



## Medical Education Program Policy

<b>Policy Name:</b>	Paul L. Foster School of Medicine Student Mistreatment Policy				
<b>Policy Domain:</b>	Learning Environment	<b>Refers to LCME Element(s):</b>	3.4, 3.5, 3.6		
<b>Approval Authority:</b>	Curriculum and Educational Policy Committee (CEPC)	<b>Adopted:</b>	May 2024	<b>Date Last Reviewed:</b>	
<b>Responsible Executive:</b>	Associate Dean for Medical Education	<b>Date Last Revised:</b>			
<b>Responsible Office:</b>	Office of Medical Education	<b>Contact:</b>	Mirjana Babic, M.P.A. <a href="mailto:mbabic@ttuhsc.edu">mbabic@ttuhsc.edu</a>		

**1. Policy Statement:**

It is policy of the Texas Tech University Health Sciences Center El Paso (TTUHSCEP) and the Paul L. Foster School of Medicine (PLFSOM) to promote an environment in which all medical professionals can work and learn in an atmosphere of dignity, respect and freedom from mistreatment and discrimination. The FSOM has a responsibility to foster the development of professional and collegial attitudes needed to provide competent and compassionate physicians. TTUHSCEP and PLFSOM have a zero-tolerance policy to mistreatment of medical students.

**2. Reason for Policy:**

The purpose of this policy is to identify mechanisms for reporting of student mistreatment in the context of routine curricular and co-curricular settings and circumstances; to delineate reporting procedures; to be transparent regarding the institutional response to reports of student mistreatment; and to ensure that no retaliation is experienced by those who report mistreatment in good faith.

**3. Who Should Read this Policy?**

All PLFSOM medical students and all individuals employed by TTUHSCEP and their clinical affiliates including residents, fellows, and staff working with medical students.

**4. Resources:**

- Officer and staff of the PLFSOM Office of Student Affairs, and Office of Medical Education.
- The TTUHSCEP counseling services are available if needed. **(915) 215-TALK (8255)** or follow: <https://el Paso.ttuhsc.edu/studentservices/student-support-center/get-connected/default.aspx>
- The Title IX and Non-Discrimination and Anti-Harassment Policy and Complaint Procedure: <https://el Paso.ttuhsc.edu/som/studentaffairs/title-ix-non-title-ix.aspx>
- The Institutional Student Handbook: <https://el Paso.ttuhsc.edu/studentservices/institutional-handbooks.aspx>

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**5. Definitions:**

- **Mistreatment:** The TTUHSCEP and PLFSOM define student mistreatment in accordance with the American Association of Medical Colleges definitions:
  - Public belittlement or humiliation
  - Threats of physical harm or actual physical punishment
  - Requirements to perform personal services (e.g., shopping as a personal service for faculty or residents)
  - Being subjected to unwanted sexual advances (Title IX)
  - Being asked for sexual favors in exchange for desired grades or other rewards (Title IX)
  - Being denied opportunities for training because of gender, race, ethnicity or sexual orientation
  - Receiving low grades or negative evaluations because of gender, race, ethnicity, or sexual orientation.
  - Examples of other unacceptable behaviors include, but are not limited to:
    - Loss of civility, such as shouting, displays of temper, or privately abusing.
    - Speaking in disparaging ways about an individual including humor that demeans, an individual or a group.
    - Requesting or requiring students to engage in illegal or inappropriate activities or unethical practices.
  - This policy does not apply to the setting of corrective expectations relating to conduct and/or academic performance, disciplinary action, and/or other administrative guidance as may be issued to a student by a dean, associate dean, assistant dean, and certain institutional officers (including the vice president for academic affairs, the vice president for research, and the assistant vice president for student services and student engagement), or their designees, acting within their established range of authority including course and clerkship directors. Disagreements regarding the appropriateness of any such actions are to be resolved through the administrative oversight associated with the specific circumstances by policy and/or the organization of the relevant office.
  - Student mistreatment may be from different sources. This PLFSOM policy includes all individuals who are employed by TTUHSC or their clinical affiliates, including residents, fellows, and staff working with medical students.
- **Retaliation:** An action taken against an individual in response to, motivated by, or in connection with, an individual's complaint of mistreatment, that knowingly provides misinformation that may sway the complainant's case in the intent to deceive.
  - Examples of retaliation include:
    - Participation in an investigation of a student mistreatment allegation and knowingly providing inaccurate and misleading information with the intent to deceive.
    - Downgrading student grades following an allegation of student mistreatment, providing comments that reflect a negative light on student performance without evidence or cause.

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- Student Mistreatment Investigatory Committee (SMIC): A standing committee consisting of the associate and assistant deans for student affairs and the office of medical education. This committee reports to the Vice President for Academic Affairs or their designee. If any member of the investigatory committee is under investigation, the associate dean for student affairs can appoint a three-person ad hoc committee to investigate.
  - The functions of the committee are to investigate and assess reports of student mistreatment, ensure student safety and well-being, and to give mistreatment reports to the supervisor of the respondent and follow up their recommendations and plans as appropriate, and to track mistreatment reports for trends.
  - Finally, the committee reports back to the complainant with general findings, but not specific recommendations that have been made to the respondent by their supervisor.
  - Detailed reports are given to the dean and the associate dean for medical education. The FSOM classes are notified twice yearly of the general categories or reports and trends of mistreatment by the Office of Student Affairs.

#### 6. **The Policy:**

The TTUHSCEP, PLFSOM is responsible for ensuring a safe, supportive, and professional learning environment and does NOT tolerate mistreatment of its students, by any individual, at any TTUHSCEP and/or PLFSOM educational or training site.

- The Policy and online reporting link will be added to the PLFSOM OSA Website on the student page, faculty page and house staff pages.
- An electronic copy will be provided to all house staff and fellows including visiting residents and students.
- An electronic copy will be given to all current students, and thereafter to entering students at orientation and all future orientations for all students.
- An electronic copy will be distributed at new faculty orientations.
- Department chairs and directors will be responsible for ensuring that the policy is discussed at departmental /division meetings.
- Each course director and clerkship director will be responsible for providing an electronic copy of the policy to their respective teaching faculty and reviewing the policy with students at the start of each course, clerkship or rotations.
- All students, residents, fellows, faculty and staff will receive annual training on identifying and reporting student mistreatment, Title IX and professionalism concerns.
- Anyone who witnesses or experiences student mistreatment at a TTUHSCEP and/or PLFSOM educational or training site is encouraged to report it (although this is not a requirement for Senate Bill 212 mandatory reporting by faculty and staff). Title IX or potential Title IX complaints do require mandatory reporting.
- No individual who reports or complains of mistreatment, or provides information relevant to a mistreatment investigation or proceeding, may be subject to retaliation, as long as the information reported is made in good faith.
- False claims of mistreatment will not be tolerated.

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- A person will be held accountable for making a frivolous or malicious complaint of harassment.
- Individuals providing good faith reports assisting others in raising a complaint of harassment, offering advice, moral support, and/or testimony/documentary evidence in support of a claim of harassment are provided amnesty.
- To report student mistreatment and/or professionalism concerns, individuals may use any of the following resources:
  - The <https://el Paso.ttuhsoc.edu/el Paso/student-mistreatment/> website.
  - Students are required to fill out a Student Mistreatment report found online, or they can call the TTUHSC PLFSOM Student Mistreatment Hotline at **915-215-4797**.
  - Any of the following individuals: associate or assistant dean for student affairs, associate or assistant dean of medical education, department chair, residency program director, clerkship program directors, TTUHSC director of human resources, all faculty, and the Title IX coordinator.
  - Any report of mistreatment will be forwarded to the associate dean for student affairs or their designee who will start the process to assess the allegations of student mistreatment. All information will be shared with the Student Mistreatment Investigatory Committee.
- Process, Outcomes, and Reporting
  - Any student, faculty, or staff may provide student mistreatment information via the website or the TTUHSC Student Mistreatment Hotline. Individuals reporting student mistreatment may be anonymous; however, this will potentially lessen the ability to have a thorough investigation.
  - Upon receiving a report of student mistreatment, an online reporting form will be completed (if not already done), respecting the student's or reporter's wishes for anonymity.
  - Student safety and well-being are assessed and resources are given by the recipient of the report or the OSA.
  - The SMIC will investigate reports of mistreatment and ensure such incidents are addressed fairly and without bias.
  - Reports entered into the online reporting form will be uploaded into a database to be used by the Office of Student Affairs to send to the supervisor of the respondent, and to track cases and outcomes. These reports are shared with the associate dean of medical education.
  - If the associate dean for student affairs or the complainant disagrees with the supervisor's response or recommendations, they will discuss with the associate dean for medical education and the vice president for academic affairs for further recommendations such as have the option to develop additional or modified recommendations, referral of a student respondent to the Grading and Promotion Committee or Conduct Board for professionalism concerns, or dismissal of the case, for example.
  - The associate dean for student affairs will document the incident resolution information and provide the reports of the incident outcomes to the dean, or their designee and the associate dean of medical education. and others as appropriate (e.g., department chairs,

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program directors, faculty accused of mistreatment, and/or student complainants and to the class at regularly scheduled check in meetings will report any sensitive or disciplinary information).

- When allegations of mistreatment appear on required student course/clerkship Learning Environment surveys, the Office of Medical Education collates the reports and provides them in tabular form to the dean of students for review and processing.
- Persons found responsible for mistreatment have the right to appeal to the president or their designee in writing within 10 business days of the decision. The president or designee will review the case to ensure that due process has been followed.

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