

A Procedure for Managing Conflict of Interest When Forming Thesis Juries

Bryn Williams-Jones

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Résumé de l'article

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A Procedure for Managing Conflict of Interest When Forming Thesis Juries

COMMENTAIRE CRITIQUE / CRITICAL COMMENTARY (RÉVISION PAR LES PAIRS / PEER-REVIEWED)

Bryn Williams-Jones^{1,2}

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Résumé

Les conflits d'intérêts dans les jurys de thèse, lorsqu'ils ne sont pas identifiés et gérés de manière appropriée, peuvent conduire à des évaluations non critiques et injustes qui peuvent alors compromettre la confiance dans le processus et menacer la crédibilité académique et la réputation institutionnelle. Ce commentaire présente et justifie les choix faits dans l'élaboration d'une procédure pratique pour identifier et gérer les conflits d'intérêts dans la formation des jurys de maîtrise et de doctorat à l'École de santé publique de l'Université de Montréal (ÉSPUM).

Mots clés

conflits d'intérêts, jury, thèse, membres du jury, impartialité, distance critique, procédure

Summary

Conflicts of interest in thesis juries, when not identified and appropriately managed, can lead to an uncritical and unfair evaluations that can then undermine trust in the process and threaten academic credibility and institutional reputation. This Commentary presents and justifies the choices made in developing a practical procedure to identify and manage conflicts of interest in the formation of Masters and PhD juries in the School of Public Health (ÉSPUM) at the University of Montreal.

Keywords

conflicts of interest, jury, thesis, jury members, impartiality, critical distance, procedure

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Affiliations des auteurs / Author Affiliations¹ Editor-in-chief, *BioéthiqueOnline*² Professor and Director of the Bioethics Program, Department of Social and Preventive Medicine, School of Public Health, Université de Montréal**Correspondance / Correspondence**Bryn Williams-Jones, bryn.williams-jones@umontreal.ca**Remerciements**

Merci à Lise Lamothe et François Béland pour leurs commentaires constructifs sur le manuscrit et aux membres du Comité des études de l'École de santé publique de l'Université de Montréal (ÉSPUM) qui ont fourni des commentaires sur les versions préliminaires de la procédure et du formulaire de déclaration présentés dans ce papier. Merci également aux évaluateurs et aux éditeurs pour leurs suggestions très utiles pour la restructuration et la clarification de la présentation du manuscrit. La procédure présentée ici est l'aboutissement pratique de plus d'une décennie de recherche avec des membres du Groupe d'éthique de la recherche et d'intégrité (anciennement le Groupe de recherche sur les conflits d'intérêts), soutenue par des subventions du Fonds de recherche-Société et culture du Québec (FQR-SC), le Bureau d'éthique des Instituts de recherche en santé du Canada (IRSC) et le Bureau du Vice-recteur Ressources humaines et de la planification, Université de Montréal.

Conflit d'intérêtsBryn Williams-Jones est éditeur en chef de *BioéthiqueOnline*.**Acknowledgements**

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Conflicts of InterestBryn Williams-Jones is Editor-in-Chief of *BioéthiqueOnline*.**Introduction**

In 2012, I published a case study in this journal, entitled [Choosing Thesis Juries: The Costs of Taking a Strict Line on Conflicts of Interest](#) [1], inspired by my first experiences as a professor in forming thesis juries for my Masters and PhD students at the Université de Montréal. The heart of the issue in this case study was the challenge of working with a very rigid rule for managing conflict of interest (COI) that prohibited the inclusion of jury members with whom the student or supervisor had published within the previous 5 years. The aim of this rule was clearly to avoid supervisors “stacking the jury” with their friends or those who might be perceived as giving an unduly favourable review, because such behaviour could 1) reduce the quality (e.g., critical review, objectivity, fairness) of the thesis evaluation process (e.g., by permitting lower quality theses to be accepted or even highly ranked), 2) undermine trust by members of the institution in their colleagues (or even entire departments) found have had problematic COI in their juries, and so 3) lead to an important loss of institutional reputation, from the perspective of both institutional members and the general public. Research institutions valorise academic integrity, scientific rigour and public credibility and so cannot permit COI situations to continue to be poorly managed without incurring great risk.

While having the advantage of being clear, this rule was limited in its scope because other potential COI were ignored and its application relied on a literature search to detect collaborations. More problematic, however, was that it resulted in the blanket exclusion from thesis juries those professors who were experts in the field but had “unfortunately” already collaborated with the supervisor and/or student. This situation is especially challenging in very specialized fields such as bioethics or public health where there is a limited pool of potential experts, and exacerbated in a context where the language of the thesis is not English, such as is the case at the Université de Montréal, a French-language institution. The case study sought to highlight the diversity of COI that can and should be

taken into consideration in forming thesis juries (e.g., authorship and grant collaborations, personal and professional relations, practical considerations, issues of expertise and fairness), and that are part of the broader set of real and potential COI that professors face in their day-to-day activities [2,3].

With the creation in 2013 of a new faculty-level School of Public Health (École de santé publique) at the Université de Montréal – made up of the Departments of Social and Preventive Medicine, Health Management, Evaluation and Health Policy, and Environmental and Occupational Health, that were previously in the Faculty of Medicine – an entire administrative infrastructure (e.g., appointment of a Dean and Vice-Deans, creation of various policy committees) had to be developed. One of these structures, which I joined in 2013, is the Education Committee (Comité des études), chaired by a Vice-Dean and which brings together all the program directors in the School. The committee is responsible for oversight and approval of developments and changes to programs, but also for establishing policies and procedures. An issue that arose in 2014, following a series of major reforms to the Masters and PhD programs, was the need for standardized Faculty-wide procedures to guide the composition of thesis juries, and in particular, to deal with issues of COI. As my research team and I have been working on the ethical management of COI since early 2005, I volunteered to help create a practical procedure that could be used across all the programs in the School of Public Health.

Our previous research examining institutional COI [4,5] and research integrity/misconduct policies [6], as well as focused searches of the Université de Montréal policies (whether the top-level policy University COI policy or those general documents produced by the Faculty of Graduate Studies), found general policies but very little clear guidance beyond the recommendation to avoid COI. Yet, as our research clearly showed, without an awareness that COI is an important problem (i.e., because it can bias decision making and undermine trust) and that COI situations must be identified so they can be managed appropriately (e.g., prevented, or the risks mitigated), even the best policies are “not worth the paper on which they are printed”.

From awareness that there is a problem in need of management flows the obligation on the part of institutions to develop and implement clear, understandable and practical procedures that can effectively manage COI when they cannot be avoided, as is very often the case in academia. However, all too often the declaration of COI is seen as a panacea, which is particularly problematic [7]. Empirical research by Cain and colleagues [8,9] has shown that disclosure of COI may lead to a form of “moral licensing” both on the part of individuals who disclose COI (“I’ve declared my COI so the problem is gone, right?”) and others (“He disclosed his COI, so he’s ethical, and the situation is fixed.”). In practice, disclosure is still necessary, but it is not sufficient. Policies and procedures must also include evaluation mechanisms, such as review by other parties to verify and determine the level of risk posed by the COI and ensure that especially problematic COI are avoided (i.e., some jury members excluded), and that those COI that are more acceptable are managed appropriately (e.g., selection of different jury members to “balance-out” or mitigate the COI). Awareness raising off all stakeholders involved is also necessary so that as jury members striving for objectivity or neutrality in their review of a thesis, they keep in mind that this is impossible and that biases may still remain (i.e., reflexivity).

Building on my team’s previous work analyzing the language of institutional COI policies [10], and our more recent collaborations with the Office of the Vice-Principle Human Resources and Planning to develop COI educational resources and a new procedure for the annual Declaration of interests (www.interets.umontreal.ca), I developed a short and practical procedure to better manage the formation of thesis juries. To be effective, the procedure had to explain the nature of COI (e.g., personal, financial, institutional, ideological) and give clear examples (i.e., awareness raising), and provide a clear and detailed decision-making process (i.e., be practical).

A first draft of the procedure was produced in October 2014 and sent to the Vice-Dean of Education, Professor Lise Lamothe, and the director of the PhD in Public Health program, Professor François

Béland, both of whom provided substantive feedback and additions. A revised version of the procedure, with the addition of a Declaration form, was then circulated to members of the Education Committee before approval in November and a subsequent Faculty-wide roll-out in December 2014. During 2015, the operationalization of the procedure allowed for the identification of some practical difficulties (e.g., application to all diplomas or just research Masters and PhDs; issues about application of specific processes), which led to another round of revisions, culminating in the March 2016 version of the procedure. In February 2017, the procedure was launched in an online format (using the LimeSurvey platform) to facilitate completion of the questionnaire by jury members.

Both the Procedure and the associated Declaration of Interest form have been circulated to all professors, program directors, and administrative staff in the School of Public Health, and are also to be sent by supervisors (who are responsible for soliciting participation in juries) to all selected jury members during the process of forming a jury for their Masters or PhD students.

The aim of this Commentary is to share with the wider academic community a model for a practical procedure that could be used/adapted by other academic institutions to help more effectively manage the COI that are inherent in academe, specifically those that arise in the formation of Masters and PhD thesis juries.

The Procedure

Entitled *Procedure for Managing Conflicts of Interest when Constituting Masters and Doctoral Thesis Juries in the ÉSPUM*, the procedure is structured as follows: a **Summary** about the aims of identifying COI and the importance of their management; a **Definition** of COI, the one used by the University in its annual Declaration form; a list of pertinent **Types** of COI, adapted from a document produced by the University of Western Australia [11]; a table of the **Relations between jury members** and the **Process** for forming the jury.

The official procedure is in French (Annex 1), but an English version is also made available to jury members and so is presented here, in Boxes, preceded or followed by text to briefly explain the content, structure, and reasoning behind the procedure and its associated declaration form.

Summary

- The management of conflicts of interest (COI) in the composition of Masters and PhD juries is essential in order to maintain the integrity and credibility of the jury process and the evaluation.
- Unaddressed COI bring with them important risks, namely bias/reduced objectivity in the evaluation process, but also a potential loss of trust by members of the academic community (internal and external to the ÉSPUM) in the institution and its processes, and in the quality of degree granted.
- It is thus essential that real and apparent COI be identified, so that they can then be evaluated (e.g., severity, nature of the risk involved) and thus managed appropriately.
- The starting point in a COI management process is to identify and be transparent about any real or apparent COI with the different potential jury members. It then becomes possible to determine whether disclosure of a COI is sufficient (in low risk cases), or whether more strict interventions are required, such as not accepting certain potential jury members.

Starting in 2012, a concerted effort was made at the Université de Montréal to increase awareness about and build skills in addressing COI. One resource was the aforementioned website (www.interets.umontreal.ca) providing information about how to identify, evaluate and manage COI; another was the development of Application directives to explain how the top-level University COI policy should be implemented (e.g., Annual Declaration form). Nonetheless, it remains the case that despite these resources, COI is still poorly understood by members of the institution (e.g., students, administrative staff, professors). Thus, in developing the current procedure, attention was made to

providing educational content to faculty and potential jury members about the nature and importance of dealing with COI appropriately.

Definition (see: www.interets.umontreal.ca)

A conflict of interest may arise when activities or situations place an individual or an organization in the presence of interests (personal, institutional or otherwise) that conflict with the interests inherent to the duties and responsibilities of their status or function. These interests include business interests, financial or non-financial (e.g., religious beliefs, values) relating to the organization or to the individual, their family members, friends or associates, past, present or future. These conflicts risk altering the integrity of the decisions made and so can cause harm and undermine public trust in the organization and its members.

The definition is the one developed for the University in 2012, and which is also included at the top of the Annual Declaration form.

Types of pertinent conflicts of interest to consider

Adapted from the “[Conflict of Interest and Examiner Independence for Examination of Higher Degree by Research Thesis](#)”, Board of the Graduate Research School, University of Western Australia

The term ‘Examiner’ is understood to refer primarily to the external examiner of a PhD thesis and the internal jury member for a masters. The types of COI illustrated below are also relevant, but to a lesser degree, for the other members of the jury, such as the internal member (in the cases of a PhD), the President and the Dean’s Representative (PhD). Note that the following list is aimed at helping to identify potentially problematic situations, so that they can then be evaluated and managed; it should not be read as a “check list” that leads to automatic exclusion of a jury member if one of the listed COI occurs. Cases of real or apparent COI need to be declared so that they can be evaluated and managed appropriately, when they cannot be avoided.

In the composition of a jury, an important concept is the notion of “critical distance” between the various jury members and the student/supervisor, and relative to the respective roles of the members (e.g., president, internal or external jury members). For example, while it would be expected that the external examinee in a PhD defense would, with few exceptions, have little or no recent collaborations with the student or their supervisor, such a requirement could be difficult to achieve (e.g., lack of expertise) and unreasonable for a jury member (often a colleague) for the evaluation of a master’s thesis. That being the case, other members of the jury, e.g., the president (also often a colleague), could be chosen who have less close relations with the student/supervisor, to help ensure the necessary critical distance.

Even if as professors we may think that we can be completely objective in the evaluation of a student’s work, regardless of our relationship with the student, there is good empirical evidence that this is often not the case; it is difficult to recognize one’s own interests and biases. Furthermore, the perception by third parties that there is a COI can significantly undermine the credibility of and trust in the evaluation process. It is thus essential to ensure that the different members of the jury are transparent about their interests and relations and that a critical distance be maintained to ensure an expected degree of impartiality.

Based on practical considerations and following a reflection about the nature of the associated risks, a distinction was made between the requirements for the external examiner and those of other jury members. Specifically, if all jury members, with the exception of the supervisor of course, are required to have no COI whatsoever, regardless of the risk, then it becomes almost impossible to constitute a jury. The notion of “critical distance” was thus introduced to highlight the importance of ensuring the most objective evaluation possible of the thesis, within reason; depending on the different roles of jury members, different levels or degrees of critical distance are necessary.

Critical distance is a means of pointing to widely shared ideals of objectivity and impartiality in academe, while accepting that professors are still human beings and so are nonetheless inextricably subjective, even if when they have PhDs! Evaluations and judgments will never be perfectly impartial, but one can still aim towards impartiality as an ideal (while also recognizing that it is ultimately unattainable). Humility and reflexivity are required, as well as the recognition that certain relations will

make impartial judgments all the more difficult. In cases where there are relatively close relationships between students and jury members, such as between a student and their supervisor, it is unreasonable to expect a high degree of impartiality, so the expected critical distance will be less. A supervisor may (will) often have a direct interest in seeing their student succeed, i.e., a COI, and so a source of bias. They may legitimately defend their student’s thesis while trying to give a fair judgment of the quality of the work, but it is unreasonable to expect them to be as impartial or have the same critical distance as other jury members. By contrast, when the jury member is essentially a stranger (e.g., a distant colleague with no history of collaboration) to the student and their supervisor, then one can reasonably expect a high degree of impartiality and thus maximal critical distance.

In recognizing that in a thesis jury there are different roles and responsibilities – e.g., president, supervisor, internal and external examiners – I argue that it is reasonable to accept different degrees of critical distance. To offset to some extent the biases that may result from COI generated by various sorts of relationships, I propose various thresholds of “critical distance” for the different roles in the jury (see the table in the section on **PhD Jury Composition**, below). In this view, expectations for impartiality for jury members will generally flow from least to most critical distance – supervisor (least), president, internal jury member, external evaluator (most) – but can be modulated depending on particular types of COI (a risk analysis), issues of availability of expertise, etc. So it may be legitimate to accept an external evaluator who has also been a collaborator (but not too close) with the student/student-supervisor, when 1) there are no other qualified evaluators available, and 2) other members, such as the president and internal jury member, are maximally critically distant. The goal is to create a jury that is as impartial as possible in order to ensure a fair review of the thesis, and if not all COI can be eliminated, then those that are tolerable can be counter-balanced.

To help the users of this procedure ask themselves the right questions in order to identify different types of COI, a list of potentially problematic COI was provided, grouped into *Work*, *Personal* and *Business* relations, as they pertain to any relations between the examiner (i.e., the jury members) and the student or the supervisor.

(A) Conflict with Student	
Category	Type of COI
Working relationship	<ul style="list-style-type: none"> • Examiner has co-authored a paper with the student • Examiner has worked with the student on matters of analysis • Examiner has worked with the student on matters of synthesis • Examiner has provided funds to the student • Examiner has employed or been employed by the student • Examiner is in negotiation to directly employ or be employed by the student • Examiner has acted as a referee for the student for employment
Personal Relationship	<ul style="list-style-type: none"> • Examiner is a known relative of the student • Examiner is a friend / associate / mentor of the student • Examiner has a personal relationship of enmity with the student • Examiner and the student have an existing or a previous emotional relationship, are co-residents or are members of a common household
Business Relationship	<ul style="list-style-type: none"> • Examiner is in a business relationship (past or present), such as partner in a small business or employment, with the student • Examiner is in a professional relationship, such as shared membership of a Board Committee, with the student • Examiner is in a social relationship with the student, such as co-Trustees of a Will, god-parent, and miscellaneous personal contacts which give rise to the perception that the examiner may be dealing with the student in a less than objective manner

(B) Conflict with Supervisor	
Category	Type of COI
Working relationship	<ul style="list-style-type: none"> Examiner has co-authored a publication with the supervisor in the past 3 years. Note: mitigating circumstances may exist in that co-authorship may be less than significant (i.e., one of many authors on a large group project). Such circumstances may not be considered as a Conflict of interest, but must be declared. Examiner was a student of the supervisor within the past five years Examiner holds a current grant with the supervisor. Note: Mitigating circumstances may exist (such as in first bullet), which should be declared. Examiner has co-supervised with the supervisor in the past five years Examiner holds a patent with the supervisor Examiner had directly employed or was employed by the supervisor in the past five years
Personal Relationship	<ul style="list-style-type: none"> Examiner is in negotiation to directly employ or be employed by the supervisor Examiner is a relative of the supervisor Examiner has a personal relationship of enmity with the supervisor Examiner and the supervisor have an existing or a previous emotional relationship, are co-residents or are members of a common household
Business Relationship	<ul style="list-style-type: none"> Examiner is in a business relationship (past or present), such as partner in a small business or employment, with the supervisor Examiner has a current professional relationship, such as shared membership of a Board or Committee (including editorial and grant decision boards), with the supervisor. Note: Relationship should be declared in all circumstances. Examiner is in a social relationship with the supervisor, such as co-Trustees of a Will, god-parent, and miscellaneous personal contacts which give rise to the perception that the examiner may be dealing with the supervisor in a less than objective manner

The issue of co-authorship and other research collaborations amongst jury members was one of the instigating factors for developing a more nuanced procedure. The choice of 3 years for co-authorship and 5 years for supervision were somewhat arbitrary, but aimed at creating critical distance without undue constraint. Examiners found to be in one of these relations would not be automatically excluded; instead, the goal was to ensure declaration and documentation so as to enable an evaluation of their nature. For example, was the co-authorship a rare collaboration or part of a large team publication, where the examiner and supervisor had little in the way of real ongoing collaborations? Further, it was recognized that internal jury members (e.g., colleagues in the same Department or research centre) would more likely have collaborations, but these too should be disclosed so their nature could be evaluated, and not grounds for immediate exclusion.

(C) Conflict with the Subject Matter	
Category	Type of COI
Publication	<ul style="list-style-type: none"> Examiner has published work critical or laudatory of the student's approach (naming the student / supervisor)
Public Forum	<ul style="list-style-type: none"> Examiner has spoken publicly in a critical or laudatory way about the student's work (naming the student / supervisor)
Research	<ul style="list-style-type: none"> Examiner has a direct commercial interest in the outcomes of the research

This section sought to bring attention to COI related to the subject matter of the student's work, particularly with regards to possible ideological COI that might lead to bias either in favour of or against the student and the evaluation of the content of the thesis.

PhD Jury Composition

Summary of the relations between jury members and the critical distance necessary to appropriately manage COI (with regards to the types of COI mentioned above).

Member/Role	Relationship with student	Relationship with supervisor(s)	Critical distance
President	<ul style="list-style-type: none"> • May have been a professor 	<ul style="list-style-type: none"> • Often a colleague 	<ul style="list-style-type: none"> • Must be sufficiently distant from student and supervisor to ensure a neutral process
Supervisor(s)	<ul style="list-style-type: none"> • Close relation with student 	<ul style="list-style-type: none"> • NA 	<ul style="list-style-type: none"> • Try to be as objective as possible in the evaluation process
Jury member (internal)	<ul style="list-style-type: none"> • May have been professor 	<ul style="list-style-type: none"> • Often a colleague 	<ul style="list-style-type: none"> • Must be sufficiently distant from student and supervisor to ensure a neutral process
External evaluator	<ul style="list-style-type: none"> • Should not be in a close relationship 	<ul style="list-style-type: none"> • Should not be in a close relationship 	<ul style="list-style-type: none"> • Must be external to the university • Must be an expert in the subject matter • Must be free from real or apparent COI
Dean's representative	<ul style="list-style-type: none"> • May have been a professor 	<ul style="list-style-type: none"> • Should be from another department 	<ul style="list-style-type: none"> • Guarantor of the quality and rigour of the exam process • Does not have to be a content expert

This table provides a summary of the roles and relationships between the different members of the jury, and the required (and realistic) critical distance that should be sought. It recognizes, for example, that the supervisor and the student will invariably have a close working relationship and so while the supervisor can evaluate their student, they are not impartial. By contrast the other jury members are held to a greater degree of critical distance.

PhD jury nomination process*Supervisor*

1. The student's supervisor is responsible for creating a list of potential jury members, i.e., two people for each of the 3 categories of jury member: president, internal and external jury members:
 - a. Ensure the greatest possible critical distance on the part of all potential jury members;
 - b. Identify any real or apparent COI between the potential jury members, the supervisor and the student. To do so, completes the *Declaration of conflicts of interest* form;
 - c. If the COI appear inevitable, whether or not they are acceptable, the supervisor must document these on the form for selecting jury members;
 - d. Ensures the availability of the first choice of candidates (i.e., president, internal and external jury members);
2. Submits the candidate list and the *Declaration of conflicts of interest* form to the director of the option or of the program, in the case of programs without options.

Option or program director

3. The option or program director decides on the competence of candidates and the absence or presence of COI and, where applicable, the risks and their acceptability;
 - In the event that one or more candidates is not appropriate (e.g., because of expertise, unacceptable COI), the option or program director returns to the supervisor who recruits new candidates.
4. Where candidates are found to be appropriate, the director of the option informs the program director who chooses one candidate per category of jury member; in programs without a director for the option, the program director is responsible for evaluating the supervisor's proposals for forming the jury.
5. The graduate secretary asks the selected jury members (president, internal and external jury members) to complete the *Declaration of conflicts of interest* form
 - In the event that one or more candidates is not appropriate (e.g., because of expertise, unacceptable COI), the option or program director chooses one of the other potential jury members. He/she may also return to the supervisor to recruit new candidates.
6. The jury nomination form is completed by the program director and submitted for signature to the Faculty superiors (Vice-Dean of Education).
7. The graduate secretary informs the selected jury members.
8. The jury processes can begin.

The decision to make the supervisor responsible for providing a list of potential jury members was again based both on pragmatic considerations and an evaluation of the risks or costs associated with other options, such as requiring the Option or Program director to make the selection. Most often, it is the supervisor who best knows the experts in the field who would be best placed to participate in jury. But to avoid obviously unethical situations where supervisors "stack the jury" with their friends to ensure an easy evaluation, the supervisor must provide a primary and secondary list of choices for each of position in the jury (President, Internal Jury Member, External Evaluator, Dean's Representative), and also disclose any potential COI with these members. This disclosure is then verified by the Option or Program director, and then also cross-referenced with the Declarations of the selected jury members.

<i>Masters Jury Composition</i>			
Member/Role	Relationship with student	Relationship with supervisor(s)	Critical distance
President	<ul style="list-style-type: none"> • May have been a professor 	<ul style="list-style-type: none"> • Often a colleague 	<ul style="list-style-type: none"> • Must be sufficiently distant from student and supervisor to ensure a neutral process
Supervisor(s)	<ul style="list-style-type: none"> • Close relation with student 	NA	<ul style="list-style-type: none"> • Try to be as objective as possible in the evaluation process
Jury member (internal)	<ul style="list-style-type: none"> • May have been a professor 	<ul style="list-style-type: none"> • Often a colleague 	<ul style="list-style-type: none"> • Must be sufficiently distant from student and supervisor to ensure a neutral process

Masters jury nomination process

- For a Masters *with thesis*, see the criteria and procedure for the PhD and adapt accordingly.
- For a Masters *with internship or directed study*, even if the procedure is not directly applicable, the general principles aiming to minimize COI remain pertinent.

The PhD procedure was adapted for the research Masters, which do not include an external evaluator or Dean’s representative. The professional Masters programs do not involve a formal jury, but instead rely on one or more evaluators (usually a colleague) to grade the student’s final project (a report varying between 25-50 pages). Nonetheless, the general principles outlined in the procedure still apply.

Declaration of Conflicts of Interest Form

The *Declaration of conflicts of interest* forms (Annex 2), one for the supervisor and another for the jury members, have both a practical and psychological purpose: they both provide means to document real or potential COI so that they can be evaluated in the formation of a jury, and enable supervisors and potential jury members to reflect on their own COI and how these can be best managed.

The forms begin with the statement that “*The purpose of this form is to provide information on the interests of potential jury members that could affect the evaluation process in the context of masters or doctoral juries*” and then presents the Definition of COI described above, in the Procedure.

The supervisor and the potential jury members are asked to provide personal information (name and affiliation), and identify their role on the jury (president, supervisor, internal or external jury member, Dean’s representative). They are then asked to fill in a table declaring all potential or real COI (based on the more detailed content outlined in the Procedure), and add any other COI that were not mentioned in the table.

For the supervisor:

3) Conflict of interest relative to your role as jury member
 Declare all personal, professional or financial relations with the jury members (President, Internal Jury Member, External Evaluator, Dean’s Representative) that could be perceived to have an influence on the jury members. *(please check and provide any explanations)*

Type of relation	President	Internal jury member	External evaluator	Dean’s representative	Comments
Working relations <ul style="list-style-type: none"> co-authored a paper in the last 3 years hold a grant with ... was a student of ... in the past five years employed or has been employed by ... is negotiating to directly employ or be employed by ... acted as a reference for a job application 					
Personal relations <ul style="list-style-type: none"> is a family member is a friend / partner / mentor has a hostile personal relationship has an existing or previous emotional connection, is co-resident or a member of the same household 					
Business relations <ul style="list-style-type: none"> are in a business relationship (past or present), as a partner in a small business or employment has a current working relationship, such as membership of a board or committee is in a social relationship, such as co-administration of a will, sponsor, or through various personal contacts 					

For the jury members:

Conflict of interest relative to your role as jury member
 Declare all personal, professional or financial relations with the student or the supervisor that could be perceived to influence your roles as an examiner. *(please check and provide any explanations)*

Relations with the student or supervisor(s)

Type of relation	With the student	With the supervisor	Comments
Working relations <ul style="list-style-type: none"> co-authored a paper in the last 3 years worked with the student on issues of analysis or synthesis was a student of the supervisor in the last five years provided funding for the student or holds a grant with the supervisor employed or has been employed by ... is negotiating to directly employ or be employed by ... acted as a reference for a job 			
Personal relations <ul style="list-style-type: none"> is a family member is a friend / partner / student mentor has a hostile personal relationship has an existing or previous emotional connection, is co-resident or a member of the same household 			
Business relations <ul style="list-style-type: none"> are in a business relationship (past or present), as a partner in a small business or employment has a current working relationship, such as membership of a board or committee is in a social relationship, such as co-administration of a will, sponsor, or through various personal contacts 			

Relations with the research subject

Type of relation	Yes/No	Comments
Publication <ul style="list-style-type: none"> has published work critical or laudatory of the student's approach (naming the student / supervisor) 		
Public forum <ul style="list-style-type: none"> has spoken publicly in a fashion that is critical or laudatory of the student's work (naming the student / supervisor) 		
Research <ul style="list-style-type: none"> has a direct commercial interest in the research results 		

Conclusion

Participating in the development of a practical procedure for managing COI in the composition of Masters and PhD juries at the School of Public Health proved to be a very rewarding experience. In the space of a few months (and then validated over a period of 2 years), I was able to put into practical application the results of almost a decade's worth of ethics research on university COI, that was primarily focused on documenting and raising awareness about the problem, i.e., that COI are widespread in academia, can be very problematic if left unaddressed, but that they can be managed with the right tools. In building such a COI management procedure, I was able help my colleagues

address a real-world ethical problem in their role as supervisors, potential jury members and program directors. As with any new policy or procedure, it will take time and sustained effort to create awareness about both the procedure and the importance of implementing it in practice. Nor are procedures a panacea; there will be unintentional mistakes, important COI may not be disclosed, and some people may even wilfully ignore the procedure, thinking it irrelevant (“What do you mean I’m not objective? I’m a university professor!”). Surveillance by secretaries (reminding supervisors and jury members to complete the forms), program directors, and the Vice-Dean will be important to ensuring compliance with the COI procedure and thus its effective integration into the practice of forming thesis juries.

What is important, in the end, is recognizing that good (i.e., practical and pertinent), procedures can be developed and implemented to support and encourage ethical conduct, and this includes the management of an issue as sensitive and as widely misunderstood as conflicts of interest [12].

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Annex 1

Mars 2016

Procédure de gestion des conflits d'intérêts dans la constitution des jurys de maîtrise et de doctorat à l'ÉSPUM

Résumé

- La gestion des conflits d'intérêts (CI) dans la composition des jurys de mémoire et de thèse est essentielle afin de maintenir l'intégrité et la crédibilité du jury et du processus d'évaluation.
- Les CI non gérés apportent avec eux des risques importants, à savoir un biais ou une objectivité réduite dans le processus d'évaluation, mais également une perte potentielle de confiance par les membres de la communauté universitaire (internes et externes à l'ÉSPUM) dans l'institution et ses processus, et la qualité du diplôme décerné.
- Il est donc essentiel que les CI réels et apparents soient identifiés, afin qu'ils puissent ensuite être évalués (par exemple, la gravité, la nature du risque encouru) et donc gérés de façon appropriée.
- Le point de départ d'un processus de gestion de CI est d'identifier et de faire preuve de transparence au sujet de tout CI réel ou apparent avec les différents membres potentiels du jury. Il devient alors possible de déterminer si la divulgation d'un CI est suffisante (dans les cas à faible risque), ou si les interventions plus strictes sont nécessaires, comme de ne pas accepter certains membres potentiels du jury.

Définition (voir : www.interets.umontreal.ca)

Un conflit d'intérêts peut survenir quand des activités ou des situations placent un individu ou une organisation en présence d'intérêts (personnels, institutionnels ou autres) qui entrent en conflit avec les intérêts inhérents aux devoirs et responsabilités liés à son statut ou à sa fonction. Ces intérêts comprennent notamment des intérêts commerciaux, financiers ou non pécuniaires (ex. : croyances religieuses, valeurs) se rapportant à l'organisation ou à l'individu, aux membres de sa famille, à ses amis ou à ses associés, anciens, actuels ou futurs. Ces conflits risquent d'altérer l'intégrité des décisions prises et ainsi de causer des torts et de compromettre la confiance du public à l'endroit de l'organisation et de ses membres.

Types de conflits d'intérêts pertinents à prendre en considération

Adapté de la « [Conflict of Interest and Examiner Independence for Examination of Higher Degree by Research Thesis](#) », Board of the Graduate Research School, University of Western Australia

Par 'Examineur', on entend *principalement* l'examineur externe dans le cas d'une thèse ou le membre du jury dans un mémoire de recherche. Les types de CI illustrés ci-bas sont également pertinents, mais à un degré moindre, pour d'autres membres du jury, tel qu'un membre interne (dans le cas d'une thèse), le président et le représentant du Doyen (thèse). Noter que la liste qui suit est destinée à aider à l'identification des situations potentiellement problématiques, afin qu'elles puissent ensuite être évaluées et gérées; elle ne devrait pas être lue comme une liste à cocher « check list » qui mène à l'exclusion automatique d'un membre du jury si l'un des CI énumérés se produisent. Des cas de CI réels ou apparents doivent être déclarés afin qu'ils puissent être évalués et gérés de façon appropriée, quand ils ne peuvent pas être évités.

Dans la constitution d'un jury, un concept important est la notion de « distance critique » entre les divers membres du jury et le candidat/superviseur, et relativement au rôle respectif des membres (ex. : président, membre interne ou externe). Par exemple, lors d'une soutenance doctorale, il serait attendu que l'examineur externe, à de rares exceptions près, n'ait pas ou peu de collaborations récentes avec le candidat ou le superviseur; il se peut qu'une telle exigence soit difficile à respecter

(ex. : expertise rare) ou non raisonnable quand il s'agit d'un membre du jury (souvent un collègue) pour l'évaluation d'un mémoire de maîtrise. Dans ce cas, on peut s'assurer que les autres membres du jury n'aient pas ou peu de relations étroites avec le candidat/directeur afin d'assurer la distance critique nécessaire.

Même si en tant que professeurs, nous croyons avoir l'objectivité requise pour évaluer un travail étudiant, peu importe notre relation avec ce dernier, il existe des données empiriques pour illustrer que ce n'est souvent pas le cas; il peut être difficile de reconnaître ses intérêts et biais. De plus, une perception extérieure de l'existence de CI, peut entacher la crédibilité ou la confiance dans le processus. Il est donc essentiel de s'assurer que les différents membres du jury soient transparents en ce qui concerne leurs intérêts et relations et qu'une distance critique soit maintenue pour assurer le degré attendu d'impartialité.

(A) conflits avec l'étudiant

Catégorie	Type de CI
Relations de travail	<ul style="list-style-type: none"> l'examineur a coécrit un papier avec l'étudiant l'examineur a travaillé avec l'étudiant sur des questions d'analyse l'examineur a travaillé avec l'étudiant sur les questions de synthèse l'examineur a fourni des fonds pour l'étudiant l'examineur a employé ou a été employé par l'étudiant l'examineur est en négociation pour employer directement ou être employé par l'étudiant l'examineur a agi comme référence pour l'étudiant pour un emploi
Relations personnelles	<ul style="list-style-type: none"> l'examineur est un membre de la famille de l'étudiant l'examineur est un ami / associé / mentor de l'étudiant l'examineur a une relation personnelle d'hostilité avec l'étudiant l'examineur et l'étudiant ont un lien affectif existant ou antérieur, sont corésidents ou sont membres d'un ménage commun
Relations d'affaires	<ul style="list-style-type: none"> l'examineur est dans une relation d'affaires (passée ou présente), avec l'étudiant, comme partenaire dans une petite entreprise ou d'emploi l'examineur est dans une relation professionnelle avec l'étudiant, telle que l'appartenance commune à un comité du conseil l'examineur est dans une relation sociale avec l'étudiant, comme co-administration d'un testament, parrain, ou par divers contacts personnels qui donnent lieu à la perception que l'examineur peut agir d'une manière moins objective

(B) conflits avec le superviseur

Catégorie	Type de CI
Relations de travail	<ul style="list-style-type: none"> l'examineur est co-auteur d'une publication avec le superviseur dans les 3 dernières années. Remarque: des circonstances atténuantes peuvent exister et la copaternité peut être moins importante (un des nombreux auteurs sur un grand projet d'équipe). De telles circonstances peuvent ne pas être considérées comme un conflit d'intérêts, mais doivent être déclarées. l'examineur était un étudiant du superviseur au cours des cinq dernières années l'examineur est titulaire d'une subvention actuelle avec le superviseur. Remarque: Il peut exister des circonstances atténuantes (voir ci haut) qui doivent être déclarées. l'examineur a codirigé avec le superviseur au cours des cinq dernières années l'examineur est titulaire d'un brevet avec le superviseur l'examineur avait employé directement ou a été employé par le superviseur au cours des cinq dernières années

Relations personnelles	<ul style="list-style-type: none"> l'examineur est en négociation pour employer ou être employé par le superviseur l'examineur est un parent du superviseur l'examineur a une relation personnelle d'hostilité avec le superviseur l'examineur et le superviseur ont une relation émotionnelle existante ou antérieure, sont corésidents ou sont membres d'un ménage commun
Relations d'affaires	<ul style="list-style-type: none"> l'examineur est dans une relation d'affaires avec le superviseur (passée ou présente), comme partenaire dans une petite entreprise ou d'emploi, l'examineur a une relation professionnelle actuelle avec le superviseur, tels que l'appartenance à un conseil d'administration ou comité (y compris des comités de rédaction et de subvention). Remarque: La relation doit être déclarée en toutes circonstances l'examineur est dans une relation sociale avec le superviseur, comme coadministration d'un testament, parrain, ou par des contacts personnels divers qui donnent lieu à la perception que l'examineur peut agir d'une manière moins objective

(C) conflits avec l'objet / sujet de recherche

Catégorie	Type de CI
Publication	<ul style="list-style-type: none"> l'examineur a publié des travaux critiques ou louangeurs de l'approche de l'étudiant en nommant l'étudiant ou le superviseur.
Forum public	<ul style="list-style-type: none"> l'examineur a critiqué ou louangé publiquement le travail de l'étudiant en nommant l'étudiant ou le superviseur.
Recherche	<ul style="list-style-type: none"> l'examineur a un intérêt commercial direct dans les résultats de la recherche

Composition d'un jury de thèse

Résumé des relations entre les membres du jury, et la distance critique nécessaire pour bien gérer les CI (en référent aux types de CI mentionnés ci-dessus).

Membre / Rôle	Relations avec l'étudiant	Relation avec le superviseur(s)	Distance critique
Président	<ul style="list-style-type: none"> Peut avoir été un professeur 	<ul style="list-style-type: none"> Souvent un collègue 	<ul style="list-style-type: none"> Doit être suffisamment éloigné de l'étudiant et du superviseur pour assurer une procédure neutre
Superviseur(s)	<ul style="list-style-type: none"> Relation très proche avec l'étudiant 	<ul style="list-style-type: none"> NA 	<ul style="list-style-type: none"> Essayez d'être aussi objectif que possible dans le processus d'évaluation
Membre du jury (interne)	<ul style="list-style-type: none"> Peut avoir été un professeur 	<ul style="list-style-type: none"> Souvent un collègue 	<ul style="list-style-type: none"> Doit être suffisamment éloigné de l'étudiant et du superviseur pour assurer une procédure neutre
Évaluateur externe	<ul style="list-style-type: none"> Ne doit pas être dans une relation de proximité 	<ul style="list-style-type: none"> Ne doit pas être dans une relation de proximité 	<ul style="list-style-type: none"> Doit être à l'extérieur de l'université Doit être expert dans la matière Doit être exempt de conflits d'intérêts réels ou apparents
<i>Représentant du Doyen</i>	<ul style="list-style-type: none"> Peut avoir été professeur 	<ul style="list-style-type: none"> Devrait être d'un autre département 	<ul style="list-style-type: none"> Garant de la qualité et la rigueur du processus d'examen Ne doit pas être un expert dans la matière

Processus de nomination de jury de thèse

Directeur de recherche

- Le directeur de recherche de l'étudiant est responsable de la constitution d'une liste de membres potentiels du jury, i.e., deux personnes pour chacune des 3 catégories de membre du jury : président, membre interne et membre externe :

- a. Il doit assurer la plus grande distance critique possible de la part de tous les membres potentiels du jury ;
 - b. Il doit identifier tout CI réel ou apparent entre les membres du jury potentiels, le directeur de recherche et l'étudiant. Pour ce faire, il remplit un formulaire de *déclaration de conflits d'intérêts* ;
 - c. Si les CI apparaissent inévitables, acceptables ou non, le directeur de recherche doit les documenter sur le formulaire de sélection des membres du jury ;
 - d. Il s'assure de la disponibilité du première choix de candidats (i.e., président, membre interne et externe);
2. Il soumet ces candidatures et son formulaire de *déclaration de conflits d'intérêts* au responsable d'option ou au directeur de programme, dans le cas des programmes sans responsable d'option.

Responsable d'option / directeur du programme

3. Le responsable d'option, ou le directeur de programme, se prononce sur la compétence des candidats et sur l'absence ou la présence de CI et, le cas échéant, sur les risques qu'ils comportent et leur acceptabilité ou non ;
 - Dans la mesure où une ou des candidatures ne sont pas conformes (ex. : question d'expertise, CI inacceptable), le responsable d'option ou le directeur de programme retourne auprès du directeur de recherche qui recrute de nouveaux candidats.
4. Lorsque les candidatures sont jugées conformes, le responsable d'option informe le directeur du programme des candidats retenus par catégorie de membres du jury. Dans les programmes sans responsable d'option, le directeur de programme prend la responsabilité d'évaluer les propositions du directeur de recherche pour constituer le jury.
5. La TGDE demande aux membres du jury présélectionnés (président, membres interne et externe) de remplir le formulaire de *déclaration de conflits d'intérêts*.
 - Dans la mesure où une ou des candidatures ne sont pas conformes (ex. : question d'expertise, conflits d'intérêt inacceptable), le responsable d'option ou le directeur de programme choisit un des autres membres du jury potentiels. Il peut également retourner auprès du directeur de recherche pour recruter de nouveaux candidats.
6. Le formulaire de nomination du jury est complété par le directeur de programme et soumis pour signature aux responsables facultaires (Vice-décanat études).
7. La TDGE informe les membres de jury sélectionnés.
8. Les procédures d'examen peuvent alors s'enclencher.

Composition d'un jury de maîtrise

Membre / Rôle	Relations avec l'étudiant	Relation avec le superviseur(s)	Distance critique
Président	<ul style="list-style-type: none"> • Peut avoir été un professeur 	<ul style="list-style-type: none"> • Souvent un collègue 	<ul style="list-style-type: none"> • Doit être suffisamment éloigné de l'étudiant et du superviseur pour assurer une procédure neutre
Superviseur(s)	<ul style="list-style-type: none"> • Relation très proche avec l'étudiant 	NA	<ul style="list-style-type: none"> • Essayer d'être aussi objectif que possible dans le processus d'évaluation
Membre du jury (interne)	<ul style="list-style-type: none"> • Peut avoir été un professeur 	<ul style="list-style-type: none"> • Souvent un collègue 	<ul style="list-style-type: none"> • Doit être suffisamment éloigné de l'étudiant et du superviseur pour assurer une procédure neutre

Processus de nomination de jury de maîtrise

- Pour la maîtrise *avec mémoire*, voir les critères et processus pour le doctorat et adapter en conséquence.
- Pour la maîtrise *avec stage ou travail dirigé*, même si le processus n'est pas directement applicable, les principes généraux visant à minimiser les conflits d'intérêts restent pertinents.

Annex 2

Déclaration de conflits d'intérêts – jurys de maîtrise/doctorat Superviseur

Le but de ce formulaire est de fournir de l'information sur les intérêts des membres potentiels de jury qui pourraient influencer le processus d'évaluation dans le contexte d'un jury de maîtrise ou de doctorat.

Définition (voir : www.interets.umontreal.ca)

Un conflit d'intérêts peut survenir quand des activités ou des situations placent un individu ou une organisation en présence d'intérêts (personnels, institutionnels ou autres) qui entrent en conflit avec les intérêts inhérents aux devoirs et responsabilités liés à son statut ou à sa fonction. Ces intérêts comprennent notamment des intérêts commerciaux, financiers ou non pécuniaires (ex. : croyances religieuses, valeurs) se rapportant à l'organisation ou à l'individu, aux membres de sa famille, à ses amis ou à ses associés, anciens, actuels ou futurs. Ces conflits risquent d'altérer l'intégrité des décisions prises et ainsi de causer des torts et de compromettre la confiance du public à l'endroit de l'organisation et de ses membres.

1) Étudiant(e)

Nom:	Programme :
	Option :

2) Superviseur

Nom:	Affiliation institutionnelle :
Superviseur principal :	Co-superviseur :

Rôle (*svp cocher un*):

Président	Superviseur(s)	Membre du jury (interne)	Évaluateur externe	Représentant du Doyen

3) Conflit d'intérêts en relation avec les membres du jury

Déclarer toutes les relations personnelles, professionnelles ou financières avec les membres du jury (président, membre du jury interne, évaluateur externe, représentant du doyen) qui pourraient être perçues comme ayant une influence sur les membres du jury. (*svp, cocher et fournir des explications*)

Type de relation	Président	Membre du jury interne	Évaluateur externe	Représentant du Doyen	Commentaires
Relations de travail <ul style="list-style-type: none"> a coécrit un papier dans les 3 dernières années est titulaire d'une subvention avec... était un étudiant avec... au cours des dix cinq années a employé ou a été employé par... est en négociation pour employer directement ou être employé par... a agi comme référence pour un emploi 					
Relations personnelles <ul style="list-style-type: none"> est un membre de la famille est un ami / associé / mentor a une relation personnelle d'hostilité a un lien affectif existant ou antérieur, est corésident ou membre d'un ménage commun 					

Relations d'affaires

- est dans une relation d'affaires (passée ou présente), comme partenaire dans une petite entreprise ou d'emploi
- a une relation professionnelle actuelle, tel que l'appartenance a un conseil d'administration ou comité
- est dans une relation sociale, comme coadministration d'un testament, parrain, ou par des contacts personnels divers

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4) Autres relations

Divulguer toutes autres relations ou activités qui pourraient être perçues comme ayant influencé, ou qui donnent l'apparence d'influencer l'objectivité ou impartialité des membres de jury.

- Aucun autres lien, condition ou circonstance présentant un risque de conflit d'intérêts
- Oui, les relations, conditions ou circonstances suivantes sont présentes (expliquer ci-dessous):

Nom _____

Date _____

Déclaration de conflits d'intérêts – jurys de maîtrise/doctorat

Membres du jury

Le but de ce formulaire est de fournir de l'information sur les intérêts des membres potentiels de jury qui pourraient influencer le processus d'évaluation dans le contexte d'un jury de maîtrise ou de doctorat.

Définition (voir : www.interets.umontreal.ca)

Un conflit d'intérêts peut survenir quand des activités ou des situations placent un individu ou une organisation en présence d'intérêts (personnels, institutionnels ou autres) qui entrent en conflit avec les intérêts inhérents aux devoirs et responsabilités liés à son statut ou à sa fonction. Ces intérêts comprennent notamment des intérêts commerciaux, financiers ou non pécuniaires (ex. : croyances religieuses, valeurs) se rapportant à l'organisation ou à l'individu, aux membres de sa famille, à ses amis ou à ses associés, anciens, actuels ou futurs. Ces conflits risquent d'altérer l'intégrité des décisions prises et ainsi de causer des torts et de compromettre la confiance du public à l'endroit de l'organisation et de ses membres.

1) Jury

Nom de l'étudiant(e):	Nom(s) du/des superviseur(s) :
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2) Information personnelle

Nom:	Affiliation institutionnelle :
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Rôle (*svp cocher un*):

Président	Membre du jury (interne)	Évaluateur externe	<i>Représentant du Doyen</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3) Conflit d'intérêts pertinent à votre rôle comme membre du jury

Déclarer toutes les relations personnelles, professionnelles ou financières avec l'étudiant ou le superviseur qui pourraient être perçues comme ayant une influence sur votre rôle comme examinateur. (*svp, cocher et fournir des explications*)

3.1 Relations avec l'étudiant ou le(s) superviseur(s)

Type de relation	Avec l'étudiant	Avec le superviseur	Commentaires
Relations de travail <ul style="list-style-type: none"> a coécrit un papier dans les 3 dernières années a travaillé avec l'étudiant sur des questions d'analyse ou de synthèse était un étudiant du superviseur au cours des cinq dernières années a fourni des fonds pour l'étudiant ou est titulaire d'une subvention avec le superviseur a employé ou a été employé par... est en négociation pour employer directement ou être employé par... a agi comme référence pour un emploi 			
Relations personnelles <ul style="list-style-type: none"> est un membre de la famille est un ami / associé / mentor de l'étudiant a une relation personnelle d'hostilité a un lien affectif existant ou antérieur, est corésident ou membre d'un ménage commun 			

<p>Relations d'affaires</p> <ul style="list-style-type: none"> • est dans une relation d'affaires (passée ou présente), comme partenaire dans une petite entreprise ou d'emploi • a une relation professionnelle actuelle, tel que l'appartenance a un conseil d'administration ou comité • est dans une relation sociale, comme coadministration d'un testament, parrain, ou par des contacts personnels divers 			
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3.2 Relations avec l'objet de recherche

Type de relation	Oui/Non	Commentaires
<p>Publication</p> <ul style="list-style-type: none"> • a publié des travaux critiques ou louangeurs de l'approche de l'étudiant (en nommant l'étudiant / superviseur) 		
<p>Forum public</p> <ul style="list-style-type: none"> • a parlé publiquement de manière critique ou louangé sur le travail de l'étudiant (en nommant l'étudiant / superviseur) 		
<p>Recherche</p> <ul style="list-style-type: none"> • a un intérêt commercial direct dans les résultats de la recherche 		

4) Autres relations

Divulguer toutes autres relations ou activités qui pourraient être perçues comme ayant influencé, ou qui donnent l'apparence d'influencer votre objectivité ou impartialité en temps que membre de jury.

- Aucun autres lien, condition ou circonstance présentant un risque de conflit d'intérêts
- Oui, les relations, conditions ou circonstances suivantes sont présentes (expliquer ci-dessous):

Nom _____

Date _____