-Weir

Re: Policy C5051 (Code of Conduct for Integrity in Research and Scholarly Activity)

You are likely aware of the prolonged and escalating affairs between Dr. Higgins and myself. Recently, one of my colleagues brought policy C5051 (Code of Conduct for Integrity in Research and Scholarly Activity) to my attention and wondered why this process was not being followed. After reviewing C5051, I wonder the same thing. Policy C5051 appears to be the appropriate procedure for at least two of the major issues.

The development of the [REDACTED] textbook has been my scholarly activity project since 2005. The development has spawned many small research projects and I have attended, presented, and hosted symposia at many conferences on both the textbook and instructional material development.

1. During summer 2010, I employed several students to assist with the development of [REDACTED]. Because of the nature of their work, I entered into IP sharing agreements with these students. In October 2010, Dr. Higgins requested a copy of these agreements. In January 2011, Dr. Higgins informed me that the agreements were unacceptable, that the IP rights still resided with the students, and that he would “proceed in accordance with these principles”. I am concerned his statement is a threat. Since these IP sharing agreements were made as part of a scholarly activity project, and since Dr. Higgins evidently took exception to these agreements, why didn’t Dr. Higgins use the procedure in C5051 to address this issue? Please note that no student has expressed concerns regarding the IP agreements.
2. In January 2011, *students not in my class* contacted Dr. Higgins and expressed concern that [REDACTED] was plagiarizing from *General Chemistry*, by Petrucci (the textbook used at MacEwan). The students provided no evidence to Dr. Higgins. Dr. Higgins admitted that he did not investigate this allegation, rather that he wanted to hear from me directly. I stated that I have occasionally used chemical concepts from Petrucci questions, but rewrite the question for [REDACTED]. Higgins requested I provide him with copies of several questions from [REDACTED] and *General Chemistry*. In March, I discover that Dr. Higgins provided my document to Pearson Education (the publisher of *General Chemistry*) and asked them to assess it. The publisher identified questions that were ‘slightly re-worked’

and 'similar' to questions in [REDACTED] and labeled them all 'plagiarism'. Dr. Higgins initially gave me three days to respond, but was asked by members of the Faculty Association Executive to extend the response time. Two weeks was agreed to. Dr. Higgins has stated that he will determine if plagiarism has occurred. Brian Pearson has stated that if plagiarism has occurred, MacEwan will move to terminate my employment. These statements and actions appear inconsistent with the procedure in C5051. Again, why aren't Dr. Higgins and Brian Pearson using the procedure in C5051 to address this issue?

In these and related issues, Dr. Higgins has assumed the role of complainant, investigator, and arbiter. This has severely strained my relationship with Dr. Higgins. Dr. Higgins appears to not want to consider my arguments. For example, during a meeting with Dr. Higgins in October 2010 regarding the development of [REDACTED] I commented that the development of [REDACTED] was part of my scholarly activity and permitted as academic freedom. At this point, Dr. Higgins raised his voice, sharpened his tone, and stated, 'anyone attempting to imply that academic freedom has any place in this discussion is blatantly introducing a red herring!' (Dr. Higgins did not dispute this in the distributed meeting summary.) Unfortunately, our relationship has continued to deteriorate over the subsequent months.

Both Dr. Higgins and Brian Pearson should have known of policy C5051 and the processes therein. Simply, I would like to know why policy C5051 was not followed and what options exist to have what has transpired reviewed by an independent, impartial arbiter.

As you might gather, these and related issues have made the 2010/11 academic year very stressful for me. As early as December 2010, I expressed this openly. I started the Winter 2011 term planning to not ripple the surface. However, the issues escalated around me. I completed Winter 2011 with ever-increasing stress and anxiety. I don't know how I survived this term, but I must say that I am completing it because of my commitment to students. The above and related issues, the stress, and the anxiety have taken a significant toll on my mental health, my physical health, my relationship with my colleagues, and my relationship with my family.

Thank-you,

cc Dr. David Higgins, Arts and Science Dean
Mr. Brian Pearson, Human Resources Director
MacEwan Faculty Association
personal file