

Promoting a Positive Learning Environment and Avoiding Student Mistreatment

I. Purpose

To promote a positive learning environment and to avoid student mistreatment.

II. Scope/Coverage

All California Northstate University College of Medicine (CNUCOM) faculty, students, and administrative staff.

III. Policy Statement

1. CNUCOM, as a higher institution of medical and health sciences education, embraces and is committed to the importance of the AAMC position on promoting a positive learning environment: “Having a respectful, inclusive, and robust learning environment plays a critical role in developing and sustaining a professional, capable, compassionate, and diverse healthcare workforce that will meet the healthcare needs of all.” (www.aamc.org/initiatives/learningenvironment/)
2. Toward that end, CNUCOM has adopted the AAMC Statement on the Learning Environment:
 - a. “We believe that the learning environment for medical education shapes the patient care environment. The highest quality of safe and effective care for patients, and the highest quality of effective and appropriate education are rooted in human dignity.
 - b. “We embrace our responsibility to create, support, and facilitate the learning environment shared by our patients, learners, and teachers. In this environment, our patients witness, experience, and expect a pervasive sense of respect, collegiality, kindness, and cooperation among health care team members. This includes all professionals, administrators, staff, and beginning and advanced learners from all health professions. This includes research as well as patient care environments.
 - c. “We affirm our responsibility to create, support, and facilitate a learning environment that fosters resilience in all participants. It is our responsibility to create an atmosphere in which our learners and teachers are willing to engage with learning processes that can be inherently uncomfortable and challenging.

- d. “We affirm our commitment to shaping a culture of teaching and learning that is rooted in respect for all. Fostering resilience, excellence, compassion, and integrity allows us to create patient care, research, and learning environments that are built upon constructive collaboration, mutual respect, and human dignity.”
3. Guidelines for Conduct in Faculty (Teacher) / Student (Learner) Relationships (adapted from AAMC Guideline). (www.aamc.org/initiatives/learningenvironment/)
 - a. Responsibilities of Teachers
 - i. Treat all learners with respect and fairness.
 - ii. Treat all learners equally regardless of age, gender, race, ethnicity, national origin, religion, disability, or sexual orientation.
 - iii. Provide current material in an effective format for learning.
 - iv. Be prepared and punctual for didactic, investigational, and clinical encounters and prompt in responding to requests and questions from students.
 - v. Provide timely feedback with constructive suggestions and opportunities for improvement/remediation when needed.
 - vi. Practice insightful (Socratic) questioning, which stimulates learning and self-discovery and avoid overly aggressive questioning which may be perceived as hurtful, humiliating, degrading or punitive.
 - vii. Encourage students who experience mistreatment or who witness unprofessional behavior to report the facts immediately.
 - viii. Demonstrate respect and professionalism toward other members of the faculty in developing and delivering an integrated curriculum.
 - b. Responsibilities of Learners
 - i. Recognize the privileges and responsibilities coming from the opportunity to work with patients in clinical settings.
 - ii. Treat all fellow learners and teachers with respect and fairness, equally regardless of age, gender, race, ethnicity, national origin, religion, disability, or sexual orientation.
 - iii. Be prepared and on time for didactic, investigational, and clinical encounters.
 - iv. Commit the time and energy to your studies necessary to achieve the goals and objectives of each course
 - v. Recognize personal limitations and seek help as needed. Policy Number: 4800 Approved: 2/28/17 Department/Office: Student Affairs Page 3 of 7

- vi. Communicate concerns/suggestions about the curriculum, didactic methods, teachers, or the learning environment in a respectful, professional manner.
 - vii. Develop a lifelong learner's perspective where the students take ownership of their own learning process and anticipate long term needs for knowledge, skills, attitudes and behavior.
 - viii. Encourage students who experience mistreatment or who witness unprofessional behavior to report the facts immediately.
 - ix. Solicit feedback on your performance and recognize that criticism is not synonymous with "abuse".
- c. Behaviors Inappropriate to the Teacher-Learner Relationship Inappropriate and unacceptable behaviors are those which demonstrate disrespect for others or lack of professionalism in interpersonal conduct. Although there is inevitably a subjective element in the witnessing or experiencing of such behaviors, certain actions are clearly inappropriate and will not be tolerated by the institution. These include, but are not limited to, the following:
- i. Unwanted physical contact (e.g. Hitting, slapping, kicking, pushing) or the threat of the same.
 - ii. Sexual harassment (including romantic relationships between teachers and learners in which the teacher has authority over the learner's academic progress) or harassment based on age, gender, race, ethnicity, national origin, religion, disability, or sexual orientation.
 - iii. Loss of personal civility including shouting, personal attacks, insults or bullying, displays of temper (such as throwing objects), use of culturally insensitive language.
 - iv. Discrimination of any form including in teaching and assessment based upon age, gender, race, ethnicity, national origin, religion, disability, or sexual orientation.
 - v. Requests for another to perform inappropriate personal errands unrelated to the didactic, investigational, or clinical situation at hand.
 - vi. Grading/evaluation on factors unrelated to performance, effort, or level of achievement.

IV. Procedure

1. Students (Learners) and Faculty (Teachers) are encouraged to emphasize the positive responsibilities and behaviors described in the Guidelines for Conduct in Faculty (Teacher) / Student (Learner) Relationships described in Sections III 3(a) and (b) of this Policy and Procedure.

2. Procedures for Student reporting of inappropriate or unacceptable Teacher behavior as described in Section III 3(c) of this Policy and Procedure and for reporting any Student (Learner) concerns over Faculty (Teacher) or other Student initiated mistreatment or harassment are described in the Student Mistreatment, Sexual Harassment, and Complaint/Grievance sections of the Student Handbook, which are duplicated as exhibits to this Policy and Procedure along with the Student Grievance/Complaint Form and online Anonymous Report form.
3. Procedures for Teacher reporting of inappropriate or unacceptable Student behavior as described in Section 3(c) of this Policy and Procedure and for reporting any Faculty (Teacher) concerns over Student (Learner) or other Student initiated mistreatment or harassment are described in the Anti-Harassment section of the Employee Handbook, which is duplicated as follows:
 - a. “California Northstate University is committed to providing a work environment free of harassment, disrespectful or other unprofessional conduct. University policy prohibits conduct that is disrespectful or unprofessional, as well as harassment based on sex (including pregnancy, childbirth, breastfeeding or related medical conditions), race, religion (including religious dress and grooming practices), color, gender (including gender identity and gender expression), Policy Number: 4800 Approved: 2/28/17 Department/Office: Student Affairs Page 5 of 7 national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, registered domestic partner status, age, sexual orientation, military and veteran status or any other basis protected by federal, state or local law or ordinance or regulation. It also prohibits harassment, disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. All such conduct violates University policy.
 - b. “The University's anti-harassment policy applies to all persons involved in the operation of the University and prohibits harassment, disrespectful or unprofessional conduct by any employee of the University, including supervisors and managers, as well as vendors, students, independent contractors and any other persons. Applicants, employees, unpaid interns, volunteers and independent contractors are all protected from harassment.
 - c. “Harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:
 - i. Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;

- ii. Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- iii. Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- iv. Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors;
- v. Retaliation for reporting or threatening to report harassment; and
- vi. Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law, or by University policy.

4. Procedures of Handling

1. "Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of his/her gender can amount to sexual harassment, regardless of whether the treatment is motivated by any sexual desire.
2. "If you believe that you have been the subject of harassment or other prohibited conduct, bring your complaint to your supervisor or Human Resources of the University as soon as possible after the incident. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory. Supervisors will refer all complaints involving harassment or other prohibited conduct to Human Resources. The University will immediately undertake an effective, thorough and objective investigation of the allegations.
3. "If the University determines that harassment or other prohibited conduct has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the University to be responsible for harassment or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. A University representative will advise all parties concerned of the results of the investigation. The University will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees or co-workers.
4. "The University encourages all individuals to report any incidents of harassment or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved. You also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited

harassment in employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The nearest office can be found by visiting the agency websites at www.dfeh.ca.gov and www.eeoc.gov.”

5. Informal Reporting Process:

Any student who feels they are a victim of discrimination is encouraged to first seek resolution by discussing the concern with someone in a position to understand the context and address the concern. Such individuals, a CNU officer, include the student’s College Master, advisor, the Assistant Dean of Student Affairs and Admissions, Clerkship Director, or Course Director. The CNU officer will address the Informal report of discrimination usually within three weeks after receipt of the request. If a resolution is reached through the informal process, the discussion and resolution will be documented in writing and will include both the underlying allegation(s) and the terms of the agreed upon resolution.

The student who initiated the request for Informal resolution can, at any point before a final resolution is reached, decide to withdraw the request, and initiate a formal complaint.

6. Formal Reporting Process:

If the informal resolution process did not yield a satisfactory result or if the students does not want to use the informal reporting process and resolution, then a formal discrimination complaint is initiated. All formal report must be done in writing. The student can use any of the following options to initiate a formal report:

1. Fill out a mistreatment form on the CNUCOM website and submit the completed form to the Office of Student Affairs:
http://medicine.cnsu.edu/PDFs/Mistreatment_Form-2020.pdf
2. File a report with the CNU Title IX Coordinator at anji.khan@cnsu.edu. If the situation is an emergency, please call the Elk Grove Police by dialing 911.
3. File an Anonymous Report on the CNUCOM website:
<https://californianorthstateuniversity.formstack.com/forms/anonymousreportcnu>

Note: Anonymous Reports filed on the CNUCOM website are sent to the Office of Student Affairs. Medical students desiring anonymity should be made aware that doing so may interfere with the university’s ability to investigate the concern and their ability to receive information about the follow-up investigation.



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