



Albert Einstein College of Medicine

Policy and Procedures on Professional Misconduct (MD Students)

I. Purpose

The purpose of this policy is to define what constitutes professional misconduct and to list procedures for disciplining such misconduct at Albert Einstein College of Medicine (“Einstein” or “College”). This policy relates to LCME Accreditation (v. 2021) Standards/Elements 3.5 (Learning Environment/ Professionalism), 7.7 (Medical Ethics), and 9.9 (Student Advancement and Appeal Process).

II. Scope

This policy applies to all students who matriculated in the M.D. program at Einstein.

III. Policy

Professional misconduct and/or breaches of ethical behavior include but are not limited to cheating, plagiarism, fabrication, falsification of documents or academic work, intentionally damaging or interfering in the academic or clinical work of others or assisting others in any of these acts. Professional misconduct also includes but is not limited to failure to fulfill responsibilities on clinical rotations; failure to adhere to academic policies; any behavior that is potentially detrimental to the welfare of patients; failure to meet generally accepted standards of personal integrity, professional conduct, or emotional stability; and inappropriate or disruptive behavior.

1. All students agree to and sign a [Code of Conduct](#) upon matriculation, prior to the start of block 3, and again prior to the start of clerkships
2. It is specifically considered professional misconduct to put patients, others, or oneself at risk by failing to obtain adequate preventive or other medical or psychiatric care.
3. Students are expected to respond to all communication from the Office of Student Affairs. Failure to respond to any communication from OSA for more than ninety days may result in dismissal from the College of Medicine. This rule applies to all medical students, including those on a Leave of Absence and MSTP students in the MD phase of the curriculum.
4. The College supports a diversity of views and the principles of free inquiry and expression. All members of our academic community have the right to hold and vigorously defend and promote their opinions. Respect for this right requires that community members tolerate expressions of opinions that they may find repugnant or offensive. There are, however, obligations of civility and respect for others that underlie rational discourse. Behavior evidently intended to dishonor such characteristics and race, gender, national origin or ethnic group, religious belief, sexual

orientation, or disability is contrary to the pursuit of inquiry and education and may be discriminatory harassment and a violation of law and other applicable regulations. Such grave disrespect for the dignity of others may be addressed and sanctioned under these or other existing procedures when it violates the balance of rights upon which an academic medical education program is based. Sanctions are at the discretion of the Committee on Student Promotions and Professionalism Standards (CSPPS). It is expected that when there is a need to weigh the right of freedom of expression against other rights, the balance will be struck after a careful review of all relevant facts and will strive to be consistent with established First Amendment standards. This policy recognizes that the law of the land prevails in all matters and does not abridge nor augment the rights of our students or other members of the College community, as those rights, privileges, and duties are established by the pertinent governing legal authorities.

5. Faculty, house staff, and others involved in the supervision and training of medical students are cautioned that consensual romantic relationships with medical students may prove problematic and are expressly discouraged. The former are expected to recuse themselves per the [Conflict of Interest Policy](#) from academic or professional decisions, including grading and evaluation affecting students with whom they are romantically involved.
6. Any student who at any time before or during medical school has been convicted of a crime is required to immediately inform the OSA with full details of same. The CSPPS is to be informed and will consider an appropriate response. Any student arrested or under investigation for a crime involving moral turpitude shall immediately inform the OSA. Failure to do so is grounds for dismissal.

IV. Procedures

1. In general, allegations of misconduct are handled through the usual procedures and channels of CSPPS operations. The available CSPPS responses range from dismissal of the student to dismissal of the allegations, with the CSPPS appeal processes available to the student.
2. The CSPPS will deliberate on the allegations of misconduct, either directly or after hearing from an ad hoc subcommittee and/or other appropriate sources. As with all CSPPS business, minutes are recorded and official correspondence with the affected student is the responsibility of the Office of student affairs (OSA).
3. Allegations of student misconduct may come to the CSPPS, its subcommittees, individual members, the Ombuds Committee, or to staff. These allegations must be provided in writing and be sufficiently specific to provide a factual basis for investigation. All allegations must be promptly reported to the OSA. Misconduct reported or included in course or rotation grades, or evaluations also may be considered by the CSPPS as such, not necessarily invoking the provisions specific to misconduct allegations.
4. The College's policy and procedures provide for a student who is alleged to have engaged in unlawful harassment (including sexual harassment) to be referred to the CSPPS for disciplinary process via the Title IX officer(s).

5. The CSPPS and/or an ad hoc subcommittee are not bound by the formal rules of evidence and will seek written and oral information from all sources considered appropriate. At some point in the process, the accused student will be afforded an opportunity to respond in detail to all substantiated allegations. The student may be advised by a member of the Einstein academic community of his/her choosing and may request that others with relevant information also appear before the CSPPS and/or subcommittees. The student may not have an attorney present at any point in these proceedings.
6. If, in the judgment of the deans for student affairs, the conduct of a student is such that it may harm a patient, a fellow student, a member of the staff/faculty, or may do harm to the reputation of the College, then the student may be suspended immediately pending completion of the deliberations as set forth in this policy.
7. Records maintained in support of the CSPPS, and its subcommittees shall be considered confidential and shall be maintained as such by the College. The College shall provide such records or copies thereof as required by applicable law, rules, or regulations.

V. Definitions

None

VI. Effective Date

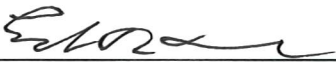
Effective as of: June 27, 2018

Revised as of: May 10, 2023

VII. Policy Management and Responsibilities

The responsible office under this policy is the Office of student affairs. The responsible executive and the responsible officer under this policy are, respectively, Einstein's executive dean and the associate dean for student affairs.

VIII. Approved (or Revised)

 5/10/23
Responsible Executive Date