

## **Mistreatment of Students In Medicine**

In accordance with the Standards for Accreditation of Medical Education Programs Leading to the M.D. Degree published by the Liaison Committee on Medical Education, the purpose of this policy is to set forth the standards of conduct within teacher-learner relationships at UT Southwestern Medical School and the mechanisms for reporting student mistreatment.

### **Standards of Conduct within the Teacher-Learner Relationship**

Medical professionals are held to a high standard by society. Physicians are expected to be dedicated, have a superior intellect, and behave professionally. Elements of professional behavior include altruism, accountability, duty, integrity, and respect for others. Medical schools have the responsibility to foster these qualities in students upon whom they will confer the degree of medical doctor. Therefore, medical schools have an obligation to promote an educational environment that nurtures these elements and faculty have an obligation to model these elements.

### **General Definition**

The teacher-learner relationship must be based on a foundation of mutual respect. Respect, in this context, is reflected in honesty, professionalism, and the prudent handling of the teacher's power over the learner. Moreover, the teacher-learner relationship is defined and limited by the educational mission and learning objectives of the school. A "teacher" may be a faculty member, a resident, an intern, hospital staff, administrator, other institutional employee, or a fellow student.

### **Mistreatment Specifically Prohibited by Institutional Policy**

- Sex discrimination, including sexual harassment, misconduct or violence, is strictly prohibited by *EDU-116 Sex Discrimination – Sexual Misconduct, Harassment and Violence*. Students with concerns about sex discrimination involving the teacher-learner relationship, or relating to any other aspect of the education experience, are strongly encouraged to consult a Title IX Coordinator or Deputy Title IX Coordinator, and to submit a complaint as provided by *EDU-116-P-1 Sex Discrimination Complaint and Resolution*. Examples of prohibited sexual misconduct in the context of the teacher-learner relationship include but are not limited to:
  - a. A teacher offers a student preferential treatment (*e.g.* a higher grade) in exchange for sexual favors.
  - b. Unwanted sexual advances by the teacher directed at the student.
  - c. Sexually offensive remarks by the teacher.
- UT Southwestern's nondiscrimination policy is that no person shall be excluded from participation in, denied the benefits of or be subject to discrimination under

any program or activity sponsored or conducted by UT Southwestern on the basis of race, color, national origin, religion, sex, age, veteran status or disability, in accordance with applicable federal and state law. In addition, it is UT Southwestern policy to prohibit discrimination on the basis of sexual orientation, gender identity, and gender expression. Additional information and resources are available through the Office of Minority Student Affairs and the Office of Diversity & Inclusion and Equal Opportunity.

- a. Students with complaints about sex discrimination, including sexual misconduct, harassment or violence, should refer to *EDU-116-P-1 Sex Discrimination Complaint and Resolution*.
  - b. Students with complaints about disability discrimination should refer to *EDU-103 Learners with Disabilities*.
  - c. Students with complaints about any other type of discrimination should refer to the grievance procedure set forth in the UT Southwestern Medical School Catalog.
- UT Southwestern does not tolerate campus violence, threats of violence, or intimidation. Conduct that may threaten the safety or well-being of individuals affiliated with UT Southwestern or the safety and security of UT Southwestern premises is prohibited by *SEC-156 Campus Violence*.

### **Other Examples of Prohibited Mistreatment**

- Abuse of power. Examples of prohibited abuses of power in the context of the teacher-learner relationship include but are not limited to:
  - a. Requiring a student to perform personal services (*e.g.* shopping, babysitting, household duties, errands).
  - b. Requiring the learner to perform professional services unrelated to the educational experience (*e.g.* research, teaching).
  - c. Belittling, embarrassing, or humiliating the learner. (This does not include asking difficult questions in a public setting, such as rounds).
- Causing or threatening to cause the learner physical harm. (*See also SEC-156 Violence on Campus*)
- Threatening to give the learner a lower grade or denying opportunities for training or rewards for reasons other than scholastic and/or professional performance (*e.g.* based on gender, ethnicity, or sexual orientation).
- Requiring the learner to perform clinical duties which are unethical or beyond the student's level of training.
- Any other behavior that is contrary to the spirit of learning and/or violates the trust between teacher and learner.

### **Complaint of Mistreatment and Available Methods for Resolution**

Learners who believe they have been subjected to mistreatment in violation of this policy or other UT Southwestern policies have access to reasonable, fairly administered, and well-publicized policies and procedures for bringing a complaint and reaching a resolution. As outlined in *EDU-102 Learner Complaints and Resolutions* and in the UT Southwestern Medical School Catalog, UT Southwestern employs various complaint and resolution procedures, depending on the substance and nature of the complaint.

**Learners who believe they have been mistreated should contact the Associate Deans for Student Affairs for guidance on the policies and procedures available for resolution, as well as available educational and support resources.** Learners who witness or are aware of incidents of mistreatment against another individual are also strongly encouraged to report the incident to the Associate Deans for Student Affairs. Some complaints may be resolved informally, while others may require a more formal process. Learner complaints about mistreatment in the teacher-learner relationship that are not covered by another UT Southwestern policy or procedure will be handled as follows:

### **1. Informal Resolution**

Learners who believe they have been mistreated are encouraged to first try to informally resolve the situation. The Associate Deans for Student Affairs are available to help learners determine how best to achieve an informal resolution. Strategies for informal resolution may include notification to the alleged offender that his or her conduct should cease; action by an appropriate University official to address the conduct; or, mediation.

### **2. Formal Grievance**

If an informal resolution cannot be reached, the learner can submit a formal grievance to an Associate Dean for Student Affairs no later than thirty (30) days after the incident of alleged mistreatment. The grievance must be in writing and set forth in detail the conduct the learner believes constitutes mistreatment. Any supporting documentation should be submitted with the written grievance. The Associate Dean for Student Affairs will act as the Grievance Officer (GO).

The GO will review the grievance to determine whether there is an existing policy or procedure that applies or whether the grievance will be handled in accordance with this procedure. If further review under this procedure is appropriate, the GO will forward the grievance to the alleged offender for a response. The alleged offender must submit a written response, along with any supporting documentation, to the GO within ten (10) business days. The GO will forward the response to the complaining learner for a reply. The learner can submit a written reply within ten (10) business days. Following the receipt of all documents, the GO may interview witnesses, review additional documents, or gather more facts, as necessary. The findings of the GO, and any proposed resolution, will be provided in writing to the learner and the alleged offender.

### **3. Appeals**

If not satisfied with the outcome, the learner or the alleged offender can appeal the decision of the GO to the Senior Associate Dean. Appeals must be in writing and submitted within ten (10) business days of the GO's decision. The Senior Associate Dean will review the appeal and issue a written decision within ten (10) business days. The decision of the Senior Associate Dean is final.

### **4. Retaliation Prohibited**

Retaliation is strictly prohibited. Any person who retaliates in any way against a learner who sought an informal resolution, brought a formal grievance or participated in the

GO's review under this policy will be subject to disciplinary action, up to and including dismissal or non-renewal of appointment.

### **5. Confidentiality**

The GO will attempt to balance the learner's desire for privacy and confidentiality with the Medical School's responsibility to address student mistreatment in the teacher-learner relationship. If the learner requests that his or her name or other identifiable information not be revealed, the GO will evaluate that request in the context of other factors, including but not limited to: the seriousness of the alleged mistreatment; whether there have been other complaints about the same individual; and the alleged offender's right to receive information about the complaint.

### **6. Records**

UT Southwestern shall document the informal resolution and formal grievance processes and their outcomes and retain copies of all materials in accord with federal and state law and UT Southwestern policy. The Associate Deans for Student Affairs shall retain such documentation separately from learner's official UT Southwestern files and will release such documentation only as permitted by law.

### **7. Exceptions**

Learners who submit grievances about mistreatment that constitutes a violation of another established UT Southwestern policy (*see EDU-102 Learner Complaints and Resolutions*) will be directed to the appropriate policy, procedure, administrator or office, for handling.