

CODE OF CONDUCT FOR FACULTY AND STAFF

Members of the Charles E. Schmidt College of Medicine shall adhere to the University Values, Academic Freedom and Responsibility and Ethical Conduct of the University Community as noted in the [Florida Atlantic University Academic Affairs Faculty Handbook](#). All University personnel regulations and policies shall apply to all employees.

It is the intent of the Code of Conduct* to build community, to protect academic freedom, to help preserve the highest standards of scholarship and teaching, to create a supportive environment, and to advance the vision and mission of the College of Medicine. The Code underscores the principle of respect for academic colleagues, for individual disciplines, and for the College. Academic colleagues include all College faculty and staff. Although no set of rules or professional code can either guarantee or take the place of an individual's personal integrity, a written code of ethics may serve as a reminder of the variety of obligations and responsibilities assumed by all members of the College community.

Obligations and Responsibilities to Academic Colleagues

- To strive to work together in an atmosphere of mutual respect and fairness, taking into account the diversity of our community.
- To respect and defend free inquiry.
- To show courtesy and respect for the professional opinions and aspirations of others in all interactions and communications.
- To strive to be objective and unbiased during professional judgment of colleagues.
- To encourage and promote the professional development and activities of colleagues.
- To be responsible for our own behavior, fully accountable for our actions, and to conduct ourselves with integrity, dignity, and restraint.
- To represent ourselves honestly in all interactions, intellectual activities, communications, and correspondence.
- To engage in intellectual exchanges without personalizing differences of opinions.
- To value dissent and to acknowledge the right of others to express differing opinions.
- To be cognizant of the power differences that may exist in our interactions with academic colleagues and particularly considerate to those who occupy positions of lesser power.

Faculty and staff will conscientiously maintain the highest standards of professional conduct and will act in a manner that will contribute positively to the overall vision and mission of the College.

**Adapted from the University of Wisconsin Milwaukee Sheldon B. Lubar School of Business Code of Conduct for Faculty and Staff with slight modifications and approved by College and University administration on March 15, 2007. For information on the Code of Conduct for Faculty, see College of Medicine Policy: <https://www.fau.edu/medicine/documents/code-of-conduct-for-faculty-and-staff-policy.pdf>*

ANTI-DISCRIMINATION AND ANTI-HARASSMENT REGULATION

Florida Atlantic University shall comply with applicable federal, state, and local discrimination/harassment laws to provide an educational, employment, and business environment free of all forms of discrimination or harassment. Unlawful discrimination or harassment based upon an individual's race, color, religion, sex, national origin, age, disability, veteran status, marital status, sexual orientation, gender identity or expression, or other protected status is prohibited. This policy applies to all FAU students, applicants for employment, faculty, and staff (hereinafter collectively referred to as "University Community Members"), as well as third parties providing services to FAU. [Regulation 5.010 Anti-Discrimination and Anti-Harassment](#) establishes procedures for a University Community Member to file a complaint of alleged discrimination, harassment, or retaliation. Discriminatory conduct in the form of sexual misconduct/sexual harassment is also prohibited, and procedures for processing and investigating claims of sexual misconduct/sexual harassment by a University employee will be processed in accordance with current University policy on prohibited sexual conduct.

The Office of Equity, Inclusion and Compliance ("EIC") shall administer this Regulation. Inquiries regarding the procedures contained in this Regulation should be forwarded to EIC. For information on Anti-Discrimination and Anti-Harassment Regulation, see College of Medicine Policy:

<http://www.med.fau.edu/faculty/documents/adminpolicies/FAU%20Regulation%20Anti-Discrimination%20and%20Anti-Harassment%20Regulation%20Policy.pdf>.

CLASSROOM LECTURE RECORDING

As part of the ongoing effort to increase student knowledge, learning, and to provide outstanding educational programs, the Office of Medical Education (OME) and the College of Medicine Office of Instructional Technology (COM IT) for the Charles E. Schmidt College of Medicine has determined that the need exists for recording of in-class lectures during the medical curriculum.

The purpose of this policy is to clarify for creators (primarily faculty) and users (primarily students) the policies and procedures related to classroom lecture recordings by COM IT. Schedules, responsibilities and workflow processes for the College of Medicine faculty and administrative staff will be outlined, as well as the posting of recorded lectures and other created learning materials. This policy is limited to the recording of class lectures by the COM and the maintenance and ownership of those recordings by the University. It is not intended to address or conflict with rules related to student recordings of class lectures, as stated in Florida Statute 1004.097 and the COM Recording of Class Lectures by Students Policy.

Currently enrolled College of Medicine students, along with the faculty charged with delivering the lectures and administering the courses, have access to recordings and learning materials provided by the COM. Individuals other than currently enrolled COM students and faculty must receive written permission from the lecturer to access a recording by COM IT or created learning material.

Section 1: Use of Recordings and Posted Materials

Section 2: Recording Schedules and Responsibilities

Section 3: Archiving

Section 4: Copyright and Recording License Agreements

Section 5: Speaker Consent and Release Forms for Recordings

Section 1: Use of Recordings and Posted Materials

Lecture recordings by COM IT and learning materials are intended primarily for use by currently enrolled College of Medicine students, along with the faculty charged with delivering the lectures and administering the courses. Users also recognize that unforeseen technical and scheduling issues may arise, so lecture recordings are not guaranteed.

Lectures which contain confidential and sensitive data, such as HIPAA or FERPA protected data and information, **will not be recorded** by COM IT. Lecturers with HIPAA or FERPA protected data in their presentations and other media will not be permitted to lecture until the data has been removed from their materials.

Students, staff, faculty and visitors must be aware that lecture halls are recorded areas so all attendees, even those simply asking questions from the audience will be recorded by COM IT.

Section 2: Recording Schedules and Responsibilities

COM IT will record each lecture during the Year 1 and Year 2 curriculum that has been tagged by Office of Medical Education (OME) as “required recording” in the official course schedule found on **OwlMed**. Typically, this will include all non-mandatory lectures, and any sessions deemed by course and clerkship directors as critical for students to be able to review for upcoming exams or clinical experiences.

Tools

- **OwlMed** is the official course management, course delivery, and integrated calendar system for the College of Medicine, Undergraduate Medical Education (UME) program. All classroom lecture recordings for UME will adhere to the calendar system on OwlMed.
- **Mediasite** is the official video capture and management software platform for all classroom recordings. Lectures which are tagged in OwlMed are recorded by Mediasite and available via a link through OwlMed.

Responsibilities

The Office of Medical Education (OME) will:

- Develop and manage all course schedules and the calendar system in OwlMed
- Tag sessions with recording requests in Owlmed with an “R” after the session title per Course/Clerkship Director requests
- Actively monitor and resolve any scheduling or room conflicts
- Update any conflicts and changes in OwlMed
- Communicate changes in schedule or calendar as needed to COM IT, the evaluations team, faculty, staff and students
- Require that speakers do not include HIPAA or FERPA protected data in their presentations

The Course/Clerkship Directors will:

- Communicate detailed course/clerkship schedule to OME staff (including whether a lecture should be recorded or not) in order to facilitate entry into OwlMed
- Communicate changes in schedule or calendar as needed to OME staff and students

Students will:

- Be aware that “R” designates a “requested recording” in OwlMed
- Be aware that lecture recordings by COM IT sometimes may not be available
- Take responsibility for their own learning in the event that recordings by COM IT are unavailable

COM IT will:

- Manage all hardware and monitor storage for all recorded lectures
- Provide training and documentation on how to effectively use OwlMed and Mediasite
- Provide classroom audio/video through Helpdesk tickets when needed
- Respond and remediate any technical challenges which impede curriculum delivery

Section 3: Archiving

College of Medicine, UME learning materials, and recorded lectures by COM IT will be archived for not less than **2 years** after the lecture, accessible to FAU medical students, along with faculty and course/clerkship directors charged with administering the medical school curriculum.

The University’s Office of Information Technology (OIT) houses all archived recorded lectures on secured servers and can make old videos available upon request to COM IT. Any requests for archived videos will take **up to 24 hours** to restore and upload from the archived folder.

Section 4: Copyright and Recording License Agreements

The lecture/learning material and any information contained in the COM IT recordings are protected under copyright laws and may not be copied, displayed, broadcast or published without the consent of the lecturer/creator and without giving proper recognition to the lecturer/creator, except as otherwise provided by applicable law, including but not limited to Florida Statute 1004.097. Any misuse of COM IT recordings/learning materials will be considered unprofessional behavior and appropriate disciplinary action will be taken.

Section 5: Speaker Consent and Release Form for Recordings

Faculty will be asked to sign the consent form below authorizing the recording and archiving of their lecture video by COM IT, and use of the COM IT lecture videos by currently enrolled College of Medicine students and faculty charged with delivering the lectures and administering the courses. Faculty who do not consent to have their lecture recorded by COM IT must indicate their wishes prior to the lecture/session in order for the session to not be recorded by COM IT, and for students to be notified in advance. Lecture recordings by COM IT will be maintained and available to students for up to **2 years** after recording. Should a faculty member wish to rescind use of the COM IT video recording they must submit a written request to the Office of Medical Education.

Lecture Recording Release Form

I, _____ (print name), authorize the FAU College of Medicine and those acting pursuant to its authority to: record me, my likeness, voice, and/or presentation materials on video and audio, made on behalf of FAU, which may include, but is not limited to classes, events, lectures, and other functions, for purposes related to the educational mission of the College of Medicine. In accordance with intellectual property policies, faculty members maintain copyright ownership of their lectures, but FAU will maintain ownership of the COM IT lecture recordings and make them available to currently enrolled College of Medicine students and faculty

charged with delivering the lectures and administering the courses. I release and waive any claims or rights of compensation or ownership regarding COM IT lecture recordings and understand that all such recordings shall remain the property of the university. I have read the above authorization, release, and agreement, prior to its execution, and I have understood the contents.

CONFLICT OF INTEREST IN ACADEMIC EVALUATION OF STUDENTS BY FACULTY

Conflicts of Interest Related to Student as a Patient

Faculty members and residents or fellows with academic assessment/evaluation responsibilities for students are precluded from evaluating any students who are also their patients, because of dual relationship and conflict of interest issues. The conflict created by this dual role could affect both the quality of medical care and the content of such evaluations in the following way:

- A student-patient might be less likely to report a sensitive medical issue (e.g., drug abuse) to his/her physician if that physician will be providing an evaluation or grade for the student; and
- A faculty member's evaluation or grade (which could include some subjective elements) could potentially be, despite the evaluator's commitment to neutrality, positively or negatively affected as a result of the therapeutic relationship.

In instances of pre-existing doctor-patient/student relationships, the physician must discuss with the student the potential for a dual relationship and inform the student that he/she will recuse him/herself from any situation in which a formal evaluation is required.

In emergent situations or other instances in which an appropriate referral is not available, a student can seek the care of any faculty member or resident. In this circumstance as well, the physician must discuss with the student the potential for a dual relationship and recuse him/herself from any situation in which a formal evaluation is required.

Conflict of Interest Related to Student in an Official Mentoring Relationship with Evaluating Faculty

The College supports an active advising program for students in every year of medical school. This program supports faculty members, who are selected and trained by the College, to counsel students regarding academic progress, career direction, and personal well-being. In order to preserve the integrity of the assessment system and protect students from either real or perceived bias, faculty members who serve in formal advisory roles and who have a conflict of interest related to their student mentees, will not assign summative course or clerkship grades to such student mentees without the participation of a faculty grading committee. Such faculty members may, however, provide formative feedback to their student mentees. Any faculty member contributing to the summative assessment process of a student with whom he/she has a conflict of interest must disclose the conflict of interest to the pertinent course, clerkship, or curriculum director or grading committee.

Conflicts of Interest Related to Student with a Close or Personal Relationship with Evaluating Faculty

In addition to conflicts due to a pre-existing doctor-patient/student relationship (as described above), other conflicts might exist as a result of familial relationships, close personal relationships, or other circumstances

which might create a conflict of interest, or the perception of a conflict within the evaluation process of a student. It is a professional obligation of the student to choose objective learning environments that are free of bias or perceived bias, so that they can be evaluated fairly. When the potential for nepotism, or any other bias or perception of bias exists, it is required that the students and faculty notify the course and curriculum directors so that changes in assignments can be made.

Notification and Scheduling

At the beginning of each course, rotation, or clerkship at the College, the Office for Medical Education provides students and faculty with small group facilitator, preceptor, attending, and/or clinical site assignments as a routine part of the scheduling process. Students and faculty must report any potential and/or actual conflicts of interest with one another that might necessitate a change in assignments.

Regarding the psychiatry clerkship, information about potential teacher/physician dual relationship will be provided to the medical students on the first day. Students are told that if they have seen a clinician at the facility as a patient, they should notify the curriculum coordinator who will modify the schedule to avoid activities with the clinician in question, without alerting the site director as to the purpose of the schedule change.

If a change in assignment needs to be made as a result of any of the conflicts mentioned above, the type of conflict will generally not be disclosed to the individuals involved, in the interest of privacy. The course administrator(s) will be instructed to facilitate such requests without inquiring as to the nature of the conflict of interest. Students have the obligation to avoid small groups, preceptor assignments, clinical sites, as well as specific clerkship and elective rotations where evaluating faculty have a close or personal relationship with the student. Final schedules and assignments remain at the discretion of the College. For information on Faculty Recusal, see College of Medicine Policy: <https://www.fau.edu/medicine/documents/faculty-recusal-policy.pdf>

CONSENSUAL RELATIONS

The College is committed to maintaining learning and work environments as free as possible from conflicts of interest, exploitation, and favoritism. This policy seeks to ensure that each member of the College community is treated with dignity and without regard to any factors that are not relevant to that person's work. As such, the College shall strictly adhere to the [University Policy on Consensual Relations](#). The purpose of this policy is to set forth expectations for University community members regarding amorous or sexual relationships and to ensure that such relationships do not result in actual or perceived impropriety.

- A. General Considerations. Florida Atlantic University is committed to providing and maintaining a working and learning environment that is fulfilling and equitable for all members of the University community including students, faculty, and staff. Implicit in the University's commitment is that all community members conduct themselves in an ethical manner in their interactions and relationships with each other. To accomplish the University's goals, relationships between students, faculty, and staff must be based on integrity, respect, and trust. Any amorous or sexual relationships between University community members that call these principles into question interfere with the University's academic mission.

B. Amorous or Sexual Relationships between Individuals of Unequal Power: Amorous or sexual relationships between individuals of unequal power (e.g., between a supervisor and an employee, faculty member and student, or staff member and student) where the person of real or perceived greater power directly supervises or has the ability to impact either the employment or education of the other, have the potential of resulting in, or causing the appearance of, the following:

1. A conflict of interest (see [FAU Regulation 5.011 University Ethics](#)); (Chapter 112, Florida Statutes).
2. An abuse of power or trust.
3. The perception of favoritism, bias, or unfair treatment.
4. The perception or allegations that the relationship was the result of coercion or exploitation.
5. Allegations of sexual harassment either during the relationship or after it ceases (see [FAU Regulation 5.010 Anti-Discrimination and Anti-Harassment](#)).
6. Other allegations of inappropriate conduct.

For information on Consensual Relations, see College of Medicine Policy:
<https://www.fau.edu/medicine/documents/consensual-relations-policy.pdf>.

DIVERSITY AND INCLUSION

The Charles E. Schmidt College of Medicine contributes to FAU's strong tradition of promoting diversity and inclusion (highlighted in the Strategic Plan for the Race to Excellence 2015-2025, <https://www.fau.edu/provost/documents/approved.plan2018.pdf> and the Diversity Platform, <https://www.fau.edu/diversity-platform/>) by promoting diversity and inclusiveness in the curriculum we deliver and through our efforts to recruit a diverse and inclusive body of students, faculty, and staff. A diverse and inclusive community will support the College's values and mission as a community-based medical school to advance the health and well-being of our community by training future generations of humanistic clinicians and scientists and translating discovery to patient-centered care.

Definitions:

The College seeks to recruit, hire, and promote faculty and staff, including those in leadership positions, from the following groups underrepresented in medicine in Florida (Florida Health 2018 Physician Workforce Annual Report) as defined below:

- Black/African-American
- Hispanic/Latino
- Women

The College seeks to recruit medical students from the following groups underrepresented in medicine as defined below:

- Black/African-American
- Hispanic/Latino
- Socioeconomically disadvantaged (as defined by the AAMC Education-Occupation (EO) indicators)

To achieve this mission, the College has created programs and policies to promote the racial, ethnic, and cultural diversity as well as the cognitive diversity of its students, faculty, and staff. Specifically, we at the COM believe that what constitutes diversity goes beyond gender, race, and ethnicity but also includes diversity of experiences, thoughts, and perspectives of our students, faculty, and staff. Moreover, we value diversity and

inclusion as a driving force for achieving excellence and innovation in academic medicine. For information on Diversity and Inclusion, see College of Medicine Policy:

<https://www.fau.edu/medicine/documents/diversity-and-inclusion-policy.pdf>

DRESS CODE

As representatives of the College, administrative staff and faculty members *who have contact with medical students, patients, and the public* are expected to dress in a manner consistent with a professional atmosphere and the Professional Dress Guidelines in the [College of Medicine Student Handbook](#). There are important visitors to the College on a daily basis whose impressions will be formed, in part, by the appearance of those who represent the institution. In addition to these basic guidelines, operational needs may require appropriate dress, taking into consideration the safety and business function of the area. The dress code is enforced by the Department Chairs and/or the appropriate supervisor. For information on Dress Code, see College of Medicine Policy: <https://www.fau.edu/medicine/documents/dress-code-for-faculty-and-staff-policy.pdf>.

EMPLOYEE ETHICAL OBLIGATIONS AND CONFLICT OF INTEREST

All employees should be aware of their obligations and responsibilities as public employees of Florida Atlantic University. No employee shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the full and competent performance of the employee's duties. For information on Employee Ethical Obligations and Conflict of Interest, see College of Medicine Policy:

<https://www.fau.edu/medicine/documents/employee-ethical-obligations-and-conflict-of-interest-policy.pdf>

EMPLOYMENT OF RELATIVES

The College shall adhere to the [University Employment of Relatives Policy](#). This policy of the University affirms equal opportunity and a commitment to diversity. In association with this policy, special considerations exist when employers evaluate applications from relatives of employees of the University. This policy is designed to ensure that the College employs the most qualified, specialized, and technically competent individuals for faculty, administrative, and staff positions. The College does not necessarily consider family relationship a disqualifying factor, but bases employment on the comparative qualifications of the applicant.

The basic criteria for the selection of employees shall be appropriate qualifications to perform the job. The College's primary concern is that faculty or staff members are the best candidates with respect to the requisite qualifications for employment. The College has a parallel concern, however, in the avoidance of a conflict of interest or the appearance of such conflict, where an employee's professional decisions or actions pertaining to the performance of his or her job could be influenced by considerations arising from a relationship with another employee.

A *relative* for purposes of this policy is anyone related to an employee in the following ways, and includes those within these categories who are referred to as adopted, step-, grand-, half-, in-law, or great-:

- parent
- child
- sibling
- uncle or aunt
- first cousin
- nephew or niece
- spouse

Persons who intend to marry or with whom the employee intends to form a household and any other person having the same legal residence as the employee are included in this definition of *relative*.

Conflict of Interest for purposes of this policy includes, but is not limited to, participation by the relative in making recommendations or decisions specifically affecting the appointment, retention, tenure, work assignments, evaluation, promotion, demotion, or salary of the related person. Employment for purposes of this policy and to ensure there is no perception of a conflict of interest, includes appointments to regular positions in any pay plan, temporary or casual employment, or paid student positions such as student assistants, graduate assistants, or research assistants.

Relatives seeking appointment at the College must follow established appointment application policies and procedures. Every employee or prospective employee has the obligation to fully disclose information about a relative employed at the College to the person responsible for recruitment, early in the recruitment process. Each employee has a responsibility to keep his/her supervisor informed of changes relevant to this policy, such as becoming a relative of another employee through marriage or new supervisory conflicts created by changes in organizational structure. Employment of relatives in a single area/department or in job-related area/department is permitted, provided that such employment will not involve a conflict of interest, actual or potential. If a conflict exists, the prospective supervisor of the person seeking appointment is responsible for developing a plan to manage the conflict (i.e., an alternate supervisor), in consultation with the prospective employee and the related person. The plan must assure that related persons do not have direct or indirect administrative decision-making authority over each other or make decisions which affect each other's terms or conditions of employment. The plan may specify responsibilities for general supervision, assignment, assessment of performance, salary, annual evaluation, promotion, tenure, retention or dismissal, career growth, discipline, dealing with issues/concerns from other employees, faculty and students, and handling confidential information.

Prior to the employment of relatives, the prospective supervisor shall submit the related person's application and the conflict of interest management plan for review and action to the Dean. Additional documentation and review by a conflict of interest committee may be required for employees or faculty members who are the subject of a conflict of interest management plan. The Dean will then forward to through the appropriate University channels.

If the prospective employee is appointed to the position, a copy of the approved conflict of interest management plan will be included in the personnel file of both employees. With respect to employment of relatives within the same academic department or comparable institutional subdivision of employment, where no direct supervisory relationship is involved, a conflict of interest management memorandum is not required, however, neither relative shall be permitted, either individually or as a member of a faculty or as a member of a

committee, to participate in the evaluation of the other related person. Evaluation of a relative for the purposes of assignment, annual evaluation, awards, promotion and tenure, salary increases, discipline, and similar processes is not permitted. Violations of this policy will be considered misconduct on the part of the faculty member and will be subject to disciplinary action up to and including termination. For information on Employment of Relatives, see College of Medicine Policy:

<https://www.fau.edu/medicine/documents/employment-of-relatives-policy.pdf>

FACULTY ABSENCES FROM INSTRUCTIONAL RESPONSIBILITIES

Absences and repeated tardiness from any educational, classroom or clinical teaching activity must be handled in a professional manner and whenever possible require prior notification. Faculty absences and tardiness negatively impact other faculty, staff, students, and trainees, who are relying on faculty to be present, and impede the successful delivery of the curriculum.

Absences may be unanticipated or anticipated. The primary difference between an “anticipated” and “unanticipated” absence is the realistic ability/inability to foresee the absence prior to the event. In the case of an unanticipated or emergent absence, faculty are expected to text, email, and/or call the designated Course, Curriculum, or Program Director as soon as they are reasonably able. All requests for anticipated absences from teaching responsibilities for or at the College of Medicine must be submitted in writing by email to the designated Course, Curriculum, or Program Director and the faculty member’s Department Chair as soon as possible but at least two weeks in advance. The email should specify the dates for the anticipated absence, as well as the reason the session(s) will be missed. Detailed procedures to be followed for basic sciences, undergraduate and graduate medical teaching are outlined in procedure guidelines available for each course of instruction.

As per the [Office of the Provost Memoranda on Class Meetings](#), faculty may not cancel classes; in the event that extraordinary circumstances require a faculty member to miss a scheduled class or instructional duties, the designated Course, Curriculum, or Program Directors and the Department Chair should be notified and arrangements must be made to make up for the lost class time. Faculty must adhere to all University and College policies applicable to faculty leaves and absences, including but not limited to the College policy on Faculty Benefits located in the College Administrative Policies, as well as the Faculty Benefits policy in the [Florida Atlantic University Academic Affairs Faculty Handbook](#).

Failure to comply with College or University policy, and failure to appropriately notify the designated directors for an anticipated absence, as well as other undocumented or unapproved absences and/or repeated tardiness from any teaching responsibility, may result in termination of employment or other disciplinary actions by the College. For information on Faculty Absences from Instructional Responsibilities, see College of Medicine Policy: <https://www.fau.edu/medicine/documents/faculty-absences-from-instructional-responsibilities-policy.pdf>

FACULTY PRACTICE PLAN

For information on the Faculty Practice Plan, see College of Medicine Policy:

<https://www.fau.edu/medicine/documents/faculty-practice-plan-policy.pdf>

FLORIDA SUNSHINE LAW/PUBLIC RECORDS LAW

For information on the Florida Sunshine Law/Public Records Law, see <http://www.myflsunshine.com/>.

GRIEVANCE PROCEDURE

For information on the Florida Atlantic University Regulation 5.009, Grievance Procedure, see <https://www.fau.edu/regulations/documents/chapter5/reg-5-009-5-22-15.pdf>

INDUSTRY RELATIONS

For information on the Industry Relations Policy, see College of Medicine Policy: <https://www.fau.edu/medicine/documents/industry-relations-policy.pdf>

LAYOFF AND FURLOUGH

For information on the Layoff and Furlough Policy, see College of Medicine Policy: <https://www.fau.edu/medicine/documents/layoff-and-furlough-policy.pdf>

MEDICAL STUDENT ROLES AND SUPERVISION

For information on Medical Student Roles and Supervision, see College of Medicine Policy: <https://www.fau.edu/medicine/documents/medical-student-roles-and-supervision-policy.pdf>

OFFICE HOURS

Faculty-student interaction outside of the classroom is an extremely important part of the instructional assignment, allowing mentoring, student growth, and individualized learning plans. Faculty, therefore, must be available specifically for students to discuss class performance, academic advising, academic course and program selection, and career counseling. It is incumbent that all faculty involved with student instruction make clear to students their availability for such interactions, the best times (if known, and the preferred way of making contact. This information should be made available early in the teaching interaction and frequently during prolonged course work. For information on Office Hours, see College of Medicine Policy: <https://www.fau.edu/medicine/documents/office-hours-policy.pdf>

ORAL PROFICIENCY

For information on Oral Proficiency, see College of Medicine Policy: <https://www.fau.edu/medicine/documents/oral-proficiency-policy.pdf>

OUTSIDE ACTIVITIES

The College shall adhere to the [Conflict of Interest, Conflicts of Commitment and Outside Activities Policy](#). For additional information on Outside Activities, see College of Medicine Policy:

<https://www.fau.edu/medicine/documents/outside-activities-policy.pdf>

PERSONAL RELATIONSHIPS

For information on Personal Relationships, see College of Medicine Policy:

<https://www.fau.edu/medicine/documents/personal-relationships-policy.pdf>

PROCESS FOR MEMBERS OF THE COLLEGE OF MEDICINE TO RESOLVE AND/OR REPORT ALLEGATIONS OF FACULTY OR STAFF MISCONDUCT

Allegations involving discrimination or harassment of a protected class must be reported to the Office of Equity, Inclusion and Compliance in accordance with [Regulation 5.010 Anti-Discrimination and Anti-Harassment](#) as referenced above. Any supervisory employee who receives a report, observes, and/or learns of an alleged violation of this Regulation has an absolute and unqualified duty to immediately report the conduct to the EIC Director.

Allegations involving an unresolved dispute regarding the terms and conditions of employment may be resolved by informal resolution between the faculty or staff member and his/her supervisor. If the issue cannot be satisfactorily resolved by informal resolution, the employee may file a grievance in accordance with [Regulation 5.009 Grievance Procedure](#). Job-related problems should be resolved, whenever possible, before the filing of a grievance. All grievances shall be filed with the Department of Human Resources on a Florida Atlantic University Request for Grievance form, within seven days following the act or omission giving rise to the grievance, or the date on which the grievant knew or reasonably should have known of such act or omission if that date is later, unless an extension is granted in writing by the Assistant Vice President for Human Resources or designee for the purposes of facilitating informal resolution.

[Regulation 5.012 Employee Standards and Disciplinary Procedures](#) provides the Standards of Conduct required for all employees. The recommended starting point for resolution of allegations involving an alleged breach of Standards of Conduct (other than unlawful discrimination or harassment of a protected class) and the College of Medicine Code of Conduct for Faculty and Staff is informal one-on-one resolution between colleagues (faculty-to-faculty; faculty-to-staff; or staff-to-staff). First, carefully examine the circumstances of the incident which occurred. Discuss the event with someone else who witnessed it, or with another colleague or individual whose judgment you trust. Often, concerns can be resolved informally or through consultation.

Ideally, concerns should be addressed within the College and through informal one-on-one resolution. When the issue cannot be resolved informally, faculty and staff are advised to consult with the individuals below *in sequential order*. This order is recommended so as to preserve communication within units and/or departments and facilitate timely resolution. In cases where there are perceived conflicts of interest, however, there are mechanisms for assistance outside of the College to ensure faculty and staff are supported and advised

appropriately. In all cases, faculty and staff retain the right to report concerns directly to the Vice Provost for Academic Affairs or Employee Relations, as applicable, if a matter is not promptly or satisfactorily addressed within the College. The Vice Provost for Academic Affairs serves as the ombudsperson for the College of Medicine faculty (who are not part of the United Faculty of Florida and not subject to the Collective Bargaining Agreement. ***Please note that there are separate processes for Faculty and Staff.** Refer to the *Process for Faculty to Resolve and/or Report Allegations of Faculty or Staff Misconduct Flowchart* (Exhibit A and the *Process for Staff to Resolve and/or Report Allegations of Faculty or Staff Misconduct Flowchart* (Exhibit B on the full version of this College of Medicine Policy:

<https://www.fau.edu/medicine/documents/process-for-members-of-com-to-resolve-report-allegations-of-faculty-staff-misconduct-policy.pdf>.

RECORDING OF LECTURES BY STUDENTS

Under a new law recently enacted by the Florida Legislature, a state university student may, without prior notice, audio or video record a class lecture for a course in which the student is enrolled if the recording is for one of the following purposes:

- (a) personal educational use of the student;
- (b) in connection with a complaint to the university where the recording is made; or
- (c) as evidence in, or in preparation for, a criminal or civil proceeding.

A recording of a class lecture may not be published without the consent of the lecturer, except it may be shared with university officials in connection with a complaint to the university or as evidence in a criminal or civil proceeding. Violation of this provision may subject the student to disciplinary action by the university and/or to legal action by a person injured by the publication.

A class lecture is defined as a formal or methodical oral presentation as part of a university course intended to present information or teach students about a particular subject. Recording class activities other than class lectures, including but not limited to student presentations (whether individually or as part of a group), class discussion (except when incidental to and incorporated within a class lecture), labs, clinical presentations such as patient history, academic exercises involving student participation, test or examination administrations, field trips, and private conversations between students in the class or between a student and the lecturer, is prohibited. Recordings may not be used as a substitute for class participation or class attendance. Failure to adhere to these requirements may constitute a violation of the University's Student Code of Conduct and/or the Code of Academic Integrity.

For purposes of the College of Medicine, class lectures do not include Problem-Based Learning (PBL)/Inquiry Cases (IQ)/Student-Led Inquiry (SLIQ) groups, Service Learning Projects, student panels, Clinical Learning Groups (CLG) or clinical skills and simulation activities. Additionally, failure to adhere to these requirements may result in disciplinary action by the MSPPSC, up to and including dismissal from the College of Medicine.

To publish means to share, transmit, circulate, distribute or otherwise provide access to the recording, regardless of format or medium, to another person (or other persons), including but not limited to another student in the class. Additionally, a recording, or transcript of the recording, is published if it is posted on or uploaded to, in

whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, picket signs, or any mode of print.

One of the objectives of College of Medicine courses is to facilitate critical thinking and debate around topics, theories, and concepts where disagreement is not only anticipated, but encouraged. The ability to think critically, express your ideas clearly, and respond to the professor and other students civilly is the keystone of the academic experience. In College of Medicine courses, the professor may articulate positions and make statements for the purpose of accomplishing this objective and enhancing the learning environment. As a result, students should keep in mind that, at times, the ideas conveyed during class may not necessarily reflect the professor's personal beliefs or opinions on the subject matter.

For information on Recording of Lectures by Students, see College of Medicine Policy:
<https://www.fau.edu/medicine/documents/recording-of-lectures-by-students-policy.pdf>

RELIGIOUS ACCOMMODATION

For information on Religious Accommodation, see College of Medicine Policy:
<https://www.fau.edu/medicine/documents/religious-accommodation-policy.pdf>

SELF-INSURANCE PROGRAM AND REQUIRED REPORTING

Section 768.28, Florida Statutes provides that faculty members performing assigned duties within the course and scope of their FAU employment or function, will be personally immune from tort liability and that the FAU Board of Trustees will be exclusively responsible for any negligent act or omission that may occur within the course and scope of FAU employment or function. The FAU Board of Trustees is protected for its professional and general liability through the FAU College of Medicine Self-Insurance Program ("FAU SIP"), created by the Florida Board of Governors pursuant to Section 1004.24, Florida Statutes. Any questions which a faculty member may have regarding these matters should be addressed to Lynette M. Belforti, Associate Director, FAU SIP, at (352) 273-7006. While providing services pursuant to a University appointment, should a patient suffer an injury as a consequence of a faculty member's acts, the acts of any FAU provider, or the acts of an FAU student or resident under the supervision of a faculty member, the faculty member must report the incident to the FAU SIP by calling (352) 273-7006. The faculty member should also report the incident to their private insurance carrier (if they have one).

Please note that any practice of medicine outside the College of Medicine Faculty Practice Plan or a faculty member's University appointment is not a part of their assigned function at FAU and is not covered through the FAU SIP. Therefore, faculty agree that under their appointment, they will not represent to any party that their personal practice of medicine is in any way related to FAU, or that they are an agent of FAU or its Board of Trustees for any clinical or contracting purposes, except as described above. For information on the Self-Insurance Program, see College of Medicine Policy:
<https://www.fau.edu/medicine/documents/self-insurance-program-policy.pdf>

SOCIAL MEDIA

The administration of the Schmidt College of Medicine recognizes that social media websites and applications, including but not limited to Facebook, Instagram, Snapchat, Tumblr, Twitter, Pinterest, LinkedIn, and YouTube are an important and timely means of communication. However, faculty, staff, employees, residents, fellows, volunteers, and students should be aware that posting certain information may be illegal or unprofessional. Violation of existing statutes and administrative regulations may expose the offender to criminal and civil liability, and the punishment for violations may include fines and imprisonment. Offenders also may be subject to adverse employment actions, disciplinary sanctions, and/or academic actions that may include, but not be limited to, a verbal or written reprimand, probation, suspension, or dismissal from employment, school, and/or resident training. All faculty, staff, employees, residents, fellows, volunteers, and students in the College are also subject to University policies and/or regulations on social media, (i.e. <https://www.fau.edu/public-affairs/marketing-services/social-media/social-media-policy/>) as well as all other applicable University policies and regulations.

The following actions are strictly forbidden:

- Any violation of University Office of Information Technology and/or College of Medicine IT policies.
- In your professional role as a caregiver, you may not disclose the personal health information of other individuals. Removal of an individual's name does not necessarily constitute proper de-identification of protected health information. Inclusion of data such as age, gender, race, diagnosis, date of evaluation, or type of treatment or the use of a highly specific medical photograph (such as a before/after photograph of a patient having surgery or a photograph of a patient from a medical outreach trip) may still allow the reader to recognize the identity of a specific individual, and therefore is prohibited.
- You may not disclose private (protected) academic information of another student or trainee. Such information might include, but is not limited to: course or clerkship grades, narrative evaluations, examination scores, or adverse academic actions.
- For students, sharing PBL/IQ information within a class is acceptable, but sharing material between classes or outside Florida Atlantic University is not. Many of our cases have been generously provided to us by other medical schools with the stipulation that they would be used only by our students. In addition, it would defeat the purpose of problem-based learning if the learning objectives, study materials, etc. were available to students encountering cases for the first time. Therefore, the use of Facebook or other social media sites by students for any PBL or IQ materials is strictly prohibited. All postings for PBL and IQ are limited to established practices and tools set by course directors, the Office of Medical Education, and College IT.
- In posting information on social media sites, you may not present yourself as an official representative or spokesperson for FAU or its College, unless authorized to do so by the President or Dean of the College, respectively.
- You may not represent yourself as another person, real or fictitious, or otherwise attempt to obscure your identity as a means to circumvent the provisions of this policy.
- You must respect limited personal use permissions, when applicable, and may not utilize websites and/or applications in a manner that interferes with your official work and/or academic commitments. That is, do not consume university, hospital, or clinic technology resources with personal use when others need access for patient or business-related matters. Moreover, do not delay completion of assigned clinical responsibilities in order to engage in social media activities.

In addition to the absolute prohibitions listed above, the actions listed below are strongly discouraged. Violations of these suggested guidelines may be considered unprofessional behavior and may be the basis for employment and/or academic disciplinary action.

Specifically, students who fail to adhere to the standards of professionalism regarding social media will be subject to the Policy on Academic, Professional and Behavioral Requirements and Standards Governing the Florida Atlantic University College of Medicine and/or other applicable University policies and regulations. Those students may be referred to the Senior Associate Dean for Student Affairs and Admissions, and a Professionalism Incident Report (or other appropriate academic disciplinary action) may be made and presented to the Medical Student Promotions and Professional Standards Committee.

Residents and fellows who fail to adhere to the standards of professionalism regarding social media will be subject to the Graduate Medical Education Policy & Procedure Policy Statement “Disciplinary, Appeal and Dismissal Process”. Residents and fellows may be referred to the residency program director or the Designated Institutional Official for sanctions, depending on the severity of the action. Engaging in the following activities (or similar conduct) by faculty, staff, employees, residents, fellows, students, and volunteers in the College may result in employment and/or academic disciplinary action:

- Display of vulgar language.
- Display of language or photographs that imply disrespect for any individual or group because of age, race, gender, ethnicity, sexual orientation, or other legally protected status.
- Presentation of personal photographs or photographs of others that may reasonably be interpreted as condoning irresponsible use of alcohol, substance abuse, or sexual promiscuity.
- Posting of potentially inflammatory or unflattering material on another individual’s website or “tagging” another individual in an inflammatory or unflattering demeanor using a blog, social media, or other web service.
- Fraternalization between faculty (including affiliate faculty), staff, employees, residents, fellows, students, and volunteers in an inappropriate manner of a personal nature, in violation of the Florida Atlantic University policy and/or College policy on Consensual Relations.

When using social media websites/applications, faculty (including affiliate faculty), staff, employees, residents, fellows, and students are strongly encouraged to use a personal e-mail address, rather than their fau.edu address, as their primary means of identification (see [Acceptable Use of Technology Resources](#)). Individuals also should make every effort to present themselves in a mature, responsible, and professional manner. Discourse should be civil and respectful.

Please be aware that no privatization measure is perfect and that undesigned persons may still gain access to your social media sites. A site such as YouTube, of course, is completely open to the public. Future employers (residency or fellowship program directors, department chairs, or private practice partners) often review these social media sites when considering potential candidates for employment.

Finally, although once-posted information can be removed from the original social media site, exported information cannot be recovered. Any digital exposure can “live on” beyond its removal from the original website or social media service and continue to circulate in other venues. Therefore, think carefully before you post any information which may negatively impact your standing with the University or future employers. Always be respectful, and professional in your actions. For additional information on Social Media, see College of Medicine Policy: <https://www.fau.edu/medicine/documents/social-media-policy.pdf>

STUDENT MISTREATMENT

I. GOALS OF POLICY

1. To define standards of conduct among all members of the Schmidt College of Medicine community generally, and specifically within the teacher/learner relationship.
2. To specify a procedure for reporting potential student mistreatment or abuse.
3. To create an administrative mechanism for handling alleged incidents of mistreatment or abuse.
4. To develop a monitoring system to identify individuals or departments whose abusive behavior persists despite intervention.
5. This policy shall supplement existing University policies or regulations which otherwise might apply to situations addressed herein.

II. PREAMBLE

The Schmidt College of Medicine is committed to providing and maintaining a positive environment for study and training, in which individuals are judged solely on relevant factors such as ability and performance, and can pursue their educational and professional activities in an atmosphere that is humane, respectful, and safe. Our students are exceptionally talented individuals, dedicated to becoming outstanding physicians, who have selected this medical school for their training. Effective learning is possible only in an environment where students can trust their teachers to treat them fairly and with respect. The teacher may be a faculty member, resident, student, or other member of the health care team. One manner in which the teacher/learner relationship is unique is that students are vulnerable, depending on many of their teachers for evaluations and recommendations. In addition, medical education includes mastering not just pathophysiology but also the essentials of professional behavior. Students learn professional behavior primarily by observing the actions of their teacher role models. Unprofessional, disrespectful, or abusive behavior by teachers is antithetical to standards of professional conduct that medical students are expected to master. These behaviors by teachers may also be self-perpetuating, as students come to believe that such behavior is appropriate when they assume the role of teacher.

III. RESPONSIBILITIES OF TEACHERS AND LEARNERS

The College has adopted the AAMC Compact between Teachers and Learners of Medicine. Preparation for a career in medicine demands the acquisition of a large fund of knowledge and a host of special skills. It also demands the strengthening of those virtues that undergird the doctor/patient relationship and that sustain the profession of medicine as a moral enterprise. This Compact serves both as a pledge and as a reminder to teachers and learners that their conduct in fulfilling their mutual obligations is the medium through which the profession inculcates its ethical values.

GUIDING PRINCIPLES

DUTY. Medical educators have a duty, not only to convey the knowledge and skills required for delivering the profession's contemporary standard of care, but also to inculcate the values and attitudes required for preserving the medical profession's social contract across generations.

INTEGRITY. The learning environments conducive to conveying professional values must be suffused with integrity. Students learn enduring lessons of professionalism by observing and emulating role models who epitomize authentic professional values and attitudes.

RESPECT. Fundamental to the ethic of medicine is respect for every individual. Mutual respect between learners, as novice members of the medical profession, and their teachers, as experienced and esteemed professionals, is essential for nurturing that ethic. Given the inherently hierarchical nature of the teacher/learner relationship, teachers have a special obligation to ensure that students and residents are always treated respectfully.

COMMITMENTS OF FACULTY

- We pledge our utmost effort to ensure that all components of the educational program for students and residents are of high quality.
- As mentors for our student and resident colleagues, we maintain high professional standards in all of our interactions with patients, colleagues, and staff.
- We respect all students and residents as individuals, without regard to gender, race, national origin, religion, or sexual orientation; we will not tolerate anyone who manifests disrespect or who expresses biased attitudes towards any student or resident.
- We pledge that students and residents will have sufficient time to fulfill personal and family obligations, to enjoy recreational activities, and to obtain adequate rest; we monitor and, when necessary, reduce the time required to fulfill educational objectives, including time required for “call” on clinical rotations, to ensure students’ and residents’ well-being.
- In nurturing both the intellectual and the personal development of students and residents, we celebrate expressions of professional attitudes and behaviors, as well as achievement of academic excellence.
- We do not tolerate any abuse or exploitation of students or residents.
- We encourage any student or resident who experiences mistreatment or who witnesses unprofessional behavior to report the facts immediately to appropriate faculty or staff; we treat all such reports as confidential and do not tolerate reprisals or retaliations of any kind.

COMMITMENTS OF STUDENTS AND RESIDENTS

- We pledge our utmost effort to acquire the knowledge, skills, attitudes, and behaviors required to fulfill all educational objectives established by the faculty.
- We cherish the professional virtues of honesty, compassion, integrity, fidelity, and dependability.
- We pledge to respect all faculty members and all students and residents as individuals, without regard to gender, race, national origin, religion, or sexual orientation.
- As physicians in training, we embrace the highest standards of the medical profession and pledge to conduct ourselves accordingly in all of our interactions with patients, colleagues, and staff.
- As physicians in training, we embrace the highest standards of the medical profession and pledge to conduct ourselves accordingly in all of our interactions with patients, colleagues, and staff.
- In fulfilling our own obligations as professionals, we pledge to assist our fellow students and residents in meeting their professional obligations, as well.

IV. UNPROFESSIONAL AND ABUSIVE BEHAVIORS

The responsibilities of teachers and students listed above constitute examples of respectful and professional behaviors. These are our standards. Mistreatment of students can occur in a variety of forms and may seriously impair learning. Types of abuse include verbal, power, ethnic, physical, and sexual harassment. Examples of mistreatment of students include, but are not limited to repeated instances or single egregious instances of:

- Yelling or shouting at a student in public or private
- Criticism or other actions that reasonably can be interpreted as demeaning or humiliating
- Assigning duties as punishment rather than education
- Unwarranted exclusion from reasonable learning opportunities
- Threats to fail, give lower grades, or give a poor evaluation for inappropriate reasons
- Asking students to carry out personal chores
- Unwelcome repeated sexual comments, jokes, innuendos, or taunting remarks about one's body, attire, age, gender, ethnicity, sexual orientation, or marital status
- Comments about stereotypical behavior or ethnic jokes
- Intentional physical contact such as pushing, shoving, slapping, hitting, tripping, throwing objects at, or aggressive violation of personal space

V. WHAT TO DO IF YOU BELIEVE THAT YOU HAVE BEEN ABUSED OR MISTREATED

First, carefully examine the circumstances of the incident or incidents which occurred. Discuss the event with someone else who witnessed it, or with another student or individual whose judgment you trust. Do they come under the behaviors listed in Section IV above? If so, there are three processes available for addressing the incident – informal resolution, consultation, and formal complaint. Often, concerns can be resolved informally or through consultation. If the matter is not satisfactorily resolved through the informal resolution or consultation process, then the person who made the allegation of mistreatment (whether a medical student or otherwise) or the person against whom the allegation was made may initiate a formal complaint. The goal of these processes is to foster your educational experience by minimizing behaviors which detract from it.

INFORMAL RESOLUTION - You may do this by directly approaching the person whom you feel mistreated you and expressing your concern.

CONSULTATION - Meet with your course/clerkship director and describe what happened. If the course/clerkship director takes action to settle the complaint, he/she will submit a written report of these actions to the Senior Associate Dean for Student Affairs and Admissions. If you are not satisfied with your interaction with the course/clerkship director, or do not feel comfortable approaching him/her, meet with the Senior Associate Dean for Student Affairs and Admissions.

FORMAL COMPLAINT - You can make a formal complaint in writing to the Senior Associate Dean for Student Affairs and Admissions. You can also make a formal complaint in writing to a Learning Community Advisor, University ombudsperson or any other staff or faculty member at the College of Medicine. However, it is important that the Senior Associate Dean for Student Affairs and Admissions be made aware so that the complaint can be properly addressed and remediated according to the procedures below. To make an anonymous report, see <https://www.fau.edu/medicine/students/reporting/>.

VI. PROCEDURE FOR HANDLING COMPLAINTS OF STUDENT ABUSE

The Senior Associate Dean for Student Affairs and Admissions will be responsible for hearing complaints of student abuse or mistreatment which are not settled through the informal resolution or consultation process. He/she will be responsible for reviewing the complaint and obtaining additional information. If the initial review discloses that the complaint warrants further review, he/she will convene an ad hoc committee to hold a hearing. The person against whom the complaint is made will be notified in writing of the complaint and the policy for handling such complaints, and both parties will be invited to attend and participate in the hearing. A copy of the notification will be sent to such person's department chair (for faculty), supervisor (for employees), or training program director (for residents).

If, however, the initial review discloses that the complaint has no merit, the Senior Associate Dean for Student Affairs and Admissions will dismiss it. The student will be notified and may appeal to the Director of Student Success and Wellness.

The ad hoc committee will meet to review the facts of the complaint and may receive written or oral testimony from both parties. All materials will be held confidential by the committee. The person against whom the complaint is made may attend the hearing and will be provided the opportunity to rebut the complaint. The chair of the ad hoc committee will submit a written report of the committee's findings to the Senior Associate Dean for Student Affairs and Admissions. The Senior Associate Dean for Student Affairs and Admissions will notify the person against whom the complaint is made and the student in writing of the findings. The department chair, supervisor, or program director will also be notified (see above) and will be responsible for determining disciplinary actions. The Senior Associate Dean for Student Affairs and Admissions will be notified in writing of any disciplinary action taken. Record of the proceedings will be kept by the Senior Associate Dean for Student Affairs and Admissions. All complaints of student abuse or mistreatment brought to the Senior Associate Dean for Student Affairs and Admissions will be cross-checked to determine if the person against whom the complaint is made has been cited previously.

In the event that an allegation of abuse or mistreatment is made against an individual at an affiliated clinical site, the Senior Associate Dean for Student Affairs and Admissions will meet directly with the student and officials at such site to address and remediate the situation. In the interim, provisions will be made to reassign or remove the student from interaction with the person against whom the complaint is made.

VII. APPEALS PROCESS

If either the student or the person against whom the complaint is made wants to appeal the decision of the Committee or the Senior Associate Dean for Student Affairs and Admissions, a written appeal must be submitted to the Dean of the College of Medicine within 5 days of notification of the decision. The Dean or his designee will conduct an appeal review by examining the facts gathered during the process as well as any new facts offered by either party for consideration. The Dean or designee will notify the parties in writing of his/her final decision. For additional information on the Appeals Process, see College of Medicine Policy:

<https://www.fau.edu/medicine/documents/student-mistreatment-policy.pdf>

11/14/2019

8/25/2021 (Outside Activities)

9/10/2021 (Recording of Lectures by Students)

9/21/2021 (Classroom Lecture Recording)

7/25/2023 (Link Updates)