

Policy: Student Mistreatment

INITIAL EFFECTIVE DATE:	LAST REVISION DATE:	RESPONSIBLE DIVISION/DEPARTMENT/COMMITTEE
November 2024		<ul style="list-style-type: none"> Curriculum Committee

POLICY STATEMENT

It is the policy of HWCOM that mistreatment of medical students will not be tolerated.

This policy and related procedures aim to protect medical students from mistreatment by:

- Educating all persons present in HWCOM learning environments about student mistreatment
- Prohibiting medical student mistreatment by anyone associated with HWCOM
- Encouraging the early identification of medical student mistreatment as a preventative measure
- Identifying individuals to whom medical students can report mistreatment
- Requiring those who receive complaints regarding student mistreatment to report the complaint to the appropriate administrator
- Providing a confidential system for reporting mistreatment
- Prohibiting retaliation against those who report mistreatment
- Assuring confidentiality to the fullest extent possible
- Assuring that all reports of mistreatment will be thoroughly and promptly addressed
- Providing an avenue for corrective action

All members of the HWCOM community are required to adhere to FIU Regulations and Policies including Regulation FIU-2501 Student Conduct and Honor Code which states that “It is the responsibility of the University to provide a safe and stimulating environment in which scholarship and personal growth may occur, Regulation FIU-106 Nondiscrimination, Harassment and Retaliation (Title VII), which states that “each member of the University community shall be permitted to work or study in an environment free from any form of illegal discrimination, including race, color, sex, pregnancy, religion, age, disability, national origin, marital status, and veteran status,” and Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct, which applies to Sexual Harassment as defined by Title IX and Sexual Misconduct.

Any alleged acts of sexual misconduct or sexual harassment, as defined pursuant to Regulation FIU-105, will be handled in accordance with Regulation FIU-105. Any alleged acts of discrimination, harassment, or retaliation, as defined pursuant to Regulation FIU-106, will be handled in accordance with Regulation FIU-106.

Prevention and Education

FIU HWCOM is committed to preventing mistreatment of medical students through education of the HWCOM community. This policy and related procedures will be disseminated among HWCOM faculty on an annual basis. In addition, HWCOM will periodically utilize varying methods (e.g., email, workshops, orientations) to inform medical students, residents, faculty, administrators, and other staff about medical student mistreatment and the HWCOM policy on addressing mistreatment.

Definitions

FIU HWCOM has defined mistreatment as any behavior that is harmful or offensive and unreasonably interferes with a student's learning*. Such behavior may be verbal (swearing, humiliation, insults), emotional (neglect, a hostile environment), and physical (threats, physical harm). Examples of mistreatment include but are not limited to:

- Public embarrassment/humiliation
- Physical harm or threats of physical harm
- Requirement to perform personal services
- Unwanted sexual advances, requests to exchange sexual favors for grades or other rewards
- Denial of opportunities for training or rewards based on personal beliefs, personal characteristics, gender, race, ethnicity, sexual orientation, disability, or religion
- Use of offensive remarks/names based on personal beliefs, personal characteristics, gender, race, ethnicity, sexual orientation, disability, or religion
- Issuance of lower assessments/grades based on personal beliefs, personal characteristics, gender, race, ethnicity, sexual orientation, disability, or religion
- Other behaviors which are contrary to the spirit of learning and/or violate trust between the teacher and learner

* Students should be aware that medical student training is a rigorous process, and feedback may occasionally be uncomfortable. For example, on-the-spot questioning is frequently utilized in medical education to not only assess knowledge, but also to promote synthesis and application of that knowledge. In and of itself, questioning does not constitute mistreatment but can become so if intended to publicly embarrass or humiliate a student. Students should take this background into account when assessing potential cases of mistreatment.

Reporting

All students, faculty, staff, and residents affiliated with FIU HWCOM shall report all incidents of alleged mistreatment. All course and clerkship evaluations contain a question related to student mistreatment. Mistreatment can be reported through this evaluation, anonymously at report.fiu.edu, and/or to the FIU HWCOM ombudsperson or any other member of the faculty/staff.

Medical student grievances against faculty, staff, or other students involving discrimination, harassment, or sexual misconduct are governed by University Policy and the Equal Opportunity in Education Act, commonly known as Title IX. Students who have experienced or witnessed discrimination, harassment, or sexual misconduct by a faculty member, staff, or student can file a Title

IX complaint with the **FIU Department of Access, Compliance, and Equal Opportunity (ACE)** through the Ethical Panther Reporting Hotline at (305) 348-2785 or online at <https://report.fiu.edu>. Students may also speak with a Title IX Coordinator by calling (305) 348-2785.

Confidentiality

All officials involved in the investigation of mistreatment will hold all communications with those seeking assistance in confidence, and not disclose confidential communications unless given permission to do so. The substance of matters discussed in the office will remain confidential, but the associate dean for students will report general, de-identified trends of issues to provide feedback to the dean and designees and to advocate systems change when appropriate. The only exceptions to this privilege of confidentiality are where there appears to be imminent risk of serious harm or a criminal investigation, compliance with Title IX mandated reporting, or court order.

Retaliation

Retaliation against a person who reports or provides information in a mistreatment investigation or proceeding is prohibited. Alleged retaliation will be subject to investigation and may result in disciplinary action.

SCOPE

This policy applies to students in all Academic Years in the program.

REASON FOR POLICY

This policy relates to LCME Element 3.6, which states: “A medical school develops effective written policies that define mistreatment, has effective mechanisms in place for a prompt response to any complaints, and supports educational activities aimed at preventing mistreatment. Mechanisms for reporting mistreatment are understood by medical students, including visiting medical students, and ensure that any violations can be registered and investigated without fear of retaliation.”

DEFINITIONS

TERM	DEFINITIONS

RESPONSIBLE PARTIES

The Senior Associate Dean for Academic Affairs and the Associate Dean for Student Affairs are responsible for adherence to this policy.

RELATED RESOURCES
LCME 3.6

CONTACTS
Questions about this procedure should be directed towards the Associate Dean for Curriculum and Medical Education, Office of Medical Education

POLICY HISTORY
<p>Initial Effective Date: November 2024</p> <p>Review Dates (<i>review performed, no updates</i>):</p> <p>Revision Dates (<i>updates made to document</i>):</p> <p>Comments on Revision (<i>if applicable</i>):</p>

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PROCEDURE STATEMENT
