Policy on Bloodborne Pathogens

New York University College of Dentistry is committed to addressing issues related to bloodborne pathogens, such as human immunodeficiency virus (HIV), hepatitis B virus (HBV), and hepatitis C virus (HCV), in a spirit of cooperation, compassion, flexibility, and sensitivity to individual needs as well as to community welfare. The purpose of this policy is to minimize the risk of transmission of a bloodborne pathogen from an infected health care worker or student to a patient. Under New York State regulations, a licensed health care institution is responsible for ensuring that its health care workers do not have any physical impairments resulting from infection by bloodborne pathogens that would interfere with the performance of their clinical responsibilities or create a health risk for patients.

The College of Dentistry recognizes that knowledge and information about bloodborne pathogens continue to change. This policy, therefore, will be reviewed by the New York University College of Dentistry Bloodborne Pathogens Policy Committee annually, and changes will be recommended as appropriate.

ADMISSIONS AND EMPLOYMENT

Discrimination against employees, students, and applicants for admission or employment based solely on health status is unlawful.

INFECTION CONTROL PROCEDURES

All health care workers and students are required to follow "Universal Precautions," which is the basis of the practices and procedures set forth in the College of Dentistry's Bloodborne Pathogen Exposure Control Program (available on file).

HBV IMMUNIZATION

Immunization for HBV is available and is recommended for all College of Dentistry employees and is mandatory for all students.

HIV TESTING

Testing of health care workers and students for HIV is not required by the College of Dentistry. However, health care workers and students who perform invasive or exposure-prone procedures on patients are encouraged to be tested voluntarily in order to know their HIV status.

OBLIGATION TO REPORT

A health care worker or student who is infected with HIV, HBV, HCV, or another bloodborne pathogen is encouraged to report his or her status to the College of Dentistry’s associate dean for clinical affairs or his designee. A health care worker or a student who is infected with HIV, HBV, HCV, or another bloodborne pathogen is not required to inform patients.

CONFIDENTIALITY

All information concerning the health status of a health care worker or student infected by a bloodborne pathogen shall be disclosed only in accordance with applicable federal, state, and local laws and regulations, including Article 27-f of the New York State Public Health Law and its regulations concerning HIV- and AIDS-related Information.

LIMITATION OF ACTIVITY

Each health care worker or student infected with HIV or another bloodborne pathogen shall have his or her clinical practices evaluated by a panel established by the College of Dentistry. The evaluation shall be confidential. At the request of the student or health care worker, the evaluation will be completed anonymously based on information presented to the panel by the associate dean of clinical affairs or his designee. The panel will provide timely advice and consultation concerning the student’s or health care worker’s clinical practices. The panel may recommend practice limitations or modifications where evidence suggests that there is a significant risk to the health of a patient or to the health of the infected health care worker or student. The panel’s determinations may take into account the nature of the clinical activity, the technical expertise of the infected individual, the risk of transmission, and the infected individual’s impairments. Recommendations by the panel shall be based on criteria established by the New York State Department of Health and the Centers for Disease Control and Prevention. The panel will continue to periodically review the practices of any health care worker or student who has been evaluated by the panel.

In completing its evaluation of an infected health care worker or student, the panel shall include or consult with the following:
• a public health professional
• an infectious disease expert
• an infection control expert
• the individual’s private physician
• a dentist with expertise in the procedures (to be) engaged in by the infected student or employee
• a dental student (if a student is the subject of evaluation)
• a New York University or College of Dentistry administrator

ENFORCEMENT OF PRACTICE LIMITATIONS OR MODIFICATIONS

Any student or health care worker who engages in unsafe and/or careless clinical practices, which create risks to the health of patients, employees, or students at the College of Dentistry, shall be subject to disciplinary action under the rules of the University and the College of Dentistry.

When such actions are brought to the attention of the College of Dentistry administration, the student or health care worker may be suspended immediately from all patient care activities pending a full investigation of the matter. Other sanctions may be imposed by state licensing agencies.

EXPOSURE TO BLOODBORNE PATHOGENS

Health care workers or students who are exposed to a bloodborne pathogen in the course of their work at the College of Dentistry are expected to follow the procedures set forth in the College of Dentistry’s Bloodborne Pathogen Exposure Control Program.

Patients who have been exposed to bloodborne pathogens while being treated at the clinic shall be offered free counseling and testing. Results from such testing shall be disclosed only in accordance with applicable federal and state laws.

Policy on HIV/AIDS

New York University recognizes the need to respond to the current epidemic of infection with the human immunodeficiency virus (HIV) that causes the acquired immunodeficiency syndrome (AIDS). In March 1989, the University’s HIV/AIDS Advisory Committee endorsed the recommendations and guidelines set forth in the General Statement on Institutional Response to AIDS, published by the American College Health Association’s Task Force on Acquired Immunodeficiency Syndrome (AIDS). The University’s committee revised and updated the statement in March 1994.

In adopting the American College Health Association statement as a guide for all of its students and employees, the University affirms its commitment to addressing HIV/AIDS-related issues and circumstances in a spirit of cooperation, compassion, flexibility, and sensitivity to individual needs, as well as the community welfare. The American College Health Association statement stresses education as the best currently available means of controlling the spread of this serious disease, and it contains recommended practices with regard to general policy, as well as specific issues including admissions, attendance, access to facilities, student housing, disability considerations, medical care, HIV antibody testing, confidentiality of information, safety precautions, support services, and protection against discrimination and harassment.

Copies of the full updated American College Health Association policy, along with educational brochures and related information, are available at the following University locations: NYU Health Center, Office of Student Life, Moses Center for Students with Disabilities, NYU Information Center, Office of Student Activities, residence hall managers’ offices, and the dean’s office in each school. For individuals with personal questions, the University operates a confidential HIV/AIDS hotline on weekdays, 9 a.m. to 5 p.m.; telephone: 212-443-1100. A listing of HIV/AIDS-related organizations and support groups can be obtained at the Center for Health Promotion and the HIV Testing and Counseling Services, both located at the NYU Health Center; telephone: 212-443-1000.

The University also recognizes that knowledge and information about HIV/AIDS continues to change as more is learned about the disease, its effects, and means to prevent its occurrence and spread. This statement will, therefore, be reviewed periodically by the University’s HIV/AIDS Advisory Committee, and changes will be recommended as appropriate.

Individuals with HIV/AIDS are protected against illegal discrimination by city, state, and federal laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. Questions or concerns in this regard should be addressed to the Moses Center for Students with Disabilities, 240 Greene Street, 4th Floor; telephone: 212-998-4980 or to the Office of the Vice Provost for Faculty Affairs and Director for Equal Opportunity, Elmer Holmes Bobst Library, 70 Washington Square South, Room 1202; telephone: 212-998-2370.
Smoke-Free Indoor Air Policy

Consistent with the University's responsibilities under the New York City Smoke Free Air Act, as amended, and New York State Public Health Law Article 13-E, smoking is prohibited in all University buildings including private offices.

Conflicts between employees should be brought to the attention of appropriate supervisory personnel and, if necessary, referred to the Office of the Assistant Vice President for Human Resources.

Students should be referred to the Office of the Assistant Vice President for Student Life.

In accordance with the law, any individual can voice objections to smoke that gathers in any smoke-free area without fear of retaliation.

Student Dress Code

The dress code and the enforcement procedures for dress code violations were developed by students and approved by the Student Council and the Executive Management Council.

ATTIRE AND HYGIENE

HAIR
- Hair and beards should be neatly trimmed and groomed.
- Faces should be clean-shaven (exclusive of beard and mustache).
- Long hair (men and women) should be tied back when treating patients.

PERSONAL HYGIENE
- Hands and nails should be scrubbed and nails shaped to prevent injury to patients.
- Watches, bracelets, and rings should be removed when washing hands and wearing gloves to avoid tears in gloves.
- Individuals should be free of any offensive odor or halitosis.

ATTIRE
- All attire should be clean, neat, and free of patches and tears.
- Hosiery of at least ankle length is required of all College personnel and students in the clinics.
- No type or color of denim may be worn in the clinics.
- No open-toed shoes or sandals should be worn in the clinics.
- T-shirts and shorts should not be worn during clinic hours.

i) Scrubs
- The only scrubs that may be worn are the official scrubs offered by the College of Dentistry.
- Scrubs should be worn with a white undershirt and covered with a long-sleeved clinical jacket in all patient care areas.
- Black rubber-soled shoes may be worn with full scrubs.

ii) Clinical Jackets and Laboratory Coats
- Should be functionally clean.
- May be worn only within the clinics and laboratories.
- Should be buttoned up in clinics and laboratories.
- Should be worn over shirts or blouses, without bare skin, undergarments, or sleeves showing.

iii) Basic Attire
- Men: Men shall wear shirt and tie, turtleneck shirts, or scrubs while providing patient care.
- Women: Women shall wear dress skirts of knee length, dress pants, or scrubs while providing patient care.

Note: It is expected that all students participating in an extramural hospital assignment will abide by the dress code of the particular hospital. This generally means that a shirt and tie are to be worn by male students during their hospital assignment, while a dress, skirt (or dress pants), and blouse are appropriate for female students.
Family Educational Rights and Privacy Act (FERPA)

ANNUAL NOTICE TO STUDENTS

Annually, New York University informs students of their rights under the Family Educational Rights and Privacy Act (FERPA) and the regulations relating to FERPA promulgated by the Department of Education. Together, FERPA and the FERPA regulations provide that (a) each student has a right to inspect and review his or her education records; (b) each student may request that any such record be amended if he or she believes that it is inaccurate, misleading, or otherwise in violation of his or her privacy; (c) the University will obtain the student’s written consent prior to disclosing personally identifiable information about the student from his or her education records, unless such consent is not required by FERPA and the FERPA regulations; (d) each student has a right to file a complaint with the Family Policy Compliance Office of the Department of Education if he or she feels the University has failed to comply with the requirements of FERPA and the FERPA regulations; and (e) each student may obtain a copy of the University’s Guidelines for Compliance with the Family Educational Rights and Privacy Act. These guidelines are available from the Office of Academic Program Review, Bobst Library, Room 1100E, and at www.nyu.edu/apr/ferpa.htm.

Barnett W. Hamberger, assistant chancellor of the Office of Academic Program Review, is responsible for administering FERPA at New York University. His telephone number is 212-998-2310.

ACCESS TO RECORDS

Except as noted below, requests to review records for copies of the statute or its attendant regulations, or for additional information concerning FERPA, should be directed to the Office of Academic Program Review. Requests for record reviews at the College of Dentistry should be directed to Associate Dean Andrew I. Spielman, Office of Academic Affairs. Requests are made on line at www.nyu.edu/dental/intranet.

AMENDMENT OF RECORDS

If a student believes that any of the education records relating to her or him contains information that is inaccurate, misleading, or in violation of her or his rights of privacy, the student may ask the University to correct or delete such information. The student may also ask that additional explanatory material be inserted in the record. Requests for amendment of a record or the addition of explanatory material should be submitted at the conclusion of the record review on form PL 93-3803, available from the appropriate record review officer. The reasons for the request should be set forth on the form and should clearly identify the part of the record the student wants changed and specify why it is inaccurate or misleading.

There is no obligation on the part of the University to grant such a request. If the University declines to amend the records as requested by the student, it will so inform the student, and the student may request a hearing. The right to challenge the contents of an educational record may not be used to question substantive educational judgments that have been correctly recorded. For example, a hearing may not be requested to contest the assignment of a grade. Grades given in the course of study include written evaluations that reflect institutional judgment of the quality of a student’s academic performance. Information concerning hearing procedures is outlined in the University’s FERPA Guidelines.

DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION

Among other exceptions authorized by FERPA, prior consent of the student is not needed for disclosure of directory information (see below) or for disclosure to school officials with a legitimate educational interest in access to the student’s educational record. School officials having a legitimate educational interest include any University employee acting within the scope of her or his University employment and any duly appointed agent or representative of the University acting within the scope of his or her appointment. In addition, the University may, at its sole discretion, forward education records to the officials of another institution (a) in which a student seeks or intends to enroll if that institution requests such records, or (b) if the student is enrolled in, or receiving services from, that institution while she or he is attending NYU. Other exceptions are listed in the University’s Guidelines for Compliance with FERPA.

NOTICE DESIGNATING DIRECTORY INFORMATION

Pursuant to FERPA and the FERPA regulations, New York University hereby designates the following student information as “directory information.” Such information may be disclosed for any purpose, at the discretion of the University, except as provided below: name; dates of
New York University is committed to maintaining a learning and working environment for all students, faculty, and staff that is fair, humane, and responsible—an environment that supports, nurtures, and rewards career and educational advancement on the basis of ability and performance. Sexual harassment undermines the character and purpose of the University.

DEFINITION

Sexual harassment is in no way limited to demands for sexual favors in return for rewards. It includes unwelcome sexual advances, verbal or physical conduct of a sexual nature, and inappropriate sexualization of the working environment with words, materials, or behavior. It may involve women being harassed by men, men being harassed by women, or harassment between persons of the same sex.

Title VII of the Civil Rights Act of 1964, as amended, as well as state and local law, prohibits unlawful discriminatory treatment of any employee on the basis of sex. At New York University, we expect all members of our community to act in accordance with this law. The University will not tolerate discriminatory conduct and will take prompt and remedial action upon receipt of knowledge that such behavior has occurred.

Based on guidelines issued by the Federal Equal Employment Opportunity Commission, three basic criteria determine whether an action constitutes unlawful sexual harassment:

- Submission to the conduct is either an explicit or implicit term or condition of employment or a basis for participation or advancement in an academic program or University activity or benefit.
- Submission to or rejection of the conduct is used as a basis for a decision affecting an individual's employment status or academic standing.
- The conduct has the purpose or effect of interfering with an individual's performance on the job or in the classroom by creating an intimidating, hostile, or offensive work or educational environment. Sexual harassment is subject to disciplinary action within the NYU community.

The following are examples of conduct considered to be sexual harassment:

- Unnecessary physical contact
- Sexually degrading words to describe a person
- Unwelcome propositions or explicit demands for sexual activity
- Hostile environment either through words or pictures or other materials
- Taking official action or evaluating a person by sexual attractiveness instead of merit

RESPONSIBILITIES

It is everyone’s responsibility to combat sexual harassment, but it is specifically the duty of officers, deans, department heads, faculty, directors, and supervisors to

- foster an atmosphere in which it is clear that such conduct is not tolerated and which, when proved, such conduct will be dealt with firmly under the policies and procedures established by the University;
- develop a greater awareness of the problem so that sexual harassment may be prevented; and
- eliminate any and all forms of sexual harassment and intimidation of which they are aware.

INFORMAL SUPPORT AND ADVICE

Many instances of sexual harassment can be resolved through informal measures on campus. Resolution of a
suspected case can often be achieved through discussion with the persons directly involved. If this does not remedy the situation, or if there is a reluctance to deal directly with those involved, there are other informal means available at the University. Anyone with concerns or questions about sexual harassment may contact the following offices:

- Office of the Vice Provost for Faculty Affairs and Director for Equal Opportunity/Section 504 Coordinator; telephone: 212-998-2370
- Office of Student Life; telephone: 212-998-4953
- Office of Employee Relations; telephone: 212-998-1242

In addition, to find out about the special committees established within some schools, consult the Office of the Dean of the relevant school for specific information.

**FORMAL COMPLAINT PROCEDURES**

Should informal measures seem inappropriate or fail to resolve the situation, charges of sexual harassment can be filed by following the University’s established grievance procedures for students, faculty, and staff.

Once a complaint is made, a senior member of the Dean’s Office, the Office of Human Resources, or the Office of Equal Opportunity undertakes an inquiry, making effort where appropriate to ensure the confidentiality of the complaint and safeguard the privacy and the rights of both the complainant and the person against whom the complaint has been made. Particular attention is paid to the need to protect the complainant from retaliation. If the inquiry establishes that improper behavior has occurred, sanctions may be imposed through informal agreement, or proceedings can be carried out through appropriate disciplinary and/or grievance processes.

Sexual assault and rape are serious violent crimes, and charges of these crimes should be directed to the New York City Police Department; telephone: 911 or to NYU Protection and Transportation Services Department; telephone: 212-998-2222.

For clarification of the University policy or assistance in deciding how to proceed, all members of the University community may contact Dr. Sharon L. Weinberg, Vice Provost for Faculty Affairs and Director for Equal Opportunity/Section 504 Coordinator, 70 Washington Square South, Room 1202; telephone: 212-998-2370.

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**Policy on Use of Alcohol**

The sale, service, possession, and consumption of alcoholic beverages at New York University are governed by the New York State Alcoholic Beverage Control Law and other laws of the state of New York. Based on such laws, it is the policy of New York University that

I. Persons under the age of 21 years are prohibited from possessing any alcoholic beverage at New York University or at any event sponsored by the University or by a University organization, whether the event is at the University or not.

II. The following rules are applicable to all events at which alcoholic beverages are served or sold at New York University and to all events or activities, whether or not at the University, which are sponsored by the University.

A. No person shall be sold or served any alcoholic beverage:

   1. if that person is, or appears to be, under the legal drinking age of 21;
   2. if that person is, or seems to be, intoxicated, or is known to the server or seller to be a problem drinker.

B. No person under the age of 21 years shall

   1. present any written evidence of his or her age that is false, fraudulent, or not actually his or her own in order to purchase, or to be served, or to try to purchase or be served, any alcoholic beverage or in order to gain access or to try to gain access to any event or activity at which any alcoholic beverage is being sold or served.
   2. No person shall in any way misrepresent the age of any other person or help any other person to misrepresent his or her age so that such person can purchase or be served or try to purchase or be served any alcoholic beverage or gain access to any event or activity at which any alcoholic beverage is being served or sold.

C. No alcoholic beverage shall be sold to any person unless

   1. a license or permit sanctioning the sale of such alcoholic beverage has been obtained by the seller, and
2. the license or permit sanctioning such sale and any poster, signs, notices, or other material or information required by the applicable law or by the State Liquor Authority are prominently displayed at the site of such sale.

D. The individual, group, or groups sponsoring an event or activity at which any alcoholic beverage is to be sold or served (“the sponsor”) shall be responsible to make sure that all New York State laws and regulations and all New York University rules and regulations regarding the sale, use, service, possession, and consumption of alcoholic beverages are observed at such event or activity. This responsibility shall include, without being limited to, the following:

1. Items I, III(A), III(B), and III(C) of this policy as stated above, including examining attendees’ evidence of age;

2. Notifying either the Student Activities Office (student groups) or Student Events Center Office (nonstudent groups) prior to each on-campus event at which alcoholic beverages are to be sold or served; and

3. Instructing the person or persons actually selling or serving alcoholic beverages at the event not to sell or serve alcoholic beverages to any person who is or appears to be intoxicated, or who such server or seller knows is a problem drinker, or who is or appears to be under the legal drinking age. In addition, specific policies, procedures, and regulations governing particular facilities or populations will be developed by the persons or offices authorized to do so, in conjunction with the Office of the Vice President for Student Affairs.

Violations of this policy or any of these specific policies, procedures, or regulations will be punished pursuant to applicable University disciplinary codes and policies. Sanctions that may be assessed against violators include, for students, suspension and expulsion; for employees, discharge; and for organizations, loss of privileges.

Faculty, staff, and students should also be aware that in addition to University sanctions, they might be subject to criminal penalties under certain circumstances for the possession, service, or sale of alcoholic beverages, particularly for serving or selling an alcoholic beverage to a person under the age of 21 years. Where appropriate or necessary, the University will cooperate fully with law enforcement agencies.

Policy on Substance Abuse

New York University is committed to the education of its students, faculty, administrators, and staff about the dangers of drug abuse. We believe that the best way to achieve and maintain this objective is through preventive education about the dangers of drug abuse and compassionate attention to the needs of those who may require help with drug-related problems. To that end, the University provides on-campus support programs and services as well as information about related services that are available in the local community. For any members of the University community who may have developed a drug-related problem, suspect they are at risk, or seek information about illegal or controlled drugs, several support programs are available. The following programs and services are voluntary and completely confidential:

Programs Available at NYU: Office of Drug and Alcohol Education, telephone: 212-443-1220; Office of Student Life, telephone: 212-998-4959; University Health Center, telephone: 212-443-1000; and University Counseling Services, telephone: 212-998-4780.


In addition to policies and practices that emphasize concern for the welfare of individuals, the University also recognizes the importance of maintaining the safety and well-being of the community as a whole. The University therefore adheres to the following guidelines concerning the unlawful possession, use, and distribution of drugs:

1. The unlawful possession, use, or distribution of drugs will not be tolerated on University premises.

2. Upon finding evidence of the unlawful possession, use, or distribution of drugs on its premises by any student, the University will take appropriate disciplinary action, including, but not limited to, probation, suspension, or expulsion.
3. Using regularly established procedures, the University will take disciplinary action, up to and including discharge, against any member of the faculty or staff found unlawfully using, possessing, or distributing drugs. Faculty, staff, and students should also be aware that in addition to University sanctions, they might be subject to criminal prosecution under federal and state laws that specify fines or imprisonment for conviction of drug-related offenses. Where appropriate or necessary, the University will cooperate fully with law enforcement agencies.

Policy on Equal Opportunity

New York University is committed to a policy of equal treatment and opportunity in every aspect of its relations with its faculty, students, and staff members, without regard to age, citizenship status, color, disability, marital or parental status, national origin, race, religion, sex, sexual orientation, or veteran status. This includes, but is not limited to, recruitment, hiring or appointment, selection for training, transfer, layoff, promotion, granting of tenure, rates of pay and other forms of compensation, and participation in University-sponsored educational, social, and recreational programs.

The University shall exclude from its placement offices and all other facilities recruiters from any entity which in employment matters has been determined to have a practice of either (a) unlawfully discriminating on any of the foregoing bases or (b) discriminating on the basis of sexual preference. Nothing contained in this paragraph shall be construed to bar any religious or denominational institution or organization or any organization operated for charitable or educational purposes, which is operated, supervised, or controlled by or in connection with a religious organization, from recruiting for employment or from making such selection for employment as is calculated by such organization to promote the religious principles for which it is established or maintained.

Notwithstanding the provisions of (the preceding) paragraph that as long as entities that fund the scholarly and academic pursuits of the members of the NYU community are required to withhold funding from institutions of higher learning pursuant to Section 606(a) of Public Law 92-436 and similar and successor statutes, the University may allow recruitment by such entities, including the Armed Forces of the United States.

Inquiries concerning the application of the federal laws and regulations concerning affirmative action and antidiscrimination policies and procedures at New York University may be referred to Dr. Sharon L. Weinberg, Vice Provost for Faculty Affairs and Director for Equal Opportunity/Section 504 Coordinator, New York University, Elmer Holmes Bobst Library, 70 Washington Square South, Room 1202, New York, NY 10012-1091; telephone: 212-998-2370. Inquiries may also be referred to the director of the Office of Federal Compliance, U.S. Department of Labor.

Complaint Policy of the Commission on Dental Accreditation

The Commission on Dental Accreditation will review complaints that relate to a program’s compliance with the accreditation standards. The commission is interested in the sustained quality and continued improvement of dental and dental-related education programs but does not intervene on behalf of individuals or act as a court of appeal for individuals in matters of admission, appointment, promotion or dismissal of faculty, staff, or students.

A copy of the appropriate accreditation standards and/or the commission’s policy and procedure for submission of complaints may be obtained by contacting the commission at 211 East Chicago Avenue, Chicago, IL 60611 or by calling 800-621-8099, ext. 2719.