

New York University College of Dentistry

Code of Ethics and Professional Conduct

I. Introduction

NYU Dentistry acknowledges the respect that the public holds for our profession. Accordingly, all members of NYU Dentistry community should comply with local, state and federal standards, regulations, and policies that pertain to health and health care. In addition, New York University College of Dentistry (NYU Dentistry) adheres to the principles of conduct set forth within the following Code of Ethics and Professionalism (referred to as the “Code” throughout this document). The Code applies to all Doctor of Dental Surgery (DDS) students, faculty, researchers, administrators, and professional staff of NYU Dentistry. Throughout this document, “Dean” refers to the Dean of NYU Dentistry or the Dean’s designee, and “Associate Dean of Student Affairs & Academic Support Services” refers to this person or their designee. This document also establishes the process to be followed by NYU Dentistry for adjudicating instances of alleged noncompliance with the Code.

Alleged compliance violations of the Code by DDS students will be reviewed by the Peer Review Board (PRB) on Ethics and Professional Conduct.

Similarly, alleged violations of the Code by postgraduate and masters students will be adjudicated by the Graduate Council for Ethics and Professionalism in accordance with the procedures set forth at https://web.dental.nyu.edu/intranet/committees/pdf/graduatecouncilonethicsandprofessionalism_2021.pdf.

Alleged violations of the Code by dental hygiene students will be adjudicated by the Dental Hygiene Council for Ethics and Professionalism in accordance with the procedures set forth at https://web.dental.nyu.edu/dental/intranet/committees/pdf/dhcouncilonethicsandprofessionalism_2021.pdf.

Alleged violations of the Code by staff employees will be referred to the Office of Human Resources and alleged violations of the Code by faculty will be handled in accordance with the procedures set forth in the NYU Faculty Handbook: <https://www.nyu.edu/faculty/governance-policies-and-procedures/faculty-handbook.html>

Allegations of non-academic misconduct, as outlined in the University Student Conduct Policy, against a student of NYU Dentistry, shall be addressed pursuant to the procedures set forth in the NYU Student Conduct Procedures and administered by the Office of Student Conduct and Community Standards under the authority of the Vice President for University Life and Global Engagement. Allegations of academic and/or clinical misconduct (including, but not limited to, plagiarism, cheating, violations related to clinical education and patient care) against a student of NYU Dentistry shall continue to be addressed by the school in accordance with the Code.

II. Policies Regarding Standards of Conduct

The standards described in this section set forth the expectations for the conduct of all members of the NYU Dentistry community. The standards are modeled on the current ADA Principles of Ethics and Code of Professional Conduct:

<https://www.ada.org/en/about-the-ada/principles-of-ethics-code-of-professional-conduct>.

A. Academic and Professional Conduct

Courtesy, respect and academic integrity create and maintain an atmosphere conducive to learning and high-quality patient care. These attributes also promote understanding within the community. Members of the NYU Dentistry community must know and comply with the rules and regulations of NYU Dentistry and New York University. They must maintain high academic standards and professional integrity. They should respect the rights, privileges and property of other members of the NYU Dentistry community as well as guests of NYU Dentistry. Members of the NYU Dentistry community should refrain from actions that would interfere with official New York University functions or endanger the physical or emotional health, safety or welfare of other persons. They should seek appropriate advice and guidance when unresolved ethical dilemmas arise. Actions that are dishonest, unethical, or otherwise not in accordance with New York University or NYU Dentistry academic policies or procedures are violations of the Code of Ethics and Professional Conduct. Violations of the Code include, but are not limited to, the following examples:

1. Any action that interferes with teaching, research, administration, or clinical activity at NYU Dentistry
2. Treating others disrespectfully or engaging in unprofessional behavior
3. Cheating or plagiarism during an exam, quiz, or assigned academic activity; misrepresentation of one's own academic or clinical work; using proprietary materials without the authorization or consent of the owner; or falsifying, tampering with, or destroying an academic or clinical record, document, or file
4. Providing false, incomplete or misleading information during admissions or the financial aid applications process, or in documentation provided in relation to clinical privileges, such as proof of health status and immunization records
5. Interfering with the reporting, investigating, or adjudication of an alleged violation of this Code or failing to report a violation of the Code
6. Aiding another person in committing any of the acts described in this Section (II.A)

B. Clinical Conduct

The guidelines for clinical conduct and patient care are set forth in the following:

1. NYU Dentistry DDS Clinical Competency Assessment Manual:
<https://web.dental.nyu.edu/intranet/competency/pdfs/01.pdf>
2. NYU Dentistry Clinic Manual:

<https://dental.nyu.edu/aboutus/leadership-and-administration/intra/clinical-affairs/clinic-manual.html>

3. DDS Academic Standards and Policies document:

<https://dental.nyu.edu/content/dam/nyudental/documents/ddsprogram-22.pdf>

Any violation of the policies and/or procedures contained in these documents are considered a violation of this Code. Postgraduate and dental hygiene students should refer to the postgraduate and dental hygiene documents for their respective programs posted on the academic card on NYUHome.

C. Compliance with other New York University policies and obligations including, but not limited to the following:

1. University Student Conduct Policy, alleged violations of which are handled in accordance with the procedures set forth at <https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/university-student-conduct-policy.html>.
2. Non-discrimination and Anti-harassment Policy and Complaint Procedures for Students, alleged violations of which are handled in accordance with the procedures set forth at <https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/non-discrimination-and-anti-harassment-policy-and-complaint-proc.html>.
3. Sexual Misconduct, Relationship Violence, and Stalking Policy, alleged violations of which are handled in accordance with the procedures set forth at <https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/sexual-misconduct--relationship-violence--and-stalking-resource-.html>.
4. Social Media Policy (<https://dental.nyu.edu/content/dam/nyudental/documents/intra/policies/social-media-policy.pdf>).

III. Process for Handling Alleged Violations of the Code of Ethics and Professional Conduct by DDS students

Matters involving alleged violations of this Code by a DDS student will be brought before the PRB and reviewed by the College Review Board in accordance with the following procedures.

A. The Peer Review Board

The PRB shall comprise twelve (12) student members; five (5) members are necessary to reach a quorum. Members of the PRB will be known as student adjudicators.

1. Designation and appointment of members to serve on the PRB.
 - a) Three (3) members from each of D1, D2, D3, and D4 classes will serve on the PRB.
 - b) Students must apply for initial appointment on the PRB through the Office for Student Affairs & Academic Support Services. Appointment as a student adjudicator is subject to final confirmation

by the Associate Dean for Student Affairs & Academic Support Services.

- c) Students selected for appointment to the PRB must be in good academic standing when chosen, and must maintain good academic standing throughout their appointment. Good academic standing is defined in the NYU Dentistry Academic Standards and Policies: <http://dental.nyu.edu/aboutus/policies-and-guidelines.html>
 - d) The Office of Student Affairs & Academic Support Services will select the student adjudicators.
 - e) For each convening and hearing of the PRB, the Associate Dean for Student Affairs & Academic Support Services (or their designee) will assign a facilitator from among the PRB members serving in their second term. Once selected, this facilitator shall be the presiding officer at all meetings of the PRB for the case to which they are assigned.
 - f) Student adjudicators cannot be elected class officers or elected officers of the Student Council.
 - g) Student adjudicators cannot have a history of ethical violations.
 - h) Student adjudicators appointed to the PRB shall serve for a term of one year; a maximum of two consecutive terms is allowed.
 - i) If a student member of the PRB does not fulfill their term, the PRB application process will be re-opened by the Office of Student Affairs & Academic Support Services to recruit and fill the vacancy with a student from the respective class. The procedures for filling such vacancies will be the same as those for an initial appointment and will be subject to an identical process of confirmation.
 - j) Each member of the PRB will participate in an orientation program coordinated by the Associate Dean for Student Affairs & Academic Support Services that emphasizes the importance and responsibilities of the student adjudicators. The orientation program will, at a minimum, include presentations by the Associate Dean for Student Affairs and Academic Support Services and/or his/her designee and a representative from the New York University Office of Student Conduct & Community Standards. The orientation program will include relevant information on NYU Dentistry's policies and procedures. At the conclusion of the orientation program, each member will sign a written pledge in furtherance of the deep and abiding principles of integrity and ethics of the dental profession and NYU Dentistry. They will also certify that they will faithfully execute their responsibilities as a member of the PRB.
2. The Associate Dean for Student Affairs & Academic Support Services or their designee will assist with the administrative coordination of the PRB meetings and will be privy to all correspondence and materials seen by the PRB and will attend all meetings of the PRB.

B. The College Review Board

The College Review Board will consist of three (3) NYU Dentistry faculty. Three (3) additional NYU Dentistry faculty will serve as alternates. All members of the College Review Board will be appointed by the Dean.

C. Disciplinary Proceedings Involving Students

All members of the NYU Dentistry community are obligated to uphold and enforce this Code. It is expected that any member of the NYU Dentistry community who observes or becomes privy to a violation of this Code by a DDS student will file a Report of Unethical or Inappropriate Behavior Including Academic Misconduct with the Associate Dean for Student Affairs & Academic Support Services of NYU Dentistry, using the online form available at: <https://dental.nyu.edu/student-life/prb.html>. The complaint should set forth the alleged act(s) of misconduct in specific terms and include relevant supporting documents. The complainant should be an individual who has observed or experienced this possible violation of the Code first-hand. The complainant must sign the complaint. This online form (https://nyu.qualtrics.com/jfe/form/SV_1Xm0Ho7tBD5Yj8F) will also be available for printing to encourage efficient reporting.

1. In certain aggravating circumstances, the Dean may suspend a student against whom a complaint has been filed pending consideration of the case. As a general rule, a student should not be suspended except for reasons relating to their physical or emotional safety and well-being; the safety and well-being of students, faculty, staff, administrators, and or patients; and/or effective continuation of the educational process or maintenance of public order.
2. As soon as reasonably practical, the Associate Dean of Student Affairs & Academic Support Services of NYU Dentistry or their designee shall appoint an Investigating Panel of two (2) PRB student adjudicators, to conduct an investigation to ascertain facts and recommend a disposition for the complaint.
3. Any student against whom a complaint has been filed shall be advised of the commencement of disciplinary proceedings by the Associate Dean for Student Affairs & Academic Support Services and/or their designee upon activation of the Investigating Panel and shall be informed that they may seek the counsel of an advisor from within the University.
4. At the conclusion of its investigation, the Investigating Panel shall submit a written report to the facilitator and the PRB. The report shall consist of a summary of the Investigating Panel's findings and one of the following recommendations for disposition of the complaint:
 - a) Dismissal of the complaint
 - b) Resolution of the complaint without initiating formal disciplinary proceedings wherein the student(s) charged admits to having violated the Code, and the Investigating Panel has determined that the conduct charged is not serious enough to consider either suspension or dismissal from NYU Dentistry. In this case, the Investigating Panel may recommend appropriate sanctions from the list of sanctions set forth below in Section IIIF, except the sanctions of suspension or dismissal from NYU Dentistry. The student at any time may decline to admit responsibility for a violation and request

that the complaint be presented before the PRB in the form of a hearing. When sanctions of suspension or dismissal from NYU Dentistry are under consideration by the Peer Review Board, a hearing before the PRB is mandatory.

- c) Initiation of formal disciplinary proceedings involving a hearing, by filing charges against the student(s) when the Investigating Panel determines that the alleged conduct is serious enough to warrant consideration of either suspension or dismissal from NYU Dentistry or if the accused student denies responsibility for a violation.
5. After review, discussion, and acceptance of the Investigating Panel's report by the PRB, and, when indicated, completion of formal disciplinary proceedings involving a hearing, the facilitator shall communicate the PRB's recommendation(s) and their rationale, to the Associate Dean for Student Affairs & Academic Support Services (or their designee), who will transmit the report to the College Review Board to determine whether the process used by the PRB followed the procedures as outlined in this policy and whether the conclusions and recommendations reached by PRB were reasonable in light of the charges and evidence presented throughout the entire investigation and hearing process, if a hearing takes place. The College Review Board may either:
- a) Accept the conclusions of the PRB
 - b) Modify recommendations
 - c) Refer the matter back to the PRB for further deliberations/actions
6. When completed, the College Review Board will submit the final report to the Associate Dean for Student Affairs & Academic Support Services of NYU Dentistry.

D. Hearing of the PRB Involving Consideration of Suspension or Dismissal or if the Accused Student Denies Responsibility.

1. Any accused DDS student facing possible suspension or dismissal from NYU Dentistry and any accused DDS student who denies guilt shall have the right to be accompanied at the hearing by an advisor. The advisor must be a member of the NYU Dentistry community. The advisor will not be permitted to make a statement or address the PRB or witnesses at the hearing. The student shall advise the facilitator of the name of their advisor no later than four (4) days before the initial hearing.
2. The hearings shall be conducted in a fair and impartial manner and shall not be restricted by the rules of evidence used in a court of law. Members of the PRB may address questions to any party to the proceedings or to any witness called by the parties or by the Investigating Panel. Each side shall have a fair opportunity to question the witnesses of the other. Questions shall be posed through the facilitator, unless the facilitator determines otherwise. The PRB may in its discretion limit the number of witnesses and may accept affidavits. All matters of procedure not specified shall be decided by the PRB at its discretion.

3. The hearing shall be confidential. In hearings involving more than one student, in which one or more students, but not all, request a private hearing, severance shall be allowed at the discretion of the PRB.
4. The charges and supporting evidence shall be presented by the Investigating Panel.
5. The hearing will be recorded.
6. No recommendation for the imposition of disciplinary penalties shall be based solely upon the failure of the student charged with misconduct to answer the charges or appear at the hearing. In such a case, all other evidence in regard to the charges shall be presented to and considered by the PRB.
7. In all hearings and convening of the PRB, a quorum shall be considered as minimum of five (5) members of the PRB, including the facilitator or interim facilitator, each of whom has a single vote. A majority vote of the PRB members present shall be required to impose any sanction.
8. At the conclusion of the hearing, the PRB shall prepare a written summary to the Associate Dean for Student Affairs & Academic Support Services of NYU Dentistry consisting of the PRB's determination of whether a violation of the Code occurred and, where appropriate, the PRB's recommendation of a sanction.

E. Appeal of Decision

1. A DDS student may appeal the decisions of the PRB, as accepted or modified by the College Review Board, to the Dean of NYU Dentistry within fifteen (15) calendar days from the date on which the final decision was sent to the student. Grounds for an appeal are limited to:
 - a) material procedural error,
 - b) previously unavailable relevant evidence that could affect the outcome, and/or
 - c) the sanction being substantially disproportionate to the violation.The appeal shall be initiated by the filing of a written notice to the Dean, which shall set forth the ground(s) upon which the appeal is based and the arguments in support of the appeal. Unless otherwise specified by the decision maker, imposed sanctions shall be held in abeyance ("stay of sanctions") until any applicable appeal process has concluded.
2. The Dean may either:
 - a) Accept the conclusions and sanction(s) without modification
 - b) Accept the conclusions subject to a specified reduction in the sanction(s) imposed
 - c) Dismiss one or more of the charges entirely
 - d) Remand the case for additional proceedings

The Dean's decision will be final and without further recourse.

F. Sanctions

1. The recommendations of the PRB in all circumstances shall be discretionary and may include any one or more of, but not limited to, the following sanctions:
 - a) Warning: notice to the student in writing that continuation or repetition of the conduct found wrongful, or participation in similar conduct, within the period of time stated in the warning, shall be cause for disciplinary action.
 - b) Censure: written reprimand for violation of a specified aspect of the code, including the possibility of more severe disciplinary sanction in the event of conviction for a similar violation within a period of time stated in the letter of reprimand.
 - c) Transcript Notation: A notation indicating that the student was found responsible for violating the College's Code of Ethics will be placed on official transcript by the NYU Office of the Registrar. The PRB will include, as part of their written outcome, whether this transcript notation is to be removed after a specific date or academic milestone prior to degree completion, or whether it will remain until or after conferral of the DDS degree.
 - d) Disciplinary Probation: exclusion from participation in privileges or extracurricular university activities, including being prohibited from holding any leadership position in any student club or organization at the university for a specified period of time. As a condition of disciplinary probation, a student may also be deemed ineligible for academic honors, including honors courses, and/or other awards, as set forth in the PRB report, for a specified period of time.
 - e) Educational Project: a research and reflection paper focusing on the impact of ethics violations on the profession of dentistry. The paper guidelines and expectations, including length, use of research sources, and deadline will be determined by the PRB and included in the details of the PRB report and outcome letter presented to the respondent(s).
 - f) Restitution: reimbursement for damage to or misappropriation of property; reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.
 - g) Suspension: exclusion from classes and/or other privileges or activities as set forth in the notice of suspension for a specified period of time.
 - h) Dismissal from NYU Dentistry: permanent termination of student status without the possibility of readmission.
2. The decision as to responsibility for a violation of the Code shall be based upon the preponderance of the evidence. After deciding upon a sanction, the PRB may officially note any prior convictions for violation of the Code and may increase the severity of the sanction upon the majority decision of the PRB.
3. Sanctions involving suspension or dismissal from NYU Dentistry shall be entered on the student's official transcript. Other sanctions may be

entered in the official transcript at the discretion of the Dean, or PRB as indicated in sanction (c) above.

4. If a student is suspended by the Dean but later acquitted by the PRB for the alleged violation, the student shall be allowed the opportunity to make-up whatever academic assignments and clinical contact they have missed due to the suspension, to the extent practicable.

G. Duration of the Process

Matters involving alleged violations of this Code by a DDS student should be undertaken in a deliberate manner. However, all community members involved should strive to complete the process related to an incident in sixty (60) days or less. Wide flexibility in timing may be utilized to accommodate a variety of circumstances and practical issues.

IV. Publication and Amendments

A. Publications:

Annual Report: The Vice Dean for Research and Faculty Affairs will publish an annual report that provides the general outlines of the complaints reviewed by the PRB. The Associate Dean of Student Affairs & Academic Support Services (or their designee) will oversee the preparation of the report. The report will protect the names of all parties involved, including the complainant and will not disclose personally identifying information contained within the evidence. The general nature of the penalty will be described. The report, when approved by the PRB will be submitted to the Dean of NYU Dentistry.

1. Other reports: From time to time, the PRB may make special reports about topics of interest to NYU Dentistry faculty, students, staff and administration. The PRB will oversee the preparation of the report. The report, when approved by the PRB will be submitted to the Dean of NYU Dentistry.
2. Publications: Upon receiving reports, the Dean of NYU Dentistry may, for the good and welfare of NYU Dentistry, publish the reports of the PRB, or an executive summary of the report.

B. Amendments:

1. The PRB shall review this Code annually.
 - a) Suggestions for changes may be made by any member of the PRB, and/or any member of NYU Dentistry community including faculty with voting privileges in NYU Dentistry, students in good academic standing, full-time administration and staff members.
 - b) Suggestions for changes shall be made in writing, reviewed by the full PRB and adopted if appropriate
2. Approved changes shall be sent to the Dean of NYU Dentistry with supporting statements describing the rationale and impact of each change.

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3. The Dean of NYU Dentistry shall present the proposed changes to the Executive Management Council for its consideration within one academic semester.

APPROVED BY EMC JANUARY 5, 2022