

# PROFESSIONAL ETHICS POLICY

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The School of Nursing Professional Ethics Policy (the "Policy") is based on the shared core values stated in the School's Values Statement. Each member of the School of Nursing community, whether student, faculty or staff, holds themselves and others to the highest standards based on the values of excellence, respect, diversity, integrity, and accountability.

Each student is obligated to adhere to the highest standards of professional ethics and conduct in their academic endeavors. In addition, the School of Nursing upholds the professional code of ethics established in the Code of Ethics for Nurses (ANA 2015). Each student is held accountable for adhering to the American Nurses Association Code of Ethics.

The School of Nursing Professional Ethics Policy is grounded in the following principles:

- Act with honesty and integrity in the performance of all academic assignments, examinations and in all interactions with others
- Respect self, faculty, staff, fellow students and members of the health team
- Respect and protect the confidentiality of information
- Advocate for patients' best interest
- Respect the diversity of persons encountered in all interactions
- Respect property
- Respect policies, regulations and laws
- Abstain from the use of substances in the academic and clinical setting that impair judgment or performance

## Scope

This Policy applies to all matriculated and continuing School of Nursing students in full-time and part-time programs and non-degree courses.

## Cross-Divisional Enrollments

School of Nursing students may enroll in courses in one or more other University divisions or schools. School of Nursing students are subject to this policy not only when enrolled in School of Nursing courses, but also when enrolled in courses in other University divisions or schools. Academic misconduct in the context of those "outside" courses will be subject to and resolved under this policy.

## Research Misconduct

*Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. For a complete definition, refer to The Johns Hopkins University Research Integrity Policy (<https://research.jhu.edu/jhura/compliance/research-integrity/>) ("Policy"). The Policy applies to all University faculty, trainees, students, and staff engaged in the proposing, performing, reviewing, or reporting of research, regardless of funding source. Allegations of research misconduct regarding a student should be referred to the Research Integrity Officer for assessment under that Policy, but may also be directed to the department chair or Dean of the responsible unit where the alleged research misconduct occurred.*

## Academic Misconduct

All issues of academic student misconduct are subject to the School of Nursing Academic Integrity Policy. For more on this policy, please refer to Academic and Professional Ethics (<https://nursing.jhu.edu/information/current-student/student-affairs/academic-professional-ethics.html>) webpage.

## Non-Academic Misconduct

All issues of non-academic student misconduct will be subject to the University-wide Student Conduct Code. For more on this policy, please refer to <http://studentaffairs.jhu.edu/policies/student-code/>.

## Professional Code of Ethics

Each student enrolled in the Johns Hopkins University School of Nursing is expected to uphold the professional code of ethics established for and by the nursing profession and as defined by the School. Ethics are foundational to the nursing profession. The nursing profession expresses its moral obligations and professional values through the Code of Ethics for Nurses (ANA 2015). Each student should read the American Nurses Association Code of Ethics and is accountable for its contents.

In its Code of Ethics for Nurses, the American Nurses Association states that: "ethics is an essential part of the foundation of nursing. Nursing has a distinguished history of concern for the welfare of the sick, injured, vulnerable and for social justice. This concern is embodied in the provision of care to individuals and the community. Nursing encompasses the prevention of illness, the alleviation of suffering, and the protection, promotion, and restoration of health in the care of individuals, families, groups, and communities." – American Nurses Association Code of Ethics for Nurses with Interpretive Statements (2015)

Nursing students are expected not only to adhere to the morals and norms of the profession, but also to embrace them as part of what it means to be a nurse. The nurse recognizes that their first obligation is to the patient's welfare and that all other needs and duties are secondary; the nursing student adheres to this same value. A code of ethics makes the professional goals, values, and obligations of a nursing student more explicit, assisting the student in the development of their professional ethics.

A nursing student at Johns Hopkins University School of Nursing will strive to act in a professional, ethical manner in accordance with the Code of Ethics for nurses and the JHSON values. Each student will:

- Be responsible for their own learning and clinical practice and honor other students' right to learn and be successful in academic and clinical environments (i.e., develop own knowledge base through study and inquiry; recognize others' right to do well on their written work; have access to reserved material; and have access to their own preparation materials and supplies used in clinical areas).
- Demonstrate respect in verbal and non-verbal behaviors to all others in all clinical and academic settings (e.g., interact with others without using threats of, or commission of, physical harm, verbal abuse, unwanted sexual advances or contact, or other unwarranted physical contact. Arrive to class and clinical sites on time; silence beepers and cell phones in class, etc.).
- Demonstrate ability to meet all standards outlined in the Johns Hopkins School of Nursing Technical Standards for Admissions and Graduation (<https://e-catalogue.jhu.edu/nursing/policies/technical-standards-admission-graduation/>).

- Assess patient status carefully upon assuming responsibility for their care.
- Provide safe, competent care, seeking assistance when personal knowledge and/or skill are not adequate. Avoid use of any substances that would impair clinical ability or judgment (e.g., prepare for clinical assignment to develop required knowledge and skill; review patient's medical record; seek assistance according to course and curricular objectives).
- Provide the same standard of care to all patients and families regardless of race, ethnicity, age, sexual preference, disability, religion, economic status, employment status, or the nature of their health problem(s). Accept that others have the right to their own cultural beliefs and values and respect their choices (e.g., demonstrate compassion and respect for every individual; provide the best quality of care possible to all patients; be non-judgmental of cultural differences).
- Provide patient care without expectation of, or acceptance of, any remuneration over and above salary (if applicable) (e.g., do not accept gratuities or personal gifts of monetary value).
- Document in a thorough, accurate, truthful, and timely manner data that reflects findings from one's own personal assessment, care, interventions, teaching, or the patient's and/or family's response to those activities (e.g., documentation errors are corrected in an acceptable manner, documentation is unaltered, vital signs are recorded at the time they are measured, and late entries are duly noted).
- Act in a manner that contributes to the development and maintenance of an ethical educational and practice environment. Recognize that the primary commitment in clinical practice is to the patient and that respectful interactions are expected (e.g., act as a role model for other students and colleagues; speak up if another student is speaking disrespectfully to classmates or faculty; work through appropriate organizational channels to share concerns about situations that jeopardize patient care or affect the educational environment; advocate patient safety).
- Complete legally required HIPAA training and University or clinical site requirements regarding confidentiality. Use patient data in all school work, papers, presentations, research findings and in the clinical setting in a manner that is accurate, truthful, and confidential. Patient data must have a justifiable reason for its presence. Acknowledge real data gaps that may exist in written work. Identify patient in paper by initials, not full name.
- Refrain from unauthorized use or possession of school or clinical setting's equipment, patient's belongings, or items dispersed or intended for patient use (e.g., do not download University software onto a personal PC or mobile device; do not use a hospital computer terminal for personal use; do not take a patient's prescribed medication for personal use).

## Reporting Professional Ethics Violations

Any member of the faculty, administration, staff or any student who has reason to suspect or believe a violation of this Policy has occurred is expected to notify the Ethics Board Chair or Associate Dean for Enrollment Management and Student Affairs.

## Faculty/Administrator-Student Resolution of First-Time Offenses

- If a student is suspected of professional misconduct, the faculty member responsible for the course in which the misconduct allegedly occurred must first contact the office of the Associate Dean for

Enrollment Management and Student Affairs to determine whether the offense is a first offense, or a second or subsequent offense. A faculty member may not resolve a second or subsequent offense directly with a student. If the suspected professional misconduct occurs outside of a course, the Ethics Board Administrator will review the facts.

- If it is a first offense and the faculty member or administrator has spoken with the student and any witnesses and believes that professional misconduct has occurred, the faculty member or administrator may choose to resolve the case directly with the student. In this situation, the faculty member/administrator and student may reach an agreement on the resolution of the alleged misconduct. Note, neither the faculty member/administrator nor the student is obligated to resolve a complaint under this section. If such an agreement is reached, the faculty member or administrator must promptly provide the student with a letter outlining the resolution that includes the charges, a summary of the evidence, the findings, and the sanctions agreed upon, and must also simultaneously provide a copy of that letter to the Associate Dean for Enrollment Management and Student Affairs.
- If, however, the faculty member/administrator cannot reach an agreement with the student (e.g., the student denies misconduct, does not agree with the proposed sanction, etc.), or the offense is a second or subsequent offense, or, if in the case of a first offense, the sanction imposed would be greater than failure in the course, the faculty member must promptly notify the office of the Associate Dean for Enrollment Management and Student Affairs in writing of the alleged violations, evidence, including potential witnesses, and other pertinent details of the case. In such instances, the case will proceed to an Ethics Board hearing as outlined below.
- In instances where the student fails to respond or engage in the process the faculty member should notify the office of the Associate Dean for Enrollment Management and Student Affairs for direct referral to the Ethics Board.

## Ethics Board Hearing

- In the case of a first offense that is not resolved between the faculty member/administrator and the student or a second or subsequent offense, the Associate Dean for Enrollment Management and Student Affairs will convene a meeting of the Ethics Board in consultation with the chair of the Ethics Board.
- In advance of the Ethics Board hearing, the student will receive written notification of the hearing date, time, and location.

## Ethics Board Selection and Ethics Panel Hearings

The Ethics Board consists of a chair, appointed annually by the Dean or her or his designee; two full-time faculty who teach primarily in one of the following programs—MSN Entry into Nursing Practice, DNP, or PhD, elected by the Faculty Assembly; Program Directors from each academic program; and students representing each academic degree.

For each matter, an Ethics Hearing Panel will be formed. The Ethics Hearing Panel consists of the faculty chairperson of the Ethics Board, the faculty members on the Ethics Board elected by the Faculty Assembly, the program director for the student's program and two student members. The Associate Dean for Enrollment Management and Student Affairs or designee attends all hearings as a non-voting member of the Ethics Board. Each student appearing before an Ethics Hearing Panel will have a hearing assistant unless explicitly asking that no hearing

assistant be named. The hearing assistant for a student may be their academic advisor or other faculty member chosen by the student or recommended by the Ethics Board. If desired, the faculty member, staff member or student bring the case may also have a hearing assistant of their choice or recommended by the Ethics Board. The assistant may meet with the respective parties to assist in preparation of evidence, testimony, and questions for the hearing. The designated assistants may attend and provide consultation in the hearing while the student or faculty member is present.

Students may request witnesses be present at the hearing. The student must furnish the Ethics Hearing Chair with the names of the witnesses in sufficient time to request the presence of the witnesses. It is within the Hearing Panel's discretion to limit the number of witnesses appearing at the hearing to a reasonable number.

Faculty, staff or students bringing forth the case are expected to compile evidence and to present their account of the violation during an Ethics hearing. All supporting materials for the hearing must be placed on file in the Office of the Associate Dean for Enrollment Management and Student Affairs. Supporting materials may be submitted directly to the Associate Dean for Enrollment Management and Student Affairs or indirectly through the assistant or the chairperson.

The Ethics Board will endeavor to convene within 10 working days of receiving the request for a hearing. Legal representation is not permitted at Ethics Board hearings.

In general, hearings will proceed as follows, although the Ethics Hearing Panel has discretion to alter the order or manner in which it hears or receives evidence, and to impose time limits on any stage of the process:

- Introductions
- Opening statement from the reporter, if applicable
- Questioning of the reporter by the panel, if applicable
- Closing statement from the reporter, if applicable
- Opening statement from the student
- Questioning of the student by the panel
- Questioning of the witnesses, if any, by the panel
- Closing statement from student

The reporter, student or witness is only present in the room with the Ethics Hearing Panel during the time that they are being questioned or responding. At the conclusion of the hearing, all parties are dismissed and the deliberations of the Ethics Hearing Panel will be held in private.

The student is presumed innocent until the Ethics Hearing Panel has made a determination by a preponderance of the evidence that a violation has occurred. A "preponderance of the evidence" standard is an evidentiary standard that means "more likely than not." This standard is met if the proposition is more likely to be true than not true. The goal of the Ethics Panel is to reach consensus on the allegation and outcome. If this is not possible, a decision will be made by majority vote.

The Chair of the Ethics Board and the Associate Dean for Enrollment Management and Student Affairs shall, as soon after the hearing as practicable and reasonable, prepare minutes of the hearing including:

1. Date, place and time of the hearing,
2. The names of all persons present at the hearing,
3. A short statement of the charge against the student,

4. A summary of the findings of fact and conclusions made by the Ethics Board,
5. A statement of the decision of the Ethics Board,
6. The sanction(s) recommended by the Ethics Board, if applicable

The alleged violator and the initiating party will be informed in writing by the Office of Enrollment Management and Student Affairs of the decision on whether a Policy was violated following the decision of the Ethics Hearing Panel.

Any student found not in violation of all charges of the Academic Integrity Policy will be permitted to make-up missed assignments or clinical time during the time of the hearing and appeal process.

After the hearing, the Associate Dean for Enrollment Management and Student Affairs assists the chair in implementing the Ethics Board's decision. This will include notifying the student and appropriate faculty or School personnel (e.g., Registrar, faculty advisor, course faculty, Executive Vice Dean, appropriate program director).

## Sanctions

If a student is determined to be in violation of this Policy, the following factors may be considered in the sanctioning process:

- The specific academic misconduct at issue;
- The student's academic misconduct history; and
- Other appropriate factors.

This section lists some of the sanctions that may be imposed upon students for violations of this policy. The School of Nursing reserves the right, in its discretion, to impose more stringent or different sanctions than those listed below depending on the facts and circumstances of a particular case. Sanctions for academic misconduct under policy are generally cumulative in nature.

The following is a non-exhaustive list of possible sanctions and what these sanctions typically mean. The specific conditions imposed under each sanction (i.e. the terms of a suspension, etc.) will depend on the specific facts and circumstances of each case.

## Formal Warning

The student is notified in writing that their actions constitute a violation of this policy, and may be subject to other actions (e.g., re-taking an exam or failure in a course).

## Academic

These sanctions may include but are not limited to grade adjustments, including failure, on any work or course, or re-submission of an assignment. This may include or may not include permanent student record notation. If the sanctions include a notation on the student's transcript, "Grade due to Professional Misconduct" will be noted on the student's official School of Nursing transcript.

## Corrective or Educational Measures

The student may be required to engage in other corrective or educational activities.

## Probation

The student is notified that further violations of this policy within the stated period of time will result in the student being considered for

immediate suspension or other appropriate disciplinary action. If at the end of the specified time period no further violations have occurred, the student is removed from probationary status.

## Suspension

The student is notified that the student is separated from the University for a specified period of time. The student must leave campus and vacate campus residence halls, if applicable, within the time prescribed and is prohibited from University property and events. The conferring of an academic degree may be deferred for the duration of the suspension. A student must receive written permission from the University prior to re-enrollment or re-application. Academic work completed at another institution while on suspension will not be recognized for credit transfer.

## Expulsion

Expulsion means the permanent removal of the student from the University. Expulsion includes a forfeiture of all rights and degrees not actually conferred at the time of the expulsion, permanent notation of the expulsion on the student's University records and academic transcript, withdrawal from all courses according to divisional policies, and the forfeiture of tuition and fees. Any student expelled from the University is prohibited from future reapplication to the University.

## Appeals Process

Except in the case of a resolution for first time offenses with a faculty member, the student may appeal a panel's finding of responsibility and/or sanction(s). A student must file any appeal within five (5) days of the date of the notice of outcome on one or more of the following grounds:

- Procedural error that could have materially affected the determination of responsibility or sanction(s);
- New information that was not available at the time of the hearing and that could reasonably have affected the determination of responsibility or sanction(s); and
- Excessiveness of the sanction(s).
- Any appeal must be filed in writing with the Dean of the School of Nursing or designee. An appeal will involve a review of the file; the appeal does not involve another hearing. On review of the appeal, the Dean of the School of Nursing or designee may:
  - Enter a revised determination of responsibility and/or revise sanction(s); or
  - Remand the matter to the panel to reconsider the determination of responsibility and/or sanction(s), or
  - Convene a new panel to consider the case; or
  - Uphold the panel's decision

The Dean of the School of Nursing or designee will simultaneously send the appeal determination, with the reasons therefor, to the chair, as appropriate, and to the student. The decision of Dean of the School of Nursing or designee is final. No further appeals are permitted.

## Records

A case file concerning a student will be retained by the Associate Dean for Enrollment Management and Student Affairs for the duration of the student's enrollment at JHU and seven (7) years from date that the student graduates or otherwise leaves the University.

The Associate Dean for Enrollment Management and Student Affairs will provide an overview of the process and procedures of the Ethics Board.

## Procedural Rights

In connection with the resolution of alleged policy violations, a student shall:

- Be notified in writing of the allegations in advance of any meeting or hearing;
- Be notified in writing of the charges, and the date, time and location of the hearing, and identity of the hearing administrator or panel members in advance of the hearing;
- have the opportunity to review in advance of any meeting or hearing any information to be considered by any faculty member, administrator or panel in accordance with the University policy on Family Educational Rights and Privacy Act of 1974, as amended ("FERPA") and applicable laws and regulations;
- Be notified in writing of the outcome of any hearing, namely the findings, determination of responsibility, and any sanctions; and
- Be notified in writing of the outcome of any appeal.

A student may raise the potential conflict of any University personnel participating in the resolution process. All such conflicts must be sent in writing to the Associate Dean for Enrollment Management and Student Affairs at least two days prior to the hearing date. A student may also decline to participate in the resolution process. The University may however continue the process without the student's participation.

Communications under this policy will primarily be conducted with students through their official University email address, and students are expected check their official University email on a regular basis.