



# NEW YORK MEDICAL COLLEGE

A MEMBER OF THE Touro College and University System

## Graduate School of Basic Medical Sciences

### **POLICY: PROCEDURE FOR ADJUDICATING ALLEGATIONS OF VIOLATIONS OF THE CODE OF ACADEMIC INTEGRITY AND PROFESSIONALISM**

#### **Rationale and purpose**

New York Medical College is adopting a university-wide *Code of Academic Integrity and Professionalism* designed to outline general ethical and professional behavior for students in all three schools within the university. Whereas the *Code* is intended to apply to students in all schools, however, each school should have its own procedures for reviewing and adjudicating allegations of violations of the *Code*.

#### **Policy**

##### **I. Scope of this policy**

This policy describes the process used to review and adjudicate allegations that graduate students in the Graduate School of Basic Medical Sciences have violated the standards of conduct expected of them. These standards are detailed in the university's *Code of Academic Integrity and Professionalism*, the *GSBMS Bulletin*, and in other university and school policies that address standards of conduct and professional behavior. Such policies include the *Policy of Professional Conduct in Student-Student and Teacher-Student Relations*, the *Sexual Harassment Policy*, the *Drug-Free School and Campus Policy*, the *Electronic Communications Policy Statement*, the *GSBMS's Statement on Plagiarism*, the *NYMC Guidelines for Ethical Practices in Research*, and other approved university and school policies that address standards of conduct and behavior.

##### **II. Procedure for review of alleged violations**

1. An instructor or faculty member observes or discovers a possible violation, or an allegation of a violation is brought to their attention. If the instructor or faculty member finds *any reasonable possibility* that the allegation might be justified, the allegation must be brought to the Dean of the GSBMS (henceforth referred to as the Dean).
2. The Dean will conduct an inquiry into the matter. If the violation is of a minor nature, the facts of the matter may be evaluated and a judgment and punishment rendered by the Dean. Alternatively, the Dean may defer to the judgment of the course director or instructor, if the alleged violation has been committed in the context of a specific course.
3. If the violation is of a more serious nature, the Dean will convene the GSBMS *Committee on Academic Integrity*. This committee will review the matter according to the procedures outlined below and recommend an action or actions to the Dean.

4. The Dean shall consider the action recommended by the *Committee on Academic Integrity*. The Dean reserves the right to ask the Committee to reconsider its recommendations, or to overrule the Committee, if there are significant legal issues or other pertinent considerations that the Committee might not have been aware of.
5. The student receiving the disciplinary action has the right to appeal the decision through the *Graduate School Appeals Board*, following the policies and procedures governing that body.
6. The Dean shall preserve a detailed record of each confirmed violation and its outcome, consistent with the school's record retention policy. The Dean shall also preserve a summary record, without specific names of the accused individuals, of all allegations, the nature of those allegations, how they were evaluated and adjudicated, and their disposition.

### **III. Possible sanctions**

1. If it is determined that a violation has been committed, the student may be subject to a range of penalties and/or remedial actions appropriate to the nature and severity of the offense.
2. The possible sanctions may include, but are not limited to, one or more of the following:
  - taking additional courses or workshops intended to assist the student in avoiding future transgressions.
  - retaking the exam or redoing the assignment (or a suitable substitute exam or assignment) that was the occasion of the violation.
  - repeating the entire course.
  - reduction in grade for a particular examination, assignment, or course component, or a reduction in grade for the entire course.
  - suspension.
  - limitation or revocation, either temporarily or permanently, of certain privileges, such as use of campus E-mail or library access.
  - dismissal from a program and/or expulsion from the Graduate School.
  - revocation of the student's degree, if the violation is identified after graduation.
  - indication of the disciplinary action on the student's permanent record and in reference letters or licensure forms.
  - notification of the violation to other schools within the university.
  - notification to appropriate external agencies.

The foregoing list is not intended to be exhaustive. Other sanctions or corrective actions may be imposed, as deemed appropriate by the Dean.

#### IV. The Committee on Academic Integrity

1. The Committee shall consist of at least five and no more than seven members appointed by the Dean, in consultation with the Graduate Faculty Council. The members shall include at least three and no more than five members of the Graduate Faculty, and at least two and no more than three students enrolled in the GSBMS. At least one of the student members shall be a PhD or MD/PhD student and at least one shall be a Master's student. There should be no concurrent overlap between the membership of this Committee and the Graduate School Appeals Board. In addition to the appointed members, the Dean shall also serve as an *ex officio* member of the Committee without vote. The Dean shall designate a Chair and a Vice Chair from among the faculty members of the Committee.
2. Faculty members of the Committee shall be appointed for three-year terms. Student members shall be appointed for two-year terms. If any member needs to be replaced for whatever reason, the replacement member will be appointed for a full two- or three-year term, as appropriate. All terms shall run on an academic year basis, ending on June 30. Terms shall be automatically extended for any members whose term expires while they are reviewing a case. Committee members may be re-appointed for additional terms.
3. All official meetings of the Committee shall require the attendance of a quorum, which shall consist of at least one half of the regular members. The quorum must include at least one student member, but at least half of the quorum must be faculty members.
4. Any members of the Committee who are directly involved in the case under review shall recuse themselves from the deliberations for that case. "Direct involvement" might include, for example, being the course director of the involved course, the student's research sponsor or program director, the whistleblower or accuser, or being a relative of the accused student. The Dean reserves the right to appoint *ad hoc* members to the Committee so that at least three faculty members and at least two students are available to review the case.
5. The Chair of the Committee shall preside over any meeting of the Committee. If the Chair is absent, the Vice-Chair shall preside. If the Vice-Chair is also absent, the remaining members shall elect a chair *pro tem* to preside over that meeting.
6. The Committee shall appoint a member to record minutes of each official meeting. The Committee shall review and approve final versions of the minutes of all its meetings. Official minutes, and copies of any correspondence from the Committee, shall be preserved for a time consistent with the school's record retention policy.
7. The Committee reserves the right to interview the student or students accused of the violation, the person who has made the allegation, and any other individual who might be able to shed light on the matter under consideration, in order that the Committee might reach an accurate and fair judgment regarding the allegation.
8. The Committee shall first reach a decision on the merit of the allegation. If the allegation of a violation is upheld, it will then recommend to the Dean one or more penalties or corrective actions, as outlined in Section III. This decision and recommendations shall be conveyed in writing to the Dean.

## **V. Notification and appeal process**

1. The Dean shall inform the student in writing of the Committee's decision and, if appropriate, the sanctions that have been imposed. The student shall also be informed of his or her right to appeal the decision through the Graduate School Appeals Board.
2. If the student wishes to file an appeal, a request for a hearing before the Appeals Board must be filed within two weeks of the written notification of the original decision.
3. If no appeal is filed within the two-week filing window, the Dean will proceed to impose the recommended sanctions. If an appeal is filed, the student shall maintain his or her academic status. Any grades that are pending the outcome of the case will not be entered on the student's record until a final resolution is reached.

## **ENACTMENT HISTORY:**

### Code of Academic Integrity and Professionalism

Proposed to Graduate Faculty Council:	January 19, 2010
Approved by Graduate Faculty Council:	October 21, 2010
Approved by the Board of Trustees:	December 15, 2010

### Procedures

Proposed to Graduate Faculty Council:	January 19, 2010 (original form) March 16, 2010 (amended)
Approved by Graduate Faculty Council:	March 16, 2010