

Section 13: Student Mistreatment Policy and Reporting

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 the provision of a climate of mutual respect in the teaching and learning environment. It is committed to promoting a mistreatment-free environment for all students, staff, volunteers, and physicians. The College maintains its commitment to prevent student mistreatment 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 mistreatment in a prompt, sensitive, confidential, and objective manner.

Mistreatment 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 mistreatment, 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 mistreatment. Furthermore, these examples may not always constitute mistreatment 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)
- Racial, ethnic, gender identity, or sexual orientation discrimination (e.g. slurs, jokes, prejudiced remarks)
- Non-constructive criticism
- Threatening to hit or to cause harm to others

Emotional

- 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

- Threats to one’s academic standing (e.g., threatening to fail, to lower grades, or to give a poor evaluation)
- Being requested to perform personal duties for supervisors (Examples: getting refreshments such as coffee or picking up cleaning)

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
- For more detailed information regarding sexual misconduct/harassment, see section 15.

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”)

Mistreatment 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. Mistreatment 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 affect one’s work because of disparate treatment, disparate impact, or the creation of a hostile or intimidating work or learning environment.

MECHANISM FOR PROMPT HANDLING OF COMPLAINTS

Faculty/Staff-to-Student Abuse

Academic program directors, committees, and staff work to create a learning environment that is mistreatment-free and a climate that has at its core mutual respect among students and all personnel. Problems may be reported the following persons based on the specific issue and the student’s comfort level.

Students may report incidents of mistreatment and other concerns through several different routes.

Mistreatment may be reported to Dr. Alex Grieco, Dr. McCallister, Dr. Clinchot, LSI Course Directors, Dr. Lisa Christian – the medical student advocate, and the various offices below. For urgent concerns, students may call 614-685-3059 (the 155 Meiling Office) and listen through the recording to find out how to contact the **Dean on Call**.

VITALS Learning Environment Concern “Red Button”

Students may report learning environment concerns through the red button in VITALS either anonymously or privately and Dr. Grieco will be notified of this report by email and investigate. If the reporter is not anonymous, he will reach out for more information and to learn the student’s preference about how this incident be handled. Anonymous reporting limits the ability to investigate thoroughly or to close the loop and report back to the reporter about actions taken.

Clinical clerkships and rotations have their own internal structure, based on mutual respect and a dedication to resolve issues of mistreatment at the most effective level, in the timeliest manner. Often the clerkship/rotation personnel are the most effective at resolving mistreatment situations that occur in the third and fourth years. Specifically, students should contact the appropriate clerkship personnel based on the issue and the student’s comfort level including:

- Unit director/Ring director of integration (faculty)
- Program Coordinator (staff)
- Department Chair (faculty)

Students may report an incident that occurred in a clerkship to personnel outside the clerkship if they feel more comfortable doing so. 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).

Student Evaluation of Instruction or Course Forms

Learning environment concerns and mistreatment are often reported by students on their student evaluation of instruction forms or in the course/rotation. If the student gives a low score on the respect questions (“I was treated with respect by this teacher”, or “I witnessed others be treated by respect by this teacher”), then a notification of a low score will go to the course coordinator/director for evaluation. The procedure is that that coordinator or course director contacts the student to ask them more about the situation and the course or ring leadership then discusses possible interventions and the desired timing of the intervention. Students may ask that the intervention be delayed until they are off the service/course/ring and their evaluations are completed. Often, the required intervention may be a simple conversation to educate the teacher about the concern and how they can do better in the future. Reports are kept confidential but it can be difficult to assure that the teacher does not know the identity of the complainant if the incident is particularly unique and/or memorable. More serious or repeated incidents may result in elevation to an associate dean, chair or higher level with more severe disciplinary or educational interventions including reprimand, probation, referral to a medical center professionalism committee, counseling, removal from teaching duties, and even termination of employment. Drs. Grieco and Dr. Christian also review the low score reports twice a month to make sure that they are being addressed by the course leadership and to look for patterns or service sites with general learning environment concerns. They may also reach out directly to the student for more serious issues or for issues that involve bias, discrimination or harassment related to individuals who are members of a class that has federal civil rights protection (e.g. gender, race, disability, sexual

orientation, etc.). The university requires the COM to report incidents of bias, discrimination and/or harassment to the Office of Institutional Equity.

OSU Office of Institutional Equity <https://equity.osu.edu/>

The university Office of Institutional Equity exists to help the Ohio State community prevent and respond to all forms of harassment, discrimination, sexual misconduct and retaliation. This new centralized office was recently created by a reorganization of a number of university functions and houses the university's Americans with Disabilities Act (ADA), Affirmative Action and Equal Employment Opportunity (EEO), Protection of Minors, and Title IX functions. University policies and changes to the Student Code of Conduct were updated effective Aug. 1, 2019, to reflect the Office of Institutional Equity.

The Office of Institutional Equity coordinates Ohio State's response to all complaints of harassment, discrimination and sexual misconduct affecting students, employees, graduate associates, appointees, volunteers, visitors, suppliers and contractors, including providing information on rights and options for formal investigation. Intake staff determine whether a reported incident represents a potential infringement of civil rights. A minority of reported cases move on to formal investigation. If a report is not investigated by OIE, it may be passed on to university Student Conduct, Human Resources or returned to the College of Medicine.

The office also provides coordinated support to anyone impacted to help them access on- and off-campus support resources, including confidential resources. Dedicated coordinators help arrange interim measures to ensure continued access to educational and employment opportunities, such as no contact directives, changes in class or work schedule, emergency housing, counseling, and academic support.

Students may report **harassment or discrimination** or **sexual misconduct** directly to the OSU OIE at their website. Or call 614-247-5838 or email equity@osu.edu. This includes incidents of discrimination involving patients as the victim or perpetrator.

Mandated Reporting

Conversations regarding sexual misconduct, harassment or discrimination against any protected class are private but all employees including faculty and staff must report incidents that are shared with them to the Office of Institutional Equity (which includes Title IX). That office will reach out to the reporter to offer support and discuss options for investigation and action. **Exemptions from mandated reporting include:** Lora Eberhard (as a personal counselor), OSU Counseling and Consultation, Wilce Student Health Center, Student Legal Services, and SARNCO (Sexual Assault Response Network of Central Ohio).

COM Medical Student Advocate

The student advocate is someone who students can turn to outside of course leadership and the academic administration to seek advice and discuss challenges and learning environment concerns. The student advocate can assist a student to work through difficult events and situations, determine next steps and connect them with appropriate resources as needed. The student advocate plays no role in student performance assessment and evaluation or determination of grades.

The medical student advocate is **Lisa M. Christian PhD**, an associate professor in the Department of Psychiatry & Behavioral Health and Director of the Stress, Behavioral Immunology, and Health Disparities Laboratory in the Institute of Behavioral Medicine Research.

Dr. Christian will have office hour availability on Mondays 12-4, Tuesdays 9-1, and some flexibility for appointments beyond these specific times.

Her contact information is:

The Institute for Behavioral Medicine Research, Room 112

460 Medical Center Drive

614-293-0936

email: Lisa.Christian@osumc.edu

OSU Graduate and Professional Student Ombudsperson <https://ombudsman.osu.edu/>

The university began providing a new resource for graduate and professional students – an ombudsperson – starting February 1, 2021. **Dr. Rebekah Campos-Astorkiza** is the inaugural ombudsperson for graduate and professional students. She is an associate professor of Hispanic linguistics in the Department of Spanish and Portuguese. The ombudsperson provides an independent, confidential space to be listened to and receive informal counsel and advice. They can help explore options and make decisions by gathering information and resources to aid in the process. They also guide faculty and graduate and professional students in identifying and reframing issues. The ombudsperson helps develop solutions and strategies to resolve conflict by thinking creatively and working with the faculty or student to empower them with the tools to solve problems themselves. In some cases, the ombudsperson might informally mediate and facilitate communication among the parties involved. The university Ombudsperson is another resource available in addition to the COM medical student advocate, Dr. Lisa Christian.

Contact Information:

Email: gradombuds@osu.edu **NOTE:** Sensitive or confidential content should not be emailed.

Phone: (614) 292-4252

COM Personal Counselor

In addition to existing University, College, medical center, department, and divisional mechanisms, the College has established a position of Student/Faculty Liaison. Lora Eberhard is available to all students by visiting 138A Meiling (370 W. 9th Avenue), calling 614-292-3340 or by sending an e-mail to 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 Deans.

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. 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.

Student-to-Student Mistreatment **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 should be reported to the Associate Dean for Student Life. They may be summarized on a **Mistreatment Incident Report Form** (at the end of this section) or reported via VITALS. This centralized reporting ensures that patterns of mistreatment are known to the College administration and if necessary can be acted on by the Student Life or Medical Education 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 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 offices and resources.

EDUCATIONAL METHODS AIMED AT PREVENTING STUDENT MISTREATMENT

Student Education

The Medical Student Handbook explains, among other things, issues of abuse, non-cognitive standards, the honor code, student rights, and policies for dealing with abuse issues. It is updated periodically by the Office of Student Life and available on the College’s website.

The Lead.Serve.Inspire. Part One Curriculum includes modules, required of all Med 1 and 2 students, on the topic of mistreatment. Specific readings, lectures, and small-group, case-based learning events are designed to address a wide variety of issues related to mistreatment: human development; sexuality; ethics; violence; dependency; diversity (e.g., cultural, spiritual, gender, ethnic, gender identity and sexual orientation); disability and stress.

Parts Two and Three. Statements of what constitutes mistreatment and mechanisms for resolving mistreatment issues are printed in the Part Two and Three Academic Program Handbooks, in individual ring syllabi, and in residency program training material.

Staff Education

Hospital Staff. Since residents and nurses do not work directly for the College, but work for OSU Wexner Medical Center, the College will suggest to the hospital, and to the individual residency programs, activities that they may wish to undertake to sensitize their staff to student abuse. Staff should be educated as to the prevalence and types of mistreatment that have been reported specific to the College of Medicine. A copy of the current policy will be available to all department offices and attending OSU faculty.

Attending Physicians and Residents. The Faculty Teaching Handbook contains sections on the learning environment and student mistreatment. The College policy on mistreatment is provided to all staff via web-based information and hard copy in each department. Policies on student mistreatment and harassment with each resident and fellow during the orientation session that occurs yearly.

Specific actions that attending physicians and residents can take to ensure a professional and mistreatment-free environment include:

1. Be certain that all members of the healthcare team know their roles and expectations, incidents of mistreatment are discussed, and that students know the appropriate mechanisms by which they can report unprofessional behavior.
2. When house staff, faculty, or attending physicians 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.
3. Be certain to welcome students of all genders and ethnicity to a given service and to 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 poorly, 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 gay, lesbian, bisexual, and transgender students and avoid remarks that would make them uncomfortable. Respectfully ask about and use preferred pronouns.
7. Treat residents and interns kindly 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 ring, rotation or faculty evaluation processes, be sure to include items on mistreatment and use the results of these evaluations for constructive criticism as well as praise for attending and residents' behavior.
10. Establish an e-mail address whereby house staff can communicate questions and concerns to be addressed directly and confidentially.

Student Life Office. In addition to other student services and housing the student/faculty liaison position, the Office of Student Life will report major College policy changes designed to address abusive situations to the hospitals and departments.

OSU WHISTLEBLOWER POLICY–POLICY 1.40

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:

Additional avenues for reporting concerns include:

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 – Students may report research related concerns including mistreatment by a research mentor or staff, neglect by mentor, unethical research practices, noncompliance or disputes about attribution and authorship to Dr. Ginny Bumgardner, associate dean of medical student research education (Ginny.Bumgardner@osumc.edu). Other avenues for reporting include the Office of Research, Responsible Research Practices, 614-688-8457 or through the OSU EthicsPoint anonymous reporting line.
<https://secure.ethicspoint.com/domain/media/en/gui/7689/index.html>
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

EXISTING APPLICABLE NATIONAL, PROFESSIONAL, UNIVERSITY, AND COLLEGE POLICIES AND OFFICES

- American Medical Association Section on Medical Schools/AMA Student and Residency Sections.
- Office of Student Life of The Ohio State University written policy on the climate of mutual respect in the workplace.
- 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.
- The College of Medicine counselor is available by calling 614-292-3340 or by coming to 138A Meiling Hall (370 W. 9th Avenue). A policy of privacy and confidentiality is maintained.

TEACHING AND LEARNING ENVIRONMENT INCIDENT REPORT FORM

Please complete and forward this form marked CONFIDENTIAL to:

Associate Dean for Student Life
155 Meiling Hall
370 W. 9th Avenue
Columbus, OH 43210

1. When and where did the incident occur?

Date:

Location:

2. Who was involved in the incident? Please provide names and positions.

Does the complainant wish to remain anonymous? ___ Yes ___ No

Action cannot be taken on individual anonymous complaints. Anonymous complaints will be filed and reviewed to monitor for patterns of mistreatment.

3. Who witnessed the incident?

4. What occurred in the incident?

5. What was done to resolve the incident?

6. Was the incident resolved to all parties' satisfaction? ___ Yes ___ No

7. If *No*, what further action do you recommend?