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	Date of Approval: 11/01/19 Date Last Amended: Date of Next Review: 11/01/ 2020
Policy Owner: Division of Student Affairs	Contact: 615.327.6435
Applicability: All Meharry Medical College Faculty, Staff and Students Approved by: The Office of the President	
Subject: Meharry Medical College- Student Mistreatment Policy	

PURPOSE:

The purpose of this policy is to:

- Define mistreatment
- Provide mechanisms and procedures to report
- Explain the resolution process

POLICY STATEMENT:

Meharry Medical College is committed to providing and maintaining a positive learning environment that reflects the highest standards of professional conduct. The College believes that teaching and learning should take place in a climate of mutual respect where students are evaluated based on ability and academic performance. To that end, mistreatment of students will not be tolerated. It is the College’s goal that this policy will help promote a positive environment for teaching and learning and affirm the importance of civility and respect for others.

DEFINITIONS:

Mistreatment Against Students

MMC defines mistreatment as any behavior, intentional or otherwise, which shows disrespect for the dignity of students, is exploitative of students, and/or which adversely impacts the quality of students’ college experience in either the academic or non-academic arenas. It may also take the form of sexual harassment, psychological cruelty, physical punishment, or discrimination based on race, color, national origin, physical or mental disability, veteran status, religion, ethnicity, sex, age, genetic information, citizenship, or sexual orientation.

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Specific examples of mistreatment include (but are not limited to):

- Being spoken to in a sarcastic or insulting manner
- Being intentionally neglected or left out of the communications
- Being given excessive additional work assignments which are incongruent with validated work assignments given to other students or program requirements
- Being subjected to offensive remarks or names
- Being belittled or humiliated
- Being required to perform personal services (i.e. babysitting, shopping)

While constructive criticism is appropriate in certain circumstances in the teaching and learning environment, it should be handled in such a way as to promote learning, avoiding purposeful humiliation. Feedback that contains negative elements is more useful when delivered in a private setting that fosters discussion and behavior modification. All feedback shall focus on behavior rather than personal characteristics and should avoid labeling.

Progressive Discipline

MMC defines progressive discipline as a process or method that attempts to address and correct an individual's work performance or inappropriate workplace behavior by providing clear and constructive feedback through a series of increasingly formal steps.

PROCEDURE:

Procedures for Reporting Mistreatment

Mistreatment complaints are sensitive in nature and the perceived power differential can dissuade students. Therefore, multiple avenues must be provided for direct and anonymous reporting of mistreatment or a negative learning environment. The Institution must be able to assure reporters they will be protected from retaliation when making truthful reports of mistreatment, even when their identity must be disclosed. This responsible, confidential reporting is a professional obligation on the part of reporters as members of the MMC educational community.

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Standards of Professional Conduct-Reporting Structure

For incidents occurring within the learning environment (i.e. clinical settings, research, classroom settings) students can confidentially report concerns about mistreatment to the Dean of Student Affairs in their respective Schools. For incidents occurring outside of the learning environment students can confidentially report concerns about mistreatment to the Senior Vice President of Student Affairs. Residents are encouraged to report incidents of mistreatment to the Director of Residency Training or Human Resources. Formal complaint processes include, with the consent of the reporter, mediation with attempt at resolution, which may involve contacting the Department Chair, Program Director or Administrator or referral to the Office of Compliance and General Counsel.

Other Communication Avenues

Students are encouraged to report learning environment concerns during the completion of course evaluations and clerkships, if applicable, at the end of each course. These anonymous evaluations are available for review by the course and clerkship directors, departmental chairs, deans and the designated institutional officials (DIOs) for Graduate Medical Education (GME).

Confidentiality and Protection from Retaliation

Every effort will be made to protect alleged victims of mistreatment from retaliation if they seek redress. Although it is impossible to guarantee freedom from retaliation, it is possible to take steps to try to prevent it and to set up a process for responding to it. To help prevent retaliation, those who are accused of mistreatment will be informed that retaliation is regarded as a form of mistreatment. Accusations that retaliation has occurred will be handled in the same manner as accusations concerning other forms of mistreatment.

Sanctions

Individuals covered under the policy may be subject to disciplinary sanctions for proven violations. The college adheres to a practice of progressive discipline, depending on the nature of the transaction. Although not an exhausted list, sanctions can include written reprimand, suspension or termination based on the offense and frequency of behavior.

Steps of Progressive Discipline Sanctions

Step 1: Counseling and verbal warning

Step 1 creates an opportunity for the immediate supervisor to bring attention to the existing conduct. The supervisor should discuss with the employee the nature of the problem or the violation of College’s policy. The supervisor is expected to clearly describe expectations and steps the employee must take to improve his or her performance or resolve the problem. Within five business days, the supervisor will prepare written documentation of the verbal counseling. The employee will be asked to sign this document to demonstrate his or her understanding of the issues and the corrective action.

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Step 2: Written warning

The Step 2 written warning involves more-formal documentation of the performance, conduct or attendance issues and consequences. The immediate supervisor and HR or a representative from Faculty Affairs, if appropriate, will meet with the employee to review any additional incidents or information about the conduct as well as any prior relevant corrective action plans. The parties will outline the consequences for the employee of his or her continued failure to meet conduct expectations.

A formal performance improvement plan (PIP) requiring the employee's immediate and sustained corrective action will be issued within five business days of a Step 2 meeting. The written warning may also include a statement indicating that the employee may be subject to additional discipline, up to and including termination, if immediate and sustained corrective action is not taken.

Step 3: Suspension and final written warning

Some conduct or safety incidents are so problematic and harmful that the most effective action may be the temporary removal of the faculty member or employee from the workplace. When immediate action is necessary to ensure the safety of the employee or others, the immediate supervisor may suspend the employee pending the results of an investigation.

Suspensions that are recommended as part of the normal sequence of the progressive discipline policy and procedures are subject to approval from a next-level manager and HR. Depending on the seriousness of the infraction, the employee or faculty member may be suspended without pay in full day increments consistent with federal, state and local wage and hour employment laws. Nonexempt/hourly employees may not substitute or use an accrued paid vacation or sick day in lieu of the unpaid suspension.

In compliance with the Fair Labor Standards Act (FLSA), unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues. HR and /or Faculty Affairs, if appropriate, will provide guidance to ensure that the discipline is administered without jeopardizing the FLSA exemption status or the Appointment, Promotion & Tenure (APT) process. Pay may be restored to the employee if an investigation of the incident or infraction absolves the employee of wrongdoing.

Step 4: Recommendation for termination of employment

If found that the student mistreatment charge rises to the level of student endangerment by any employee of the College, the College reserves the right to terminate the employee immediately.

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EXHIBITS: