

SECTION X

STUDENT MISTREATMENT POLICY AND THE EDUCATIONAL ENVIRONMENT

The following statement of teacher, learner and institutional responsibilities forms the foundation of an environment which is most conducive to learning. Ultimately, all student-teacher relationships must be held to the highest professional standards; relationships shall be free of abuse, discrimination, mistreatment or harassment; this includes all Howard University College of Medicine affiliated sites. Students subjected to abuse, discrimination, mistreatment or harassment have rights to seek timely and effective remediation with the full support of the COM and/ or Howard University. This policy does not supersede Howard University Policies on Discrimination, Sexual Harassment and the Student Code of Conduct, but is meant to address instances not covered in those policies. The teacher-learner relationship requires that both parties recognize rights and responsibilities. Behaving in a way that embodies the ideal teacher-learner relationship fosters mutual respect, minimizes the likelihood of learner mistreatment, and optimizes the educational experience.

A. Responsibilities of Teachers

1. Fair and Impartial Treatment

Teachers must treat learners fairly, respectfully, and without bias, irrespective of age, race, gender, sexual orientation, socioeconomic status or educational background, disability, religion, or national origin.

2. Professionalism

Teachers must model an appropriate level of professionalism by:

- being prepared, on time and appropriately dressed and groomed for all activities
- treating patients in an ethical, compassionate and culturally sensitive manner and adhering to standards of patient and student confidentiality, acknowledging the primacy of patient welfare above other responsibilities
- providing learners timely, constructive, and accurate feedback, and opportunity for remediation.
- welcoming and encouraging student participation by treating other teacher-colleagues and staff in a reasonable and respectful manner e) encouraging interest and inquiry by asking and responding to insightful questions, where the end point is an increase in knowledge of the learner

3. Scholarship and Pedagogy

Teachers must provide learners with course objectives and appropriate educational activities using innovative and effective teaching methods which encourage life-long learning habits.

4. Rules Governing

A teacher is expected to act in accordance with the HU Faculty Handbook and COM Bylaws.

B. Responsibilities of Learners

1. **Fair and impartial treatment**

Learners must treat teachers fairly, respectfully, and without bias, irrespective of age, race, gender, sexual orientation, socioeconomic status or educational background, disability, religion or national origin.

2. **Professionalism and general conduct**

Learners must maintain an appropriate level of professionalism according to the policies of HUCM, by:

- a) being prepared, on time and appropriately dressed and groomed for all activities
- b) responding maturely and appropriately to timely, constructive, and accurate feedback, and incorporating feedback during time allotted for remediation
- c) treating staff and other student-colleagues in a reasonable and respectful manner
- d) treating patients in an ethical, compassionate and culturally sensitive manner, adhering to standards of patient confidentiality and acknowledging that patient welfare is of primary importance
- e) responding promptly when contacted by faculty, staff, and administrators

3. **Education**

Learners should be devoted, active, life-long learners, dedicated to the undergraduate medical program and all subsequent training/learning.

4. **Rules Governing**

All medical students are expected to review and act in accordance with the Howard University policies and procedures, including the HU Student Code of Conduct, found at: <http://www.howard.edu/policy/academic/student-conduct.htm> and the University and College of Medicine Policies and Procedures Affecting Students, i.e. this manual that is distributed to students in hard copy format during orientation.

C. Institutional Responsibilities

It is the expectation that Howard University and the College of Medicine will support and encourage, through its faculty and staff, and to the extent of institutional resources, student mental, physical and emotional health and well-being, including but not limited to the provision of:

- an educational experience of quality
- academic, personal, career and financial counseling
- health and disability insurance for mental and physical health promotion, maintenance and care, and illness prevention
- sufficient areas/opportunities for recreation and relaxation
- safe and secure facilities

D. Mutual Responsibilities

The following acts or behaviors would constitute student mistreatment:

1. **Verbal abuse**

Verbal abuse may include shouting, hostility, belittlement, intimidation, humiliation or profanity directed at the student.

2. **Physical Abuse**

Physical abuse or threats of physical abuse may include hitting, slapping, kicking or

intentionally or negligently placing a student at risk of physical harm, or threatening to do so.

3. Discrimination

Discrimination is defined by University policy. Discrimination may include those behaviors, actions, interactions, and policies that adversely affect one's work because of disparate treatment, disparate impact, or the creation of a hostile, intimidating or offensive work or learning environment. Common forms of discrimination include those based on gender, age, religion, ethnicity, race, disability, and sexual orientation. Complaints involving discrimination on the basis of race, color, national origin, religion, physical or mental disability, medical condition, ancestry, marital status or age must be filed with the Equal Opportunity (EO) Designee, pursuant to the Policy And Procedure On Equal Opportunity In Employment And Education Programs And Activities College of Medicine EO Designees are the Associate Dean for Academic Affairs and the Associate Dean for Student Affairs and Admissions.

4. Sexual Harassment

Sexual Harassment is defined by University policy, and includes, but is not limited to:

- a) unsolicited, unwelcome flirtations, advances, and/or propositions of a sexual nature
- b) insults, jokes, or anecdotes that belittle or demean an individual or a group's sexuality or gender
- c) unwelcome sexually-oriented gestures, verbal expressions, or comments of a sexual nature about an individual's body, clothing, or sexual experience
- d) inappropriate displays of sexually suggestive objects or pictures
- e) unnecessary and inappropriate touching, such as patting, pinching, hugging, or brushing against an individual's body
- f) sexual assault (includes all incidents of "criminal sexual conduct" as defined by the District of Columbia Code or the applicable law where the sexual assault takes place) and/ or
- g) suggestions that submission to or rejection of sexual advances will affect decisions regarding such matters as an individual's employment, work assignments, or status, salary, academic standing, grades, receipt of financial aid, or letters of recommendation.

5. University prohibition on consensual relationships

Sexual relationships, including dating, between students and faculty, staff or any other type of University employee are strictly prohibited under this policy regardless of whether such relationship may violate the law. Therefore, violations of this prohibition by a faculty member, staff member, or any other type of University employee and a student may lead to disciplinary action against one or both parties.

6. Additional forms of mistreatment

Other forms of mistreatment covered by this policy may include such things as requiring a student to perform personal services such as shopping or babysitting or requiring a student to perform menial tasks, which may not cause a student to feel humiliated, but clearly fall outside of any reasonable student-teacher relationship.

E. Procedures for Filing Complaints

In keeping with the requirement for a Safe, secure environment which is free of abuse, the following procedures should be followed with respect to alleged student mistreatment.

Students have the right to remain anonymous.

Any student who feels that he or she may have been subjected to abuse, discrimination, harassment, or mistreatment of any kind by residents, faculty, staff, or other student(s) has the right to seek remedy through any one of multiple options. This process shall be free of retaliation. The involved student has both informal and formal options available. The student has the option but is not required to seek remedy at the most informal level which will adequately and appropriately address the student's concerns.

All College of Medicine faculty and staff are expected to report violations. If an incident occurs at an affiliated clinical institution the violation must also be reported to the respective department at that site. Violations should also be reported to the College of Medicine Associate Dean for Student Affairs and Admissions. Students who wish to discuss such violations may report to the University Counseling Center where the counselors will keep the complaint confidential.

1. Informal Procedures (Non-Written)

Informal Complaint, direct resolution – students may meet with the individual involved in the complaint and come to a mutually agreed upon resolution of the problem. The student is permitted, but not required, to bring to the meeting with him or her, any one of the Assistant or Associate Deans* of the College of Medicine to assist in resolution at this level. Unless required by law or University policy, there will not be a written record made concerning a matter that is resolved directly between the complainant and the alleged offender.

2. Formal Procedures

These include the following options: Formal complaint, facilitated resolution - Students may meet with the Associate Dean of Student Affairs and Admissions (ADSAA), within 45 calendar days or as close to the alleged incident as feasible, to discuss a complaint and to develop a plan for resolution of the problem. The associate dean may assist in any intervention deemed necessary for resolution of the problem. If disciplinary action is anticipated, he/she will contact the appropriate supervisor of the alleged offender who will develop a plan of action. The supervisor of the alleged offender will maintain a written record.

3. Formal complaint, investigator resolution

If the complainant desires a formal complaint/investigation of an allegation against faculty or staff, the complainant must file a formal, written complaint with the Associate Dean for Student Affairs and Admission within 45 calendar days or as close to the alleged incident as feasible. If the complaint involves any one of the Assistant or Associate Deans, or there is a conflict for the ADSAA, the complaint must be directed to the Dean of the College of Medicine. If there is a conflict for the Dean of the College of Medicine, the complaint must be directed to the Provost and Chief Academic Officer of

the University.

The Associate Dean, Dean, or the Provost (“the investigator”) will have approximately 45 (forty-five) calendar days to complete his or her investigation, which must include a written record of interviews and correspondence pertaining to that investigation. The case should then be presented to the Office of the General Counsel, which will provide an opinion as to the resolution of the case. The final decision regarding the resolution of the case will rest with the Dean of the COM, or the Provost, as appropriate. The timeline from completion of investigation, to communication of a final decision to the student will not exceed 45 calendar days. Resolution may include, but is not limited to:

- a. Requirement of education/ remediation against the alleged abuser
- b. More severe disciplinary sanctions against the alleged abuser
- c. Disciplinary action against the student if the complaint is found to be spurious or maliciously intended

5. **Reporting Sexual Harassment or Gender-Based Discrimination**

Complaints involving sexual harassment or gender-based discrimination must be filed with the Title IX Designee pursuant to the Howard University Procedures for Resolving Sexual Harassment and Gender-Based Complaints in Educational Programs or Activities. Title IX designees for the College of Medicine are the Associate Deans for Student Affairs and Academic Affairs.