



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER™

School of Medicine

Operating Policy and Procedure

SOM OP: 40.05, **Student Mistreatment**

PURPOSE: The purpose of this School of Medicine (SOM) Policy and Procedure is to describe policies and procedures governing the reporting of mistreatment of a student by a faculty member or staff member and procedures to be followed in resolving such reports.

REVIEW: This SOM Policy and Procedure shall be reviewed within each even-numbered fiscal year by the Student Affairs Committee. Revisions will be forwarded to the Office of the Dean for approval and publication.

POLICY/PROCEDURE:

1. **General.** It is the policy of The Texas Tech University Health Sciences Center School of Medicine to affirm the right of its students to a prompt and fair resolution of a complaint or grievance involving allegations of inappropriate behavior by faculty and/or staff toward students. The Office of Student Affairs will administer the School's policies regarding student grievances and will ensure that due process is afforded to all concerned.
2. **Definition.** Mistreatment, either intentional or unintentional, occurs when behavior shows disrespect for the dignity of others and unreasonably interferes with the learning process.
3. **Procedures.**
 - a. Responsibilities on each campus:
 - 1) *Lubbock.* This policy will be administered by the Associate Dean for Academic Affairs and the Assistant Dean for Student Affairs.
 - 2) *Amarillo and Permian Basin.* The policy will be administered by the Academic Dean responsible for Student Affairs in consultation with the Associate Dean for Academic Affairs and the Assistant Dean for Student Affairs.
 - b. Early Resolution:
 - 1) Prior to filing a request for a hearing, the student shall attempt to resolve the issue directly with the individuals(s) involved. If the student is uncomfortable with directly pursuing the matter with the faculty or staff member(s) involved, the student may choose to submit a complaint either to the Department Chair who serves as direct overseer of the faculty or staff member who is the subject of the complaint or to the Academic Dean for Student Affairs on their home campus, or the Academic Dean's designee. The student shall address the issue and initiate action under this policy within ten (10) business days of the event prompting the grievance.

- 2) If the student chooses to submit a complaint to the Academic Dean, then the Academic Dean will be responsible for contacting the Department Chair. For either reporting method identified above, the Department Chair will investigate the complaint, attempt to reconcile differences, and find an acceptable solution. The Department Chair will provide a written statement of his/her recommendation to all parties, including the Academic Dean for Student Affairs, who will then have ten (10) business days to respond. Every effort should be made to resolve the issue without going beyond this level.
 - 3) If the grievance is against the Chair of the Department, the student should meet with the Academic Dean for Student Affairs, or an official designee, who will attempt to facilitate resolution before proceeding with a hearing as described below.
 - 4) If the grievance is against a member of the Office of Student Affairs, the student should report the grievance to the Associate Dean for Academic Affairs. If the grievance is against the Associate Dean for Academic Affairs, the student should report the grievance directly to the Dean of the School of Medicine.
- c. Filing a Hearing Request:
- 1) If the student is not satisfied with the outcome of the Early Resolution procedures outlined above, he/she may file a request for a hearing by submitting a written request to the Associate Dean for Academic Affairs, or their designee. The hearing request must include a specific statement of the student's complaint, an explanation of what remedy the student seeks, and a copy of the Department Chair's recommended resolution.
 - 2) If the student files a request for a hearing, the Student Hearing Committee as defined below must convene within 15 working days.
- d. Hearing Procedure: Upon receipt of a written request for a hearing, the Associate Dean for Academic Affairs or their designee will appoint a Hearing Committee according to the following procedure:
- 1) Each party will propose in writing a list of four faculty members to serve on the Hearing Committee. The Associate Dean for Academic Affairs or their designee will appoint one faculty member from each list in order of the parties' preference to serve on the committee pending confirmation of their willingness to serve. The two faculty members will then select a student member by mutual agreement and these three individuals will comprise the Hearing Committee. This group will select a chair from among the two faculty members.
 - 2) The Office of Student Affairs on the student's home campus will provide technical assistance and support to this committee.
 - 3) As soon as the hearing is scheduled, a written notice will be sent to all involved parties. The notice will specify the time, place and nature of the hearing, plus a brief description of the grievance. The notice will also confirm the right of all involved parties to present witnesses and evidence and to be accompanied by counsel for advisory purposes only.
 - 4) At least three days prior to the meeting, all parties will provide to the Chair of the Hearing Committee a list of the names of any witnesses or counsel who will

attend the hearing. If legal counsel is in attendance for either/both parties, a representative from the TTUHSC Office of General Counsel will also be present. The student and the involved individuals(s) shall have access to all information to be considered by the Hearing Committee, including the names of all persons giving evidence.

- 5) The student and the involved parties shall attend the hearing and be offered an opportunity to state their positions and present testimony and other evidence relevant to the case. The responsibility of establishing the validity of the grievance rests with the student.
 - 6) The Hearing Committee Chair shall keep an audio taped record of the hearing, which shall include date, time and location of the hearing, names of those present, and any evidence (e.g., records, written testimony, duplicated materials) introduced.
- e. Committee Decision:
- 1) After completion of the hearing, the Hearing Committee shall meet in closed session and prepare written recommendations. Copies of the Hearing Committee Chair's report shall be forwarded to the involved parties within five (5) business days.
 - 2) Either party may appeal the hearing committee's decision by filing a written request for review by the Dean of the School of Medicine within five (5) business days from receipt of the committee's decision.
 - 3) The Dean of the School of Medicine will review the grievance resolution and render a decision. The decision of the Dean is final.