

# Faculty Handbook for the MD Curriculum

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## SECTION 1. MAINTAINING AN APPROPRIATE LEARNING ENVIRONMENT

### NONDISCRIMINATION POLICY

The OSU College of Medicine does not discriminate against any individual applicant or student based on age, ethnicity, color, race, gender, gender identity or expression, genetic information, sex, sexual orientation, religion, national origin or ancestry, military or veteran status, marital or parental status, or any basis protected by federal law in the admissions, educational and other COM programs. Otherwise qualified persons are not subject to discrimination on the basis of disability. Reasonable accommodation will be provided to persons with disabilities who otherwise meet the technical standards of the medical education program.

The university anti-discrimination policy is available at this site and applies to faculty, staff, students, student employees, graduate associates, suppliers/contractors, program participants, volunteers, visitors, and employment applicants:

[Affirmative Action, Equal Employment Opportunity & Non-Discrimination/Harassment, 1.10 \(Interim University Policy, revised 8/14/2020\)](#)

For specific information about Sex/Gender discrimination of students, please see the section on Title IX in this Section of the Faculty Handbook.

### TITLE IX AND SEX DISCRIMINATION

<https://titleix.osu.edu/navigation/policy/laws.html>

*“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational programs or activity receiving federal financial assistance.”*

-- From the preamble to Title IX of the Education Amendments of 1972

In the provision of aid, benefit or service to students, the university may not, on the basis of sex--

- Treat one student differently from another in determining whether the student satisfies any requirement or condition for the provision of any aid, benefit, or service
- Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner
- Deny any student any such aid, benefit, or service

- Subject students to separate or different rules of behavior, sanctions, or other treatment
- Aid or perpetuate discrimination against a student by providing significant assistance to any agency, organization, or person that discriminates on the basis of sex in providing any aid, benefit, or service to students
- Otherwise limit any student in the enjoyment of any right, privilege, advantage, or opportunity

Schools that receive federal funds must not discriminate against students on the basis of sex, including a student’s pregnancy, childbirth, false pregnancy, termination, or recovery therefrom. Schools must provide equal access to school programs and extracurricular activities to students who might be, are, or have been pregnant. Schools are required to treat pregnant and parenting students the same way they treat other students who are similarly able or unable to participate in school activities.

Further, any rules concerning parental, family, or marital status may not apply differently based on sex. For example, universities cannot provide women with time to bond with or care for their children and not men.

Students also have the right to miss class to nurse or pump. The absence should be excused and the student should not be penalized for the time away.

## **EDUCATIONAL CONFLICT OF INTEREST**

[COM Patterns of Administration, approved 4/14/2020]

Faculty at The Ohio State University College of Medicine accept an obligation to avoid conflicts of interest in carrying out their teaching and professional responsibilities. For purposes of this policy, an educational conflict of interest exists if:

1. Faculty member is currently or previously in a therapeutic relationship with the learner.
2. Faculty member is in a romantic or familial relationship with the learner.
3. Faculty member or admissions committee member is in a romantic or familial relationship with the applicant.
4. Faculty member is currently or previously in a therapeutic relationship with the applicant.

Having an educational conflict of interest may exert a substantial and improper influence upon a faculty member or admission committee member’s professional judgment in exercising learner or applicant evaluation. Faculty members with an educational conflict of interest must not evaluate a learner’s (for which there exists a conflict) performance or participate in any component of academic due process for that learner. Admissions Committee Members with an educational conflict of interest must not participate in any component of the admissions process for the year in which the applicant with whom they have the educational conflict with is involved. As soon as they become aware of a potential educational conflict the faculty member must disclose this to the

Associate Dean for Medical Education/Designee, Associate Dean for Health & Rehabilitation Sciences/Designee, Associate Dean for Graduate Education/Designee, or the Associate Dean of Graduate Medical Education/Designee. Admissions Committee Members with an educational conflict of interest must disclose this to the Associate Dean for Admissions/Designee or the appropriate admissions committee chair.

## **STANDARDS OF CONDUCT IN THE TEACHER-LEARNER RELATIONSHIP AND ABUSES OF THIS RELATIONSHIP**

### **A Climate of Mutual Respect**

The OSU College of Medicine has as a core value a climate of mutual respect in the teaching and learning environment. It is committed to promoting an abuse-free environment for all students, staff, volunteers, and physicians. The College maintains its commitment to prevent student abuse through education, by providing support for victims, and by responding with corrective action. In this way, the College assures an educational environment in which students, staff, volunteers, and physicians may raise and resolve issues without fear of intimidation or retaliation. The College is committed to investigating all cases of abuse in a prompt, sensitive, confidential, and objective manner.

### **Student Mistreatment**

Each year the Association of American Medical Colleges surveys graduating medical students about their medical school experience via the Medical School Graduation Questionnaire. A significant number of medical students report that they had suffered some form of student mistreatment or abuse during medical school. Mistreatment is most commonly reported during the third year of medical school and the most common type of mistreatment reported is “public belittlement or humiliation.” Women and minority students report a higher rate of mistreatment and abuse. Sexual mistreatment is also a common occurrence; approximately 20% of students reported being subjected to sexist remarks or unwelcome sexual advances at least once during medical school. All faculty members must be vigilant to create a work environment in which student mistreatment is prevented through education and minimized by swift and consistent reporting.

Abuse may be defined as treatment of a person that is either emotionally or physically damaging; is from someone with power over the recipient of the damage; is not required or not desirable for proper training; could be reasonably expected to cause damage; and may be ongoing. This includes verbal (swearing, humiliation), emotional (neglect, a hostile environment), sexual (physical or verbal advances, discomfiting humor), and physical harassment or assault (threats, harm). To determine if something is abusive, one should consider if the activity or action is damaging, unnecessary, undesirable, ongoing, or could reasonably be expected to cause damage.

The following are examples only and are not meant to be inclusive of all types of abuse. Furthermore, these examples may not always constitute abuse given a specific situation. For example, while “unwanted sexual advances” are clearly an example of sexual harassment, “being stared at” does not always constitute sexual harassment.

### *Verbal*

- Yelling or shouting at a student
- Humiliation or putdown (e.g., disparaging remarks about being in medicine)
- Discrimination based on race, ethnicity, gender, sexual orientation or any other personal characteristic (e.g., slurs, jokes, prejudiced remarks, denying learning opportunities or grading differently because of such characteristics)
- Non-constructive criticism
- Threatening to hit or to cause harm to others

### *Academic*

- Being assigned work duties for the purpose of punishment rather than education
- Having others take credit for your work (e.g., papers, projects, clinical work, or research)
- Creation of a hostile environment
- Exclusion from formal or informal learning settings or opportunities to learn
- Threats to one's academic standing (e.g., threatening to fail, to lower grades, or to give a poor evaluation)

### *Sexual*

- Being stared at or leered at
- Unwelcome sexual comments, jokes, innuendoes, or taunting remarks about one's body, attire, age, gender, sexual orientation, or marital status
- Malicious gossip pertaining to sexual habits
- Display of pornographic, sexually offensive, or degrading pictures
- Unwanted sexual advances, including unnecessary physical contact by touching, pinching, or patting
- Nonconsensual sexual intimacy with or without actual intercourse

### *Physical*

- Being pushed, shoved, shaken, or tripped
- Being slapped, hit, punched, or kicked
- Assault with a weapon (e.g., needle or surgical instrument)
- Aggressive violation of one's personal space (e.g. "getting in one's face")

Abuse is to treat in a harmful, injurious, or offensive way; to attack in words; to speak insultingly, harshly, and unjustly to or about a person; and to revile by name calling or speaking unkindly to an individual in a contentious manner. Abuse is further defined to be particularly unnecessary or avoidable acts or words of a negative nature inflicted by one person on another person or persons.

Harassment is verbal or physical conduct that creates an intimidating and/or hostile work or learning environment in which submission to such conduct is a condition of one's professional training.

Discrimination is a behavior, action, interaction, and/or policy that adversely affects one's work because of disparate treatment, disparate impact, or the creation of a hostile or intimidating work or learning environment.

## **Facilitating an environment that promotes professionalism and discourages student/ trainee abuse**

Specific actions that attending physicians, staff, and residents can take to ensure an abuse free environment for medical students and other trainees include:

1. Be certain that all members of the healthcare team know their roles and expectations, that all incidents of abuse are acknowledged and discussed rather than ignored, and that students know the appropriate mechanisms by which they can report unprofessional behavior.
2. When house staff, faculty physicians, or staff members hear racial, sexist, or gender jokes and comments, they are directed to tell the person making such comments that they consider them inappropriate and unprofessional. Students and trainees should also be supported by bystanders when they speak up to complain about such comments or actions. Incidents of inappropriate remarks or other behaviors should be reported to the OSU Office of Institutional Equity at the website <https://equity.osu.edu/>.
3. Be certain to welcome students of all genders and ethnicity to a given service, create a comfortable environment for them, and assure them that they have the same opportunities and responsibilities as others on the service.
4. Welcome students as learners and realize that learners are nervous and vulnerable when they are beginning to learn something new. Help break the cycle of “acculturation” that has persisted in the past, which is exemplified by such statements as, “When I was in medical school, I was treated like crap and you should expect the same.”
5. All healthcare team members should speak respectfully and honestly so that students are not shocked or disappointed in the way they talk about patients in private.
6. Work professionally with LGBTQ students and avoid remarks that would make them uncomfortable. Ideally, ask about and respect trainee preferences regarding personal pronouns.
7. Treat residents and interns kindly, respectfully and professionally so that they will treat students in the same way.
8. During monthly or other regularly called meetings, include opportunities for residents to communicate and exchange information on their working environment and their educational programs.
9. When designing or redesigning clerkship or faculty evaluation processes, be sure to include items on the learning environment and mistreatment and use the results of these evaluations for constructive criticism as well as praise for attending physicians’ and residents’ behavior.

## **Mechanisms for Handling Complaints of Student Mistreatment**

Academic program directors, committees, and staff work to create a learning environment that is abuse-free and a climate that has at its core mutual respect among students and all personnel.

Problems may be reported at any support staff level based on the specific issue and the student's comfort level. Students may report to:

- Faculty member
- Block/Module leaders (faculty)
- Academic Program Directors, Clinical rotation Directors (faculty)
- Program Coordinators (program office staff)
- Department Chair (faculty)

Students are encouraged to report incidents of mistreatment to the unit/clerkship director or coordinator but may certainly also report directly to the course director/coordinator or one of the dean's staff if they are more comfortable with that route of communication. This also applies to incidents that may occur at other hospitals or community locations, where students can report incidents to course directors (faculty) or the hospital medical education offices (staff).

**COM Medical Student Advocate.** The College has established a position of Medical Student Advocate. Lisa Christian PhD, is available to all students via email [Lisa.Christian@osumc.edu](mailto:Lisa.Christian@osumc.edu) to discuss learning environment concerns.

**Student/Faculty Liaison.** In addition to existing University, College, hospital, department, and divisional mechanisms, the College has established a position of Student/Faculty Liaison. Lora Eberhard, who is also the medical student counselor, is available to all students by visiting 138A Meiling (370 W. 9<sup>th</sup> Avenue), calling 614-292-3340, or by sending an e-mail to [lora.eberhard@osumc.edu](mailto:lora.eberhard@osumc.edu). The Student/Faculty Liaison can direct students to the Honor & Professionalism Council, police, counselors, Associate Dean for Student Life, or other appropriate Associate or Assistant Deans.

Reporting mistreatment/sexual misconduct through university channels does not preclude students from also pursuing criminal reporting of acts of abuse through local police or legal actions. Actions and referrals on the part of the Student/Faculty Liaison are confidential, such that retaliation by faculty and students or in grading processes is avoided.

**Associate Dean for Student Life.** Students may choose to report incidents of abuse directly by contacting Joanne Lynn, MD, Associate Dean for Student Life, in 155 Meiling Hall (370 W. 9<sup>th</sup> Avenue), by calling 614-685-3059, or by sending an e-mail to [joanne.lynn@osumc.edu](mailto:joanne.lynn@osumc.edu). Actions and referrals on the part of the Associate or Assistant Deans occur outside the normal grading process and are considered binding upon approval of the Dean of the College.

The College of Medicine will not tolerate retaliation in any form against students or other learners who reports mistreatment, serves as a witness, assists an alleged, or participates in an investigation of mistreatment of any kind. Retaliation is a serious violation that can subject the offender to sanctions independent of the merits of the original allegation. Allegations of or questions about retaliation should be directed to the Title IX Coordinator or the Office of Institutional Equity.

**All reports of sexual harassment will be reported to the University Office of Institutional Equity responsible for investigation. Other reports of alleged mistreatment will be handled on a case-by-case basis. Investigation of anonymous complaints is limited, but the complaints will be collected, reported to the university, filed in the Associate Dean's office, and reviewed as new complaints are received to determine if a pattern is present.**

**The OSU Student Advocacy Center** is available by calling 614-292-1111, going to 1120 Lincoln Tower (1800 Cannon Drive), or by sending an e-mail to [advocacy@osu.edu](mailto:advocacy@osu.edu). This branch of University Student Affairs is committed to serving students first. It is there to familiarize students with University policies, procedures, and guidelines as well as to assist students in finding information, answering difficult questions, solving problems, and finding solutions to complicated situations.

## **Monitoring for Patterns of Mistreatment or Unhealthy Learning Environments**

### **Lead.Serve.Inspire Part One, Two and Three Academic Program Committees**

These committees are responsible for reviewing the college and hospital learning environment and making changes to constantly improve it. Patterns of mistreatment that may not be reportable as a specific incident but are more of an overall pattern or environment are also addressed.

### **Academic Advancement Committee**

The purpose of the Advancement Committee is to provide communication among representatives from Medical Education, Student Life, and Admissions to identify emerging problems, both for individuals and groups of students, so that the College can be “proactive” in addressing student needs. The Advancement Committee is a subcommittee of the Academic Standing Committee.

### **Associate Dean for Student Life**

All incidents of mistreatment, no matter where they occur or where they are reported, are summarized on a **Mistreatment Incident Report Form** and sent to the Associate Dean for Student Life. This helps to assure that patterns of mistreatment are known to the College administration and if necessary can be acted on by the Student Life or Medical Education staff or the appropriate Associate Dean. Mistreatment Incident Report Forms include a description of the problem (who, what, when, where, and how) and what was done to resolve the issue.

## **Mechanisms for Resolution of Reports of Student Mistreatment**

Whenever an incident of mistreatment is reported, the College shall attempt to resolve the issue in a rapid and efficient manner, thereby maintaining a healthy teaching and learning environment. Depending on the incident, a variety of pathways to resolution may be chosen. The majority of the complaints against faculty or residents can be dealt with on a departmental basis, with feedback to the faculty member or resident from the clerkship director or department chair. More complex issues involving hospital personnel, community hospitals, or non-faculty mistreatment incidents may require interaction with departmental or divisional education committees, hospital educational offices, hospital ethics committees, directors of nursing, hospital administrators, or section/division heads.

The Associate Dean for Student Life, through the Mistreatment Incident Report Form, will monitor the resolution of these incidents to assure that appropriate procedures are followed at all times and, where necessary, refer them to the appropriate University resources.

## SEXUAL MISCONDUCT, POLICY 1.15

[https://policies.osu.edu/assets/docs/policy\\_pdfs/SexualMisconduct\\_FINAL.pdf](https://policies.osu.edu/assets/docs/policy_pdfs/SexualMisconduct_FINAL.pdf)

[Interim revised 8/14/2020]

Members of the university community have the right to be free from all forms of sexual misconduct which impede the realization of the university's mission of distinction in education, scholarship, and service. All members of the university community are expected to conduct themselves in a manner that maintains an environment free from sexual misconduct.

Sexual misconduct violates the dignity of individuals and will not be tolerated. The university community seeks to eliminate sexual misconduct through education and by encouraging everyone to report concerns or complaints, including third parties when the respondent is a member of the university community. The university is committed to stopping sexual misconduct, preventing its recurrence, eliminating any hostile environment, and remedying its discriminatory effects. This policy defines expectations for the university community and establishes mechanisms for determining when those expectations have been violated.

**Sexual misconduct** is a broad term that encompasses sexual harassment, sexual assault, relationship violence, stalking, and sexual exploitation. Definitions are provided in Policy 1.15.

The policy applies to alleged sexual misconduct in any medium. Sexual misconduct may manifest in many evolving forms including, but not limited to: physical, verbal, visual, and online/electronic/social media.

The Office of Institutional Equity (OIE) has jurisdiction at any event conducted by the university or anywhere off-campus if it is determined by the Title IX Coordinator that the alleged sexual misconduct could reasonably create a hostile environment in the education program or activity.

Romantic and/or sexual relationships between individuals in a supervisory, teaching, evaluation, advising, coaching, or counseling relationship constitute a conflict of interest. The individual in the position of higher institutional authority has the responsibility to eliminate the conflict of interest. The conflict of interest must be eliminated in a way which minimizes potential for harming the individual with lower institutional authority.

Romantic and/or sexual relationships between faculty/staff/graduate associates/undergraduate TAs and students, and between attending clinicians/supervising health care providers and residents/interns/fellows cannot continue whenever there are supervisory, teaching, evaluation, advising, coaching, or counseling responsibilities for the student. Alternative academic/supervisory arrangements must be made to avoid being in a prohibited relationship; if acceptable alternative arrangements are not feasible, the relationship cannot continue.

All university employees, except those exempted by legal privilege of confidentiality or expressly identified as a confidential reporter, have an obligation to report incidents of sexual assault. Any faculty member has an additional obligation to report all other incidents of sexual misconduct when they become aware of information that would lead a reasonable person to believe that sexual

misconduct may have occurred. Contacting OIE to share all known information will satisfy the employee duty to report.

1. Online – reporting form at [titleIX.osu.edu](http://titleIX.osu.edu) or [equity.osu.edu](http://equity.osu.edu)
2. Call – 614-247-5838
3. Email – [titleIX@osu.edu](mailto:titleIX@osu.edu) or [equity@osu.edu](mailto:equity@osu.edu)
4. Mail – Office of Institutional Equity, St John Arena, 410 Woody Hayes Dr, Columbus, OH 43210

## PROFESSIONALISM AND SOCIAL NETWORKING

### Policy on Social Networking: The Ohio State University COM

Social networking is a common activity that has the potential to increase our ability to interact with each other in positive ways. However, the ability of the internet to instantly reach millions of people, both within and outside of the medical profession makes it imperative that we take safeguards to insure that social networking does not erode the values of the medical profession or damage the reputation of the profession or the medical center.

### Definitions

**Social Networking:** The use of various internet sites to connect people via web-based technology. This includes but is not limited to Facebook, Instagram, Tiktok, Twitter, Flickr, WhatsApp, SnapChat, web blogs, and chat rooms.

**Publicly Disseminate:** to distribute to a wide audience, either through posting to a non-secure website, sending content in an email, posting flyers.

**Values of the Medical Profession:** altruism, respect, confidentiality, prudence, tolerance, integrity, and a commitment to personal excellence.

The policy of the OSUCOM regarding student and faculty use of social networking sites is delineated below. Students and Faculty of the College of Medicine:

- Should take steps to insure that their social networking sites have the appropriate privacy settings to avoid inadvertent dissemination of material to audiences beyond their control.
- Should include a disclaimer with postings that clearly states that the expressed opinions belong to the writer alone and do not necessarily reflect the views of the COM.
- May not write about patients in a manner that could in any way convey the patient's identity, even accidentally. They are cautioned that patients with rare diagnoses, physical appearances, and specific locations within the medical center may be easily identifiable even in the absence of names and medical record numbers.
- May not write defamatory comments about faculty, staff, students, and health professionals within the medical center.
- May not post someone else's work (including from internet sites) without attribution.
- May not post pictures or descriptions that demonstrate participation of students, faculty, or staff engaging in unprofessional behavior.

**Faculty within the College of Medicine are strongly discouraged from inviting students/trainees who are actively enrolled in the College of Medicine or in the OSUMC residency programs to participate in any social networking community that involves their personal lives. Social networking communities limited to professional work are acceptable.**

## **STUDENT COMPLAINTS**

[COM Patterns of Administration, approved 4/14/2020]

Normally student complaints about courses, grades, and related matters are brought to the attention of individual faculty members. In receiving such complaints, faculty should treat students with respect regardless of the apparent merit of the complaint and provide a considered response. When students bring complaints about courses and instructors to the Program Director/Chair/Division Director, they will first ascertain whether or not the students require confidentiality. If confidentiality is not required, the Program Director/Chair/Division Director will investigate the matter as fully and fairly as possible and provide a response to both the students and any affected faculty. If confidentiality is required, the Program Director/Chair/Division Director will explain that it is not possible to fully investigate a complaint in such circumstances and will advise the student(s) on options to pursue without prejudice as to whether the complaint is valid or not.

Faculty complaints regarding students must always be handled strictly in accordance with University rules and policies. Faculty should seek the advice and assistance of the Program Director/Chair/Division Director and others with appropriate knowledge of policies and procedures when problematic situations arise. In particular, evidence of academic misconduct must be brought to the attention of the Committee on Academic Misconduct

[www.oaa.osu.edu/coam/home.html](http://www.oaa.osu.edu/coam/home.html) and  
<http://senate.osu.edu/committees/COAM/COAM.html>

## **OSU WHISTLEBLOWER POLICY 1.40**

[Issued 3/1/2006; Edited 4/14/2014]

The Ohio State University encourages all faculty, staff, students and volunteers, acting in good faith, to report suspected or actual wrongful conduct. The university is committed to protecting individuals from interference with making a protected disclosure and from retaliation for having made a protected disclosure or for having refused an illegal order as defined in this policy.

University faculty, staff, students, or volunteers may not retaliate against an individual who has made a protected disclosure or who has refused to obey an illegal order. University faculty, staff, students, or volunteers may not directly or indirectly use or attempt to use the official authority or influence of their positions or offices for the purpose of interfering with the right of an individual to make a protected disclosure to the individual's immediate supervisor or other appropriate administrator or supervisor within the operating unit, or other appropriate university official about matters within the scope of this policy.

It is the intention of the university to take whatever action may be needed to prevent and correct activities that violate this policy.

### **Reporting Violations:**

A. Individuals should share their questions, concerns, suggestions, or complaints with a university administrator who can address them properly. In many cases the individual's supervisor is in the best position to address an area of concern. If an individual is not comfortable speaking with the supervisor, or is not satisfied with the supervisor's response, individuals should take their concerns to the offices listed below that will investigate and/or address the concern as appropriate.:

1. Academic misconduct matters – Office of Academic Affairs, 614-292-5881
2. Athletics matters – Department of Athletics, Compliance, 614-292-2681
3. Criminal matters – University Police, 614-292-2121, or local law enforcement at regional campuses
4. Employment matters – Office of Human Resources, Employee and Labor Relations, 614-292-2800
5. Financial matters – Office of Business and Finance, Internal Audit, 614-292-9680
6. Legal matters – Office of Legal Affairs, 614-292-0611
7. Medical Center healthcare matters, OSUMC Compliance Office, 614-293-2781
8. Research related concerns – Office of Research, Responsible Research Practices, 614-688-8457
9. Student matters – All matters involving students, in the non-student-employment setting, not covered by the offices listed above – Office of Student Life, Student Conduct, 614-292-0748
10. All other matters – Office of Human Resources, Employee and Labor Relations, 614-292-2800

B. Supervisors who receive protected disclosures are required to contact the appropriate office listed in Procedure Section I – Reporting Violations.

C. An alternative method to report concerns specific to the following areas is to contact the university's Anonymous Reporting Line via telephone at 866-294-9350 or

<https://secure.ethicspoint.com/domain/media/en/gui/7689/index.html>

1. Employment matters
2. Research matters
3. Athletics matters
4. Financial matters
5. Medical Center healthcare matters

D. In addition to or instead of filing a complaint as listed in A or C, individuals who become aware of a violation of state or federal statutes, rules, or regulations or the misuse of public resources may file a written report or contact:

1. Ohio Auditor of State Special Investigations Unit, 88 E. Broad St., P.O. Box 1140, Columbus, OH 43215, or
2. Fraud Hotline at 866-372-8364.