



California Health Sciences University

CHSU STUDENT PROFESSIONALISM AND CONDUCT POLICY

I. INTRODUCTION

CHSU students are members of the CHSU community and are future health care professionals. As such, the purpose of this policy is to establish standards of appropriate student conduct and to outline student discipline procedures that provide due process, including notice of the allegations of misconduct, an impartial decision-maker and an opportunity for the student to directly address allegations of misconduct.

The process provides CHSU students with the opportunity to evaluate their own actions and decision making, and to acquire new skills to improve their actions in the future. This process also supports students in tracking their own professionalism, serves as a reminder of the professional obligations of CHSU students and enables any inaccurate information to be identified and amended promptly.

II. STUDENT EXPECTATIONS

This policy is meant to be consistent with university-wide governing statutes and policies regarding student conduct, including, but not limited to, the University's Governing Statute 2 – Code of Ethical Conduct. Each student of the CHSU community has a duty to:

1. Understand and become familiar with this policy;
2. Uphold this policy in all aspects of the student's daily life;
3. Report any suspected conduct violations committed by other members of the CHSU community;
4. Cooperate with investigations of alleged conduct violations;
5. Self-report misconduct.

III. JURISDICTION

This policy applies to all: (a) admitted students; (b) students on leaves of absence, suspensions or otherwise temporarily not on campus; or (c) former students who engaged in misconduct while enrolled at CHSU. Students may be disciplined pursuant to this policy for conduct that occurs either on-campus or off-campus. Students may be disciplined for their off-campus conduct because CHSU recognizes that while students are individually accountable for their actions, students are also ambassadors of the



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University and therefore accountable to the larger CHSU community.

CHSU may, at its sole discretion, exercise jurisdiction over student behavior that occurs off-campus if such conduct would violate university or college-specific statutes or policies under the following circumstances:

1. On a school sponsored activity including field trips, professional internships, rotations or other activities related to course of study at CHSU;
2. While the student is engaging in any activity to further the student's education including while on rotations, engaging in research or attending courses at a conference or another professional school, such as a fellowship, study abroad program or similar activity;
3. At any activity that is sponsored, conducted, or authorized by CHSU or by a CHSU student organization;
4. While the student is representing or publicly recognized as being affiliated with CHSU by, including wearing attire bearing CHSU insignias, a CHSU lab coat or other CHSU professional clothing; or
5. If the student is charged with, arrested for or convicted of a felony or misdemeanor.

CHSU may decide regarding whether to exercise jurisdiction over off-campus conduct on a case-by-case basis. In making this determination, CHSU may consider the following factors: severity of the alleged misconduct, whether the alleged victim is a member of the campus community, the ability of CHSU to gather information regarding the alleged incident, whether the alleged misconduct is connected to a series of incidents that have occurred on or off-campus, whether the alleged incident calls into question the student's ability to practice in the student's respective field of study.

Additionally, students may be disciplined for the same offense under multiple university or college-specific statutes or policies.

IV. STUDENT PROFESSIONALISM AND CONDUCT

Students are expected to demonstrate honesty and integrity in all aspects of their education and training. The following list includes, but is not limited to, examples of conduct which violate this policy:

1. **Dishonesty** including, but not limited to, the following:
 - a. Plagiarism is defined as the failure to acknowledge and cite appropriate reference for words, facts, or ideas, belonging to another individual, and falsely representing it as your own. Failure to reference any such material violates academic integrity and is both



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- ethically and legally improper.
- b. Self-plagiarism which is defined as the reusing of significant, identical, or nearly identical portions of one's own work (e.g., work completed by the student for another course) without acknowledging that one is doing so or citing the original work, and without obtaining prior approval from the faculty member teaching the course in which the student is reusing the student's prior work.
 - c. Cheating occurs when a student obtains or attempts to obtain, or aides or attempts to aid another in obtaining, an unfair or disallowed advantage which includes, but is not limited to:
 - i. Deliberate submittal of work that is not prepared by the student and that violates faculty instructions for the work;
 - ii. Providing or receiving assistance when such assistance has not been authorized by the faculty instructor;
 - iii. The use of testing or similar materials from past testing periods as a study guide, unless authorized by the faculty member who created and presented the prior material and the faculty member giving the subsequent test;
 - iv. Theft or otherwise unauthorized access to the exam, answer key, or previously graded tests or coursework, unless explicitly permitted by the course professor;
 - v. Having someone else complete work or take an exam instead of the student required to complete the work or take the exam;
 - vi. Copying or allowing another person to copy exam information or other graded coursework;
 - vii. The possession of written or electronic material or devices during an examination that are not expressly authorized by the faculty member(s) who created or administered an examination;
 - viii. The discussion of examination contents with any other student while taking an examination or divulging or receiving any information regarding the content, form, or study tips related to any examination that the other student has not yet taken;
 - d. Lying or falsifying documents in order to obtain additional time or other accommodation for course work or exams;
 - e. Falsifying student attendance or participation in class in any way, including but not limited to, with the use of electronic device (e.g., clickers), signing in for students who are not present or otherwise participating on behalf of another student in any way.
 - f. Lying is defined as making a statement that one knows is false or an omission that is intended to deceive.
 - g. Academic theft is the intentional removal of academic materials in order to deprive or prevent others from having equal learning opportunities.



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- h. Fabrication is the intentional or unauthorized falsification or invention of any information or citation in connection with any academic or co-curricular exercise or requirement. This includes falsification of documents.
 - i. Forging is the production of a copy or imitation of a person's signature, notes, work, or other document for the purpose of deception.
 - j. Fraud is deception, misrepresentation or omission intended to result in financial or personal gain. Fraud includes, but is not limited to, misuse of CHSU funds or the misrepresentation of the purpose funds will be used for when fundraising.
2. **Conduct that threatens health or safety.** Conduct that threatens the health or safety of any person including, but not limited to, physical assault, sexual misconduct, domestic violence, or threats that cause a person reasonably to fear for one's own safety or the safety of others, incidents involving the use or display of weapons likely to cause great bodily harm, or intoxication or impairment through the use of alcohol or drugs. This includes conduct prohibited by University or college-level policies addressing Alcohol, Drug and Tobacco Use, Weapons and others that discuss health, safety, or violence on campus.
3. **Unprofessional Conduct** including, but not limited to:
- a. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other CHSU activities;
 - b. Insubordination, which includes failure to follow a lawful directive of faculty, administration, staff or other authority figure;
 - c. Engaging in disorderly or lewd conduct;
 - d. The actual or attempted manufacture, distribution, dispensing, possession, use, or sale of controlled substances, as identified in Federal or California state law or regulations, which is unlawful or otherwise prohibited by or not in compliance with, any University or college-specific statute or policy;
 - e. Making offensive, disrespectful, insulting or taunting comments toward others;
 - f. Any misuse of CHSU property, including using CHSU property for unauthorized personal use or carrying out unlawful activity;
 - g. Being charged with, arrested for or convicted of a felony or misdemeanor;
 - h. Recording via video, audio or other electronic means any person without that person's prior consent;
 - i. Any violation of University rules related to the use of technology or social media;
 - j. Lack of punctuality, poor attendance or consistent failure to meet deadlines;
 - k. Demonstration of uncaring attitude towards a patient;
 - l. Breach of confidentiality of patient information or HIPAA related policies of CHSU or



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- any affiliated site;
- m. Any other conduct that calls into question the student's fitness to practice in the student's respective field of study.

V. STUDENT PROFESSIONALISM REVIEW COMMITTEE

The Student Professional Review Committee ("SPRC") is an ad hoc university-level committee whose purpose is to review alleged student conduct violations. SPRC serves an advisory role issuing non-binding recommendations to the Dean (or designee) of the college that the accused student attends. SPRC will issue recommendations regarding whether the accused student engaged in the alleged misconduct by a preponderance of the evidence standard (i.e., whether it is more likely than not to have occurred). SPRC may, upon the request of the appropriate Dean (or designee), also make recommendations regarding appropriate sanctions for the student.

SPRC shall consist of three (3) faculty members and two (2) students appointed by the Dean (or designee) of the accused student's college. The faculty and student appointees are not required to be from the accused student's college. The appropriate Dean shall appoint one of the faculty members to serve as Chair of the SPRC. The Chair shall be responsible for leading and facilitating the duties of SPRC, including conducting the hearing, as described in this policy. All members of SPRC, must be in good standing with their respective colleges at the time of appointment. Members may be appointed to serve on the SPRC multiple times.

Generally, most accusations will be resolved through an informal process and will not result in a hearing by SPRC. SPRC shall hear a case at the request of the Dean (or designee) if the conduct alleged satisfies the following criteria:

1. Where the alleged misconduct, if true, may result in the student's suspension or expulsion, and the student has not made an admission to the misconduct; or
2. Where the alleged misconduct has been ongoing by the student and/or prior counseling or other efforts have been unsuccessful in changing the behavior, and the student has not made an admission to the misconduct.

VI. STUDENT DISCIPLINARY PROCEDURES

The procedures outlined in this section represent the steps employed to reach a resolution in cases of alleged student misconduct:



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1. Step 1: Conduct Referral Submitted – Allegations of student misconduct may be reported by faculty, administration, staff, students, patients, external organizations or any member of the public to the Dean (or designee) of the student’s college. If the matter involves the Dean, then the student conduct should be reported to the Provost (or designee). Student conduct referrals must be submitted in writing using the conduct referral form (“Conduct Referral”) which shall be developed by the Provost (or designee).

2. Step 2: Dean’s Review & Evaluation for Immediate Resolution – Upon receipt, the Dean (or designee) shall review the content of the Conduct Referral to determine if it is appropriate to process it under this policy. If not, the Dean (or designee) shall notify the person who submitted the Conduct Referral and refer them to the correct process outside of this policy and no further steps under this policy will be taken. If the content of the Conduct Referral is appropriate to process under this policy, the Dean (or designee) shall determine if the matter requires an investigation or if the matter is appropriate for immediate resolution without investigation. If the matter requires an investigation, the matter shall proceed to Step 3, below. If the matter is appropriate for immediate resolution, the Dean (or designee) shall meet with the accused student and shall document the outcome in the Dean’s office records. If discipline is warranted, then the discipline shall be documented in a disciplinary memo placed in the student’s disciplinary file. Such memos shall not be removed.

3. Step 3: Notice to Accused Student and Selection of Investigator – If the Conduct Referral is appropriate under this policy and is not resolved by informally as described in Step 2, above, the Dean (or designee) shall assign a qualified, neutral investigator to conduct an investigation into the alleged misconduct. The Dean (or designee) has broad discretion in selection of a neutral investigator. The Dean (or designee) shall ensure that the assigned investigator has both the skills and resources necessary to conduct a complete investigation. Before the investigation begins, the Dean (or designee) will notify the accused student in writing regarding the nature of the alleged misconduct, with a copy provided to college-level Student Affairs office. In cases involving an active law enforcement investigation, the Dean may determine that notice to the student may interfere with the active criminal investigation. In this situation, the notice to the student may be delayed for a reasonable period of time.

4. Step 4: Investigation –The investigation shall be appropriately tailored to the circumstances based on the misconduct alleged in the Conduct Referral, and shall include, at a minimum, review of relevant documents and interviews with relevant witnesses (including the accused student). The accused student shall have an opportunity to be interviewed as part of the investigation. In order to protect the integrity of the investigation, the Dean (or designee) may require that the accused student or others participating in the investigation refrain from acting in a specified manner (i.e., such as directives to refrain from contacting others involved in the investigation until the investigation is complete). The findings of the investigation should be documented in the investigation file, which shall



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be maintained by the Dean's office. The accused student is not entitled to the investigation file as part of the student disciplinary process.

5. Step 5: SPRC or Dean's Final Determination – Based on the findings of the investigation, the Dean (or designee) shall determine whether the matter should be heard by SPRC based on the criteria for SPRC review, described above. If review by SPRC is required, the matter will proceed to Step 6, below. If no review by SPRC is necessary the Dean (or designee) will determine: (1) whether the student engaged in the alleged misconduct based on a preponderance of the evidence standard; and (2) the appropriate sanction(s) to be imposed on the student, if any, taking into consideration any special circumstances or mitigating factors. In this case, the Dean (or designee) shall notify the student in writing of these determinations within a reasonable time after the close of the investigation. The Dean's (or designee's) determination is final. The college-specific Student Affairs office shall be copied on the Dean's (or designee's) notice to the student. The Registrar shall be copied as well in cases where the sanction is suspension or expulsion.

6. Step 6: Notice of SPRC Hearing – The student may, but is not required, to attend the hearing. If the student is not able or does not want to attend, the hearing will proceed as scheduled. If the Dean (or designee) determines that further review by SPRC is warranted, the hearing shall take place within a reasonable time period after the close of the investigation, but in no event more than forty-five (45) calendar days thereafter. The student shall be notified at least ten (10) calendar days prior to the hearing, and such notice shall include an explanation of the hearing process. The college-specific Student Affairs office shall be copied on such notice to the student.

7. Step 7: SPRC Hearing - SPRC hearings are informal and not a forum to try or prosecute students. Therefore, criminal, civil or administrative rules of evidence shall not apply. Rather, SPRC's purpose is to serve as a forum to discuss the facts of the case, consider any special circumstances of the accused, and to evaluate the behavior of the accused according to the CHSU's established statutes and policies. Ultimately, the members of SPRC are charged with making recommendations to the Dean (or designee) that will serve a mutual interest for CHSU in its mission to educate each student while fulfilling its obligation to maintain a safe learning environment, promote high ethical and professional standards among the student body, and ensure CHSU graduates health professionals that are able to competently serve the public.

In situations where the alleged misconduct involves multiple students, if all the students involved in a case desire to have one joint hearing, they may each sign a waiver of their right to individual hearings. If a student fails to sign such waiver, the student will have a separate hearing. Matters involving more than one accused student will be reviewed by the same SPRC members.



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Before a student's case is heard by SPRC, the student will be provided with a list of the names of faculty and students that will hear the student's case. In order to protect the integrity and confidentiality of the process, at the time the names are disclosed to the accused student, the student will be required to sign a confidentiality form which requires the student to agree not to disclose any of the identities of the members of SPRC before, during or after the student's hearing, with exceptions for disclosure to legal counsel or the students assigned college advisor. Violation of the confidentiality requirement may subject the student to additional disciplinary action, up to and including dismissal from their program. If a student refuses to sign a confidentiality form, they shall not be permitted to provide a live statement in front of SPRC but may submit a written statement in lieu thereof. Such statement shall be submitted to the Chair at least three (3) calendar days prior to the hearing.

Within three (3) calendar days of receiving the list of names the accused student may raise a perceived bias that the student believes would prevent a member of SPRC from being impartial in hearing the case. The student will be required to provide a written explanation regarding the reason for the perceived bias to the Dean (or designee). The Dean (or designee) will review such reasoning and will make a final decision regarding whether any member of SPRC will need to be excused and replaced during the hearing of the student's case.

The hearing will be conducted in a secure and private location and is closed to all members of the public. Only the members of SPRC, the accused student and a support representative ("Support Representative") selected by the student will be allowed to attend the hearing. The Support Representative may be a friend, family member, mentor or other advisor. The Support Representative's role is only advisory to the student. The Support Representative may not participate directly in the hearing, even if that person is a lawyer. If the Support Representative is disruptive or attempts to directly participate in the hearing, the Chair may ask the Support Representative to leave.

Hearings will not be audio or video recorded. Typically, the hearing will not be transcribed by a certified court reporter, but an administrative assistant will take the minutes of the hearing. However, any of the participants in the hearing may submit a request to the Chair that a transcript by a certified court reporter be permitted. Such requests must be submitted to the Chair at least five (5) calendar days in advance of the hearing. The Chair will make the final decision as to whether the hearing will be transcribed by a certified court reporter and will notify the requesting party prior to the hearing. The requesting party shall pay the costs associated with a transcription by a certified court reporter.

The student is not entitled to cross-examine or question witnesses at the hearing. However, the student may present witnesses who will speak in support of the student. If the student wishes to have supporting witnesses speak at the hearing, the student must submit the names of each witness, and a description of why the student wishes to call the witness, to the Chair at least five (5) calendar days in



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advance of the hearing. The Chair will determine whether the witnesses are relevant to the hearing and shall notify the student if the witnesses will be allowed at least forty-eight (48) hours prior to the hearing. The student is responsible for notifying the witnesses they are requesting of the date, time and location of the hearing. Prior to appearing at the hearing, all witnesses at CHSU shall be required to sign a confidentiality statement agreeing to keep the identity of the members of SPRC confidential. Witnesses who do not sign the confidentiality agreement shall not be permitted to appear at the hearing.

Within a reasonable time prior to the hearing, SPRC will be provided with all relevant documents from the investigator and the Dean regarding the case, including a complete investigation file and documents related to the student's prior misconduct. If the student wishes to submit a written statement to SPRC for consideration at the hearing, the statement shall be submitted to the Chair at least three (3) calendar days prior to the hearing.

The Chair shall have discretion to convene meetings of SPRC prior to the hearing in order to coordinate the work of the committee. The Chair shall open the hearing by explaining to the student the hearing process. The Chair shall review the allegations of misconduct and the investigation findings. The Chair will then allow the student to make an opening statement and submit any additional documents the student has brought to the hearing for consideration by SPRC, including, but not limited to, the student's own written statement or the written statements of supporting witnesses. The Chair will then call the student's witnesses, if any, that are present in-person for the hearing. Each witness will be allowed to speak on the student's behalf. The student is not permitted to question such witnesses, but the members of SPRC may ask witnesses questions. Following presentation of the student's witnesses, the members of SPRC may ask the student questions relevant to the alleged misconduct. The Chair shall also provide an opportunity for the student to make a closing statement. At that time, the hearing shall be concluded.

8. Step 8: Determination by SPRC – After deliberation, SPRC will recommend to the Dean (or designee) by majority vote: (1) whether the student engaged in the alleged misconduct based on a preponderance of the evidence standard; and (2) the appropriate sanction(s) to be imposed on the student, if any, taking into consideration any special circumstances or mitigating factors. SPRC Chair shall notify the Dean (or designee) in writing of these recommendations within five (5) business days after the completion of the hearing. The Dean (or designee) shall then notify the student in writing of the Dean (or designee's) final determinations within five (5) business days after the close of the hearing. The Dean's (or designee's) determination is final. A copy of such notice shall be placed in the student's disciplinary file. The college-specific Student Affairs office shall be copied on the Dean's (or designee's) notice to the student. The Registrar shall be copied as well in cases where the sanction is suspension or expulsion.



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VII. SANCTIONS

The below is a list of possible sanctions that may be imposed on students for misconduct violations. The list is not exhaustive, and other sanctions may be imposed. Additionally, when determining an appropriate sanction aggravating or mitigating factors may be considered. Aggravating factors may include risk to patient safety, repetitive nature of the misconduct committed, the impact on other members of the CHSU community, etc. Mitigating factors may include a student's self-report of misconduct or other actions taken by the student showing remorse and desire to avoid future incident of misconduct, etc.

1. Written or Verbal Warning/Coaching: For offenses that are considered minor, CHSU may provide the student with appropriate supportive measures such as advice, guidance, practical support or remedial measures aimed at helping the student to gain an insight into their conduct and to prevent such conduct from re-occurring. Any written warnings or coaching summaries must be provided to the student with a copy to the student's disciplinary file and the college-specific Student Affairs office. All warnings, even verbal, shall be recorded in the Dean's office records to track the outcome of the allegation of misconduct.
2. Non-Academic Probation: Students may also be placed on non-academic probation. A student who is on non-academic probation is restricted from holding office or representing CHSU off-site at professional conferences. Non-academic probation means that the student is required to complete certain tasks, such as counseling, trainings, educational activities, volunteering, or other tasks, prior to being released from probation. The Dean's (or designee) shall be responsible for monitoring completion of probation by the student and shall notify the appropriate college-specific Student Affairs office in writing regarding whether the probation is completed or not.
3. Modification of Grades in Cases of Academic Dishonesty: In instances where a student has engaged in academic dishonesty, the Dean (or designee) may request the course director and/or registrar record a grade of zero for the project, assignment or entire course in light of the misconduct the student engaged in.
4. Suspension: Suspension means that the student is unable to attend classes, participate in rotations or otherwise engage in professional activities for CHSU students for a set period of time. A student placed on suspension is not automatically permitted to return to CHSU after the suspension period has expired but must show that the student has met any and all required criteria to the satisfaction of the Dean (or designee) in order to return to CHSU.
5. Dismissal: Dismissal means that the student is dismissed from their program at CHSU and thus no longer able to complete their degree at CHSU. A dismissed student will be immediately dropped from all courses and not eligible to re-enroll.



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VIII. STUDENT DISCIPLINARY RECORDS

All documents regarding the student discipline process are to be maintained by the Provost's office in a student disciplinary file which is separate from student's academic records. Student's may access and review their own student disciplinary file. The disciplinary file may be reviewed by others in compliance with state and federal law. Records shall be maintained in accordance with CHSU's record retention policy.

- Policy Owner: Provost
- Effective Date: 8/02/2018
- Revised Date: 7/26/2018
- Approval by Provost Date: 8/02/2018
- Approval by President Date: 8/08/2018