



# NEW YORK MEDICAL COLLEGE

A MEMBER OF Touro University

## Graduate School of Biomedical Sciences

### STUDENT RIGHTS AND RESPONSIBILITIES

The graduate programs of the Graduate School of Biomedical Sciences (“the Graduate School”) are intended to provide their students with the knowledge and skills necessary to pursue careers in the biomedical sciences and/or in fields allied with the biomedical sciences. Students who enroll in one of these academic programs have certain legitimate expectations (or rights) regarding the educational program they are undertaking, and also assume certain responsibilities. This document outlines these rights and responsibilities in general terms by establishing principles that are intended to serve as guidelines for the student’s experience at NYMC. This document does not replace or supersede other documents that specify graduate school and/or university policies with regard to academic rules and regulations, student financial aid, employee rights and conditions of employment, maintenance of a safe working environment, discrimination, or sexual harassment.

#### GENERAL PRINCIPLES

1. Applicants will be considered for admission without regard to race, color, creed, religion, national or ethnic origin, sex, age, or handicap. Because the institution believes that diversity in the student population strengthens the academic mission of the school, we actively recruit applicants of both sexes and members of under-represented minority groups. Admission to all academic programs is based on an evaluation of the applicant’s potential for high level conceptual, integrative and quantitative thinking and his or her capabilities for independent observation, communication, and fine motor skills. Successful applicants must also possess behavioral and social abilities and skills commensurate with the interactive nature of modern science.
2. Students have the right to expect an environment, in both classroom and laboratory, which is conducive to learning and the students’ professional and intellectual development. In laboratory settings, students will be given appropriate guidance in designing and executing experiments, and sufficient training in specific laboratory techniques required for those experiments. Students must also, however, assume significant responsibility for their own education. For example, students are responsible for knowing the requirements of their program and the various academic rules, regulations and deadlines of the Graduate School. Students are responsible for obtaining or refreshing the prerequisite knowledge needed before undertaking each new course. When students feel the need for academic guidance, or when their academic performance is poor or indicates slow progress, they are responsible for seeking advice from the faculty and must be willing to undertake remedial action with a high priority.
3. Students will be evaluated in the classroom and laboratory on the merit of their performance. Such evaluation will contain a variety of objective and subjective measures appropriate to the specific course or laboratory training, and to the academic program. Students are entitled to timely feedback from the faculty on their performance, especially with regard to specific elements of that performance that need improvement or further development.
4. All members of the university community have the right to expect fair and respectful treatment from all other members. Students should expect to be treated fairly and with respect by the

faculty and staff. In turn, students are expected to show respect towards the faculty and administrative staff. Abusive language or behavior and harassment, whether of a sexual nature or otherwise, will not be tolerated.

5. Student records are confidential. Access to those records is limited to those within the institution with a clearly defined and legitimate need to know. This includes those individuals with a role in evaluating candidates for admission and in assessing student academic progress, and those individuals responsible for the safety and security of the university community. Students may examine their own permanent record, except for confidential items such as letters of recommendation for which the student has waived access rights. The university will release information to outside agencies as required by law and for the purpose of accreditation. Students have the right under the Family Education Records Protection Act (FERPA) to restrict the release of certain specific personal information. Inquiries about this policy should be directed to the Office of the University Registrar.
6. The progress of science and its value to society is absolutely dependent upon the integrity of its practitioners. Therefore, each graduate student is held to the same standard of ethical behavior as the faculty. Behavior that is dishonest or otherwise unethical will not be tolerated. Such behavior would include, but is not limited to, the following: plagiarism, cheating, theft, dishonesty, scientific misconduct, and intentional damage to the work or possessions of others. All researchers at NYMC, including students, are bound by the principles in the College's *Guidelines for Ethical Practices in Research and Policies for Dealing with Instances of Alleged Violations of Ethical Standards* and, if applicable, the *Guidelines for the Conduct of Research Involving Human Subjects at New York Medical College*. The requirement that students behave with integrity, however, is not limited to the research laboratory alone, but also applies to all aspects of academic and extracurricular student life at NYMC.
7. Students have the right to appeal certain decisions affecting their standing in the Graduate School. In general, the hierarchy of authority rises from the Graduate Program Director through the Department Chair and up to the Dean of the Graduate School. If these avenues fail to provide a satisfactory resolution, there are specific appeals processes that may be invoked. The Graduate Schools Appeals Board (GSAB) is appropriate for many issues that might affect graduate students. There is a separate process for appealing grades. Other university processes might be used for issues related to alleged scientific misconduct or discriminatory practices. When in doubt, the student should seek the guidance of the GSBMS Dean as to what mechanism is most appropriate for the case in question. Each of these appeals processes has a defined end-point. The student who seeks redress through these processes makes the implicit agreement in so doing that he or she will abide by the final outcome of the process.

#### **ACADEMIC REGULATIONS AND STUDENT PROGRESS**

8. Students are governed by the academic rules and regulations of the Graduate School and also by specific academic rules and regulations of their academic program. These may be found in the Graduate School Bulletin and on the Graduate School Web site. Programs shall also issue graduate guides that elaborate on program or departmental rules and procedures. Students have the right to expect a clear and consistent description of any special requirements or procedures within their academic program – e.g., rules specifying the timing and format of qualifying examinations, guidelines governing research rotations, the procedure for selecting a thesis committee, the procedure and timetable for creating a Master's Literature Review, etc. Wherever practical, these should be in written form. The Graduate School and its academic programs

should provide their students with timely information about any changes in academic policies or procedures. Students are responsible for knowing these rules. These rules may be changed from time-to-time, and there is an unavoidable lag time before such changes can be reflected in the Bulletin or on the official Web site. Students are advised to check with the Graduate School Office or with their Graduate Program Director when there is any doubt about a specific rule or regulation.

9. New students have the right to expect an orientation to the Graduate School and to their academic program upon their arrival at the university. Such orientation may take the form of organized sessions, one-on-one counseling, printed materials, or a combination of these methods.
10. Students have the right to receive a clear description of the rules governing each academic course for which they have registered. These “rules” should include the form and format of the evaluation that will be used to assign a grade. The relative weight of each evaluative factor (exams, term papers, in-class participation, etc.) must be specified. This information should be provided in written format.
11. Students are entitled to be graded on an equitable basis with other students within any individual course. If a student feels that he/she was graded unfairly, or that the basis for the grade was not in compliance with Graduate School rules and standards, there is a process for appealing the grade. Details of this process may be obtained from the GSBMS Student Handbook (2<sup>nd</sup> edition) or from the Dean’s Office.
12. Students have the right to receive regular feedback regarding their academic progress within their graduate program. Graduate Program Directors should schedule a formal meeting with each student at least once each semester to discuss the student’s academic performance, course selection, timetables and preparation for qualifying exams, timetables for thesis or dissertation proposals, and timetables for completion and defense of the literature review, Master’s thesis or doctoral dissertation. Individual students may request additional meetings. Particular attention should be paid to students who are progressing slowly because of academic difficulties or extracurricular problems.
13. Students have the responsibility to devote an appropriate amount of their time and energy toward achieving academic excellence and completing their degree requirements. Faculty must respect this objective and afford the student adequate opportunity to progress through the program. While laboratory training is an important or essential component of graduate education in the basic medical sciences, particularly in Ph.D. programs, other program components (academic classes, qualifying exams, development of communication skills, etc.) are also important. Students must be given the opportunity to undertake and complete these other program components in a timely fashion, and with their best academic effort. A student’s progress towards completion of degree requirements should not be delayed solely because of the student’s proficiency as a research assistant.
14. All GSBMS graduate programs include as part of their educational objectives the development of the student’s oral and written communication skills. Students should receive adequate and repeated opportunities to develop these skills by making oral, written, and graphical (poster) presentations of research within their scientific disciplines, including their own research results. Whenever practical, students should receive some guidance in how to prepare effective grant proposals; this is particularly appropriate and important for Ph.D. students. The faculty must assume the responsibility to coach and guide the students in the development of these important

professional skills. While this objective is an essential component of all Ph.D. programs, it is also an important part of all M.S. programs.

15. During their graduate studies, students should be preparing themselves for entrance onto or advancement along a career path. Faculty should provide students with appropriate guidance and advice in this area, but it remains primarily the student's responsibility to explore available options. Faculty should make themselves familiar with career and employment trends, so that they are better prepared to offer useful and appropriate guidance. Faculty should make every effort to allow students access to scientists and professionals, from a variety of employment sectors, who may be visiting the College, or who may be encountered at off-site meetings, in order to discuss career opportunities within their chosen field.
16. In order to earn a Ph.D. degree, the student must conduct and complete an original research project under the guidance of a faculty sponsor. Only faculty designated as "Graduate Faculty Mentors" can serve in such a capacity. Moreover, except under extraordinary circumstances, the faculty sponsor should be a member of the student's academic program. A student and faculty sponsor enter into such a master-apprentice relationship only by mutual consent. Although the program should assist the student in identifying a suitable sponsor, obtaining such sponsorship is ultimately the student's responsibility and is an absolute requirement for continuation in the Ph.D. program. Under ordinary circumstances, this sponsorship should be obtained by the end of student's second complete year of graduate study.
17. Committees formed to provide academic advice to the student, or to evaluate his/her academic progress – e.g., qualifying examination committees – are chosen by the program faculty, with the approval of the Dean. The program faculty may assign the task of selecting such committees to the Graduate Program Director and/or the student's sponsor. The composition of dissertation committees, Master's thesis committees, and faculty readers of Master's literature reviews must meet specific Graduate School and program rules. Aside from these constraints, the membership of such committees should be subject to the mutual consent of the student and the program faculty. Final approval of all such committees by the Dean is required. The Dean shall determine the final composition of such committees when there is an impasse between the student and the program faculty.

## **RESEARCH TRAINING AND INTELLECTUAL PROPERTY ISSUES**

Graduate programs within the Graduate School involve intensive laboratory research experiences for the student. This is particularly true of Ph.D. programs and, to a lesser extent, research-based "Plan B" Master's programs. Students in these programs are conducting actual research, rather than "cookbook" laboratory training exercises. The overall objective is for students undertaking such research training to gain expertise in the "scientific method" of solving problems. This includes mastering elements such as hypothesis testing, experimental design, experimental techniques, and data analysis. The role of the student in the laboratory, however, may range substantially – from that of a technician performing a specific, assigned laboratory task to that of a co-investigator, who designs and analyzes experiments with little direct supervision. The student's position in the laboratory is essentially that of a trainee or apprentice, who is learning by doing under the watchful eye of the faculty member. Not all apprentices are equally skilled, however. Most students begin as novices who require lots of guidance and oversight, but many develop into capable scientists who are ready to assume a level of independence in conducting their research. In a sense, it is exactly that progressive development that is the goal of and that marks the natural end-point of a Ph.D. education.

This spectrum of student ability and this progressive development of skill and independence make it difficult to articulate hard and fast rules about certain aspects of the ownership of intellectual property that results from research participated in by graduate students. Other aspects of this issue, however, are governed by clear law and precedent. Moreover, there are educational principles that may be applied to the student's role in such research activities. This section outlines these various principles.

18. When a student undertakes a laboratory rotation in a faculty member's laboratory, there should be a clear understanding by both parties as to the expectations of the other. The faculty member should identify what is expected of the student, in terms of time, effort, participation, and accountability. The objectives and end-point of the rotation should be defined as clearly as possible. The student should identify any special skills or experiences he/she would like to acquire. The faculty member should identify the possibilities for co-authorship by the student of future publications, or for presentation of the research by the student at local or national scientific meetings. In general, these possibilities should always be available except for very brief rotations. Also, all research rotations should provide the student with the opportunity to write up the research plan and results and to present them in an appropriate format, at least within the laboratory or at a departmental or school-based research forum.
19. The major goal of all research laboratory experiences within a graduate program is to contribute to the student's academic, intellectual and professional development. The faculty member (principal investigator) has a legal obligation to expend grant funds with appropriate regard for the purposes of the supported research project. Thus, in the absence of independent funding for student research, which is rarely available, these two principles must be satisfied simultaneously. The choice of a research project, including a Ph.D. dissertation project or a Master's thesis project, shall be made with both principles in mind. Both the student and the faculty mentor should participate in identifying an appropriate project.
20. The faculty member who is the Principal Investigator for a research project is responsible for all aspects of the research. This includes monitoring the accuracy, validity, and integrity of the research, including any performed by the student. The Principal Investigator also has the authority to allocate resources, including laboratory manpower and scarce reagents, as he/she sees fit for the best progress of the overall research project. Students may be asked at times to contribute to more than one specific project, including projects that might not be directly related to the student's primary research. Students should receive any specific training and supervision necessary for the performance of their assigned laboratory tasks. Insofar as the student is gaining some advance in knowledge, skill, or proficiency, and insofar as this does not unduly impede the student's progress towards a degree, such assignments are acceptable. Students should also be prepared to perform a fair share of the housekeeping duties (glassware washing, inventory maintenance, preparation of standard reagents, animal husbandry, record keeping, etc.) that are part of the normal operation of a research laboratory.
21. Authorship of scientific reports in reputable scientific journals signifies a substantive intellectual contribution to the work. In general, the physical performance of the research experiments and the statistical analysis of the data do not, in and of themselves, qualify an individual for authorship. Students and their faculty supervisors should discuss the prospects for authorship at the outset of the student's participation in the research. In general, except for very limited and brief rotations, students should have the opportunity to become co-authors of a published work that arises from their research effort, provided that they contribute to the design, analysis and interpretation of the research in addition to providing technical services.

22. Although scientists have the ultimate responsibility to report their research results, there may be good reasons for not revealing results prematurely. Data generated within a university research laboratory is “owned” by the institution and the Principal Investigator, not by the student. Students must recognize this and, accordingly, maintain the confidentiality of the faculty adviser’s research prior to publication. Before a scientific meeting, or before meeting with a visiting scientist, students should confer with their faculty supervisors regarding whether particular sets of unpublished data might be freely discussed.
23. In order to receive their degree, students must publish their dissertation or thesis. In the case of Ph.D. students and research-based, “Plan B” M.S. students, therefore, it is important that their dissertation or thesis research be unencumbered by proprietary interests that would prevent or delay such publication of the work by the student. If the thesis or dissertation project involves proprietary reagents or compounds, signed agreements must be presented to the Dean at the time of the thesis proposal that stipulate that the student will be free to publish his/her research. The Dean will not allow a thesis or dissertation project to be undertaken if there is a possibility that awarding of the intended degree might be delayed because of proprietary concerns.
24. Students are capable of making or participating in scientific discoveries and are eligible to share in patent rights under the College’s Intellectual Property Policy. Such claims, however, are based upon the nature and extent of the student’s contributions to the discovery or invention. As is true with authorship, it is the intellectual contribution that is critical, not just the physical execution of experiments. If a student is assigned to a project that is designed to accumulate data for use in supporting a future patent application, the student’s eligibility to share in these rights should be discussed with the student before his/her participation begins.
25. Students should have the opportunity to attend and present their research results at meetings, workshops, or conferences. All students who perform research rotations should have this opportunity in the various departmental and school-wide research forums that are held each year. It is particularly important for Ph.D. students to attend and present their results at regional or national meetings appropriate to their discipline. It is the responsibility of the faculty sponsor and the student’s academic program to provide such opportunities, particularly as the student progresses through the dissertation research stage. Student participation in any specific extramural meeting or conference is dependent in part upon the progress of the student’s research, the scientific relevance of the meeting, and the availability of funds.
26. Students should learn the principles governing the ethical conduct of scientific research and the standard professional ethics of modern science. The Graduate School should offer courses, workshops, and other programs to foster this aspect of training. Faculty sponsors and mentors must also assume an individual responsibility for raising and discussing such issues with their students.

## **FINANCIAL AID AND EMPLOYMENT ISSUES**

New York Medical College (NYMC) has established policies affirming its commitment to excellence in education and respect for the rights and responsibilities of all those involved in the process. These policies which apply to faculty, students, and employees, have been devised to create an environment in which each individual can maximize his or her personal and professional potential. The Graduate School policy on student employment is subject to and does not supersede existing college policies such as those relating to standards of conduct, non-discrimination, sexual harassment, student-student and student-teacher relationships, academic freedom, intellectual property, and conflicts of interest. College policies

are detailed in the Graduate Student Handbook, in the NYMC Policy and Procedural Handbook, or on the College's WEB site. This policy is also subject to existing state and Federal regulations governing employment, including but not limited to, those issued by the Internal Revenue Service, the Federal Student Loan programs relating to College Work/Study, and the specific employment restrictions of grantor agencies such as the NIH. Foreign students are subject to additional restrictions on employment and should consult with the Office of International Students and Scholars.

In devising this policy, the college recognizes that employment of graduate students serves the dual purpose of providing financial support for the student while furthering both the student's academic and professional development and the college's academic and research mission. The following principles shall apply to student employment:

27. Students should be placed in employment relevant to the student's degree program and professional goals whenever possible. It is recognized that placement as a Teaching Assistant or Research Assistant may be contingent on the student's status in the program and level of advancement toward a Master's or Doctor of Philosophy degree. When employment is necessary to provide financial support for the student, the work assignments involving teaching, research, or administrative tasks unrelated to the student's individual academic program and research project should not exceed 20 hours per week. The assignment should be discussed between the student and the supervisor to clarify the nature of the assignment and their mutual expectations. Any areas of disagreement or issues needing clarification should be brought to the attention of the Graduate Program Director and the Graduate School Dean.
28. Ph.D. students may receive fellowship support from the Graduate School in the form of tuition waivers and a stipend to defray living expenses. This award is contingent upon the student devoting a "full-time" effort towards the various academic activities specified in his/her degree program. These activities may include formal course work, independent or directed study, preparation of seminars or written documents such as qualifying exam essays or thesis proposals, and bench research. Each full-time Ph.D. student receiving financial aid for living expenses receives a combination of fellowship (stipend) and research assistantship (salary) that falls within Graduate School guidelines for student support. The student receiving such a combination of support is considered a full-time student, whose primary responsibility is towards the various academic activities specified in his/her program of study. No more than 20 hours per week (pro-rated to the level of the student's support that is derived from his/her research assistantship) of the student's effort can be assigned to functions and activities not directly related to the student's own academic program of training.
29. Students should receive timely feedback and guidance related to their job performance. In the event of a dispute relating to assignments, the student is encouraged to seek an informal consultation with both his/her supervisor and his/her faculty mentor. In the event the issue is not resolved, it should then be referred to the departmental chair and then to the Dean of the Graduate School for review under the appropriate grievance procedure.
30. Students are responsible for maintaining their academic performance and good academic standing as detailed in the Graduate School Bulletin, regardless of whether they elect to engage in outside employment unrelated to their program. Master's students should discuss their employment responsibilities with their program director in order to choose an appropriate academic course load, and with their course director if these responsibilities might affect the student's timely completion of course assignments. Ph.D. students receiving full fellowship and research assistantship support are not exempt from any responsibility for "full time" effort within the degree program by virtue of accepting outside employment. Ph.D. students who are considering

outside employment must discuss the matter with their faculty sponsor in order to avoid misunderstanding and misperceived expectations on either side. Furthermore, they must receive permission from the Dean before undertaking employment unrelated to their Ph.D. program.

31. Financial support for Ph.D. students, in the form of a fellowship (stipend) and/or a research assistantship (salary), is awarded initially based upon the merit of the applicant. Continuance is contingent upon the student's maintenance of full-time status, good academic standing in the doctoral program, and acceptable progress towards completing the degree. Such support shall be continued for a reasonable time to allow the student the opportunity to complete the degree requirements. Although there is not currently a strict time limit, support beyond five years is dependent upon the student continuing to make good progress towards completing the dissertation and other program requirements. Continued support in such cases is determined annually on a case-by-case basis. When such support is to be terminated, every effort will be made to inform the student well in advance of the planned termination date. In general, support shall be continued for students who are on academic probation.
32. When funds supporting a research assistantship for a Ph.D. student are lost because of grant termination or other situations beyond the student's control, available funds will be used to maintain that student's support before being applied to the support of new students in that program.
33. Graduate students are eligible to apply for financial aid in the form of subsidized and unsubsidized loans, work-study programs, and scholarships. Some aid and scholarship programs have residency, enrollment and financial need requirements. The Office of Student Financial Aid shall assist the student in applying for appropriate aid programs. Eligibility for certain types of financial aid, such as Title IV student loans, also requires a student to maintain satisfactory academic progress towards fulfilling degree requirements. Poor academic performance, as defined in GSBMS regulations and characterized by academic probation or slow progress in completing credit or other requirements of a degree program, may jeopardize such eligibility.
34. Graduate students who are employed as graduate research assistants or graduate research associates are to be considered primarily students, whose employment is only incidental to their graduate study. As such, students will receive fringe benefits allotted for students, rather than those designated for regular employees of the College.
35. Support for students who wish to pursue a Ph.D. degree with a part-time effort will be determined on a case-by-case basis. In general, students who hold positions of full-time employment while they are pursuing their degree on a part-time basis will not be eligible for fellowship or research assistantship support.
36. Students are not required to perform extraneous personal work for faculty (mowing lawns, baby-sitting, etc.) without appropriate compensation, nor may they be coerced to do so. Within reason, certain professionally relevant tasks (e.g., library research) may be assigned to students without specific compensation.

## **GRIEVANCE PROCESS**

See Graduate School Appeals Board.



## **ENACTMENT HISTORY**

Development by Faculty-Student Task Force: September 1999 – September 2000

Approved by Graduate Faculty Council: September 28, 2000

Approved by Academic Affairs Committee, Board of Trustees: October, 2000

Approved by Governance Committee, Board of Trustees: November 29, 2000

Amended by Graduate Faculty Council (paragraph #30): November 13, 2007

Technical amendment (last two sentences of paragraph #33): August, 2012