

Policy Title: Student Mistreatment and Abuse

Policy Number (relate to LCME Element as applicable): UCF COM Policy 3.6.1

Applies to: This applies to all students, staff, and faculty at the University of Central Florida College of Medicine.

Date: 10/18/2024

1.0 Purpose:

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.”

2.0 Policy Statement:

The UCF College of Medicine has the core belief that all medical students, residents, faculty and staff have the right to learn and work in an environment of respect. This policy was developed to educate the UCF College of Medicine community about student mistreatment and outline the procedures for addressing medical student mistreatment if it does occur. It is the policy of the UCF College of Medicine that mistreatment of medical students will not be tolerated.

This policy and related procedures aim to protect medical students from mistreatment by any faculty (pre-clinical and clinical) or staff member associated with UCF College of Medicine, including clerkship directors, attending physicians, residents, nurses, other healthcare professionals, and other medical students, by:

- Educating all members of UCF College of Medicine about student mistreatment
- Prohibiting medical student mistreatment by anyone associated with UCF College of Medicine
- 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

Reports of mistreatment will preferably be addressed within an informal framework when appropriate, but formal procedures are available for use when necessary.

Other mistreatment behaviors such as sexual harassment, discrimination based on race, color, religion, sex, national origin, age, disability, marital status, sexual orientation, gender identity, gender expression, and veteran status are covered under this and other College and University policies (for example, Title IX reports or referral to the Office of Institutional Equity). When a medical student is alleged to have engaged in mistreatment of another medical student, the case may be managed through the process for medical professionalism concerns (as outlined in Policy 9.9.3) or through the process for conduct

concerns (as outlined in the Policy 9.9.3A). Disputes over grades are handled by M.D. Program academic policies.

Prevention and Education

The UCF College of Medicine is committed to preventing mistreatment of medical students through education of the UCF College of Medicine community. This policy and related procedures will be disseminated among UCF College of Medicine faculty on an annual basis. In addition, UCF College of Medicine 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 UCF College of Medicine policy on addressing mistreatment.

3.0 Definitions:

UCF College of Medicine 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). Students should be aware that medical student training is a rigorous process, and feedback may occasionally be uncomfortable. For example, the Socratic method 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, the Socratic method does not constitute mistreatment. (However, once it is clear that a student has reached the limit of their knowledge, it is not appropriate to continue berating students with questions or with denigrating comments about their knowledge base.) Students should take this into account when assessing potential cases of mistreatment.

Examples of mistreatment include but are not limited to:

- verbal attacks or speaking insultingly to or about a person
- public belittling or humiliation (e.g., beyond the appropriate use of the Socratic method)
- threat of harm or being physically attacked (e.g., hitting, slapping, or kicking a person, or throwing instruments at a person)
- requiring performance of personal services (e.g., shopping, babysitting)
- intentional neglect or lack of communication (e.g., neglect, in a clerkship, of students with interests in a different field of medicine) or other instances that cause unwarranted exclusion from reasonable learning or professional opportunities
- disregard for student safety
- denigrating comments about a student's field of choice
- threat of grading and other forms of assessment as a reward or punishment other than course/clinical performance
- assigning duties as punishment rather than education
- other behaviors which are contrary to the spirit of learning and/or violate trust between the teacher and learner

4.0 Responsibilities:

The associate dean for students and associate dean for academic affairs are responsible for adherence to this policy.

5.0 Monitoring/Procedures:

Communicating the Policy

Methods of communicating to specific groups include but are not limited to the following:

To medical students:

- a section on medical student mistreatment on the GPS website and clerkship handbooks

- a topic during annual orientations
- web page dedicated to mistreatment information and resource guide
- a laminated card with mistreatment resources to attach to their student ID badge

To members of the UCF College of Medicine community:

- annual transmittal, by the associate/assistant dean for students, of a copy of the policy (through posting on GPS website) and procedures to department chairs, course/module directors, clerkship and site directors at College of Medicine and at affiliated institutions, with instructions to distribute and explain the policy and procedures to faculty and staff participating in the teaching and training of medical students
- annual discussions at clinical and medical education faculty meetings
- dissemination of AAMC GQ report to course/module and clerkship directors, clerkship site directors, and academic assistant deans for dissemination to clerkship individuals (physicians, nurses, staff, etc.), curriculum committee and its subcommittees, executive faculty, and the College of Medicine Enterprise (COME).

Process

When mistreatment is believed to have occurred, the following procedure must be followed.

Reporting

All students, faculty, staff, and residents affiliated with the UCF College of Medicine shall report all incidents of alleged mistreatment. A medical student who believes they have been mistreated, or an individual who becomes aware of mistreatment, makes an initial report to the associate/assistant dean for students. Reports may be **restricted** (confidential without further disclosure of student identity beyond the Office of Student Affairs) or **unrestricted** (confidential with disclosure of student identity to appropriate parties for investigative purposes). Completely anonymous reports (for example, comments on end of year surveys) may not be fully investigated due to a lack of complete information and the inability to confirm the report.

All initial reports are handled as restricted, unless reporting is required by regulation or law (e.g., Title IX violations, reports of discrimination); in these cases, a confidential report will be made to the appropriate authorities. The initial reporting triggers a consultation process described below.

Consultation Process

The purpose of the consultation is for the associate/assistant dean for students to provide non-judgmental guidance to the medical student who experienced mistreatment (the “Grievant”) and to recommend next steps. This involves one or more confidential meetings between the medical student and the associate/assistant dean for students. During the meeting(s), the mistreatment policy will be reviewed and guidance in developing strategies to address the situation will be provided. This initial process is treated as a restricted report, unless the Grievant chooses to pursue an unrestricted report. Confidentiality will be maintained unless specific conditions require disclosure (as stated under “Confidentiality” below). The possible outcomes of this initial consultation may include, but are not limited to:

- no further action necessary;
- requests to the relevant assistant dean for medical education to:
 - reassign the student to another clerkship location (e.g., if the student feels their safety is at risk);
 - provide anonymous feedback to the person alleged to have caused the mistreatment

(the "Respondent") after Grievant has completed academic work with the Respondent;

- provide guidance to the Grievant in initiating the grade appeal process, if the Grievant feels their grade was impacted;
- initiation of an unrestricted report procedure by the Grievant.

Unrestricted Report Process

Following the consultation, the Grievant may initiate an unrestricted report procedure which entails a non-anonymous report of alleged mistreatment and subsequent investigation of the charges by the associate dean for academic affairs or designee. The Grievant will be asked to provide a factual account of the alleged mistreatment and to sign or otherwise certify the accuracy and authorship of a statement to such effect.

The associate/assistant dean for students may assist the student in preparing a statement. This account must be forwarded to the associate dean for academic affairs or designee for investigation. The associate dean for academic affairs or designee may discuss this matter with relevant parties (i.e., assistant dean for medical education, clerkship director, designated institution official, etc.) as part of the investigation.

The associate dean for academic affairs or designee will inform the Respondent of the allegation in sufficient detail to enable the Respondent to make an informed response. The associate dean for academic affairs or designee will:

- (i) investigate the alleged mistreatment as promptly as circumstances permit,
- (ii) afford the Respondent a reasonable opportunity to respond to the allegation,
- (iii) advise the parties and persons interviewed or notified about the alleged mistreatment of the need for discretion and confidentiality.

Upon initiating an investigation, the associate dean for academic affairs or designee may inform the relevant administrators who would be charged with recommending corrective and disciplinary action ("Responsible Officials") of the fact that an unrestricted report procedure is under way.

Possible outcomes of this investigation may include, but are not limited to:

- no further action necessary;
- provide direct counseling to the Respondent and inform their direct supervisor;
- recommend formal training for the Respondent and inform their direct supervisor;
- modify the curricular assignment of the Respondent and inform their direct supervisor;
- initiate any required formal disciplinary action with the appropriate College, University, or Institution administrator;
- communicate any action taken with the assistant/associate dean of students, who will communicate these actions to the student to the extent consistent with UCF College of Medicine and University policies, appropriate considerations of privacy and confidentiality, fairness, and applicable law;

If dissatisfied with the disposition of the unrestricted report, the Grievant may initiate an appeal to the Dean of the College of Medicine.

Appeal

If the Grievant is not satisfied with the outcome of the unrestricted report process, they may file an appeal in writing to the dean of the College of Medicine within 10 business days of receiving the decision. The dean shall make a final decision on the matter within 30 business days of receipt of the Grievant's written request for review. The dean may act on the appeal directly or choose to have the appeal heard by a special ad hoc committee appointed by the dean. The decision of the dean is final and not subject to appeal.

Redress of Disciplinary Action

Nothing in this policy or these procedures shall be deemed to revoke any right that any member of the University community may have to seek redress of a disciplinary action.

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/assistant 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.

The associate/assistant dean for students, associate dean for academic affairs/designee, and other investigators and decision-makers will strive to maintain confidentiality to the full extent appropriate, consistent with the need to resolve the matter effectively and fairly. The parties, persons interviewed in the investigation, persons notified of the investigation, and persons involved in the proceedings will be advised of the need for discretion and confidentiality. Inappropriate breaches of confidentiality may result in disciplinary action.

Retaliation

Consistent with UCF Policy 2-700.2, retaliation against a person who reports, complains of, or provides information in a mistreatment investigation or proceeding is prohibited. Examples of retaliation include, but are not limited to, assigning a lower grade, describing the reporting individual as a "snitch," or making comments that the reporting individual is not to be trusted. Alleged retaliation will be subject to investigation and may result in disciplinary action up to and including termination or expulsion.

False Claims

A person who knowingly makes false allegations of mistreatment, or who knowingly provides false information in a mistreatment investigation or proceeding, will be subject to disciplinary action (and, in the case of students, may involve a referral to the process for medical professionalism concerns (as outlined in College of Medicine Policy 9.9.3) or the process for conduct concerns (as outlined in the College of Medicine Policy 9.9.3A).

Time Limits

UCF College of Medicine aims to administer this policy and these procedures in an equitable and timely manner. Persons making allegations of mistreatment are encouraged to come forward without undue delay.

6.0 Related Policies:

None

7.0 Key Search Words:

Mistreatment	Abuse	

8.0 Revision History:

Version	Date Approved	Modifications
V1	4/17/2015	Original
V2	1/20/2017	Additional information on monitoring and responsibilities.
V3	9/2/2022	Minor edits
V4	10/18/2024	Updates to LCME language, clarification of procedures

9.0 References:

N/A

Responsible Office: Office of Student Affairs

Policy Contact: Associate Dean for Students; Associate Dean for Academic Affairs

Supersedes: Student Mistreatment and Abuse Policy V3