

Appropriate Treatment of Medical Students in the Educational Setting

Authority: Dean, Brody School of Medicine

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Related Policies:

ECU Faculty Manual, Parts VIII and XII.

[http://www.ecu.edu/cs-](http://www.ecu.edu/cs-acad/fsonline/customcf/currentfacultymanual/currentcompletefacultymanual.pdf)

[acad/fsonline/customcf/currentfacultymanual/currentcompletefacultymanual.pdf](http://www.ecu.edu/cs-acad/fsonline/customcf/currentfacultymanual/currentcompletefacultymanual.pdf)

Part VIII: Personnel Policies and Procedures for Faculty

Part XII: Faculty Grievance Policies and Procedures

East Carolina University Student Handbook: <http://www.ecu.edu/cs-studentlife/policyhub/handbook.cfm>

Additional References:

Contact for Info: Assistant Dean for Student Affairs, Brody School of Medicine, 252-744-2278

1. Introduction

To assure that medical students are treated in an appropriate manner with respect and that a positive supportive educational environment is maintained.

The Brody School of Medicine is committed to providing an educational environment that is supportive and respectful to all members of the medical center community. The school recognizes that diversity among the members of the academic community is inherent in the practice of medicine, and that an appreciation and understanding of such diversity is an important aspect of medical training.

As part of that training, the Brody School of Medicine strives to develop professional and collegial attitudes and behaviors in interactions among members of the educational community and between these members and their patients. These goals are primary to the educational mission of the school.

Standards of conduct between the teacher and learner, which evoke an environment of mutual trust and understanding, contribute to developing an environment that supports the learning process. When all participants understand the standards of conduct between the teacher and learner and when all participants are held accountable to the standards, an environment is established that enhances both learning and professional development. Inappropriate behaviors may cause the learner to become cynical about the medical profession, may interfere with the learning process, may cause individuals to leave medical training, and may promote an atmosphere in which abuse is accepted and perpetuated in medical training.

The Brody School of Medicine acknowledges that the social and behavioral diversity of students, faculty, residents and staff, combined with the intensity of the interactions between them may, from time to time, lead to alleged, perceived or real incidents of inappropriate behavior or mistreatment of individuals. The occurrence of such incidents either intentionally or unintentionally results in a disruption of the spirit of learning and a breach in the trust between teacher and learner.

2. Contents

This policy on the appropriate treatment of medical students in the educational setting contains the following:

- 2.1. A statement of the Brody School of Medicine's standards with regards to appropriate behavior in the student – teacher relationship. Among these behaviors are mutual respect, honesty, fairness and evenhanded treatment in all interactions. This policy also includes a definition of inappropriate behaviors in the student – teacher relationship and examples of such behavior.
- 2.2. A plan for the ongoing education of the members of the medical school community about these standards of behavior and the process by which they are to be upheld.
- 2.3. A description of the School of Medicine process for responding to allegations of inappropriate behavior. Nothing in this Policy in any way shall be deemed to deprive any party of any grievance or appeal rights otherwise available pursuant to applicable University policies.

3. Definition of mistreatment:

In the context of this policy, professional mistreatment includes inappropriate or abusive behavior in the context of a relationship between teacher and learner.

3.1. Behaviors Not Considered as Mistreatment

- 3.1.1 Setting standards for conduct and achievement
- 3.1.2. Ensuring the safety and well-being of patients
- 3.1.3. Even handed application of conduct and educational standards
- 3.1.4. Constructive critical interactions between the teacher and learner

3.2. Examples of inappropriate behaviors include, but are not limited to:

- 3.2.1. Harmful, injurious, or offensive conduct*
- 3.2.2. Verbal attacks
- 3.2.3. Insults or unjustifiably harsh language in speaking to or about a person
- 3.2.4. Public belittling or humiliation
- 3.2.5. Threats of physical harm*
- 3.2.6. Physical attacks (e.g., hitting, slapping, or kicking a person)*
- 3.2.7. Requiring performance of personal services (e.g. shopping or babysitting)
- 3.2.8. Basing a lower grade or poor evaluation on reasons other those related to course/clinical/professional performance.
- 3.2.9. Sexual harassment*
- 3.2.10. Intentional neglect or lack of communication
- 3.2.11. Taking credit for another individual's work*
- 3.2.12. Disregard for a student's safety
- 3.2.13. Retaliation against a student who files a complaint

Additional guidance in determining appropriate behaviors in the teacher/learner relationship are included in Appendix A at the end of this document.

*East Carolina University and Vidant Medical Center policies, as well as criminal or civil law, may be applicable.

University policies cover discrimination on the bases of race, gender, sexual orientation, religion, ethnic background, age, marital or parental status, veteran status or physical disability. See the section on Related Policies above.

Complaints concerning harassment, discrimination, or improper relationships should also be submitted to the East Carolina University Vice Provost for Equity and Diversity, Office for Equity and Diversity (OED). These complaints may be submitted by completing a complaint form on the OED website at <http://www.ecu.edu/cs-acad/oed/grievance-form.cfm>; calling the OED at (252) 328-6804; or filing a complaint in person at OED located at Old Cafeteria Complex, Suite G 406, Greenville, NC. For more information, please visit <http://www.ecu.edu/oed>.

In addition, students who believe they have been subjected to (1) sexual harassment by another student or (2) any other form of sex discrimination against students under Title IX, may report such misconduct or file a formal complaint with the East Carolina University Deputy Title IX Coordinator in The Dean of Students Office (DOS). Complaints regarding student Title IX issues may be submitted by filling out the Student Complaint Form on the DOS website at <http://www.ecu.edu/dos/title9.cfm>; calling the ECU Cares Line at (252)737-5555; or filing a complaint in person at the DOS, located at 360 Wright Building, Greenville, NC, <http://www.ecu.edu/dos/> Office: (252)328-9297 Fax: (252)328-9174. For more information, please visit <http://www.ecu.edu/cs-studentaffairs/dos/title9.cfm>.

Lastly, even if a student does not wish to file a formal complaint, in order to comply with the Campus Security Act, the Anonymous Crime Reporting Form ***is to be completed whenever any faculty or staff person with significant responsibility for student activities becomes aware of a crime that has taken place.*** The awareness can come from a direct report from a student, staff member, or a third party. It is important that the form found at the following address be completed and filed with the East Carolina University Office of Victim Services: <http://www.ecu.edu/cs-studentlife/police/upload/Anonymous-Crime-Report-Form.pdf>. The Office of Victim Services is located at 2213 Old Cafeteria Building, Greenville, NC. For more information, please visit <http://www.ecu.edu/cs-studentlife/victimservices/>.

4. Prevention and Education: Dissemination of Information

4.1. Prevention.

The Brody School of Medicine is committed to preventing and remedying inappropriate treatment of medical students. The School of Medicine will address the issue of medical student mistreatment through:

- 4.1.1. Distribution of this policy to medical students, residents, faculty, administrators, nursing and hospital staff by all reasonably available means;
- 4.1.2. Development of programs to educate the medical school community regarding the diversity of its members. Ongoing education is the responsibility of the Assistant Dean for Student Affairs.

4.2. Education.

Information will be distributed to the concerned groups in the following manner, subject to annual review by the Senior Associate Dean for Academic Affairs.

- 4.2.1. Medical Students
 - 4.2.1.1. Display of policy and procedures prominently on the web site of the Student Affairs Office, Brody SOM.
 - 4.2.1.2. Review of the policy and procedures at each year-specific orientation.
- 4.2.2. Faculty, Residents, Fellows

- 4.2.2.1. Annual transmittal, by the Senior Associate Dean of Academic Affairs, of a copy of the policy and procedures along with school data from the AAMC Graduation Questionnaire regarding appropriate treatment of students to the Department Chairs and GME Office with instructions to distribute and explain the policy to all staff involved in the training of medical students.
 - 4.2.2.2. Review of school data from the AAMC Graduation Questionnaire by the Executive Curriculum Committee; and other governance bodies.
 - 4.2.2.3. Inclusion as an agenda topic for chief resident/resident/fellow orientations.
 - 4.2.2.4. Inclusion as orientation material for new faculty.
 - 4.2.2.5. Affiliated faculty will receive a copy of the policy when receiving their Affiliate Faculty appointment
- 4.2.3. Nurses and Other Clinical Staff
Annual transmittal, by the Senior Associate Dean of Academic Affairs, of a copy of this policy and the AAMC Graduation Questionnaire data concerning student mistreatment to the President of Vidant Medical Center, Chief Medical Officer of Vidant Medical Center, chief of staff of Vidant Medical Center, and Nurse Managers with instructions to distribute the policy to all staff involved in the training of medical students.
- 4.2.4. A link to the [Appropriate Treatment of Medical Students in the Educational Setting](#) policy will be maintained on the Office of Student Affairs website.

5. Process for Responding to Allegations of Mistreatment

5.1. Anonymous Reporting and Resolution

Anonymous concerns related to student mistreatment are received on course and clerkship evaluation forms. These forms are reviewed by the Senior Associate Dean for Academic Affairs and reported to the department chairs and clerkship/course directors, as well as residency program directors and nurse leadership as indicated. An annual report will be prepared for the Dean of the Brody School of Medicine and the East Carolina University Vice Provost for Equity and Diversity, with a copy maintained in the Senior Associate Dean for Academic Affairs office. The Senior Associate Dean for Academic Affairs will be responsible for further reporting any anonymous information to the extent required by applicable laws and/or University policies.

5.2. Informal Resolution

When an alleged mistreatment occurs, the parties directly involved should try, if at all possible, to resolve the matter informally in private. However, a student will not be required to report any complaint of alleged mistreatment (e.g., harassment) to or through the alleged offender. Students may seek assistance and advice in handling issues of mistreatment through the ombudspersons (see contact information in Section 6). These individuals can provide coaching/advice in handling conflict and explain the process for carrying a complaint forward, but they do not take sides or judge the underlying issues of the conflict, nor do they discipline or reward anyone. Students are also encouraged to discuss concerns and seek advice from Assistant Deans for Student Affairs and, when appropriate, the course and clerkship director. Confidentiality will be maintained except as required by applicable laws and/or University policies.

5.3. Resolution through Facilitation by the Ombudsperson

In some situations, the informal approach may be hindered by a variety of factors, including reluctance of the reporting individual to address the alleged offender, or intransigence of the alleged offender. A position of Ombudsperson has been established to help resolve such conflicts. The role of the Ombudspersons is to collect information concerning the mistreatment incident from appropriate

sources and mediate between the parties with the intent of reconciling the matter to the satisfaction of both parties. It is designed to preserve the confidentiality of all parties involved to the extent possible. Policy and law prohibits retaliation for reporting and/or participating as a witness regarding a potential violation of law and/or University policy. The student may contact the Ombudsperson to seek assistance in resolving a conflict. The Ombudsperson, who is chosen by the Dean, should not be an individual with medical student supervisory or administrative responsibilities at the Brody School of Medicine. Incidents of mistreatment handled by the ombudspersons according to the algorithm in Appendix 1. The Ombudsperson will provide a redacted report biannually directly to the Dean of the Brody School of Medicine and the East Carolina University Vice Provost for Equity and Diversity.

5.4. Formal Resolution

5.4.1. The Conflict-Resolution Council

If a reasonable effort on the part of the Ombudsperson fails to resolve the conflict, the Conflict-Resolution Council may be convened if requested in writing by either of the parties or, in the case of a serious or repeated offense, the Ombudsperson. The full Council will meet annually to review and recommend any change in the policy and procedures, and make an annual report to the Dean. The Dean will select a twelve member Conflict-Resolution Council to include two members from each of the following groups:

- Pre-Clinical Students
- Clinical Students
- Pre-Clinical Faculty
- Clinical Faculty
- Residents
- BSOM Administration

The Chair of the Council, appointed by the Dean, will be one of the Faculty members on the Council. All members are appointed to the Council for a three-year term. The appointment term will be staggered so that the council always has experienced members. The Ombudsperson is not a member of the Council but is present at Council meetings.

When a case arises for deliberation, the Chair of the Conflict-Resolution Council will select an ad hoc Sub-Council consisting of five members from the Conflict-Resolution Council. This Sub-Council will include representatives from the appropriate peer groups of the reporting individual and alleged offender. If one of the parties involved is not represented on the full Conflict-Resolution Council, additional members from the appropriate group (e.g. nurses, staff, etc.) may be recruited to the Sub-Council.

5.4.2. Sub-Council Procedures

5.4.2.1. The purpose of the Sub-Council is to collect the facts pertinent to the conflict, mediate between the parties, and make recommendations for resolution. The Council will assess the evidence as objectively as possible, be fair in its deliberations, and protect the rights of the individuals.

5.4.2.2. Each Sub-Council will select its own chair to preside over deliberations. When the Sub-Council hears a case, the Ombudsperson, reporting individual and alleged offender are present. The Ombudsperson is responsible for notifying the parties regarding the meeting time and place. The meeting will begin with the Ombudsperson presenting the case. The parties involved in the conflict will both have an opportunity to speak and to bring witnesses to speak. Neither party can be represented by legal counsel.

5.4.2.3. All meeting proceedings, except deliberations of the Sub-Council on findings and recommendations, shall be recorded by the Ombudsperson. The written record shall serve as the official documentation of the hearing and shall be maintained in a secure file in the BSOM Office of Student Affairs. All proceedings and deliberations shall remain confidential to the extent permitted by law.

5.4.2.4. The Sub-Council will prepare a report for the Dean and the full Conflict Resolution Council containing the facts of the case and any recommendations made through their deliberations. The Dean will advise the conflicting parties as to the recommendations of the Sub-Council and of his/her concurrence with the recommendations. The Dean's decision constitutes the final disposition of the matter within the medical school. Other university policies may govern decisions affecting faculty and staff.

5.5. Protection Against Retaliation

Those who are accused of mistreatment will be informed by the Ombudsperson that retaliation is regarded as a form of mistreatment and violation of the policy. The accusation of retaliation will be handled with the same procedure as mistreatment. The Council will inform the Dean of retaliation.

5.6. False accusation

Any complainant, respondent, or witness found to have been intentionally dishonest in the processes described in this Policy (e.g., the complainant making the allegation) may be subject to disciplinary action.

6. Related Resources

Additional policies and procedures for responding to complaints of harassment and mistreatment are presented in the Related Policies section above. The Ombudsperson may be contacted at BSOMOmbudsOffice@ecu.edu

Staff Available to Students to Discuss Incidents of Student Mistreatment

David W. Holder, MD, Ombudsperson
Associate Professor, Department of Pediatrics
600 Moye Boulevard
Greenville, NC 27834
252-744-2540
holderd@ecu.edu

Darla K. Liles, MD, Ombudsperson
Associate Professor of Medicine, Hematology & Oncology
Leo W. Jenkins Cancer Center
600 Moye Boulevard
Greenville, NC 27834
252-744-1888
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Randall H. Renegar, Ph.D.
Professor, Anatomy and Cell Biology
Assistant Dean for Student Affairs
(252) 744-2278 | (252) 744-3250 Fax
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Susan Schmidt, M.D.
Associate Professor, Family Medicine
Assistant Dean for Student Affairs
(252) 744-2278 | (252) 744-3250 Fax
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Appendix A: The following table from the Pritzker School of Medicine provides guidance to students and teachers concerning inappropriate behaviors in medical education.

		Not Mistreatment	Mistreatment
M	Malicious Intent	On the first day of third year, the ward clerk says to the student, “I can tell you guys are newbies,” then offers to help the students find a computer station.	Resident purposely gives student misinformation before rounds. Student overhears resident laughing about messing him over.
I	Intimidation on Purpose	Student working with the chairman of surgery says he feels nervous about operating with him since the chairman can “make or break” his career.	Resident tells a student that they intend to make them cry before the rotation is over.
S	Sexual harassment*	Male student asked not to go into a room because a female patient only wants a female to examine her.	Student subjected to offensive sexist remarks or names.
T	Threatening verbal or physical behavior*	A student is yelled at to “get out of the way” by a nurse as a patient is about to be shocked during resuscitation.	An attending grabs the student’s finger with a clamp OR tells them they are an “idiot” after they could not answer a question.
R	Racism or discrimination*	Attending gives student feedback on how to improve performance.	Student subjected to racist or ethically offensive remarks or names.
E	Excessive or unrealistic expectations	Student is asked by an attending to review an article and present it on rounds to the team.	A resident tells a student that it is their job to perform rectal exams (necessary or not) on all the patients admitted to the service.
A	Abusive favors*	A student is asked to get coffee for themselves and for the team prior to rounds since the resident did it yesterday. The team gives the student money.	A student is asked to pick up an attending’s dry cleaning.
T	Trading for grades*	A resident tells a student that they can review and present a topic to the team as a way to enhance their grade.	A student is told that if they help a resident move that they will get honors.

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