



# Official documents

## Probity policy

Version française

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### Table of contents

- 0 - Preamble
  - 1 - General principles
  - 2 - Information and awareness raising
  - 3 - Examples of misconduct
  - 4 - Procedures for handling allegations of a breach of integrity
    - 4.1 - Allegations of a breach of integrity
    - 4.2 - Preliminary review of the allegation
    - 4.3 - Formal investigation
  - 5 - Bibliography
  - 6 - University policies
- 

**Integrity:** a virtue that consists of scrupulously observing the rules of social morality and the duties imposed by honesty and justice (definition adapted from the *Nouveau Petit Robert*, 1994)

*Adopted by the Board of Directors, May 25, 1995*

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## 0 Preamble ▲

The mission of Polytechnique Montréal is :

- to provide quality education in engineering through a full range of programs at every level of study and with an emphasis on human values ;
- to carry out relevant advanced research that forms the basis for high-quality graduate and postgraduate studies and considers the needs of both industry and society;
- to ensure intellectual and social visibility both nationally and internationally through interaction with the outside community.

This mission implies a moral obligation for all members of the Polytechnique community to profess and implement the highest standards of integrity in all of their activities.

Academic integrity has always been implicit in the culture of Polytechnique Montréal. However, given the scope, complexity and momentum of the institution's activities today, expectations with regard to academic integrity must be made explicit to staff, students and all those with whom it deals.

This document outlines Polytechnique Montréal's policy with regard to research integrity. Care has been taken to draft the policy with a simple and clear approach. The first section addresses the moral values and general principles that Polytechnique promotes and wishes to articulate. The second section addresses the need to educate all stakeholders. The third section provides concrete examples of misconduct, and the final section presents the formal procedure for handling allegations of a breach of integrity.

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# 1 General principles ▲

This policy applies to all activities carried out by members of the Polytechnique community. It addresses management, professors, students, researchers, administrators, professionals, technicians, support staff and others.

Polytechnique Montréal is a public institution funded largely by taxpayers, who expect it to provide training, research and knowledge transfer. As such, it must establish and implement mechanisms that will enable it to fulfil its mission. Members of its community are expected to know and abide by the code of ethics, statutes, policies and other precepts that apply to their daily activities and respective fields. This policy recognizes the importance of such precepts and does not supersede them. Polytechnique also expects all members of professional organizations to abide by the code of ethics that govern their respective activities. Further information or specifications with regard to integrity shall be readily provided by Polytechnique.

While the primary responsibility with regard to integrity falls unquestionably upon the person(s) concerned, Polytechnique cannot be associated with activities that run counter to the standards of integrity. The institution will handle allegations of a breach of integrity fairly and equitably, and will safeguard the rights and reputations of all those involved in such allegations through a prompt review of the situation.

Polytechnique Montréal's administration, staff and students are expected to work to the highest standards of ethics and academic integrity. Personal conduct should be guided by openness, integrity, justice and respect for others. For its entire community, Polytechnique must:

- Provide and promote a code of conduct, and ensure compliance with this code ;
- Protect the rights and reputations of all members of its community ;
- Meet the expectations of governments, funding bodies, sponsors and the general public.

To do so, Polytechnique trusts that:

- **Senior management and the directors of departments, institutes and services** will abide by and strictly enforce the rules of fair play and integrity, as well as inform their staff and students of these rules and of Polytechnique's policy in this regard.
- **Professors and staff involved in providing instruction** will demonstrate impartiality in their evaluations and full compliance with intellectual property rights, remain at the vanguard of advancing knowledge, provide students with the most effective teaching possible, and sensitize students to both the principles and the importance of intellectual and scientific integrity in their professional activities.
- **Faculty, students and staff involved in research** will implement the principles of research integrity. These are based on two fundamentals: honesty in collecting and analyzing research results, and accuracy in reporting the origin of applied concepts and findings. In addition, researchers are responsible for safeguarding all data and tangible products needed to validate research results. Furthermore, those responsible for research activities are expected to abide by the rules governing scientific honesty, the use of research funding, the supervision of research staff, intellectual property, and the use of human subjects or laboratory animals.
- **Faculty and staff involved in technology transfer operations and research activities carried out on behalf of a third party** will respect their allegiances and advance the interests of Polytechnique, and fulfil their obligations under any statutes, policies, regulations or agreements relating thereto.
- **Senior and unionized work staff** will execute their tasks with mutual respect and to the highest standards of professionalism, honesty and integrity generally accorded to their functions. Like researchers, clerical staff are responsible for safeguarding any data and tangible products needed to validate research results for a sufficient length of time and, if appropriate, in accordance with the requirements of the organization to which they belong. Information in this regard may be obtained from the person in charge of Polytechnique's archives.

- **Students** will act with scrupulous academic rigour, abide by the code of ethics and the fundamental rules of fair play, and respect the resources placed at their disposal for educational purposes.

In short, whether as participants or in a position of responsibility, all members of Polytechnique's community must ensure that the work they carry out or supervise complies with the institution's policies, directives and highest moral values, and that their collaborators are adequately informed of the institution's policies in this regard.

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## 2 Information and awareness raising ▲

Polytechnique Montréal has the duty to educate its entire community regarding its stance on ethics and intellectual integrity by ensuring awareness of this policy and adequately disseminating the associated rules.

Polytechnique will ensure that its departments and services undertake regular informational activities to familiarize students and other stakeholders with the ethical principles that ought to guide their daily actions.

Particular attention will be paid to new members of the Polytechnique community to ensure that they are aware of their obligations. Anyone wishing to obtain information or have expectations specified may communicate with the department concerned, which will obtain the requested information in a timely manner.

Information needed to review an alleged breach of integrity must be treated confidentially and in keeping with the provisions of the ***Act respecting access to documents held by public bodies and the protection of personal information***. For instance, such information may be disclosed publicly only when authorized by law or after receiving the consent of the person(s) involved.

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## 3 Examples of misconduct ▲

This section does not purport to cover in detail every form of misconduct that may arise in a university setting. Rather, it presents a number of examples to illustrate as broadly as possible the principles and spirit of this policy.

### Conflicts of commitment and interest

- Failing to disclose any real, or potential conflict of interest. Examples include carrying out transactions with a firm or working on behalf of a company in which one has a material financial interest, failing to reveal a material conflict of interest when asked to review grant applications or manuscripts, and so on ;
- Placing oneself without prior permission from a supervisor in a situation where one's professional activities interfere or appear to interfere with obligatory requirements toward Polytechnique and its members. Examples include external activities that infringe upon or supersede one's professional duties at Polytechnique, concluding a deal that would prevent or unduly delay the dissemination of research findings, and so on.

Polytechnique's [Règlement sur les conflits d'intérêts des membres du personnel](#) (Regulation regarding staff and conflicts of interest) addresses this type of misconduct in greater depth.

### Data

- Altering, manipulating, falsifying, selectively omitting or misrepresenting data or other factual information, analyzing and manipulating statistics to obtain biased results or disseminate data for dishonest purposes, or deliberately destroying data to avoid error detection ;
- Failing to keep for a sufficient length of time the tangible data needed to validate research results.

### Confidentiality

- Appropriating ideas or information obtained through confidential discussions, manuscripts, grant applications, or any other exchange of classified information; sending such information to a third party without the author's permission; using privileged information in an unauthorized manner.

### **Fraud and plagiarism**

- Appropriating data, writings or inventions from another person and passing them off as one's own, whether wholly or in part; publishing one's own findings in different forms without crediting the publications from whence they came (autoplagerism) ;
- Academic plagiarism, cheating, or falsification. Misconduct of this nature is covered, as appropriate, by the *Règlements des études du premier cycle* (undergraduate student regulations) and *Règlements généraux des études supérieures* (graduate students regulations).

### **Authorship**

- Failing to give appropriate recognition to any person who has made a substantive intellectual contribution to a publication, work or other activity. It should be noted that the allocation of space, facilities or financial support does not constitute an intellectual contribution ;
- Failing to adequately acknowledge the data sources or relevant articles used to produce the work in question; with or without permission, identifying as co-author a person who made no substantive intellectual contribution to the work in question.

### **Intentional violation of the rules**

- Failing to comply with federal, provincial and other legislation or policies governing the activities in question. For Polytechnique, this may mean recourse to the following
  - *Règlement sur le conflit d'intérêts des membres du personnel* (regulation regarding staff and conflicts of interest).
  - *Politique sur la propriété intellectuelle technologique* (policy on technological intellectual property).
  - *Politique de l'École Polytechnique pour l'administration des fonds de recherche* (Polytechnique Montréal's policy on the administration of research funding).
- Violating the ethical standards and legal requirements governing the welfare of laboratory animals, the use of human subjects, the protection of individuals, or the use of chemical, biological and other hazardous substances.

### **Financial fraud**

- Obtaining, using or attributing, in an unlawful manner, funds, equipment, supplies, facilities or other resources for research or other purposes.

### **Other examples**

- Supervising or co-supervising an activity with the knowledge that it is fraudulent in whole or in part ;
- Maliciously lodging allegations, or destroying or withholding material needed to analyze a complaint;
- Modifying or destroying another's work (e.g. by introducing a computer virus);
- Falsifying or misrepresenting qualifications or credentials.
- Unreasonably withholding or appropriating material needed to examine or verify new knowledge in order to limit or prevent access to this knowledge.

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## **4 Procedures for handling allegations of a breach of integrity ▲**

Polytechnique must handle all allegations of misconduct by taking into account both the nature and severity of the allegation along with other considerations. Whenever possible, Polytechnique will encourage the parties concerned to discuss the matter frankly and openly, advising them to consult a third party (colleague, directors, etc.) as needed. Open discussion can sometimes help distinguish between appearances and a real problem. Given that a person's reputation may be at stake and considering the possible consequences, Polytechnique advises all parties involved in an alleged breach of integrity to exercise the greatest discretion with regard to the matter until the institution has been able to judge whether or not the allegations are founded.

This section describes the actions normally taken in response to such allegations. Senior management staff who find themselves in a conflict of interest or unable to perform their assigned role they under this policy shall notify their supervisor immediately, who will then appoint another suitably qualified person or act in their place, as appropriate. The following terms are used:

- **Complainant:** a person who files an allegation regarding a breach of integrity.
- **Respondent:** the person who is the subject of such an allegation.
- **Parties:** the complainant and the respondent.
- **Examiner:** the functional director concerned, who heads the committee formed to conduct a preliminary review of the allegation.
- **Preliminary review committee:** committee formed to conduct a preliminary review of an allegation to determine whether or not to proceed to a formal hearing.
- **Inquiry committee:** committee tasked with conducting a formal investigation into the allegation, deem whether or not it constitutes misconduct and recommend any appropriate disciplinary measures or other sanctions.

In the interests of fairness, any committee established under this policy shall be composed of the peers of the parties involved. Committee members cannot be compelled to testify before another committee or arbitrator with regard to the facts uncovered during the preliminary review or formal investigation. The examiner and inquiry committee chair will normally make arrangements to ensure confidentiality of the information accessed by committee members under the procedures outlined in this policy, in keeping with the provisions of the Act.

#### 4.1 Allegations of a breach of integrity ▲

- Any allegation of a breach of integrity relating to research or teaching at Polytechnique Montréal must be lodged with Direction des études et de la recherche (dean of studies and research). Allegations in relation to other activities must be filed with the office of the most relevant functional director. If the examiner is personally concerned, the claim must be filed with Polytechnique's Director General.
- Allegations must be submitted in writing to be eligible for processing. To facilitate processing, the allegation must be filed as early as possible, otherwise it might not be considered. The time between the moment the events took place and the filing of the allegation must conform to the normal legal liability period set out for similar matters. The text describing the allegation must:  
(a) clearly describe the alleged breach and include sufficient facts to enable the case to be assessed; (b) where appropriate, include relevant documents; (c) identify the complainant and the respondent; and (d) be signed by the complainant.
- The examiner shall inform the respondent of the allegation's content, taking care not to divulge anything that might be used to identify a complainant who wishes to remain anonymous; inform the respondent that a review is currently underway; refer to Polytechnique's policy on handling suspected misconduct; and keep both parties informed throughout the process.

- Pursuant to the filing of an allegation, Polytechnique shall make reasonable efforts to protect, as it must, the employment, status and reputation of the complainant acting in good faith and the respondent. Should the allegation prove to be based on malicious intent, Polytechnique will launch proceedings against the complainant.

#### 4.2 Preliminary review of the allegation ▲

- The examiner conducts a preliminary review of the allegation to immediately dismiss any frivolous claims, being sure to obtain all the relevant information needed to appropriately assess the complaint.
- After consultation with the appropriate authorities, and should the situation warrant it, the examiner may apply interim measures to: (a) preserve the health or safety of individuals or laboratory animals involved in the research; or (b) forestall the abuse of funds administered by Polytechnique. Any such measures must comply with the various rules and obligations in effect; furthermore, such measures should be intended as safeguards and not sanctions. If an inquiry committee is to be formed, that committee's chair will rule on the need to maintain said measures.
- The examiner forms a preliminary review committee composed of three members, namely, the examiner (who acts as the committee chair) and two other impartial members from the Polytechnique community who are not in a conflict of interest vis-à-vis either party connected to the allegation. This committee is not mandated to investigate, but rather to assess the situation and determine whether to proceed to a formal investigation. The committee is authorized to call upon the expertise needed to fulfil its mandate. In such cases, the committee shall notify the expert in question to treat any information received as confidential, and shall ensure the return of such information at the end of the review process.
- The committee must prepare a report within thirty (30) days of receipt of the allegation. If the committee is unable to meet this deadline, it will include the reasons for the postponement in its report. The report should indicate the facts examined and present the committee's conclusions and recommendations. A copy of the final report will be forwarded to each party.
- If the committee concludes the allegations are unfounded or not serious but that the complainant's intentions are honest, the case is dismissed. As needed, the examiner shall notify the parties concerned of the measures to be taken to remedy the reported conduct.
- If, during the course of the preliminary review, one of the parties :
  - (a) admits in writing to misconduct of a sufficiently serious nature; or
  - (b) freely renounces in writing his or her right to be heard by the inquiry committee while he or she is the subject of an investigation into misconduct,

the review committee is not required to recommend proceeding to a formal investigation. In such cases, it will send its report directly to the Director General of Polytechnique, who will look into the matter and propose disciplinary proceedings (where appropriate) to the institution's Executive Committee, in keeping with the provisions of the protocol, collective agreement and any applicable regulations. Information contained in a file relating to an allegation will not be entered into the personal file of the accused, with the exception of a copy of any notice of disciplinary action.

- If the review committee recommends a formal investigation, the examiner shall submit a report to the Director General of Polytechnique, which will then form an inquiry committee, notify the parties concerned as well as the Executive Committee, and take the appropriate actions.

#### 4.3 The formal investigation ▲

The formal investigation is instigated on the recommendation of the preliminary review committee to the Director General of Polytechnique. The Director General must form the inquiry committee, appoint its chair and inform its members of the mandate entrusted to them. The Director reminds them of the principles of natural justice and ensures they are informed of the provisions of the *Act respecting access to documents held by public bodies and the protection of personal information*.

- The inquiry committee is composed of three impartial members, none of whom are in a conflict of interest with either of the parties, have participated in the preliminary verification of the allegation, or are attached to either party's department, institute or service. The Director General informs the parties that the inquiry committee has been formed. The parties must, within five (5) working days, notify the Director General in writing as to any objections to the impartiality or potential conflict of interest of any member of the proposed inquiry committee. The Director will consider these objections and decide on the appropriate action. The inquiry committee will conduct a formal hearing, conclude whether or not there has been misconduct, and deliver its report within sixty (60) days of receiving its mandate.
- The committee chair specifies the rules regarding how the investigation and hearing should proceed. The application of these rules should be flexible enough to meet the particularity of the situations that may arise while respecting the basic legal tenet of the presumption of innocence.
- Le comité doit tenir une audience formelle qui se déroule à huis clos ; le comité pourra procéder à l'enregistrement sonore ou sténographique de l'audience et en avisera alors le défendeur. Au moins trente (30) jours avant la tenue de l'audience, le président du comité devra informer la personne faisant l'objet d'une plainte :
  - of its decision as to whether or not to uphold an interim measure applied by the examiner ;
  - of the list of persons who must normally be heard ;
  - of the date, time and place of the hearing ;
  - that he or she can submit documents, testimonials and other forms of evidence in support of his or her defence ;
  - of the potential disciplinary measures ;
  - and that, during the hearing, the respondent may :
    - be accompanied by an advisor from the Polytechnique community, if all members of the inquiry committee are from Polytechnique; otherwise, the respondent may be accompanied by the counsel of his or her own choosing. Note that the counsel's role must be limited to advising the respondent, and does not extend to directly intervening in the hearing;
    - present a written statement summarizing the key points of the defence ;
    - interrogate witnesses regarding any aspect of their testimony ;
    - call witnesses to testify and submit evidence in support of the defence:
- After the hearing, the committee must submit a written report to the Director General and Executive Committee of Polytechnique Montréal. This report must
  - a. indicate the rules and procedures followed,
  - b. summarize the information obtained (the nature and source thereof, etc.),
  - c. present any statements,
  - d. outline the reasons leading to the final decision,
  - e. rule as to whether or not there has been misconduct,
  - f. recommend disciplinary measures or appropriate sanctions as appropriate,
  - g. suggest preventive measures to avoid the recurrence of similar misconduct.
- The recommended disciplinary measures or sanctions should take into account the circumstances, the gravity of the misconduct, and the wrongdoer's commitment to redressing

the situation. These measures may range from a reprimand to dismissal or expulsion. The committee must ensure that its decision and recommendations are based on the preponderance of evidence in compliance with the legal provisions of disciplinary law.

- Based on the information provided, should the inquiry committee find the allegations to be unfounded or not serious and the complainant's intentions to be honest, the case is closed and the Director General immediately informs the parties in writing. All reasonable efforts will be undertaken to restore the reputation of an exonerated respondent should he or she so desire it.
- In the event of misconduct, the Director General informs the wrongdoer in writing of the follow-up to the report, in accordance with the protocol, collective agreement or any applicable regulations. The Director also notifies any association or group to which the respondent belongs as to the decision, pursuant to the rules provided under the collective agreement or protocol relating thereto. If the allegation involves a person who conducts or oversees research activities, the director of studies and research must share the report's findings with the research grant organization or partner concerned, in accordance with the provisions established for this purpose.
- The Director General must keep any records and documents relating thereto for a period of five (5) years, ensuring that any information transmitted to third parties be returned once the investigation has concluded. Information related to the allegation will not be added to the party's personal file, with the exception of a copy of the notice of disciplinary measures, if any.

Any disciplinary measures or appropriate sanctions applied must be in accordance with the statutes, regulations, collective agreements, protocols or any other provisions applicable to Polytechnique Montréal. Decisions may be appealed based on the arbitration procedures established under a collective agreement, protocol or any other applicable provision.

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## 5 Bibliography ▲

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« *La science au-dessus de tout soupçon* », Serge Larivée, Éditions du Méridien, 1993.

« *Le droit disciplinaire des corporations professionnelles* », Mario Goulet, Les Éditions Yvon Blais Inc., 1993.

« [Les règles de justice naturelle](#) », Gilles Gauthier, secrétariat général de l'École Polytechnique, 1994.

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## 6 University policies ▲

(adoptées ou en voie d'adoption)

Concordia University « *Code of Ethics Guidelines for Ethical Actions* »;

McGill University « *Code of Research Ethics* » Montreal 1994



McMaster University « *Policy on Research Ethics at McMaster* »

Memorial University « *Section 19.31 Through 19.40 of the Collective Agreement: Gross Misconduct in Academic Research* »

Queens University « *A Code of Research Ethics* »

Université de Moncton « *L'inconduite et la Recherche : Définitions et procédures* »

Université de Montréal « *Projet de politique en matière de probité intellectuelle en recherche* », Mars 1994.

University of Alberta « *Policy for Professional Misconduct in Research and Other Scholarly Activity* »

University of British Columbia « *Guidelines for the Investigation of Scholarly Misconduct* »

University of Calgary « *Research Policy - Integrity in Scholarly Activity* »

University Carleton « *Policies and Procedures for the Ethical Conduct of Research by Academic Staff* »

University of Guelph « *Guidelines for the Investigation of Misconduct in Research* »

University of Manitoba « *Guidelines on Responsibilities for Research Ethics, Policy on Academic Fraud, and Procedures for Investigation and Reporting Academic Fraud* »

University of Ottawa « *Guidelines for the Ethical Conduct of Research* »

University of Regina « *Policy Statement on Scholarly Misconduct* »

University Saskatchewan « *Ethics in Research* »

University of Toronto « *Policy of Ethical Conduct in Research* »

*University of Waterloo* « *Misconduct in Research: Administrative Guidelines* »

*University of Western Ontario* « *Guide to the Proper Conduct of Research* »

*Wilfred Laurier University* « *Article 36: Research Misconduct* »