

## **New York University Tandon School of Engineering Student Code of Conduct**

### **I. Preamble**

Academic communities exist to facilitate the process of acquiring and exchanging knowledge and understanding, to enhance the personal and intellectual development of its members, and to advance the interests of society.

In order to realize these goals, community members must not be subject to a disruption of the community's educational mission and social activities. They must be free from an unreasonable interference in the exchange of concepts and ideas. They must be free from the threat of personal injury, bias or harassment, and intimidation or coercion. They must be free from the threat of damage to or loss of their property.

At the same time, members of the academic community have a responsibility to uphold the goals and good order of the academic community through personal integrity, honesty, and respect for others.

This Code of Conduct is concerned, in particular, about the rights and responsibilities of the student in the NYU Tandon School of Engineering.

### **II. Program of Enforcement**

- A. The function of the Coordinator of Advocacy and Compliance in the Office of Student Affairs at the Tandon School of Engineering and the Office of Student Conduct and Community Standards at NYU is to support the educational mission of the University through efforts to preserve the social and academic integrity of the University environment and to facilitate the academic, professional, and personal growth of students by addressing and resolving issues involving students whose behavioral choices negatively affect themselves and the community.
- B. Academic misconduct and issues of academic integrity arising from academic programs and activities will be reviewed by faculty members in cooperation with the Associate Dean of Student Affairs, the Coordinator of Advocacy and Compliance at the Tandon School of Engineering, and faculty members of the Student Affairs Committee (SAC), depending on the nature and circumstances of those matters and in accordance with the policies and procedures of NYU Tandon School of Engineering. See Section III.
- C. Non-academic misconduct, as outlined in the [University Student Conduct Policy](#) and other University-wide policies of a non-academic nature, shall be addressed under the [University Student Conduct Procedures](#) as administered by the Office of Student Conduct and Community Standards.

### **III. NYU Tandon School of Engineering Policies and Procedures on Academic Misconduct**

- A. Introduction: The Tandon School of Engineering encourages academic excellence in an environment that promotes honesty, integrity, and fairness, and students at the Tandon School of Engineering are expected to exhibit those qualities in their academic work. It is through the process of submitting their own work and receiving honest feedback on that work that students may progress academically. Any act of academic dishonesty is seen as an attack upon the School and will not be tolerated. Furthermore, those who breach the School's rules on academic integrity will be sanctioned under this Policy. Students are responsible for familiarizing themselves with the School's Policy on Academic Misconduct.
- B. Definition: Academic dishonesty may include misrepresentation, deception, dishonesty, or any act of falsification committed by a student to influence a grade or other academic evaluation. Academic dishonesty also includes intentionally damaging the academic work of others or assisting other students in acts of dishonesty. Common examples of academically dishonest behavior include, but are not limited to, the following:
1. Cheating: intentionally using or attempting to use unauthorized notes, books, electronic media, or electronic communications in an exam; talking with fellow students or looking at another person's work during an exam; submitting work prepared in advance for an in-class examination; having someone take an exam for you or taking an exam for someone else; violating other rules governing the administration of examinations.
  2. Fabrication: including but not limited to, falsifying experimental data and/or citations.
  3. Plagiarism: intentionally or knowingly representing the words or ideas of another as one's own in any academic exercise; failure to attribute direct quotations, paraphrases, or borrowed facts or information.
  4. Unauthorized collaboration: working together on work that was meant to be done individually.
  5. Duplicating work: presenting for grading the same work for more than one project or in more than one class, unless express and prior permission has been received from the course instructor(s) or research adviser involved.
  6. Forgery: altering any academic document, including, but not limited to, academic records, admissions materials, or medical excuses.
- C. Procedures for review (at class, departmental, and Student Affairs Committee level) of allegations of academic misconduct: When a student is suspected of academic dishonesty, the following action must be taken:

1. A course instructor who suspects a student has engaged in behavior that violates the Tandon School of Engineering Policy on Academic Misconduct must collect any evidence of dishonesty of which he or she becomes aware. In the case of an examination proctor, the proctor will collect the evidence and bring the incident to the attention of the course instructor at the conclusion of the exam.
2. Any person other than a proctor (for example, a fellow student, teaching assistant, or a course instructor) who suspects a student of academic dishonesty must inform the course instructor and/or the Department Chair of his or her suspicions and provide the evidentiary basis for those suspicions. If the report is made to the Department Chair, the Chair should inform the course instructor and forward the relevant facts and evidence to the course instructor, who must then meet with the student.
3. A course instructor who has been notified of an alleged act of academic dishonesty by a proctor, a third-party, or the Department Chair, or who personally suspects a student has engaged in any form of course-related behavior that violates the School's Policy on Academic Misconduct must collect any evidence of that dishonesty and shall, as soon as possible, notify the student of the allegation(s).
4. The course instructor shall conduct a private meeting with the student. At such a meeting, the course instructor should explain his or her reasons for believing that a breach of academic honesty has occurred, and the student should be given an opportunity to respond.
5. If the course instructor becomes convinced that the student is innocent, then the accusation shall be dropped.
6. If the student admits dishonesty, the course instructor, before rendering a decision, should check with the Coordinator of Advocacy and Compliance in the Associate Dean of Student Affairs office to determine if the student has a prior record on file for academic dishonesty. If the course instructor believes the imposition of a sanction listed in Sections III.D of this policy effectively addresses the matter, the instructor should impose such a sanction in a written notice to the student; the course instructor must also inform the Coordinator of Advocacy and Compliance in the Associate Dean of Student Affairs office of the outcome.
7. If the course instructor believes the nature of the admitted action and/or the record of the student warrants a sanction that exceeds his or her authority to impose, the course instructor may refer the matter to the Department Chair for review. In doing so, the course instructor should provide the Department Chair with a memo describing the allegation and the evidence in the matter.

8. If the student denies the dishonesty, the course instructor shall refer the matter to the Department Chair for review, providing the Department Chair with a memo describing the allegation and the evidence in the matter.
9. The Department Chair shall meet with the student and attempt to find a resolution. Should the Department Chair not be able to reach a mutually agreeable resolution within seven business days after the meeting, or if the student continues to deny academic dishonesty, then the Department Chair will inform the Associate Dean of Student Affairs in writing of the basis for the allegation of academic misconduct. The Associate Dean of Student Affairs will contact the Coordinator of Advocacy and Compliance, as well as the Student Affairs Committee about the matter.
10. Within seven business days after receiving notification from the Department Chair, the Associate Dean of Student Affairs, or his or her designee, usually the Coordinator of Advocacy and Compliance, will review the relevant facts and evidence and will prepare a case for a Student Affairs Committee hearing.
  - a. Prior to a Student Affairs Committee hearing, an investigation will be completed by the Coordinator of Student Advocacy and Compliance, and the results of the investigation and the related evidence will be supplied to the Student Affairs Committee members. All those involved in the hearing (for example, the accused student, identified here as the respondent; the course instructor, identified here as the complainant; the witnesses) will be notified by the Associate Dean of Student Affairs of the date, time, and location of the hearing at least seven business days prior to the hearing.
  - b. If a student who is alleged to have engaged in an act of academic dishonesty withdraws from the course within the University Registrar's deadline for doing so, but before the completion of the ongoing investigation of the student's case and, thus, is awarded a W instead of the grade subsequently deemed to be warranted as a result of the alleged misconduct (for example, an F), the matter should be referred to the Student Affairs Committee. In such instances, the student should be afforded an opportunity to appear before the Student Affairs Committee to present his or her case. Based on its investigation and deliberation, the Student Affairs Committee will make a recommendation to the course instructor regarding the student's final grade. The Registrar will be informed of the instructor's final decision by the Department Chair.
11. Student Affairs Committee hearings will be conducted in accordance with the following procedures:

- a. The Student Affairs Committee is comprised of three elected faculty members, one of whom is the Chair of the Committee, and four students, two of whom are graduate students and two of whom are undergraduate students. The students will be chosen by the Associate Dean of Student Affairs in consultation with the Student Affairs Committee. The Associate Dean will exclude any potential student member who may have a substantive conflict of interest in this case. The Associate Dean of Student Affairs or the Associate Dean's representative may be present ex officio, if requested by the Chair of the Student Affairs Committee.
- b. Student Affairs Committee hearings are closed to the public.
- c. The presiding Chair of the Student Affairs Committee hearing shall exercise control over the proceedings to achieve a fair and orderly process.
- d. Formal rules of evidence shall not be applicable in disciplinary proceedings conducted pursuant to this Code.
- e. Any person, including the respondent, who disrupts a hearing, may be excluded by the presiding person and is subject to the policies of the University Code governing non-academic misbehavior.
- f. After receiving notice of the hearing, if the respondent fails to appear for the hearing, the hearing may proceed in his or her absence.
- g. Hearings shall be recorded and written notes will be taken. Both will be retained in the Office of Student Affairs by the Coordinator of Student Advocacy and Compliance for one year.
- h. The respondent may be accompanied at the panel hearing by an adviser of their choice who is not otherwise a party or witness involved in the matter. While the adviser may be present, they may not speak or otherwise participate in the hearing, may not address the panel or question witnesses, and must comport themselves in a manner that is not disruptive to the hearing.
- i. The complainant and the respondent will be afforded an opportunity to present their perspectives and related evidence relevant to the matter being heard by the Student Affairs Committee.
- j. Complainants and respondents shall be allowed to question those witnesses who testify for either party at the hearing. Badgering witnesses will not, however, be allowed.

- k. The complainant, respondent, and witnesses will be asked to affirm that their testimony is truthful.
- l. Prospective witnesses, other than the respondent, will be excluded from the hearing during the testimony of other witnesses.
- m. All parties and witnesses shall be excluded during the Student Affairs Committee deliberations that follow the hearing.
- n. A determination as to the responsibility of the respondent for a violation shall be made on the standard of preponderance of the evidence, not on the standard of proof beyond a reasonable doubt.
  - i. The Student Affairs Committee confirms sanctions as listed in Section III.D.1-3 for most cases based on the evidentiary standard above.
  - ii. The Student Affairs Committee reviews evidence, including meeting with witnesses and taking testimony from the accused student, also identified as the respondent, and reaches a conclusion whether the evidence supports the course instructor's decision or not. The Student Affairs Committee notifies the course instructor of its decision. In no circumstances does the Student Affairs Committee act to change a grade. It can recommend that the course instructor reconsider the grade if the results of the hearing suggest this.
  - iii. If, however, the behavior in question rises to the level of an offense thought to be egregious by the academic community as a whole, such as, but not limited to, plagiarism of a Ph.D. dissertation, the Student Affairs Committee may impose additional sanctions as deemed appropriate.
  - iv. Any sanction of expulsion or suspension is automatically subject to review by the Dean of the Tandon School of Engineering.
- o. The Student Affairs Committee will communicate the decision and any sanctions to be imposed in the matter within seven business days from the date of the hearing to the Associate Dean of Student Affairs through the Coordinator of Student Advocacy and Compliance. The Associate Dean of Student Affairs will communicate the Student Affairs Committee's decision to the accused student, also identified as the respondent, within seven business days of receiving it from the Student Affairs Committee. The Department Chair will also be informed.

#### D. Sanctions available in Academic Misconduct Matters

1. A rejection of the assignment or project, along with a requirement that the student complete a substitute assignment. This may be particularly appropriate where there is an honest misunderstanding about the degree of collaboration permitted by a course instructor, or where a course instructor is not sure a student has intentionally acted dishonestly.
2. A grade of F for the assignment, examination, or project. A record of the sanction shall be retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance, which is a centralized location for misconduct records, and may be kept in academic department files at their discretion.\*
3. A grade of F for the course or other academic requirement. A record of the sanction will be retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance.\*
4. Dismissal from an undergraduate or a graduate program at the discretion of the Department in question and based on the nature of the academic misconduct.
5. Completion of a community-service requirement to the School, including, but not limited to, educational programs and/or presentations designed to compensate the School community for violations of this Code. A record of the sanction will be retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance.
6. Suspension from the School for a period not to exceed one year with notation on the transcript during the suspension period. A record of the sanction will be retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance. See also Sections III.C.11n.iv and III.E.2.
7. Expulsion from the School with appropriate notation on the student's transcript. A record of the sanction will be retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance. See also Sections III.C.11.n.iv and III.E.2.

\*In cases of a single incident of academic dishonesty, to which the student has admitted and to which sanctions have been limited to Section III.D.1-3, the conduct file retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance may be destroyed at graduation upon the written application of the student. In other cases, records will be kept according to the Retention of Records policy of NYU.

#### E. Appeal in a matter of academic misconduct

1. A decision rendered by a course instructor in accordance with Section III.C.6 above is not subject to appeal.

2. A decision rendered by a Student Affairs Committee hearing may be appealed if the sanction involves a suspension or expulsion from the School and University and in accordance with the following procedures. See also Sections III.C.11.n.iv and III.D. 6 and 7.
3. An appeal must be submitted in writing to the Dean of the Tandon School of Engineering within seven business days from the date on which the decision was sent to the student.
4. The appeal must cite one or more of four of the following grounds as the basis for the appeal; it must include evidence to support the allegation; and it must specify the remedy sought by the appellant:
  - a. That the proceedings were conducted in an arbitrary or unfair manner not in accordance with the policies and procedures described above.
  - b. That the outcome or decision was unreasonably disproportionate to the nature of the behavior in which the student was determined to have engaged.
  - c. That the administrator or panel that reviewed the matter was biased or that there was a conflict of interest.
  - d. That there is new, substantial, and relevant evidence that was unavailable to the accused student or to the original Student Affairs Committee hearing at the time of the hearing.
5. The appeal will be reviewed by the Dean of the Tandon School of Engineering or, at the Dean's discretion, by a panel consisting of two faculty members and one administrator appointed by the Dean.
  - a. The Dean or the panel considering the appeal may stay the sanction pending the outcome of the appeal.
  - b. An appeal does not consist of a new hearing. Rather, it involves a review of the letter of appeal and the related documents of the case. The Dean or the panel may request additional information from the appellant and/or the original hearing, as needed.
  - c. The Dean or the panel may reach one of the following conclusions:
    - i. That there is an insufficient basis to support the appeal and leave the original sanctions in place as issued.
    - ii. That there is a sufficient basis to support the appeal and remedy sought by the appellant.



iii. That there is a sufficient basis to support the appeal and mandate that a new hearing or proceeding be conducted on the matter by another panel of two faculty members and one administrator appointed by the Dean and not involved in the original process.

d. The Dean shall notify the appellant of the panel's decision within fifteen business days of the date the appeal was received.

e. The appeal shall be the final decision in the matter.

#### **IV. University Policies on Sexual Misconduct**

- A. Please consult the following link for information on sexual assaults and sexual harassment: <http://nyu.edu/titleix>
- B. Reporting an Incident of Sexual Assault, Harassment, or Other Sexual Misconduct. Anyone may report an alleged incident to any of the following:
1. NYU Department of Public Safety (718-260-3537; 212-998-2222)
  2. The Title IX Coordinator (212-998-2352) or via the web at: <http://www.nyu.edu/about/policies-guidelines-compliance/equal-opportunity/harassment-and-discrimination/submitcomplaint.html>
  3. A Residence Life and Housing staff member (212-998-4600)
  4. The Associate Dean of Student Affairs in the Tandon School of Engineering (718-260-3773)
  5. The Office of Student Conduct and Community Standards (212-998-4311)
  6. The Student Health Center (212-443-1000)
  7. The Wellness Exchange (212-443-9999)
  8. Or another campus official from the contact list available at: <http://www.nyu.edu/content/dam/nyu>

#### **V. University Policies and Standards on Student Conduct Records**

A. Student-Conduct Records: Records associated with a student-conduct matters are part of a student's educational record and, as such, are covered under the standards set forth in the Family Educational Rights and Privacy Act (FERPA). Student-conduct records may be kept for a minimum period of time or permanently, depending upon the nature of the disciplinary action in which the student was involved. Students are strongly encouraged to consult the University Policy on Records for information concerning the

retention of disciplinary records and the Family Educational Rights and Privacy Act for information concerning the manner in which student records are protected with respect to disclosure. The University Policy on Records is available at:

<http://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/retention-and-destruction-of-records.html>

B. FERPA laws are regulations protecting the privacy of college and university students unless there is a record on file with the Registrar's Office that the student has waived his or her rights to privacy. Otherwise, information may not be shared by course instructors or administrators to anyone. FERPA does allow parental notification in cases of drug or alcohol violations.

Approved by the Tandon Faculty April 3, 2019