

Policy Name: 3.06.1 Student Mistreatment Policy

It is the SOM policy to ensure that the learning environment is free from ridicule, exploitation, sexual and other forms of harassment, physical harm and threats so that students can learn, conduct research and scholarly projects, and train to acquire clinical skills in a caring and supportive environment that promotes learner well-being. The SOM does not tolerate student mistreatment.

Learning is best cultivated in an environment of mutual trust, respect, and acceptance between teachers and learners, regardless of role or hierarchy. Teachers and learners at the SOM are expected to exhibit professional behaviors and attitudes, including respect for others and a commitment to excellence as part of the learning environment.

Medical educators have a duty to model the knowledge, skills, attitudes, and beliefs required to preserve the medical profession's social commitment to its patients and the community. Furthermore, faculty are obligated to evaluate students' work fairly and honestly, without discrimination based on race, color, gender, sex, sexual orientation, pregnancy, genetic information, gender identity, gender expression, religion, national origin, age, disability, citizenship, and veteran status.

Policy:

Teachers must convey and model a standard of conduct conducive to a learning environment of mutual respect and trust. Teachers must not engage in any act of mistreatment in any form. Medical students shall have recourse to address any possible mistreatment and to have the matter investigated by appropriate persons and shall have access to grievance processes to provide remedy, sanction, or policy change when possible and indicated.

Definitions:

Medical Student: For purposes of this policy, medical student shall include any person enrolled in a course of the SOM. This includes visiting students.

Mistreatment: Mistreatment, either intentional or unintentional, occurs when behavior shows disrespect for the dignity of others and unreasonably interferes with the learning process. Examples of mistreatment include: public belittlement or humiliation; verbal abuse (for example, speaking to or about a person in an intimidating or bullying manner); physical harm or the threat of physical harm; (explicit/implicit) requests to perform personal services; being subject to offensive sexist remarks, or being subjected to unwanted sexual advances (verbal or physical); retaliation or threats of retaliation against students; discrimination or harassment based on race, color, gender, sex, sexual orientation, pregnancy, genetic information, gender identity, gender expression, religion, national origin, age, disability, citizenship, and veteran status; and the use of grading or other forms of assessment in a punitive or discriminatory manner.

The AAMC includes the non-exhaustive list below as examples of student mistreatment:

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- Public humiliation
- Threats of physical harm
- Physical harm
- Bullying, microaggressions, intimidating, or coercive behavior
- Requirements to perform personal services
- Unwanted sexual advances
- Being asked to exchange sexual favors for grades or other rewards
- Denial of opportunities for training or rewards based on gender or gender identification
- Offensive, sexist, racist, or homophobic remarks/names
- Racially or ethnically offensive remarks/names

Teacher: For purposes of this policy, Teacher shall include individuals, such as resident physicians, fellows, full-time and volunteer faculty members, clinical preceptors, nurses, and ancillary support staff, who have a role that involves observation, supervision, evaluation, or teaching medical student(s).

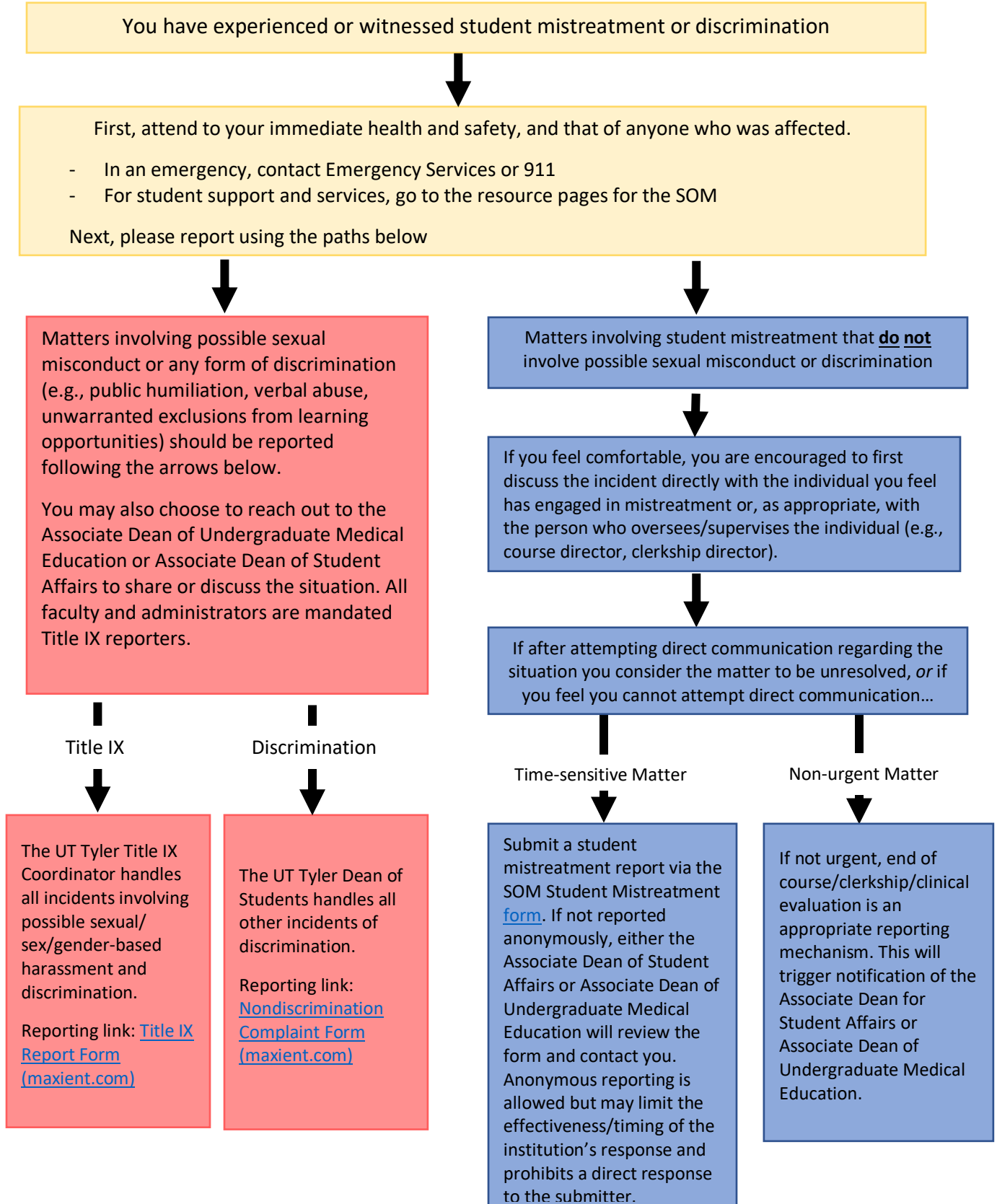
Microaggression is a comment or action that subtly and often unconsciously or unintentionally expresses a prejudiced attitude toward a person or group.

The following examples are not considered mistreatment: Spirited discussion and the conflict of ideas are integral to an academic environment of openness; asking and answering questions to stimulate critical thinking and draw out ideas and underlying assumptions; constructive feedback that is respectful--some feedback may be discouraging, critical, or harsh, and at times, make the student feel uncomfortable.

In general, actions taken in good faith and done in a respectful and constructive manner to assess or develop knowledge/skill, and/or to correct unacceptable performance/behavior are not considered mistreatment. Occasionally students feel embarrassed when they make mistakes, answer questions incorrectly, or are not prepared. Note that not every behavior or action to which the student responds with stress or emotional discomfort is considered mistreatment. A student should reflect on each such situation and consider not just his/her/their personal reaction or response, but also the actions of the teacher/staff considering any legitimate concerns for patient safety, circumstances surrounding the situation, and the possible teaching points of the experience.

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Reporting Medical Student Mistreatment and Discrimination



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RESPONSE MEDICAL STUDENT MISTREATMENT REPORT*

Once the Associate Dean for Student Affairs and/or Associate Dean of Undergraduate Medical Education have received a report of student mistreatment, what can you expect?

Review and Consultation

The Associate Dean of Student Affairs and/or Associate Dean of Undergraduate Medical Education (“Deans”) will review details of the report of student mistreatment and contact the person who submitted the report (“reporter”) if contact information is provided, to gather additional information. The Deans will also discuss the situation with other individuals who may have witnessed or who carried out the alleged mistreatment, as appropriate. Due process will be followed for all faculty, staff, residents, and students who are part of any mistreatment allegation.

Outcomes of the report may include the following:

Referral



The Deans will refer alleged sexual misconduct/discrimination to the Title IX coordinator and other forms of discrimination to the UT Tyler Dean of Students.

Students who report mistreatment tied to their academic assessment, (e.g., grade or comments), will be directed to the grade appeal processes.

Collaboration



If, after review and consultation, there appears to be a case of legitimate (non-sexual or discrimination) mistreatment that the student was unable to resolve directly via step 1 of the reporting chart, the Deans will collaborate with relevant faculty, staff, and administration (on a need-to-know basis) to attempt to resolve the concern. The Deans will discuss possible options and avenues to address the reported concern in an appropriate manner.

If the Deans are unable to resolve the mistreatment or learning environment issue collaboratively, the Learning Environment Committee will be consulted to recommend pathways for resolution.

Retaliation against any individual who reports possible mistreatment or discrimination will not be tolerated (Policy 3-06-3).

Note about communication to the Reporter: Resolutions will not be able to be communicated to individuals who submitted concerns anonymously. Resolutions may not be able to be shared with individuals submitting concerns to protect those involved. If you submit a form and are worried because you have not received communication about its resolution, please contact the Associate Dean of Student Affairs and/or Associate Dean of Undergraduate Medical Education (“Deans”).

*Instances of sexual misconduct/discrimination are investigated and handled by The University of Texas at Tyler Title IX office. Instances of discrimination are handled by The University of Texas at Tyler Dean of Students office.

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