# 9. DISCIPLINE AND GRIEVANCES POLICIES

GSAS students are subject to the provisions outlined in Article Six of the University Statutes: University Code of Conduct, including those related to academic integrity.

# 9.1- Academic Integrity Standards

Upholding standards of academic integrity is paramount to the pursuit of academic excellence and intellectual growth. It is integral to fulfilling the University's mission and ensuring the value and reputation of all Fordham graduate degree programs.

GSAS students are members of a community whose research, teaching, learning, and knowledge production are based on academic integrity and the pursuit of scholarly activity in an honest, truthful, and responsible manner, carried out in conformance with discipline-specific standards as well as relevant University policies.

Violations of academic integrity include, but are not limited to: plagiarism; cheating; falsification; and inappropriate collaboration. Such transgressions undermine seriously the basis of graduate research degrees, and sanctions levied at this level are severe.

GSAS faculty and students are responsible for familiarizing themselves with each of the following violations of academic integrity, which is not intended to be an exhaustive listing:

- Plagiarism can be defined as the theft or appropriation of ideas, words, findings, or passages from another that are not common knowledge, for use as one's own and without proper attribution. Plagiarism occurs whether such theft is accidental or deliberate. It can also vary from exact word-for-word duplication to the use of an idea (if not the words), and may involve devices such as paraphrasing without attribution.
- Cheating occurs when an individual uses unauthorized or prohibited resources (e.g., cell phones, smart watches, or other similar devices; programmable calculators; copies of prior examinations or assessments) in fulfillment of her/his academic responsibilities or curricular requirements. It may involve misappropriating information from another's examination, test, laboratory report, or data. It may also include permitting the misappropriation of one's own information by another.
- Falsification occurs when an individual submits or presents statements that are false and/or mislead others. Instances of falsification include, but are not limited to presenting false identification or credentials to obtain admission into a degree program or course; submitting a falsified excuse for an absence or failure to meet a course or program requirement; or manipulating or falsifying data for an academic assignment or degree requirement.
- Inappropriate Collaboration occurs when a student engages in expressly prohibited collaboration with others on academic assessments and submits the resulting work as one's own for the purposes of earning academic credit. Faculty are responsible for determining what constitutes permissible collaboration, and students should seek guidance and clarification in advance from their professors regarding this issue.

### 9.1.1-Other Violations of Academic Integrity

Additional violations of academic integrity include but are not limited to:

- submission of a paper or project to more than one course during the time in which a student is attending Fordham University, without explicit permission from all the instructors involved;
- submission of work previously done in high school or at another institution, whether modified or not, without permission of the instructor.
- sabotage of another student's work so that they cannot complete an academic activity successfully, including hindering another student's access to academic materials
- facilitation of another's academic dishonesty, such as by helping another student obtain materials for plagiarism or cheating, giving materials to another student without the instructor's permission
- 5. violation of research or professional ethical codes, including but not limited to misuse of grant funds, mis-performing or poorly performing duties as a teaching assistant or graduate student, misreporting data used in research, etc.
- 6. illegal or inappropriate activity committed as a part of academic dishonesty, such as theft, fraud, forging, use of ill-gotten materials, selling or distributing stolen course materials, falsifying university grades or forms

# 9.1.2- Academic Integrity Violation Allegations

Allegations of an academic integrity violation involving a GSAS student shall be reported in writing by the complainant (e.g., faculty member, course instructor) to the student. The details of the allegations should be specific and clearly described.

Following this initial communication, the student and complainant shall arrange to meet in a timely manner to discuss the allegations. Within ten (10) business days following this meeting, the complainant will make a determination as to whether an academic integrity violation occurred and will notify the student in writing of the bases for her/his determination. If the complainant's allegations are disconfirmed, no further action will be taken, and the matter will be deemed closed.

If the complainant's allegations are confirmed, they shall:

- 1. Assign to the student a failing grade for the course as well as the assessment, comprehensive examination, language examination, thesis, dissertation prospectus, dissertation, and/or other activities linked to the academic integrity violation. **NOTE**: Not every instance of academic integrity violation allegation occurs within the context of a grade. For example, it is possible for the context to include a non-gradable assignment (e.g., a draft assignment). In such cases, an appropriate sanction will be levied relative to the nature of the assignment.
- Recommend that the student contact the GSAS Assistant Dean at adgsas@fordham.edu, who will serve as a facilitator and impartial advocate for the process to ensure continuity of policy application.
- 3. Report the incident in writing to the Department Chair or Program Director *and* the GSAS Dean for further adjudication.

Unless the student elects to appeal the complainant's determination in accordance with the procedures outlined in §9.1.3- Appealing an Academic Integrity Violation (p. 2) below, the GSAS Dean will initiate an investigation to determine the nature and seriousness of the incident, and apply appropriate additional sanctions, normally suspension or expulsion. The method for conducting the investigation will be at the GSAS Dean's discretion.

**NOTE**: GSAS graduate students serving as instructors of record (e.g., Teaching Associates, Teaching Fellows, Senior or Distinguished Teaching Fellows) for the undergraduate body should refer to the Student Handbook and its policies on academic integrity if a violation involving an undergraduate student is suspected. Please refer to the Undergraduate Academic Integrity Policy for academic integrity violation incidents involving undergraduates.

# 9.1.3- Appealing an Academic Integrity Violation Determination

If a student believes the determination reached by the complainant to be flawed or incorrect, they may request in writing, within ten (10) business days of the receipt of said determination, a review by the Department Chair or Program Director.

The Department Chair or Program Director shall review the student's appeal in a timely manner and make a determination as to whether there is sufficient evidence to validate the original allegations. In situations where the complainant is also serving in either of these administrative roles, they will nominate or otherwise provide a qualified faculty member to carry out the review. Additional information may also be requested from the complainant and/or the student if necessary. Within ten (10) business days following the completion of the review, the basis for determination shall be communicated to the student in writing to the complainant and the student.

In cases where the Department Chair, Program Director, or Faculty Reviewer's determination supports the student's appeal:

• all necessary adjustments will be made to the student's grade, no further action will be taken, and the appeal will be deemed closed.

In cases where Department Chair, Program Director, or Faculty Reviewer's determination upholds the original allegations:

- the failing grade for the course as well as the assessment, comprehensive examination, language examination, thesis, dissertation prospectus, dissertation, and/or other activities linked to the academic integrity violation will stand; and
- the Department Chair or Program Director shall report that the department or program level appeal upheld the allegations; and shall provide all necessary documentation to the GSAS Dean for further adjudication and to apply subsequent appropriate additional sanctions, normally suspension or expulsion.

If the student is not satisfied with the determination communicated by the Department Chair or Program Director, they may submit a written request within ten (10) days of the receipt of said determination, to the GSAS Dean for a final review of the allegations.

Upon receipt of written request, the GSAS Dean shall invite two current (or, if necessary, former) members of the Academic Affairs Subcommittee to undertake a timely, final investigation and review of the case. The Subcommittee Investigators will be provided with all relevant information and may request additional information from the complainant, Department Chair, Program Director, and/or the student if necessary. The Subcommittee Investigators will communicate in writing their determination in a timely fashion, to the complainant, Department Chair or Program Director, and the student, with a copy to the GSAS Dean.

If the determination reached by the Academic Affairs Subcommittee Investigators supports the student's appeal:

• all necessary adjustments will be made to the student's grade, no further action will be taken, and the appeal will be deemed closed.

If the determination reached by the Academic Affairs Subcommittee Investigators upholds the original allegations:

- the failing grade for the course as well as the assessment, comprehensive examination, language examination, thesis, dissertation prospectus, dissertation, and/or other activities linked to the academic integrity violation will stand;
- the Academic Affairs Subcommittee Investigators will address the nature and seriousness of the incident and issue a written recommendation to the GSAS Dean regarding subsequent appropriate academic sanction(s) to be taken, normally suspension or expulsion; and
- the GSAS Dean shall review the Subcommittee Investigators' recommendation; render her/his decision regarding appropriate academic sanction(s) to be taken; and will notify the student in writing in a timely fashion of her/his decision, which is not subject to further appeal.

**NOTE**: It may be necessary to make adjustments to the timing of the procedures described in §9.1.2- Academic Integrity Violation Allegations (p. 1) and §9.1.3- Appealing an Academic Integrity Violation (p. 2) if an alleged academic integrity violation occurs or is reported outside of or in close proximity to the commencement or conclusion of the normal academic semester (e.g., summer, holiday, or vacation periods). In such instances, all relevant parties shall be notified and every effort will be made to ensure that the process proceeds in a timely and efficient manner.

# 9.1.4- Department of Psychology

The Department of Psychology abides by the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association. All faculty and students of the department are expected to be familiar with and comply fully with the principles and code. Students are obligated to seek guidance from the Department Chair or Program Director when necessary to assure their full compliance.

# 9.2- Non-Academic Discipline

GSAS students are expected to abide by the University Code of Conduct and to follow the applicable rules and regulations as detailed in the Student Handbook, issued by the Office of Student Affairs, excepting where undergraduate policies directly contradict Graduate School of Arts and Sciences policy. In that case, the graduate policy should be followed.

# 9.3- Sexual Misconduct Policy and Procedures

# 9.3.1- Sexual Misconduct Policy

The Graduate School of Arts and Sciences upholds University policy concerning all matters relating to sexual misconduct. All GSAS students

shall familiarize themselves with the policy, which includes University procedures for reporting, investigating, and resolving instances of:

- · Sex and gender discrimination
- · Limitations on consensual relationships
- Sexual harassment
- Rape/sexual abuse
- · Sexual exploitation and other sexual misconduct
- Forcible touching
- Stalking
- Dating and domestic violence
- Intimidation and retaliation for reporting

The Fordham Community to which the Sexual Misconduct Policy and Procedures applies includes all students, employees (including faculty), visitors or third parties, and applicants for admission or employment. A third party is someone who is on campus or participating in a Fordham sponsored program, activity, or event.

As noted in Section III of the Sexual Misconduct Policy and Procedures, the policy applies to conduct that takes place on campus, off campus, and at Fordham University-sponsored programs or events, including Fordham University-sponsored study abroad programs or Fordham University academic, learning, and service programs located at offcampus sites. It also covers conduct that takes place off-campus that occurs in the context of an education program or activity of the University as well as conduct that takes place off-campus that has a continuing effect on campus or in an off-campus education program or activity.

#### 9.3.1.1- Limitations on Consensual Relationships

Section VI of the Sexual Misconduct Policy and Procedures states that anyone with supervisory, evaluative, or mentoring authority who controls or influences another person's employment, academic advancement, extracurricular or athletic team participation, scholarship or financial support, grades, recommendations, wage status, or promotion at the University is prohibited from having a romantic or sexual relationship with that person, *regardless of consent*.

This prohibition applies to romantic or sexual relationships between GSAS students and their faculty mentors, instructors of record for courses or tutorials in which a GSAS student is enrolled, Directors of Graduate Studies, Department Chairs, Program Directors, and/or any faculty member whose role and/or authority reflects the above-listed criteria.

Faculty, employees, and staff are prohibited from having a romantic or sexual relationship with any undergraduate student, regardless of whether the faculty, employee, or staff member currently exercises or expects to have any pedagogical or supervisory responsibility over the student. For the purposes of this policy, if a graduate student teaches courses to any undergraduate students for a semester, then starting that semester in which the graduate student begins to teach undergraduate students that graduate student is prohibited from having a romantic or sexual relationship with any undergraduate student. This policy rule applies to that graduate student for as long as that student is enrolled at the University, even if that graduate student is no longer instructing undergraduates.

If anyone is promoted into a position or has a change of circumstances that results in a conflict with this policy limiting consensual relationships, this information must be reported by the faculty, employee, or staff member to a supervisor, a vice president, or the executive director of human resources, who will contact the Title IX coordinator for assistance in resolving the conflict.

#### 9.3.2- Sexual Misconduct Procedures

The University responds to all sexual offenses, stalking, and domestic or dating violence incidents with a trained response team that includes, but is not necessary limited to: staff representing the Department of Public Safety; the Office of Institutional Equity and Compliance; the Office of Student Life (including the Office of Residential Life); the University Health Services; Counseling and Psychological Services; and off-campus resources as needed.

The University encourages all members of the community to report incidents of sexual misconduct. The purpose of reporting is so any victim of any sexual discrimination, sexual misconduct or sexual violence is properly supported by the University and the University can make efforts to stop the discrimination, prevent it from recurring, and remedy the effects.

In addition to the provisions below, please refer to Section VII of the Sexual Misconduct Policy and Procedures for additional details concerning Reporting, Privacy, and Confidentiality. Additional helpful information can be found in the Office of Student Affairs' Campus Assault and Relationship Education (CARE) FAQ.

#### 9.3.2.1 - Mandatory Reporting

Select members of the University community are considered mandatory reporters of alleged or actual sexual misconduct incidents. These individuals include anyone who has the authority to redress sexual misconduct, who has a duty to report incidents of sexual misconduct, or who a student could reasonably believe has this authority or duty.

GSAS students assigned to and serving in a role that carries with it supervisory and/or leadership authority to Fordham students in a University classroom, laboratory, or non-University setting, including but not limited to Graduate Teaching Assistants, Teaching Associates, Teaching Fellows, Senior or Distinguished Teaching Fellows, and/or Lab Assistants, are considered to be mandatory reporters.

Mandatory reporters, as responsible employees, *must* report all relevant details about any learned incident of alleged or actual sexual misconduct. When a mandatory reporter is either told, observes, obtains knowledge, learns of, or reasonably suspects that another member of the Fordham community is a victim/survivor of sexual misconduct, they shall report as soon as is reasonably possible to the Title IX Coordinator, the Dean of Students (either at Rose Hill or Lincoln Center), or the Department of Public Safety to ensure the victim/survivor is provided with Notification of Rights at the time of first disclosure as instructed on the Reporting an Incident page.

Note: Professional counselors and pastoral counselors working as such within University support units including, but not limited to, Counseling and Psychological Services or Campus Ministry, and whose official responsibilities include providing mental health counseling to University students, including those who act in that role under the supervision of a professional counselor, and University Health Services medical providers, are exempt from Mandatory Reporting requirements. GSAS students who may be serving in any of these roles, or while performing internship/ externship requirements, should be guided by the principles and codes of that office and their professional supervisor.

If you are unsure whether or not you are mandated to report an alleged or actual incident of sexual misconduct, please contact the Title IX Coordinator or Deputy Title IX Coordinators, during business hours; or the Department of Public Safety at any time, day or night (24/7, 365 days of the year), in person or by telephone (718-817-2222), and/or through the confidential online reporting system. Representatives will assist you in determining the proper course of action.

#### 9.3.2.2- Complaints

Complaints related to alleged or actual sexual misconduct by a student against faculty, staff, or third parties should be brought to the Title IX Coordinator or to the Human Resources Department, during business hours, or to the Department of Public Safety at any time, day or night (24/7, 365 days a year), **in person or by telephone** (718-817-2222), **and/or through the confidential online reporting system**.

Complaints related to alleged or actual sexual misconduct made by students against other students (students include full-time, part-time, undergraduate, graduate or non-matriculated students) should be brought to the Dean of Students, during business hours, for the campus at which the student is enrolled; or brought to the Department of Public Safety at any time, day or night (24/7, 365 days a year), in person or by telephone (718-817-2222), and/or through the confidential online reporting system.

Please refer to Section VII and of the Sexual Misconduct Policy and Procedures for additional details concerning both reporting, privacy, confidentiality, and procedures involving complaints by students against faculty, staff, or third parties; and/or by students against other students.

#### 9.3.2.3- Privacy and Confidentiality

The University maintains provisional arrangements for students who wish to speak with a confidential resource and/or not report an alleged or actual sexual misconduct violation to either the Title IX Coordinator, the Department of Public Safety, or the Deans of Students.

These confidential resources include professional counselors in Counseling and Psychological Services, pastoral counselors in the Office of Campus Ministry, and medical providers in University Health Services. Only officials in these support units can accommodate requests for confidentiality.

It is important to note that confidential counselors in these offices will not be able to directly provide other accommodations and support that the Title IX Coordinator, Department of Public Safety, and/or the Deans of Students can arrange (i.e., changes in living, transportation, or working accommodations).

Off-campus confidential resources are also available to students seeking to report an alleged or actual sexual misconduct violation. Please refer to Section VII of the Sexual Misconduct Policy and Procedures for more details.

While representatives from University offices and support units are unable to guarantee confidentiality, they will maintain your privacy to the greatest extent possible. Any information provided to a non-confidential course will be relayed only as necessary for the Title IX Coordinator, Department of Public Safety, Deans of Students, or their designees, to investigate and/or seek a resolution.

The Family Educational Rights and Privacy Act (FERPA) allows a University to share information with an individual's parents if there is a health or safety emergency or if the individual is listed as a dependent on either parent's prior year federal tax income form. However, the University will generally not share information about a report of domestic violence, dating violence, stalking, or sexual assault with parents without the reporting individual's permission.

# 9.4- Discrimination-Based Grievance Policy and Procedures 9.4.1- Policy

Fordham University protects the right of each student to be free from discrimination on the basis of race, color, creed, age, gender, national origin, marital or parental status, sexual orientation, alienage or citizenship status, veteran status, or disability.

The Director of Institutional Equity and Compliance is the University's compliance officer for all forms of discrimination and is specifically designated as the University's 504 Compliance Officer and Title IX Coordinator.

The Title IX Coordinator is responsible for the University's Title IX compliance efforts and coordinating the University's response to all complaints involving possible sex discrimination, including educational programs, gender equity in athletics, employment, and admission. This also includes all forms of discrimination, limitations on consensual relationships, sex and gender discrimination, sexual harassment, sexual assault/rape, exploitation and other sexual misconduct, stalking, dating and domestic violence, and intimidation and retaliation for filing such complaints.

Please contact the Title IX Coordinator with any additional questions or concerns:

#### Kay Turner, Esq.

Vice President for Human Resources and Interim Title IX Coordinator Faculty Memorial Hall 506 (Rose Hill Campus) 718-817-4930 titleix@fordham.edu

#### 9.4.2- Procedures

The following grievance procedures, drawn from resources made available by the University's Institutional Equity and Compliance Office, are applicable to all GSAS students (matriculated and non-matriculated) who believe they have been discriminated against with respect to participation in, access to, or benefits of any academic program or activity within the Graduate School of Arts and Sciences.

For incidents involving alleged or actual sexual misconduct violations, please refer to §9.3- Sexual Misconduct Policy and Procedures (p. 2).

**Please note:** Individuals who are concerned for their physical safety or are uncertain who to contact in response to a discrimination-based conflict, complaint, or concern should contact the Department of Public Safety, any time day or night (24/7, 365 days of the year), in person or **by telephone** (718-817-2222), **and/or through the confidential online reporting system**.

Where the following provisions may be found ineffective or insufficient, students may file a formal complaint with the University through the Title IX Coordinator. However, if the incident requiring resolution involves physical violence, or a student wishes for other reasons not to proceed with Steps I and II below, they may immediately proceed to Step III.

#### Step I: Individual

 Inform directly the individual (e.g. faculty member, instructor, student, staff) you believe to be responsible of the inappropriate or discriminatory nature of her/his action or behavior, and request cessation of the behavior.

#### Step II: Department/Program or School

- If the action or behavior continues or otherwise escalates, you may convey your concern to a supervisor or other individual with supervisory authority within your department or program (e.g., Department Chair, Program Director, Director of Graduate Studies, Graduate Assistant Supervisor, faculty mentor). The supervisory authority within your department or program should make every attempt to mediate and resolve the incident effectively and expeditiously.
- If the grievance relates to an action taken by or behavior of a supervisory authority within your department or program (e.g., Department Chair, Program Director, Director of Graduate Studies, Graduate Assistant supervisor, faculty mentor), you may notify directly a GSAS representative (e.g., GSAS Dean, GSAS Assistant Dean). GSAS will work with the complainant and the supervisory authority to mediate and resolve the incident effectively and expeditiously.
- If a discrimination-based conflict, complaint, or concern is conveyed to a Department and/or Program administrator, they are strongly encouraged to inform the GSAS Assistant Dean of Student Professional Development, who is available to serve as student advocate; facilitate collaboration between the department or program, the Office of Institutional Equity and Compliance, and/or the Office of Student Life; and support appropriately all parties.

#### Step III: University

 If Steps I and/or II are found ineffective or insufficient to resolve a discrimination-based conflict, complaint, or concern, a student may file a formal Discrimination Complaint through the Office of Institutional Equity and Compliance, either in person or using the Discrimination Complaint and Intake Form.

#### 9.4.3- Confidentiality

Except when directed by federal or state law, court order, or government tribunal of competent jurisdiction, all those involved in these grievance procedures shall treat as confidential all information disclosed during the procedures, as well as the fact of occurrence of the procedure and result thereof, except as otherwise provided in this process.

# 9.5-Get Help Navigating Difficult Circumstances

Need Help With	Contact
<ul> <li>Mental Wellness</li> <li>Crises</li> <li>Counseling/Support</li> </ul>	Counseling and Psychological Services (CPS) https://www.fordham.edu/student- life/safety-health-and-wellness/ counseling-and-psychological- services/
<ul><li>Safety Concerns</li><li>Violence/Assault</li></ul>	Campus Public Safety https://www.fordham.edu/student- life/safety-health-and-wellness/ public-safety/
Employment related concerns	s Human Resources https://www.fordham.edu/human- resources/

<ul> <li>Non-academic conduct violations</li> </ul>	Christopher Rodgers, Dean of Student, McGinley Center Room 242
	deanrodgers@fordham.edu
<ul><li>Accommodations</li><li>Discrimination</li></ul>	Mary Byrnes Director of Disability Services O'Hare Hall Basement disabilityservices@fordham.edu
<ul> <li>Gender-Based Violence/ Harassment</li> <li>Sexual-Based Violence/ Harassment</li> <li>Discrimination</li> </ul>	Kay Turner, Esq. Vice President for Human Resources and Interim Title IX Coordinator Faculty Memorial Hall 506 titleix@fordham.edu
<ul> <li>Identity-based discrimination</li> </ul>	James A. Felton III, M.S. Vice President for Equity and Inclusion Cunniffe House Room 213 jfelton3@fordham.edu
• Sex/Gender Incidents	Kay Turner, Esq. Vice President for Human Resources and Interim Title IX Coordinator Faculty Memorial Hall Room 212 titleix@fordham.edu https://www.fordham.edu/about/ leadership-and-administration/ administrative-offices/gender- equity-and-title-ix-office/title-ix- sexual-and-related-misconduct/ reporting-an-incident/
• Discrimination	Kay Turner, Esq. Vice President for Human Resources and Interim Title IX Coordinator Faculty Memorial Hall Room 212 titleix@fordham.edu https://www.fordham.edu/about/ leadership-and-administration/ administrative-offices/gender- equity-and-title-ix-office/title-ix- sexual-and-related-misconduct/ reporting-an-incident/
• Hate Crime	https://www.fordham.edu/student- life/deans-of-students-and-student- life/biashate-crimes-faq-for- students/

#### Confidentiality

Kay Turner, Esq. Vice President for Human Resources and Interim Title IX Coordinator Faculty Memorial Hall Room 212 titleix@fordham.edu https://www.fordham.edu/about/ leadership-and-administration/ administrative-offices/genderequity-and-title-ix-office/title-ixsexual-and-related-misconduct/ reporting-an-incident/