1.0 Policy Statement:
It is the Elson S. Floyd College of Medicine policy to ensure that the learning environment is free from ridicule, exploitation, sexual and other forms of harassment, physical harm and threats so that students can learn, conduct research and scholarly projects, and train for clinical care in a supportive environment that promotes learner well-being. The College of Medicine does not tolerate student mistreatment.

2.0 Definitions:
AAMC – The Association of American Medical Colleges is a non-profit association of 154 accredited US and 17 accredited Canadian medical schools.
CRCI – Office of Civil Rights Compliance & Investigation which is Washington State University’s (WSU) central intake, referral and investigative office for matters that implicate Executive Policy (EP)15, which prohibits discrimination, sexual harassment, and sexual misconduct, and will work with the College of Medicine if appropriate.
Elson S. Floyd College of Medicine’s Definition of Student Mistreatment: Mistreatment, either intentional or unintentional, occurs when behavior shows disrespect for the dignity of others and unreasonably interferes with the learning process. Examples of mistreatment include: public belittlement or humiliation; verbal abuse (for example, speaking to or about a person in an intimidating or bullying manner); physical harm or the threat of physical harm; (explicit/implicit) requests to perform personal services; being subject to offensive sexist remarks, or being subjected to unwanted sexual advances (verbal or physical); retaliation or threats of retaliation against students; discrimination or harassment based on race, religion, ethnicity, sex, age, or sexual orientation; and the use of grading or other forms of assessment in a punitive or discriminatory manner.
The AAMC includes the non-exhaustive list below as examples of student mistreatment:

- Public humiliation
- Threats of physical harm
- Physical harm
- Bullying, intimidating, or coercive behavior
- Requirements to perform personal services
- Unwanted sexual advances
- Being asked to exchange sexual favors for grades or other rewards
Student Mistreatment Policy

- Denial of opportunities for training or rewards based on gender or gender identification
- Offensive, sexist, racist, or homophobic remarks/names
- Racially or ethnically offensive remarks/names

**WSU’s Definition of Discrimination:**
WSU’s definition of discrimination can be found in Executive Policy (EP) 15 and includes discriminatory harassment, sexual harassment, and sexual misconduct that are prohibited on the basis of protected classes or characteristics listed in the executive policy.

**Microaggression** is a comment or action that subtly and often unconsciously or unintentionally expresses a prejudiced attitude toward a person or group.

3.0 **Responsibility**
Vice Dean for Student and Faculty Experience

4.0 **Procedures**

**Reporting of Student Mistreatment:** Student Mistreatment may be reported in several ways outlined below and may be done anonymously, though anonymous reports may be more difficult to investigate unless the reporter provides sufficient information and details about the conduct or incident being reported so it can be completely and thoroughly investigated. Perceived microaggressions by a fellow student(s), or a faculty, resident, administrator or staff is recognized by the College of Medicine as a form of student mistreatment and may be reported and managed in manners similar to other forms of mistreatment.

1. Any student mistreatment involving discrimination, sexual harassment, or sexual mistreatment must be reported to the Office of Civil Rights Compliance & Investigation (CRCI) in accordance with EP 15. Certain **WSU employees**, including the Associate Dean for Clinical Campus (ADCE), a Dean of Student Affairs, and the Associate Dean for Accreditation, Assessment, and Evaluation (ADAAE), are required to promptly report all incidents of discrimination and discriminatory harassment directly to CRCI pursuant to **EP 15**. Reports may be made at [https://crci.wsu.edu/file-a-complaint/](https://crci.wsu.edu/file-a-complaint/), by calling 509-335-8288, or by emailing crci@wsu.edu.

2. Alleged mistreatment by a faculty, resident, administrator or staff member, or student may be reported directly to the student’s assigned ADCE, to the Elson S. Floyd College of Medicine Office of Admissions, Student Affairs, and Inclusion, to the Elson S. Floyd College of Medicine Office of Accreditation, Assessment, and Evaluation, or the Office of Civil Rights Compliance & Investigation (CRCI) as described above. Individuals should review EP 15 for the details regarding making reports to CRCI including anonymous reporting and the limitations regarding the confidentiality of reports. If a WSU resident is involved, the Associate Dean of Graduate Medical Education/Continuing Medical Education (ADGME/CME) will be notified. Depending on the nature of the allegation, the ADCE, the ADGME/CME, a Dean of
Student Mistreatment Policy

Student Affairs, or the ADAAE may be able to find a resolution of the alleged problem satisfactory to all parties without involving any additional individual(s), but documentation of the allegation must be made and submitted to the Office of the Vice Dean for Student and Faculty Experience (VDSFE) to be stored in a secure file.

3. Reporting of student mistreatment may also be done via formal teacher and course evaluations. In all course or clerkship evaluations, students are asked if they have experienced mistreatment and are asked to describe the situation in as much detail as possible. The survey also captures the environment in which the mistreatment was experienced and how the student communicated the mistreatment (if they felt comfortable doing so). All teacher evaluations (large group, small group, and preceptors evaluations) have questions related to supportive learning environments. All data is monitored centrally with specific attention paid to any questions related to student mistreatment.

4. De-identified responses are reviewed by the ADCE’s and Course Directors, and used as course benchmarks. The ADAAE and the ADCE’s monitor instructors who receive concerning scores on mistreatment questions. These concerning scores are brought to the attention of the Associate Dean for Curriculum (ADC) and Chair of the Department of Medical Education and Clinical Sciences (DMECS) in order to provide feedback and take appropriate action, if necessary.

5. Students may also report a student mistreatment incident directly to the Office of Accreditation, Assessment and Evaluation by submitting an online student mistreatment form. Students may also contact a Dean of Student Affairs at EfloStudentAffairs@wsu.edu or by calling 509-368-6827 with questions or concerns about filing a mistreatment complaint.

6. Lastly, a student may report a mistreatment incident to any Course or Clerkship Director, Clerkship Coordinators, any faculty mentor, or any staff member. Upon receiving a report of mistreatment, these individuals must forward the report to the Office of Accreditation, Assessment and Evaluation or directly to CRCI if it involves discrimination, sexual harassment, or sexual mistreatment.

Student Mistreatment Incident Management:
Student mistreatment that involves discrimination, sexual harassment, or sexual mistreatment will be investigated by CRCI following EP15 guidelines. Any student mistreatment that involves workplace violence and/or bullying will be investigated by Human Resources following BPPM 50.30 and/or 50.31 procedures.

Other forms of student mistreatment will be managed by the Elson S. Floyd College of Medicine in two different ways based upon whether the alleged treatment was by a fellow student(s), or by a faculty, resident, administrator or staff member.
In cases involving alleged faculty, resident, administrator or staff mistreatment of a student
that is not within the scope of EP 15, the process outlined below in the section labeled A will be followed. In cases in which a student alleges mistreatment by a fellow student or students that is not within the scope of EP 15, the process outlined below in the section labeled B will be followed.

A. Allegation of student mistreatment by faculty, resident, administrator or staff member: If the ADAAE determines an investigation is warranted, the office will oversee the prompt investigation and inform other offices and individuals, as appropriate, such as the ADCE, the ADGME/CME, a Dean of Student Affairs, the VDSFE, and the appropriate Department Chair. The Elson S. Floyd College of Medicine Compliance Specialist may be enlisted to assist in the investigation.

At this stage the identities, when available, of both the accused and accuser making a complaint may be revealed to the supervisor of the accused faculty, resident, administrator or staff member in order to pursue further process. The ADAAE meets with the student before further investigation occurs to clarify if the student’s name is to be revealed at this stage and under what conditions that the student’s name may be revealed to different parties involved. The student may request a Dean for Student Affairs to be present for support.

In cases that require further investigation, the accused faculty, resident, administrator or staff member is expected to meet with their immediate supervisor to present their perspective about the mistreatment complaint, explain the context or address other relevant details. The immediate supervisor of the faculty, resident, administrator or staff member solicits additional information about the case to learn about any contributing factors of the behavior to determine whether mistreatment took place. The supervisor also provides an opportunity for any student who is the subject of alleged mistreatment to present their concerns directly to them.

If the supervisor of the faculty, resident, administrator or staff member determines that mistreatment took place, the supervisor discusses a possible professional development plan and, depending on the severity of the mistreatment, may implement any disciplinary protocols as outlined by human resource policies, applicable employee handbooks/manuals (including faculty handbook), bargaining unit agreements, or any additional policies related to mistreatment of a student. The supervisor must inform the appropriate ADCE of the outcome of the meeting in a timely manner. The supervisor communicates in writing the development plan or disciplinary action with the faculty, resident, administrator or staff member. The ADCE will communicate the outcome to the meeting and the plan to the ADAAE.

Upon completion of the development plan or disciplinary actions, the supervisor of the faculty, resident, administrator or staff member reports back to the ADCE who will report the resolution to the ADAAE, Dean for Student Affairs, and the VDSFE. If the mistreatment involved a faculty member, the Dean for Faculty Affairs and Professional Development will also receive the report.

The Office of Admissions, Student Affairs, and Inclusion or the ADCE is responsible for sharing the status of the investigation with the student throughout the process.

If the student or the faculty, administrator or staff member disagrees with the supervisor’s decision, they may appeal the decision to the Elson S. Floyd College of Medicine Dean.

B. Allegation of student mistreatment by a fellow student or students: Upon the receipt of a mistreatment report, the ADAAE reviews the report. After reviewing the report and determining that future action is warranted and the allegation is not within the scope of EP
15. the report will be forwarded to the VDSFE. If needed, the VDSFE will ask for an investigation by the Professionalism Excellence Advisory Committee (PEAC) and/or by the ESFCOM Compliance Specialist. If the report involves workplace violence and/or bullying, the procedures outlined in BPPM 50.30 and/or 50.31 will be followed. In addition, PEAC, where permitted, may also conduct an investigation and/or take other actions consistent with this student mistreatment policy and BPPM 50.30 and/or 50.31. The VDSFE will determine if a violation of student professionalism occurred; if so, that will be reported to the Student Evaluation, Promotion, and Awards Committee (SEPA) for their consideration and action. During any investigation involving student interviews or requests for statements or evidence, the Office of Admissions, Student Affairs, and Inclusion will assign advocates to the involved parties so no individual is responsible for advocating for students on both sides of the allegation.

If, in the opinion of the ADAAE or the VDSFE, the report may or does involve discrimination as defined by EP 15, they will refer the report to CRCI for processing consistent with the University processes for discrimination reports. In consultation with CRCI, the ADAAE may also conduct an investigation and/or take other actions consistent with the Elson S. Floyd College of Medicine Student Mistreatment Policy and other applicable University policies for any aspects of the mistreatment report that do not involve discrimination.

The Office of Admissions, Student Affairs, and Inclusion is responsible for sharing the status of the investigation with the student throughout the process.

If the accused disagrees with SEPAC’s decision regarding a finding of mistreatment, they may appeal the decision to the Elson S. Floyd College of Medicine Dean, as put forth in SEPAC policy and procedures.

**Protection from Retaliation**

Retaliation in any form against an individual for engaging in protected activity such as filing a good faith complaint of discrimination and/or sexual harassment is a violation of University policy for all faculty, staff, and students. Appropriate action will be taken to protect covered individuals from harm or any type of retaliation. In the case of a student this may include removing them from the learning environment and re-assignment of assessment activities. Faculty, residents, administrators or staff members who have been accused of mistreatment are informed that retaliation is regarded as a violation of Washington State and University policies. Individuals who feel they are being retaliated against because of a mistreatment report should immediately speak with the appropriate investigative body such as CRCI or the Dean of Student Affairs where applicable.

**Rights of the Accuser and Accused**

The accuser and accused will have rights to the following:

a) due process, b) confidentiality to the extent permitted by EP 15 and WSU policy (please note there are limits to the confidentiality of such reports and related investigation materials), c) a fair, thorough and timely investigation and d) communication regarding the outcome of the complaint (in keeping with privacy policies).
Student Mistreatment Policy

5.0 Related Policies:
- WSU Policy Prohibiting Discrimination, Sexual Harassment, and Sexual Misconduct, EP#15
- WSU Policy on Faculty/Student and Supervisor/Subordinate Relationships EP#28
- WSU Workplace Violence Policy BPPM 50.30
- WSU Workplace Bullying and Harassment Policy BPPM 50.31
- WSU Standards of Conduct for Students WAC 504-26
- Washington Administrative Code against Retaliation WAC 504-26-230

6.0 Key Search Words
Student Mistreatment, retaliation, reporting mistreatment, rights of accuser and accused

7.0 Revision History

<table>
<thead>
<tr>
<th>Original Approval</th>
<th>Policy number</th>
<th>Review/Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/16/2016</td>
<td>EQ.03.01.160516</td>
<td>8/8/2017</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11/15/2018</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4/15/2020</td>
</tr>
</tbody>
</table>

Responsible Office: Office of the Vice Dean for Student and Faculty Experience

Policy Contact: Vice Dean for Student and Faculty Experience

Supersedes: EQ.03.01.160516 dated 11/15/2018