



Cooper Medical School of Rowan University

POLICIES AND PROCEDURES

SECTION: Medical Students

SUBJECT: Student Mistreatment

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INITIATED BY: Office of Student Affairs

APPROVED BY:

(Original signature on file)

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POLICY: Cooper Medical School of Rowan University (“CMSRU”) is committed to promoting student success in an atmosphere dependent upon mutual respect, collegiality, fairness, trust, and accountability within its respective community. Student mistreatment, abuse, harassment, intimidation, or bullying will not be tolerated. If a student alleges mistreatment or becomes aware of an incident of mistreatment by a member of the CMSRU community, they are encouraged to follow this policy. CMSRU adheres to the standards described in the Association of American Medical Colleges (“AAMC”) Teacher-Learner Compact (see Teacher-Learner Interaction Policy located in the Student Handbook, the Faculty Handbook, and the CMSRU Compendium of Policies for Faculty, Residents, and Staff). Students are expected to abide by the tenets of the CMSRU Professional Conduct Policy.

PURPOSE: The purpose of this policy is to outline expectations of behaviors that promote a positive learning environment for CMSRU medical students, to provide mechanisms and procedures for students to report alleged mistreatment, and to identify procedures to address alleged violations. This policy defines these expectations, provides examples and definitions of unacceptable treatment of medical students, describes the procedures available to report incidents of mistreatment, and informs what actions will be taken to monitor, investigate, and respond to reports.

SCOPE: This policy applies to all CMSRU medical students and those who serve as teachers, mentors or other CMSRU community members with whom students interact throughout all years and areas of the educational experience.

DEFINITIONS:

Discrimination: An educational practice or procedure that treats an individual less favorably based upon any of the following protected categories: race, creed, color, national origin/ethnicity, nationality, ancestry, age, sex/gender, pregnancy, marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, disability or any other protected classification (N.J.A.C. 4A:7-3.1).

Mistreatment: The Liaison Committee on Medical Education (“LCME”) states, “Mistreatment, either intentional or unintentional, occurs when behavior shows disrespect for the dignity of others or unreasonably interferes with the learning process.” It can take the form of physical punishment, harassment, psychological cruelty, and discrimination based on race, religion, ethnicity, sex, age or sexual orientation or any other protected class. The CMSRU End Mistreatment Task Force determined and compiled a list of mistreatment never behaviors. The following behaviors represent mistreatment of patients, colleagues, or learners and should never occur.

Never Behaviors:

- Never make disparaging comments to or about other professionals.
- Never make disrespectful comments to or about patients, their friends, or family members.
- Never belittle, humiliate, harass, or bully a learner.
- Never subject anyone to physical harm or threat of physical harm.
- Never require learners to perform non-team-centric, non-patient-centric personal services.
- Never require learners to perform tasks intended to punish, belittle, humiliate or control the learner.
- Never subject learners to discriminatory exclusion from learning opportunities, a hostile learning/working environment, or intentional neglect.
- Never subject learners to offensive, sexist remarks or subject them to unwanted sexual advances (physical or verbal).
- Never ask anyone to exchange sexual favors for rewards.
- Never engage in an intimate relationship with a learner one is responsible for supervising, evaluating, mentoring, or coaching.
- Never deny learners opportunities for training or rewards because of gender, age, race, disability, ethnicity, sexual orientation, or religion.
- Never subject anyone to negative or offensive comments or behaviors because of gender, age, race, disability, ethnicity, sexual orientation, or religion.
- Never pressure a learner to perform a medical procedure for which they are insufficiently trained or insufficiently supervised.
- Never subject anyone to inappropriate comments about their appearance.
- Never subject learners to retaliation or threats of retaliation for making a good-faith report of mistreatment or unprofessional behavior.

Retaliation: Adverse action taken against an individual in response to, motivated by, or in connection with an individual’s complaint of mistreatment, participation in an investigation of such complaint and/or opposition to reported mistreatment in the educational or workplace setting.

STUDENT REPORTING PROCEDURE: It is strongly suggested that students submit an electronic Mistreatment Report in real-time for all alleged mistreatment-related events to ensure proper follow-up and resolution. A student can report an incident by using any of the following methods/venues of reporting:

- Office of Student Affairs
 - Douglas Reifler, MD; Senior Associate Dean for Student Affairs, reifler@rowan.edu
 - Erin Pukenas, MD; Associate Dean for Student Affairs, pukenas@rowan.edu
 - Marion Lombardi, EdD; Assistant Dean for Student Affairs, lombardim@rowan.edu
 - Alisa Modena, MD; Director of Student Affairs, modena@rowan.edu
- Office of Diversity and Community Affairs
 - Guy Hewlett, MD; Associate Dean for Diversity and Community Affairs, hewlett@rowan.edu

- Kristyn Kent Wuillermin, Asst. Director of Community Affairs, kentk@rowan.edu
- Taruna Chugeria, MEd, Director – Pathway Programs and Diversity Initiatives, chugeria@rowan.edu
- CMSRU Ombuds Office
 - Debrah Meislich, MD; Ombudsperson, <http://cmsru.rowan.edu/students/ombuds/>
- Title IX Coordinator
 - Marion Lombardi, EdD; Asst. Dean for Student Affairs, lombardim@rowan.edu
- Disabilities/Accommodations
 - Marion Lombardi, EdD; Asst. Dean for Student Affairs, lombardim@rowan.edu
- Via Course and Clerkship Evaluations
 - Issues of mistreatment can be voiced through the course and clerkship evaluations distributed at the end of the course/clerkship
- Deans and Directors
 - To provide easier access to reporting, students may report an incident to any Dean or Director they feel comfortable approaching
 - The Dean or Director will then convey the complaint to the Associate Dean for Student Affairs or designee

CONFIDENTIALITY OF REPORTING MECHANISMS

- As set forth above, CMSRU provides several mechanisms for both informally discussing and/or reporting allegations of mistreatment. These mechanisms, whenever possible, are designed to respect the student's wishes in deciding how to report and respond to the incident. However, CMSRU cannot guarantee confidentiality when there is a concern for the immediate safety of the student or the community. Students are strongly encouraged to ask any questions about confidentiality before revealing details they prefer to keep private.
- While there are several anonymous and confidential ways to report inappropriate treatment of students, full disclosure of the persons involved and the behaviors witnessed can lead to more effective action to correct the problem. Therefore, CMSRU encourages full reporting of incidents of inappropriate treatment of students and people involved in them. However, anonymous reports will also be investigated to the extent that specific information is provided. A student can report anonymously by utilizing the CMSRU Student Mistreatment Form. https://cmsruapps.rowan.edu/surveys/report_mistreatment
- If a student chooses not to remain anonymous, CMSRU will discuss with the reporting student whether they want their name shared with the mistreatment source and the timing of contact (e.g., delay until relevant course/clerkship has been completed). However, if the report concerns the safety of the student or the community, it will need to be addressed immediately. Retaliation is prohibited at CMSRU and can result in significant consequences for faculty members.
- CMSRU will keep confidential all records of complaints and investigations to the extent permitted by law. However, behaviors that violate Title IX of the 1972 Education Amendments to the Higher Education Act, which include discrimination or harassment based on sex or gender, must be reported by a CMSRU official so that they can be promptly acted upon to be compliant with Federal Law.

- Behaviors that pose an immediate danger to others (e.g., violence or threats of physical violence, illegal drug use by caregivers in a clinical setting, deliberate violation of patient safety procedures) or are illegal (e.g., stealing narcotics, falsifying patient records) must also result in immediate reporting so that action can be taken. These behaviors will be investigated, via Rowan University/CMSRU (RU/CMSRU) and Cooper University Health Care (CUHC) policies and protocols (e.g. RU/CMSRU Anti-Violence, Impaired Student Process, Professional Conduct, Student Code of Conduct, (CUHC) Prevention and Suspected Drug Diversion, Theft, Loss, and Reporting Policy and Violence Prevention Plan).
- The Office of Student Affairs and the Office of Medical Education are responsible for the oversight of mistreatment of students. After a mistreatment report is filed, the appropriate parties will review the complaint and determine the course of action based on the severity and circumstances of the incident. If the event is reported via a course or clerkship evaluation, it will be addressed with the respective departments and faculty. In the event of an electronic mistreatment submission, the student, where identified, will be contacted within three (3) business days confirming receipt of the complaint. The student, when self-identified, will participate in the investigatory process. An action plan will be formulated within fourteen (14) days from the filing. The Standard Operating Procedures for the Office of Student Affairs and Office of Medical Education are listed as appendices.

RETALIATION: Threats, other forms of intimidation, and retaliation against a student for bringing a complaint of mistreatment or for assisting another in bringing a complaint are prohibited. Reporting mistreatment will have no impact on a student’s performance assessment. Retaliation against those reporting mistreatment or participating in an investigation of mistreatment is also regarded as a form of mistreatment. Complaints of retaliation will be investigated by OME or OSA, or if applicable, may be forwarded to the appropriate CMSRU and/or CUHC administrator for investigation.

MALICIOUS ACCUSATIONS: A complainant or witness found to have been dishonest or malicious in making allegations at any point during the investigation process may be subject to disciplinary action.

ADDITIONAL NOTES:

1. This process does not apply to the student’s personal preferences regarding the faculty/professional staff members’ physical appearance, personal values, sexual orientation, or the right to academic freedom or freedom of expression.
2. To the extent possible, the student will be responsible for documentation of their allegations in all grievance matters.
3. All students, faculty, professional staff, department chairs, supervisors, deans, and directors are expected to follow the steps outlined in this policy.

If not reported anonymously, the reporting student will be notified of the outcome of the investigation when a remediation plan has been made, and the general approach that is being taken; however, the specific details of those plans are generally protected in nature.

OTHER APPLICABLE POLICIES

CMSRU recognizes that this Mistreatment Policy is only one of several grievance procedures that may be used by a student depending on the nature of their complaint. Depending on the circumstances, a student may choose to pursue a remedy by alternative pathways for the alleged abusive conduct by filing a complaint as follows:

- Complaints of Sexual Harassment/Sexual Assault are referred to the Office of Student Equity and Compliance, Division of Diversity, Equity and Inclusion, at Rowan University to be reviewed in accordance with:
 - (i) Title IX Sexual Harassment/Sexual Assault Policy at:
<https://confluence.rowan.edu/pages/viewpage.action?pageId=132646706>
 (addresses allegations of sexual misconduct that meet the definition of Title IX sexual harassment/sexual assault occurring within a University program or activity); or
 - (ii) Student Sexual Misconduct and Harassment Policy at:
<https://confluence.rowan.edu/display/POLICY/Student+Sexual+Misconduct+and+Harassment+Policy> (applies to forms of sexual misconduct against a student that does not fall within the scope of the Title IX Sexual Harassment/Sexual Assault policy).
- Complaints of Discrimination are referred to the Office of Student Equity & Compliance in the Division of Diversity, Equity and Inclusion to be reviewed in accordance with:
 - (i) Policy Prohibiting Discrimination in the Workplace and Educational Environment
<https://confluence.rowan.edu/display/POLICY/Policy+Prohibiting+Discrimination+in+the+Workplace+and+Educational+Environment>
 (reaffirms the principles that students have the right to an educational environment free from prohibited discrimination or harassment and provides recourse for those individuals whose rights have been violated); or
 - (ii) Procedure for Resolving Student v. Student Discrimination Complaints
<https://sites.rowan.edu/diversity-equity-inclusion/docs/procedure-for-t6.pdf>

Appendices

STANDARD OPERATING PROCEDURES

MISTREATMENT INVESTIGATION PROCESS FOR OFFICE OF STUDENT AFFAIRS

SOP name/title: Mistreatment Review Process for Office of Student Affairs		
SOP originator: Chief Student Affairs Officer	SOP Approval: Assistant Dean for Student Affairs Dean, CMSRU	Effective Date: August 8, 2020
Signature:	Signature:	Last Edited Date: July 25, 2023

1. Reports of student mistreatment can initiate from a variety of reporting options including the anonymous mistreatment system provided via the Office of Student Affairs (OSA), the direct reporting of the incident to any member of the leadership team at CMSRU or a course/clerkship director, and via the course evaluation system established by the Office of Medical Education (OME). **The OSA addresses mistreatment events outside of activities pertaining to the curriculum and other allegations of mistreatment deemed appropriate to investigate.** When student mistreatment is reported, the following steps are taken to ensure proper review and resolution:

- Allegations of student mistreatment occurring outside of the educational program are communicated to the Assoc. Dean for Student Affairs (ASDA), Asst. Dean for Student Affairs and/or the Director of Student Affairs for review and investigation. If the allegation of student mistreatment is a Title IX issue, the issue is directed to the Rowan University Office of Student Equity and Compliance. If an allegation of student mistreatment is a Title IX issue and involves a Cooper University Health Care (CUHC) employee, the issue is co-investigated by the Rowan University Office of Student Equity and Compliance and the Cooper University Health Care Office of Human Resources.
 - Findings of the student mistreatment investigation are reported to the Associate Dean for Student Affairs.
 - The ADSA reports all incidents of mistreatment to the CMSRU Dean. If an allegation of mistreatment involves a CUHC employee or occurs at CUHC or a CUHC ambulatory site, the Dean notifies CUHC leadership personnel.
 - After discussion with the Dean and after presentation and discussion at the executive cabinet, a plan is developed concerning the actions that need to be taken relative to the mistreatment incident. This plan is formulated as soon as possible and within ten (10) days of completion of the investigational report. Immediate action is taken if there is a threat to student safety or well-being.
 - The student (if they supplied their name and were not anonymous) can participate in the investigatory process and is made aware of the findings of the investigation and actions taken. If the student disagrees with the final determination of the investigatory findings, the issue is directed to, and investigated by, the Rowan University Office of Student Equity and Compliance. No further investigation is undertaken once the Rowan University Office of Student Equity and Compliance finalizes its investigation and conclusions unless new information is brought forward. The OSA carries out any required actions/recommendations.
 - The Executive Cabinet of Deans reviews the mistreatment event and the investigational report, including actions leading to resolution or appeal.
2. Information regarding the case (de-identified) is provided to the Committee for a Positive Learning Environment in the standing Mistreatment Report that they receive on an ongoing basis.
 3. All mistreatment information is kept confidential and maintained in a locked, fire-safe cabinet in the Office of Student Affairs.

**STANDARD OPERATING PROCEDURES
MISTREATMENT INVESTIGATION PROCESS FOR OFFICE OF MEDICAL EDUCATION**

SOP name/title: Mistreatment Review Process for Courses and Clerkships			
SOP originator: Sundip Patel MD Asst Dean for Curriculum, Phase II	SOP originator:	SOP Approval: Assoc Dean for Medical Education Dean, CMSRU	Effective Date: October 7, 2020
Signature:	Signature:	Signature:	Last Edited Date: July 25, 2023; updated June 4, 2024

When a student files a Mistreatment Report concerning activities pertaining to a Phase I or Phase II course or clerkship or describes a mistreatment event in a course or clerkship evaluation form, the following process is followed to review the incident, investigate it, and determine proper resolution.

1. The appropriate Assistant Dean of Phase I or Phase 2 courses or clerkships receives reports of student mistreatment and conducts the review and investigation, supported by the Senior Associate Dean for Medical Education (SADME). Reports of mistreatment can initiate from a variety of reporting options including the anonymous mistreatment system provided by the Office of Student Affairs (OSA), the direct reporting of the incident to any member of the leadership team at CMSRU, or to a course/clerkship director, and via the course evaluation system established by the Office of Medical Education (OME). (The OSA addresses mistreatment events outside of the curriculum according to their policies.) The OME addresses all incidents of student mistreatment related to the educational program.
2. If an allegation of mistreatment involves a CUHC employee or occurs at Cooper University Hospital or a CUHC ambulatory site, the Dean notifies CUHC leadership, including the Senior Vice President of Human Resources and the Chief Physician Executive. If a faculty member is involved, the Departmental Chair is notified; if a resident or fellow is involved, the Program Director and the Designated Institutional Official (DIO) are notified; and if a nurse is involved, the Chief Nursing Officer is notified.
3. If the allegation of student mistreatment is a Title IX issue, it is directed immediately to the Rowan University Office of Student Equity and Compliance. If an allegation of student mistreatment is a Title IX issue and involves a Cooper University Health Care (CUHC) employee, the issue is co-investigated by the Rowan University Office of Student Equity and Compliance and the CUHC Office of Human Resources.
4. For incidents within the educational program, the appropriate Assistant Dean, Phase 1 or Phase 2, notifies the SADME.
5. The SADME reports all incidents of student mistreatment to the CMSRU Dean. After discussion, a preliminary investigational and action plan is developed. Immediate action is taken if there is a threat to student safety or well-being.
6. The Assistant Dean of Phase 1 or Phase 2, investigates the mistreatment event and reports their findings to the SADME and the Dean.
7. After discussion with the Dean, and after presentation and discussion at the executive cabinet, the plan may be revised concerning the actions that need to be taken relative to the mistreatment incident. This plan is formulated as soon as possible and within ten (10) days of completion of the investigational report.
8. The student (if they supplied their name and were not anonymous) can participate in the investigatory process and is made aware of the findings of the investigation and actions taken. If the student disagrees with the final determination of the investigation, the issue is directed to, and investigated by, the Rowan University Office of Student Equity and Compliance. Unless new information is brought forward, no further investigation is undertaken once the Rowan University Office of Student Equity and Compliance finalizes its investigation and conclusions. The OME carries out any required actions/recommendations.
9. Information regarding the case (de-identified) is provided to the Committee for a Positive Learning Environment in the standing Mistreatment Report that they receive on an ongoing basis.
10. The mistreatment event and actions taken are recorded in the appropriate dashboard.

TIPS FOR CREATING A POSITIVE LEARNING AND WORKING ENVIRONMENT FOR ALL FACULTY, RESIDENTS, AND FELLOWS

Before each rotation or course, please review the following guidelines:

Set the stage: how medical educators (attending physicians, residents, fellows, etc.) can form a cohesive team:

- 5-minute orientation to goals, objectives, expectations and the mechanics of the rotation or course.
- Ask learners what they most want to learn.
- Embrace the learners as part of the patient care team.
- Affirm your shared commitment to the primacy of patient care and a positive learning environment.
- Emphasize the ethos of psychological safety.
- Frame the work of the team (crucial work, fraught with uncertainty).
- Admit that we all make mistakes and may need each other's help.

Provide students with authentic roles: medical educators should encourage their learners to take an active role in patient care.

- Students learn best by doing, not by shadowing or taking a back seat.
- Encourage students to know their patients and advocate for their care.
- Students should be helpful by tracking down outside test results and by performing other important supportive activities.
- Provide adequate space and time to debrief after emergencies and high-intensity moments, so students can learn from them and not feel neglected.

Challenge learners: medical educators should promote an environment of intellectual curiosity while inspiring learners to apply critical thinking skills to complex patient problems:

- Encourage all team members to ask thought-provoking questions, of anyone, at any time.
- Let learners know you will ask thought-provoking questions to encourage learning.
- Embrace the messengers: thank those who ask useful questions or bring useful information.

The CMSRU End Mistreatment Task Force determined and compiled a list of mistreatment never behaviors. The following behaviors represent the mistreatment of patients, colleagues, or learners and should never occur.

Never Behaviors

- Never make disparaging comments to or about other professionals.
- Never make disrespectful comments to or about patients, their friends, or family members.
- Never belittle, humiliate, harass, or bully a learner.
- Never subject anyone to physical harm or threat of physical harm.
- Never require learners to perform non-team-centric, non-patient-centric personal services.
- Never require learners to perform tasks intended to punish, belittle, humiliate or control the learner.
- Never subject learners to discriminatory exclusion from learning opportunities, a hostile learning/working environment, or intentional neglect.
- Never subject learners to offensive, sexist remarks or subject them to unwanted sexual advances (physical or verbal).
- Never ask anyone to exchange sexual favors for rewards.
- Never engage in an intimate relationship with a learner one is responsible for supervising, evaluating, mentoring, or coaching.

- Never deny learners opportunities for training or rewards because of gender, age, race, disability, ethnicity, sexual orientation, or religion.
- Never subject anyone to negative or offensive comments or behaviors because of gender, age, race, disability, ethnicity, sexual orientation, or religion.
- Never pressure a learner to perform a medical procedure for which they are insufficiently trained or insufficiently supervised.
- Never subject anyone to inappropriate comments about their appearance.
- Never subject learners to retaliation or threats of retaliation for making a good-faith report of mistreatment or unprofessional behavior.