



NYU

**ROBERT F. WAGNER GRADUATE
SCHOOL OF PUBLIC SERVICE**

Doctoral Program

Conduct, Discipline, Grievance, and University-wide Policies

1. COMMUNITY

- 1.1. *Policies and Procedures*: NYU's Robert F. Wagner Graduate School of Public Service (NYU Wagner) is committed to providing a supportive and structured environment for the development of scholars, researchers, and teachers. It is expected that the responsibilities of students, faculty, and staff will be discharged with impartiality, reason, and consistency. To this end, it is the responsibility of all members of the Wagner community to respect and comply with all Wagner Policies and Procedures as well as all University rules and policies.
 - 1.1.1. *Dean's Designee*: The Dean of Wagner may designate any member of the administration of Wagner to fulfill any of the Wagner procedural roles outlined in this document in place of the indicated Wagner administrator in any case where either there is a clear conflict of interest involving the indicated administrator or the position of the indicated administrator is vacant.
 - 1.1.2. *Students*: Students are under the authority of Wagner Policies and Procedures from the first day of the first term in which they enroll in a Wagner-sponsored program. Students remain under the authority of these rules until they graduate or officially separate from Wagner
- 1.2. *Student Conduct*: All students in the Wagner community must abide by the [University Student Conduct Policies](#).
- 1.3. *Discrimination, Harassment, and Sexual Misconduct*: All members of the Wagner community must abide by the University's [Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Students](#), the [Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Employees](#), and its [Sexual Misconduct, Relationship Violence, and Stalking Policy](#) which outline the policies and procedures regarding all forms of prohibited discrimination, harassment, and sexual misconduct.
- 1.4. *Academic and Research Integrity*: All students in the Wagner community must abide by the University's policies on [Academic Integrity for Students at NYU](#) and its [Principles and Procedures for Dealing with Allegations of Research Misconduct](#), as well as the policy on [Retention of and Access to Research Data](#). In addition to University policies, all students must also abide by the [Wagner Statement on Academic Integrity](#).
- 1.5. *Conflict of Interest, Intellectual Property and Research with Human Subjects*: All members of the Wagner community must abide by the University's policies governing [Academic Conflict of Interest and Conflict of Commitment](#), its [Statement of Policy on Intellectual Property](#), and the policies governing [Research with Human Subjects](#).
- 1.6. *Environmental Health and Safety*. All members of the Wagner community must follow the policies and procedures of the [Office of Environmental Health and Safety](#).

2. DISCIPLINE

RULES

- 2.1. *Jurisdiction:* The [University Student Conduct Policies](#) govern the behavior of all Wagner students. [University Bylaw 80](#) provides that the faculty of each school has disciplinary authority over its students. The procedures described below apply to student academic and behavioral misconduct (See 2.3 and 2.4). Other violations of the University Student Conduct Policies may be addressed through the [University Student Conduct Procedures](#). Cases of misconduct that fall within the University's [Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Students](#) and the University's [Sexual Misconduct, Relationship Violence, and Stalking Policy](#) will be reported to and the Office of Equal Opportunity, which will oversee any investigation or resulting discipline.
- 2.2. *Suspension Pending Consideration:* As provided in [University Bylaw 80](#), the Dean of a school or the Dean's representative may suspend a student pending consideration of a case. Such action should only be taken to protect the physical or emotional safety and well-being of the student, the physical or emotional safety and well-being of other students, faculty, and/or University staff, the security of University property, the maintenance of public order or the effective continuation of the educational process. When such action does occur, the student shall be afforded the opportunity to expedite disciplinary proceedings. Any period of interim suspension shall be deducted from any final sanction involving suspension.
- 2.3. *Academic Misconduct:* All students in Wagner are expected to follow the University's policies on [Academic Integrity for Students at NYU](#) and the [Principles and Procedures for Dealing with Allegations of Research Misconduct](#). Academic integrity violations include, but are not limited to, offenses such as plagiarism, cheating, possession or use of any prohibited notes, reference resources, or data processing or other devices in any class or examination, and misrepresentation of academic credentials. Research integrity violations include, but are not limited to, fabrication, falsification, and plagiarism in proposing, performing, or reporting research results.
- 2.3.1. *Filing of a Doctoral Program Complaint:* If a student engages in any form of academic misconduct, the individual with knowledge of the facts shall file a complaint with the Doctoral Program.
- 2.3.2. *Student Notification by Doctoral Program:* The Faculty Director of the Doctoral Program shall provide notice of the filing of the complaint to the student in writing within one (1) week of receipt of the complaint.
- 2.3.3. *Meeting in Doctoral Program:* The Faculty Director of the Doctoral Program or his/her designee shall meet with the student against whom a complaint has been filed, describe the complaint, and offer the student an opportunity to respond. The student shall be informed of his or her right to accept or reject a Doctoral Program resolution. After considering all relevant information, the

Faculty Director of the Doctoral Program may inform the student of the terms, including where appropriate the imposition of a sanction (See 2.7 and 2.8) upon which the Doctoral Program is willing to resolve the matter. Where the student agrees in writing to the terms of a Doctoral Program resolution, a binding consensual resolution shall exist between Wagner and the student. Where the Faculty Director of the Doctoral Program is unable to resolve the complaint by consensual resolution, the Faculty Director of the Doctoral Program shall forward the complaint to the Associate Dean for Academic Affairs, in which case the procedures beginning with Section 2.5 will apply.

2.4. *Behavioral Misconduct:* Behavioral misconduct includes conduct that impedes, obstructs or threatens the maintenance of the public order, interferes with or disrupts the regular operations and activities of the University, or constitutes a denial of or an unreasonable interference with the complainant's rights. When activities undertaken by registered student organizations constitute a violation of this provision or violation of University rules or of public laws and regulations, a complaint may also be brought against such organizations as well as against the individual students belonging to such organizations.

2.4.1. *Filing of a Complaint:* In the case of behavioral misconduct a complaint shall be filed with the Senior Director of Student Services by the Doctoral Program in which the alleged misconduct occurred or by any member of the Wagner community who claims to have been injured or affected by the alleged misconduct.

2.4.2. *Notification by the Senior Director of Student Services:* The Senior Director of Student Services shall provide notice of the filing of the complaint to the student in writing within one (1) week of receipt of the complaint.

2.4.3. *Meeting with the Senior Director of Student Services:* The Senior Director of Student Services shall meet with the student against whom a complaint has been filed, describe the complaint, and offer the student an opportunity to respond. The student shall be informed of his or her right to accept or reject a resolution by the Senior Director of Student Services. After considering all relevant information, the Senior Director of Student Services may inform the student of the terms, including, where appropriate, the imposition of a sanction (See 2.7 and 2.8), upon which Wagner is willing to resolve the matter. Where the student and the Senior Director of Student Services agree to terms in writing, a binding consensual resolution shall exist between Wagner and the student. Where the Senior Director of Student Services is unable to resolve the complaint by consensual resolution, he or she shall forward the complaint to the Associate Dean of Student Affairs, in which case the procedures beginning with Section 2.5 will apply.

2.5. *Referral of the Complaint to the Wagner Committee on Student Discipline:* Where the Doctoral Program, in the case of academic misconduct, or the Senior Director of

Student Services, in the case of behavioral misconduct, is unable to resolve the complaint by consensual resolution, the student will be notified that the complaint shall be forwarded to the Wagner Committee on Student Discipline no less than one (1) week from the notification date. During the period between the notice to the student and the complaint being forwarded to the Wagner Committee on Student Discipline (the "Mediation Period"), the student will have the opportunity to meet with the Associate Dean of Academic Affairs or his or her designee, in the case of academic misconduct, or with the Associate Dean of Student Affairs or his or her designee, in the case of behavioral misconduct. The appropriate Associate Dean or designee shall, upon request, meet with the student, discuss the evidence of misconduct, and provide the student with information about the procedures of the Wagner Committee on Student Discipline. No additional information will be gathered or considered during this period. The Associate Deans or designees may not revise the terms for a resolution, but the Doctoral Program or Program, or the Senior Director of Student Services in the case of a behavioral matter, may offer revised terms and the student may change his or her decision about a consensual resolution on the terms offered by the Doctoral Program, or by the Senior Director of Student Services. If a consensual resolution is not reached during the Mediation Period, the matter will be referred to the Wagner Committee on Student Discipline.

- 2.6. *Second Offense*: The penalty for a repeat offense to a specific complaint will be termination from the graduate program.

ADMINISTRATIVE PROCEDURES

- 2.7. *Penalty Guidelines*: Because of the wide range of seriousness of offenses of any given general type, no specific penalties are suggested for first occurrences. Each case must be judged independently, taking into account the seriousness of the offense, aggravating and mitigating circumstances, and the general desirability of treating similarly situated students similarly. In all cases, it should be determined whether or not notice of the penalty should be placed on the student's record. As a guide to assessing the penalty to be applied, some possible considerations are outlined below for various general offenses.

2.7.1. Academic and research misconduct: If the offense had not been detected, would it have had significant impact on the student's course grade and/or completion of degree requirements? Was there an attempt to subvert a primary degree requirement, such as a Ph.D. thesis? Was the offense spontaneous or premeditated and planned? Did the student act alone or were others knowingly involved? Was the offense an isolated incident or repeated?

2.7.2. Deliberate destruction, theft, or unauthorized use of laboratory data, research materials, computer resources, or University property: Did the student expect to profit academically from the offense? Was there damage to the academic materials of another student or of a faculty member? Were the materials of significant value to their owner? Can and should the student replace the materials or was the damage irreparable?

- 2.7.3. Disruption of an academic event: Was the action spontaneous and brief or extensive? Did the academic event continue after the disruption or was it postponed or canceled? Was more than one individual involved? Were there repeated incidents on separate occasions? Was the disruption of a threatening or violent nature?
- 2.7.4. Actual or threatened violence or threats of violence: Was the action premeditated? Was the threat repeated on separate occasions? Was human life threatened? What was the extent of bodily injury, if any? Was more than one individual involved in the offense? Does the student have a history of violent behavior?
- 2.7.5. Other forms of misconduct: Was the behavior willful? Was the behavior repeated on separate occasions? What was the extent of bodily injury caused by the behavior, if any? Was more than one individual involved in the offense? Does the student have a history of previous disciplinary actions or violent behavior?
- 2.8. *Definition of Penalties*: The following penalties may be imposed for a first offense:
- 2.8.1. Warning: Written reprimand, including notice that a one-semester suspension or a more severe penalty may result from a second disciplinary offense within the period of the censure specified in the letter of reprimand.
- 2.8.2. Disciplinary Probation: Suspension of privileges or exclusion from participation in extracurricular University activities as set forth in the notice of disciplinary probation for a specified period of time.
- 2.8.3. Suspension: Exclusion from classes as well as suspension of privileges and exclusion from other activities as set forth in the notice of suspension for a definite period of time. A student who has been suspended and against whom charges are dismissed or not sustained will be allowed full opportunity to make up whatever work was missed due to the suspension.
- 2.8.4. Dismissal: Termination of student status for an indefinite period. The conditions for readmission, if any are permitted, shall be stated in the order of dismissal.

3. GRIEVANCES

RULES

- 3.1. *Right to File a Grievance*: Any student registered in Wagner courses or otherwise formally involved in Wagner programs has the right to file a grievance. Certain types of grievances must be adjudicated within Wagner, while others must be adjudicated at the University level. The following rules are designed to provide Wagner students with a mechanism of redress.

- 3.2. *Grievances Adjudicated Outside Wagner*: In the following cases, grievances must be adjudicated outside Wagner. Questions about whether or not grievances fall within these guidelines should be addressed to either of the Associate Deans, for Student or for Academic Affairs.
- 3.2.1. *Harassment, Discrimination, Sexual Misconduct*. If the matter involves alleged harassment, discrimination, or sexual misconduct in violation of either the University's [Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Students](#) or the University's [Sexual Misconduct, Relationship Violence, and Stalking Policy](#), grievances should be filed promptly with the Office of Equal Opportunity.
- 3.2.2. *Grievance Arising in Other School or College*. If the student's grievance concerns a student, faculty or staff member whose primary affiliation is with another school or college, the student shall consult and follow that school or college's procedures. In addition, the student shall submit copies of the written grievance to either of the Associate Deans and the comparable office in the other school or college.
- 3.3. *Grievances Adjudicated by Wagner*: In the following cases, grievances can be adjudicated within Wagner:
- 3.3.1. the student believes that he or she has been subject to treatment which is in violation of a Wagner rule, procedure or policy;
- 3.3.2. the student believes that he or she is being affected by an unfair and/or incomplete Wagner rule, procedure or policy or implementation of same;
- 3.4. *Grievances Concerning Grades*: A student may file a grievance concerning a grade on the basis of inequitable or prejudicial practices or administrative or clerical errors if he or she believes a grade to be incorrect. No other reason can form the basis for a grievance regarding a grade.
- 3.5. *Grievances Concerning Academic Probation or Termination*: Students may not issue a grievance against an academic probation or termination or the terms therein. If a student believes that an academic probation or termination decision, or the terms thereof, is in violation of an NYU or Wagner rule, the appeal process should be employed (See Section **Error! Reference source not found.**).
- 3.6. *Initiation of the Complaint*: Complaint proceedings concerning events or conditions within Wagner may be initiated in two ways:
- 3.6.1. If the event or condition occurred within a Wagner context, the student shall notify the Faculty Director of the Doctoral Program within thirty (30) days of the occurrence of the event or occurrence being grieved. The Faculty Director of the Doctoral Program shall investigate the complaint and respond to the student within fifteen (15) days of notification. The student may be offered terms which, if

accepted, will constitute a binding consensual agreement in resolution of the issue.

- 3.7. *Formal Grievance*: If the complaint is not resolved to the student's satisfaction through means outlined in Section 3.6, and the complaint is one defined to be adjudicated by Wagner, the student may bring a formal grievance to either Associate Deans within fifteen (15) days after the conclusion of the initiation of the complaint. In this case, the student must submit a formal written grievance to either Associate Dean. The grievant shall state the grounds for the grievance, specifying Doctoral Program, Wagner policy, rules, or procedures in question, describe the facts and evidence supporting the grievance, indicate what redress the grievant seeks, provide a brief history of the attempts to resolve the grievance, and identify any individuals who can be contacted for relevant information. Students may request a restriction of the investigation or attempted resolution of a grievance based on concerns about privacy or conflict of interest. The Associate Dean will determine which will oversee the grievance and will notify the student of their decision.
- 3.8. *Receipt of Formal Grievance*: Upon receipt of a formal grievance, the Associate Dean overseeing the grievance will promptly schedule a meeting with the grievant. One person may accompany and advise the grievant, but cannot directly participate in the meeting. The Associate Dean or the student may request the presence of the other Deans or Directors of Wagner at the meeting. The student or the Associate Dean may request that the meeting be recorded. The Associate Dean may contact such other persons as the Associate Dean deems appropriate, subject to the restrictions of the grievant (See 3.7), for the purpose of ascertaining the facts and evidence in the case. The Associate Dean shall render a written decision on the grievance to the grievant, the respondent, and, if the matter had previously been addressed in the Doctoral Program.
- 3.9. *Appeal of Associate Dean's Decision*: The student may appeal in writing the decision of the Associate Dean to the Dean of Wagner within two weeks of receipt of the Associate Dean's decision. The Dean will review only the process resulting in the Associate Dean's finding to determine if it was fair and impartial and followed the rules and policies of Wagner. No new information beyond what was reported to the Associate Dean will be considered. The Dean will render a written decision to the student within thirty (30) days of receipt of the appeal. The Dean's decision shall be final for Wagner.
- 3.10. *Appeal of Dean's Decision*: Students wishing to appeal the Dean's decision should consult the University's [Student Grievance Procedure](#). Wagner procedures cover Phases I and II of the University's procedures, so any appeal would start with Phase III, the University Judicial Board.
- 3.11. *Record Keeping*: The Office of the Dean of Wagner shall retain a copy of any grievance formally submitted under sections 3.2, 3.7 or 3.9 to the Associate Dean for Academic Affairs or to the Dean, any amended grievance, and any decision of the Associate Dean and/or Dean for five (5) calendar years following the date on which the grievance is resolved.