



Policy Title: Student Mistreatment		
Accountable Dean or Director: Dean of Medical Education		
Reviewed By: Curriculum and Policy Subcommittee	Approved By: Executive Oversight Committee	
Effective Dates: AY 2022-23	Review Dates:	

RELEVANT LCME STANDARDS:

3.6 Student Mistreatment

PURPOSE AND SCOPE:

To clarify expectations for educator actions and behaviors and to specify how learners can report mistreatment as well as how the relevant overseeing party in Medical Education analyzes and acts upon reports.

POLICY:

The Icahn School of Medicine at Mount Sinai (ISMMS) is dedicated to providing its students, postdocs, residents, faculty, staff and patients with an environment of respect, dignity, inclusion, trust, support, and protection of civil and professional discourse, free of mistreatment, abuse, or coercion, and without fear of retaliation.

Educators (defined broadly to include anyone in a teaching or mentoring role, including faculty, postdocs, residents, fellows, nurses, staff, and students) bear significant responsibility in creating and maintaining this environment. As role models and evaluators, educators must practice appropriate professional behavior toward, and in the presence of, students and trainees, who are in a particularly vulnerable position due to the formative and dependent nature of their status.

These guidelines supplement the institutional policies on harassment, grievances and sexual misconduct; will assist in developing and maintaining optimal learning environments; and encourage educators, students and trainees alike to accept their responsibilities as representatives of the ISMMS in their interactions with their colleagues, patients, and staff.

Mistreatment interferes with the learning environment, adversely impacts well-being and the trainee-mentor relationship, and has the potential for negatively impacting patient care and research. Inappropriate and unacceptable behaviors promote an atmosphere in which mistreatment is accepted and perpetuated in medical and graduate education.

Everyone at the ISMMS deserves to experience a professional learning and working environment. This policy focuses on the mistreatment of students and trainees.

While individuals might perceive behaviors differently, examples of mistreatment include, but are not limited to being:

- Publicly embarrassed or humiliated
- Threatened with physical harm or physically harmed
- Required to perform personal services
- Subjected to offensive remarks related to gender, sexual orientation, nationality, race or ethnicity
- Denied opportunities for training or rewards based upon gender, sexual orientation, nationality, race or ethnicity
- Subjected to lower evaluations or grades solely because of gender, sexual orientation, nationality, race or ethnicity
- Subjected to unwanted sexual advances
- Asked to exchange sexual favors for grades or other rewards
- Subjected to the threat of revoking visa status for foreign nationals

ISMMS has a zero tolerance policy towards mistreatment. Zero tolerance means that all reported incidents are scrutinized and result in an action plan. Although egregious or persistent mistreatment may require disciplinary action, we recognize in episodes of mistreatment an opportunity to develop, improve, and remediate unprofessional behaviors that detract from a learning and working environment we can all be proud of.

This mistreatment policy is closely aligned with our institution's Cultural Transformation efforts, the medical school's Racism and Bias Initiative, and related policies.

PROCEDURES:

Reporting mechanisms

As discussed below, students and trainees may seek advice and guidance about how to handle mistreatment and unprofessional behaviors directed at them, and are encouraged to formally report these incidents. There are several ways for learners to share their concerns, including through real-time reporting mechanisms and mechanisms for periodic review (course evaluations or periodic surveys). All reports, whether made in real-time or in the course of periodic review, must be submitted via the [Feedback Form](#) or as specified below. Reports will be reviewed by the respective office that oversees the learner/trainee. The person submitting a real-time report can also designate whether he or she wants to have the concern addressed immediately or to delay the review until a period of time has passed. Anonymous reports of mistreatment and unprofessional conduct may be submitted; however, Mount Sinai's ability to investigate an anonymous report may be limited. Reports of alleged mistreatment and unprofessional behavior directed at students and trainees will be reviewed and handled in a timely manner. Seeking advice or guidance is not considered filing a report. Reports may only be made through the Feedback Form referenced above or the avenues specified below.

Reporting for aggregate review:

Seeking Guidance:

- Course Directors
- Clerkship Directors
- Faculty Advisors, instructors, mentors, and Deans
- Title IX Coordinator.
- Ombuds [Office](#)

Real Time Reporting:

- [Feedback Form](#)
- [Office of Human Resources](#)
- Title IX Coordinator
- Compliance Hotline or [Compliance Online Form](#): Compliance Hotline reports are shared quarterly unless the report is determined to be time-sensitive.

Reporting for Aggregate Review:

- Course evaluations
- Clerkship evaluations
- Compliance Hotline or [Compliance Online Form](#): Compliance Hotline reports are shared quarterly unless the report is determined to be time-sensitive.

Triage

A Mistreatment Committee overseeing medical school, graduate school, GME, and post-doctoral mistreatment will meet quarterly. The committee membership includes the Dean for GME, Dean for Medical Education, Dean of the Graduate School of Biomedical Sciences, Dean for Diversity Affairs, CWO, Dean for Gender Equity in Science and Medicine, Chair of the Physician's Wellness Committee, MSH Chief Medical Officer, representative from Human Resources, student mistreatment reps, postdoctoral fellow reps, and housestaff reps.

This committee will review all reports of mistreatment and cross-reference them across historical reports from the Graduate School, UME, GME, and ISMMS HR.

An ad hoc sub-committee will meet to review any report of mistreatment that is felt to be egregious and may require an immediate response. This ad hoc committee will also undertake formal investigation of the mistreatment when appropriate, and report its findings to the full committee.

The committee's determinations will fall into one of three categories:

- Not mistreatment: no response needed, internal file in relevant area of education for future reference
- Mistreatment: Graded response below
- Egregious mistreatment potentially requiring discipline: formal investigation

If the mistreating party is not named, the report will be forwarded to the Chair of the relevant department and the Dean. The Chair will collaborate with the Dean for UME and/or Dean of the Graduate School and/or Dean for GME on improvements to the learning environment (may include special grand rounds, consultation with the CWO, Physician Wellness Committee, Employee Health Service, leadership of ODI, Dean for Women's Equity)

Graded Response Policy

Mistreatment can range from a single, first-time episode that is not egregious, to persistent low-grade mistreating behavior, to single incidents so egregious that they require disciplinary action. Below is the range of possible responses, each of which will be tailored to the circumstances of the mistreatment.

- Monitoring the behavior of the person accused of mistreatment
- Mandatory meeting with a member of the Mistreatment Committee
- Formal letter to Chair and Dean of the School of Medicine, mandatory meeting with the Chair
- Formal letter to Chair and Dean of the School of Medicine, mandatory meeting with the Chair as well as the Dean for UME and/or Dean of the Graduate School and/or Dean for GME, and/or the CMO. May or may not require referral to the Physician Wellness Committee, Employee Health Service, or Student-Trainee Mental Health
- Egregious mistreatment or a pattern of mistreatment despite remediation may result in disciplinary action, up to and including dismissal.

Closing the loop

Quarterly reports sent to students, residents, postdoctoral fellows, the Dean, all chairs, CMOs, and hospital presidents, head of Nursing, head of Social Work.

ACGME and GQ data shared with students, residents, postdoctoral fellows, the Dean, all chairs, CMOs, and hospital presidents, head of Nursing, head of Social Work.

Complainant report-back meeting with a representative of the Mistreatment Committee if the complainant's identity is known.

Protection from Retaliation

Retaliation (including but not limited to adverse effects on student evaluation) against individuals who bring forward complaints of mistreatment or participate in investigations of complaints of mistreatment is strictly prohibited and will not be tolerated. Concerns about retaliation should be reported to the 'mistreatment committee' for investigation.