

# Creighton University School of Medicine

## Medical Education Program Policies

POLICY: Policy for Ensuring a Positive Learning Environment

GOVERNING BODY: Educational Program Committee

APPROVAL DATE: 7/9/2019

REVISED DATE: 10/22/2019, 7/26/2022, 6/27/2023

LCME ACCREDITATION STANDARD REFERENCE: Element 3.6 Student Mistreatment

### PURPOSE

The mission statement of Creighton University states: “Creighton exists for students and learning.” Thus, it is vital to create a positive learning environment for students (learners) at all levels of education (including undergraduate students, graduate students, medical students, hospital residents, and fellows). Mistreatment of students/learners and abuse of power is unprofessional and antithetical to the Creighton mission.

### POLICY

The Medical Education Program prohibits harassment and discrimination in accordance with Creighton University’s [Title IX Sexual Harassment Policy \(2.1.35\)](#) and [Non-Discrimination Policy \(2.1.25\)](#). When incidents of harassment and/or discrimination occur, the Medical Education Program will inform the Office of Title IX and Civil Compliance of the report. The Office of Title IX and Civil Rights Compliance will determine if the incident falls under University Policy or if the incident should be addressed through this policy in the School of Medicine.

Incidents addressed under this policy include behaviors, actions, or expressions by faculty or staff toward a learner that a reasonable person would consider mistreatment, demeaning, or an abuse of power. These incidents are considered “unacceptable behavior.” Examples of unacceptable behavior include:

- Public belittling or humiliation [commenting on inadequate preparation of assignments is not unacceptable Behavior unless done in an inappropriate manner.]
- Mandated performance of personal services (e.g., babysitting, shopping)

### PROCEDURE

1. Procedure for Reporting Harassment, Discrimination, or other Unacceptable Behaviors
  - A. Students/learners are encouraged to report concerns as soon as possible following an incident. Observers or witnesses are also encouraged to report.
  - B. Reports of incidents should be made to either the Associate Dean for Student Affairs (402-280-2905) on the Omaha campus or the Assistant Dean for Student Affairs at the Phoenix Regional Campus (602-812-4717). Reports can also be made directly to the Office of Title IX and Civil Rights Compliance (402-280-3189) or (602-812-4590), or

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through the Tell Someone Online Reporting System

<https://www.creighton.edu/safety/tell-someone>.

- C. The Office of Student Affairs will first consult with the Office of Title IX and Civil Rights Compliance to determine if the reported incident falls under University Policy. Incidents that fall under University policy will be investigated and adjudicated by the Office of Title IX and Civil Rights Compliance. Incidents that do not fall under University policy will be investigated and adjudicated by the School of Medicine in accordance with this policy (*See Investigations of reports of Unacceptable Behavior below*).
- D. The Office of Student Affairs, the Office of Graduate Medical Education, and the Office of Title IX and Civil Rights Compliance will make all reasonable attempts to maintain confidentiality and to protect students from harm or retaliation. Any form of retaliation following the reporting of an alleged incident is prohibited, and complaints of retaliation will be addressed through applicable university policies or by the Dean of the School of Medicine.

### 2. Investigations of reports of Unacceptable Behavior

- A. Within ten (10) days of receiving the report of Unacceptable Behavior, the Associate Dean for Student Affairs will create an investigative team that will be comprised of two faculty approved by the Dean, School of Medicine (Dean). If the complaint is against an affiliate employee, the Dean may require the Associate Dean of Student Affairs to coordinate the investigation with the affiliate entity.
- B. The investigative team will promptly complete the investigation. Investigations are usually completed within two (2) weeks. If the investigation will continue beyond two (2) weeks the Associate Dean of Student Affairs will notify the complainant.
- C. At the conclusion of the investigation the investigative team will compile a report of its finding of fact and recommendations and present the report to the Dean.
- D. The Dean will take action or refer the report to the appropriate administrator for action. The Associate Dean of Student Affairs will advise the complainant that the investigation is closed, the findings of the investigative team, and whether corrective action was taken. The Associate Dean of Student Affairs, in consultation with the Office of General

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Counsel, will limit the details of the corrective action based on human resource policies and as necessary for the complainant's continued participation in the program.

- E. If a complaint cannot be resolved after exhausting the institution's grievance procedure, the complainant has the right to appeal to the Provost or designee. The appeal maybe on the following grounds:
1. procedures stated within this policy were not followed
  2. the decision is clearly unsubstantiated by the evidence

The complainant is required to submit an appeal within five (5) business days by writing such an appeal to the Provost with copy to the Associate Dean of Student Affairs.

The Provost may refer the matter back to the School of Medicine for further investigation, or may decide the merits of the appeal. The Provost's decision on the merits is final.

### **SCOPE**

Faculty, students, and staff within the medical education program.

### **ADMINISTRATION AND INTERPRETATION**

The School of Medicine Medical Education Program is responsible for administration of this policy. Please forward questions to the Associate Dean for Student Affairs

### **AMENDMENT**

This policy may be amended by majority vote of the School of Medicine Medical Education Program Committee.