

Clinical Placement Misconduct Procedure			
Parent Policy	Clinical Placement Misconduct Policy		
Policy Sponsor	Provost and Vice President Academic	Category	Academic
Policy Contact	Dean, Faculty of Health Disciplines	Effective Date	March 16, 2022
Procedure Contact	Dean, Faculty of Health Disciplines	Review Date	March 16, 2027

1. Purpose

To outline a framework under which the Faculty of Health Disciplines (FHD) will address allegations of Clinical Placement Offences.

To provide guidance, standardization, and consistency in practice. Failure to comply with policy places the student, patient, and institution at risk. Misconduct (also referred to as Clinical Placement Offences) refers to actions or failings which are related to clinical practice unbecoming a nurse **OR** Misconduct refers to actions or failings which are related to clinical practice with concerns of lapses in professional behaviour.

Any actions or behaviour that fall under the scope of the University's Student Academic Misconduct Policy, Non-Academic Misconduct Policy, or Academic Integrity Policy will continue to be dealt with under those policies. They will be separate from any action taken under the Clinical Placement Offences Policy.

2. Scope

The scope of this procedure applies to allegations of Clinical Placement Misconduct contemplated by the related policy for students who are: a) enrolled in an AU program or are registered as a non-program student with AU, with a clinical placement requirement; and who b) meet the criteria for any of the listed offenses and in the Practicum Student Placement Agreement.

3. Definitions

Clinical Placement Offences	<p>Clinical Placement Offences include but are not limited to:</p> <ul style="list-style-type: none"> • Actions that harm or are likely to harm patients and that violate basic principles of patient safety (including impact on patient care) • Violation of clinical placement (agency, health authority, University, etc.) policies and procedures • Words, actions, or non-actions of racism, notably anti-Indigenous racism • Violation of statutory regulations (profession-specific, including attempting to provide services to patients/clients that are not included in the authorized restricted activities permitted to be undertaken by members of the health profession to whom the clinical placement relates) • Misrepresentation of licensure status • Interfering with patient records including falsification (clinical, patient, placement) • Violation of statutory regulations (general) including the <i>Health Professions Act</i> (HPA), <i>Health Information Act</i>, <i>Freedom of Information and Protection of Privacy Act</i>, and <i>Alberta Human Rights Act</i>, regulations under those Acts, and equivalent statutes and regulations in other jurisdictions which recognize educational qualifications from the University • Violation of Athabasca University and program policies and procedures specific to clinical placements • Violation of professional code(s) of ethics, and/or standards of practice including professional comportment. Violation of the applicable codes or standards may occur in many ways, including, but not limited to: inappropriate interaction with patients, peers, preceptors/supervisors' unprofessional attire, failure to communicate absences, and racist or sexist or otherwise discriminating actions or statements.
Clinical Supervisor	<p>The Clinical Supervisor as defined within an Athabasca University program is an individual who has agreed to provide (usually) in-person/on-site experiences that align with the course and program objectives.</p>
Patient / Client	<p>For the purpose of this policy, the terms patient and client are considered synonymous. A patient/client is any recipient of clinical service delivered by an Athabasca University student enrolled in an appropriate clinical course and placed in a clinical practicum setting as part of their normal program within the Faculty. A patient/client may be an individual, couple, family, group, or larger organizational unit. Patient/client includes students who are portraying patients/clients when working with other students learning clinical skills.</p>

Patient Safety	Patient safety encompasses the entirety of the health and care of a patient, in particular, the responsibility to ensure that a patient does not come to harm due to the actions of the student. Harm may be difficult to define in its entirety and as such, this policy will consider objective indicators of harm (e.g., physical damage) and subjective indicators of harm (e.g., self-report, observations of others) to determine if a patient was harmed or it was likely that a patient could be harmed by the student's conduct. The student is also responsible to include strategies for avoiding harm and ensuring patient safety as part of their learning activities.
Placement	A placement is any "work experience" placement approved by the appropriate AU program, contracted through the AU contracts office, and attended by the student in order to complete practical training related to their degree pathway. Placement is also defined as any clinical training course where other students are taking turns as the patient/client for learning purposes. This includes but is not limited to the Master of Nursing: Nurse Practitioner (MN: NP) practical skills courses, the Master of Counselling (MC) program skills training courses, and all practical courses and placements including lab work, site placements, and preceptorships, whether online (virtual, video, text, email), blended, or face-to-face.
Preceptor	A Preceptor for an Athabasca University program is an individual, normally working for an agency/health authority/clinic/etc., commonly in a hospital or nursing training setting, who provides (usually) in-person experiences that align with the course and program objectives and outcomes.

4. Guiding Principles

4.1. Allegations of Clinical Misconduct

All allegations of Clinical Placement Offences will be investigated in accordance with these procedures and associated Clinical Placement Misconduct Policy.

- a) Where possible, remediation is the preferred route to resolution, with the understanding that this may not always be possible.

4.2. Possible Disciplinary Actions

Where remediation is not possible, and an investigation results in a finding of Clinical Placement Offence is made, disciplinary action in response may include:

- a) Immediate temporary removal from the placement site (can be enacted by the site supervisor and/or the course instructor)
- b) Permanent removal from the placement site (which may lead to an incomplete or fail grade in the associated course) (can be enacted only by the Program Director in consultation with the Dean or designate)
- c) Suspension from the program (can be enacted only by the Dean)
- d) Removal from the program (can be enacted only by the Dean)
- e) Expulsion (as per AU policy, enacted by the Provost and Vice President Academic)

4.3. Initiation of Proceedings

- a) Any person who has reason to believe that a student has endangered patient/client safety or has otherwise engaged in a clinical placement offense must report this, in writing, to the Practicum/Clinical Coordinator, Training Director, or Program Director, with a copy to the Dean, Faculty of Health Disciplines.
 - i. Normally, this would be initiated by the supervisor/preceptor of the placement and would comprise a written complaint.
- b) In more serious cases, where patient safety is compromised or may reasonably be a risk to compromise, a student who is alleged to be involved in a Clinical Placement Offence may be removed from their placement pending completion of the proceedings. In such cases, the student will be informed of the decision by the Program Director

4.4. Investigation and Proceedings

- a) The FHD Dean, in consultation with the Provost and Vice-President, Academic will determine the appropriate avenue for investigation and will designate the appropriate individual to conduct the investigation within 5 business days of receiving the complaint.
 - i. This may be the Placement Coordinator, the Program Director, or another designated individual (e.g., Associate Dean) but this individual must be an academic familiar with clinical training in an academic setting and a member of a regulated health profession.
 - ii. This individual will be referred to as the “Investigator”
- b) The Investigator will review the complaint and notify the Dean of the steps and estimated timeline of the Investigation’s completion within 5 business days of being appointed to the complaint.
- c) The Investigator will conduct an investigation. This will include:
 - i. interviewing the relevant individuals (student, preceptor/clinical supervisor, course instructor, etc.),
 - ii. obtaining other information relevant to the complaint.
- d) Records and Information Management Considerations.
 - i. Records will be collected by the Investigator and stored within the AU ONEDRIVE.
 - ii. Access to these records will be for those with a need-to-know about the case and include the Investigator and the Dean.
 - iii. Under the FOIP Act, these will need to be kept for a minimum of one year from the end of the matter.
- e) The Investigator shall ensure that all documentation is provided to the Dean.
- f) If the Dean desires more information, the Dean shall conduct such further investigation as the Dean deems appropriate, including reviewing the matter with the student, if the Dean intends to impose one or more of the penalties outlined in 4.2 of these procedures.
- g) The Dean, following such investigation, may dismiss the complaint or impose one or more of the penalties.

- h) In determining an appropriate penalty, the Dean may take into account the disciplinary record, if any, of the student.
- i) The Dean shall provide written notice to the student of the decision, and any penalty imposed within thirty (30) calendar days of receipt of the results of the investigation. Should this timeframe preclude a student from completing their placement and/or coursework, and should the student be found to have not engaged in clinical misconduct, they will be offered a placement in the next course/placement offering where possible and subject to availability. The costs associated with the placement delay or rescheduling will be covered by the university.

4.5. Declined Complaint

- a) The Investigator may decline to proceed with a complaint under the following circumstances where:
 - i. the Investigator believes that no ethical code or standard of practice has been violated,
 - ii. the Investigator believes that University policy has not been violated (including the AU Undergraduate calendar program-specific policies, and procedures), or
 - iii. the Investigator believes the complaint to be scandalous, frivolous, or vexatious
- b) Where the Investigator has declined to proceed with a complaint, this decision will be delivered to the Dean who will advise the complainant in writing within (10) calendar days of receipt of the complaint.

4.6. Appeals

Appeals of the decision of the Dean may be considered. Given the complex nature of a Clinical Placement Offence and the risk to Patient Safety, which are substantively different from academic issues, a clinical appeal panel will be convened and consist of:

- Two academics with a health background, one of which must be a regulated health professional, and chaired by a designate of the Dean (e.g., Associate Dean, Program Director), who must also be a regulated health professional with experience in health professions disciplinary processes.
 - The appeal panel will provide a response to the appeal within 30 days of striking the panel. The decision of the appeal panel is final. There are no further avenues of appeal for a case of clinical misconduct.
- a) The step process for an appeal includes:
 - i. A statement for ground for appeal
 - ii. A statement of facts
 - iii. A statement of the result student is expecting
 - iv. Copies of any documents related to the case
 - v. Names and contact for any witnesses

4.7. Student Records and Transcripts

- a) All penalties assigned under this policy will appear on a student's transcript for a period of two years. In circumstances where the 2-year period extends beyond a student's graduation date, the penalty will be removed from the student's transcript on the date the student graduates provided that there is no more than one penalty (including penalties under the Student Academic Misconduct Policy) on the student record. In cases where there is more than one penalty, all penalties will remain on the student record for the 2-year period.
- b) In the case of an expulsion, the penalty shall appear on the student's transcript permanently.
- c) If found guilty in courses where the clinical is a required component to pass, a removal from clinical will result in a failure. The F will appear on the transcript.

4.8 Course and/or Program Withdrawal during Disciplinary Proceedings

An Applicant or Student is not eligible to withdraw from a course or program or obtain a transcript during disciplinary proceedings. If at the conclusion of the proceedings, the decision is not to proceed with a charge of academic misconduct and the student wishes to withdraw from a course or program, the withdrawal may be back-dated to the date the proceedings were initiated.

4.9. Protection of Privacy

The collection, use, and disclosure of personal information will be in compliance with Athabasca University's Protection of Privacy Policy and [*Alberta's Freedom of Information and Protection of Privacy Act*](#).

5. Applicable Legislation and Regulations

[*Alberta's Freedom of Information and Protection of Privacy Act*](#)
[*Alberta's Health Professions Act*](#)

6. Related Procedures/Documents

[Clinical Placement Misconduct Policy](#)
[Student Academic Misconduct Policy](#)
[Non-Academic Misconduct Policy](#)
[Protection of Privacy Policy](#)
Practicum Student Placement Agreement
[Nukskahtowin Strategic Plan \(2018\)](#)
[Canada's Truth and Reconciliation Commission of Canada: Calls to Action \(2015\)](#)

History

<i>Date</i>	<i>Action</i>
March 16, 2022	Clinical Placement Misconduct Policy Approved (GFC Motion: 69-04)