



## Mistreatment Policy for CNUCOM Students

### I. Purpose

The purposes of this policy are:

1. Define mistreatment and provide examples of behavior that represent mistreatment that would be prohibited.
2. To outline expectations of behaviors that promote a positive learning environment for CNUCOM medical students and other learners
3. To identify procedures to report allegations and incidents of mistreatment in a safe and effective manner.

### II. Policy Statement

California Northstate University College of Medicine is committed to assuring a safe and supportive learning environment that reflects the institution's values of professionalism, respect for individual rights, appreciation of diversity, altruism, compassion, and integrity. The policy is to ensure that the learning environment is free from public humiliation, exploitation, discrimination, sexual or other forms of harassment, physical harm and threats so that students can learn in a supportive environment that promotes learner well-being. Mistreatment of medical students will not be tolerated. This policy will be published in the Student and Faculty Handbooks and will be available online. This policy will be provided to all students (new and continuing), all new residents and faculty, and on an annual basis with all current instructors (e.g. residents, faculty, staff, nurses, administrators).

### III. Scope/Coverage

All students, staff and faculty at California Northstate University.



#### IV. Procedure

##### A. DEFINITIONS - Association of American Medical Colleges (AAMC)

###### Definition of Student Mistreatment:

1. "Mistreatment, either intentional or unintentional, occurs when behavior shows disrespect for the dignity of others and unreasonably interferes with the learning process. Examples of mistreatment include: public belittlement or humiliation; verbal abuse (for example, speaking to or about a person in an intimidating or bullying manner); physical harm or the threat of physical harm; requests to perform personal services; being subject to offensive sexist remarks, or being subjected to unwanted sexual advances (verbal or physical); retaliation or Page 2 of 4 threats of retaliation against students; discrimination or harassment based on race, religion, ethnicity, sex, age, or sexual orientation; and the use of grading or other forms of assessment in a punitive or discriminatory manner."

B. EXAMPLES OF MISTREATMENT Students should use this Policy to address discriminatory, unfair, arbitrary, or capricious treatment by instructors, which includes residents, faculty, and staff. When assessing behavior that might represent mistreatment, students are expected to consider the conditions, circumstances, and environment surrounding such behavior. Examples of discriminatory, unfair, arbitrary or capricious treatment include, but are not limited to:

1. Public humiliation
2. Bullying, intimidating or coercive behavior
3. Intentionally singling out a student for arbitrary treatment that could be perceived as punitive rather than corrective
4. Threats of physical harm or actual physical harm
5. Unwarranted exclusion from reasonable learning opportunities
6. Assignment of duties as punishment rather than education
7. Pressuring students to exceed established restrictions on work hours
8. Exploitation of students in any manner, e.g. performing personal services
9. Directing students to perform an unreasonable number of non-educational "routine hospital procedures" (i.e. "scut" work) on patients not assigned to them or where performing them interferes with a student's attendance at educational activities, e.g. rounds, teaching sessions, lectures, etc.



10. Pressuring a student to perform medical procedures for which the student is insufficiently trained, thus placing a student in a role that compromises patient care
11. Being asked to exchange sexual favors for grades or other rewards
12. Denial of opportunities for training or rewards based on gender or gender identification
13. Racial, ethnic, religious or gender offensive remarks or name calling

C. PROCEDURES

1. Reporting Student Mistreatment
  - a) Medical students who themselves experience or observe other students experiencing possible mistreatment are encouraged to discuss it with someone in a position to understand the context and address the necessary action(s) such as the student's College Master, student's advisor, clerkship/course directors, and Assistant Dean of Student Affairs.
  - b) Medical Students may also choose to pursue claims of unlawful discrimination or harassment in compliance with the University's Anti-Discrimination Statement: Page 3 of 4 "California Northstate University College of Medicine (CNUCOM) is committed to cultivating a diverse community that recognizes and values inherent worth in individuals, fosters mutual respect, and encourages individual growth. The College believes that diversity enhances and enriches the quality of our academic program. CNUCOM provides equal opportunity in education and employment and does not discriminate on the basis of race, color, creed, religion, national origin, ethnicity, gender, age, sexual orientation, political affiliation, veteran status, or disability."
2. Mechanisms for medical students to report mistreatment
  - a) Student Mistreatment Form - The preferred method of reporting mistreatment is via the Student Mistreatment Form which is available on the CNUCOM website. The form is submitted to the Office of Student Affairs for review by the Assistant Dean of Student Affairs and allows for follow-up with the individual reporting harassment and also the individual who engaged in harassment. The link to the form is provided to students in the Student Handbook.
  - b) Course Evaluations Students are given the opportunity to evaluate each course/clerkship as well as course/clerkship instructors, faculty, preceptors, and clinical sites. Students are asked specifically if they experienced harassment, and if so, they are required to provide specifics of the incident. This information is forwarded to the Assistant Dean of Student Affairs for follow up. Reports of harassment are noted in course reviews at Phase A, in clerkship/elective reviews at Phase B and Phase C.



c) Learning Environment Surveys Each semester students have the opportunity to evaluate the learning environment by completing the learning environment survey. This survey may be supplanted by the Independent Student Analysis Survey.

d) Anonymous Reporting Tool via CNUCOM website Students can file an anonymous report of mistreatment via the anonymous reporting tool on the CNUCOM website:

<https://californianorthstateuniversity.formstack.com/forms/anonymousreportcnu> All anonymous reports are directed to the Office of Student Affairs and reviewed by the Assistant Dean of Student Affairs. Anonymous reporting may interfere with the university's ability to investigate the concern and their ability to receive information about the follow-up investigation.

e) Verbal Report While the preferred method of reporting is via the Student Mistreatment Form, a student may be more comfortable reporting to a member of the CNUCOM community. Allegations of mistreatment can be reported directly to instructors, faculty, advisors, the Assistant Dean of Student Affairs, and Student Body Council president. Upon receiving a report of mistreatment, these individuals must forward the report to the Office of Student Affairs.

f) Mistreatment Involving Discrimination (Title IX) Page 4 of 4 Title IX of the Education Amendment Acts of 1972 prohibits discrimination based on sex in education programs and activities receiving federal financial assistance. Although Title IX does not prohibit discrimination based on sexual orientation, sexual harassment directed at an LGBT student is prohibited by Title IX if it is sufficiently severe and pervasive. Title IX also prohibits gender-based harassment, including harassment based on a student's failure to conform to stereotyped notions of masculinity and femininity. CNUCOM does not currently receive federal financial assistance but takes a proactive stance in the protection of all students. Any violations of the Title IX Education Amendment Act should be reported to the CNU Title IX Coordinator, Anji Khan at [anji.khan@cnsu.edu](mailto:anji.khan@cnsu.edu). If unsure what to do, contact Office of Student Affairs at [OSA@cnsu.edu](mailto:OSA@cnsu.edu) or the Assistant Dean of Student Affairs.

### 3. Responding to Concerns of Mistreatment



- a) Concerns of mistreatment will be responded to in a professional and timely manner. The Assistant Dean of Student Affairs, and/or the Associate Dean of Faculty Affairs and Development will be provided with written notice of reported mistreatment of Medical Students and respond to the reporter within two (2) business days to indicate that the report is being researched. They will conduct an initial inquiry into the circumstances. The Assistant Dean of Student Affairs will engage the appropriate process channels for implementing notice to the offending party, and for investigation and implementation of potential corrective action. The process must be completed within ten (10) business days. Aggregate and de-identified data on reports of mistreatment of Medical Students will be shared with the Curriculum Committee and the President's Executive Council at least quarterly.
4. Protection from Retaliation
    - a) CNUCOM does not tolerate retaliation against individuals who report hateful, dishonest, illegal, unethical, unprofessional, or otherwise inappropriate acts that constitute student mistreatment. Appropriate action may be taken to protect students from harm or any type of retaliation. Faculty, residents, staff, administrators, and other Individuals who have been accused of mistreatment are to be informed that retaliation is not tolerated and will be regarded as a violation of University Policy and will be managed as a separate and distinct form of mistreatment. Students who believe they are experiencing retaliation are to contact the Assistant Dean of Student Affairs. Alleged retaliation will be subject to investigation and may result in disciplinary action up to and including termination or expulsion.
  5. Rights of the Accuser and the Accused
    - a) The accuser and accused will have rights to the following: due process, confidentiality, a fair, timely and thorough investigation, and communication regarding the outcome.



**Associated forms:**

Non-discrimination Policy

Grievance Policy

Professionalism Policy

Honor Code

Mistreatment Form

Grievance Form

Anonymous Reporting Tool

Reviewed by DAC: 12/23/20

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