Safe Learning: Student Mistreatment Policy

I. Standard of Conduct

The University of Pennsylvania’s Perelman School of Medicine is committed to the principle that the educational relationship should be one of mutual respect between teacher and learner. Because the school trains individuals who are entrusted with the lives and well-being of others, we have a unique responsibility to assure that students learn as members of a community of scholars in an environment that is conducive to learning. Maintaining such an environment requires that the faculty, administration, residents, fellows, nursing staff, and students treat each other with the respect due colleagues.

The teacher-learner relationship confers rights and responsibilities on both parties. Behaving in a way that embodies the ideal teacher-learner relationship fosters mutual respect, minimizes the likelihood of learner mistreatment, and optimizes the educational experience. The Perelman School of Medicine does not tolerate mistreatment of students.

II. Purpose of Policy

The purpose of this policy is to promote a positive learning environment for medical students and to outline the procedures for reporting and addressing alleged incidents of student mistreatment.

III. Definition/Examples of Student Mistreatment

As described by the Association of American Medical Colleges, mistreatment occurs when “behavior shows disrespect for the dignity of others and unreasonably interferes with the learning process. It can take the form of physical punishment, sexual harassment, psychological cruelty, and discrimination based on race, religion, ethnicity, sex, age or sexual orientation.”

Examples of student mistreatment include, but are not limited to:

- Unwanted physical contact (such as touching, hitting, slapping, kicking, pushing) or the threat of the same;
- Discrimination\(^1\) based on age, race, gender, sexual orientation, disability, religion, or national origin (see the University’s nondiscrimination policy, http://www.upenn.edu/affirm-action/eoaa.html
- Requiring learners to perform personal chores (e.g., running errands or babysitting);
- Verbal harassment, including humiliation or belittlement in public or privately;

\(^1\) From Dictionary.com: Discrimination: treatment or consideration of, or making a distinction in favor of or against, a person or thing based on the group, class, or category to which that person or thing belongs rather than on individual merit
• Use of grading and other forms of assessment in a punitive or self-serving manner;
• Romantic or sexual relationships between a teacher and student (see the University’s Policy on Consensual Sexual Relations between Faculty and Students, http://www.upenn.edu/assoc-provost/handbook/vi_e.html)

IV. Procedures for Reporting Possible Mistreatment

While we believe that professional behavior is generally practiced and respected by the members of our diverse community of scholars throughout the Perelman School of Medicine, we recognize that there may be occasions when real or perceived incidents of unprofessional behavior directed toward learners occur. In addition, students may observe unprofessional behaviors directed towards other students, staff members, faculty or towards patients in a manner that impairs the learning environment. Any incidents or concerns should be reported as soon as possible after the alleged incident.

A. Informal Pathways

If the student feels comfortable doing so, the student may speak directly with the individual involved in the incident. If the behavior stems from a misunderstanding or a need for increased sensitivity, the individual involved in the incident will often respond positively and stop the offending behavior. Open communication may clarify any misunderstanding or issue(s) and lead to a successful informal resolution.

A student may discuss an incident or concern with a school representative, including one of the ombudsmen, a doctoring preceptor, or course/clerkship director, who may be able to help the student achieve an informal resolution. In addition, these individuals may be able to provide assistance in the form of counseling, coaching or directing the student to appropriate school and University resources.

It is recommended that the student contact the Associate Dean for Student Affairs to discuss the available options for addressing a concern about mistreatment. The Associate Dean will handle each matter discretely and make every effort to do so in a manner consistent with the student’s wishes but, depending on the nature and severity of an incident, may not be able to guarantee that a student’s desire for confidentiality can be honored.

B. Formal Pathways

Students who chose to make a formal report or complaint of an incident of possible mistreatment may do so via the online Penn system, Safety Net, or may submit a written complaint to the Associate Dean for Student Affairs.

Students who opt to use Safety Net have the option of choosing to report anonymously and/or confidentially. Students requesting anonymity or confidentiality should be aware that this may limit the school’s ability to investigate an incident.
If a student chooses to pursue a formal complaint, s/he must be willing to be identified to the person against whom the complaint is directed.

V. Process for Resolution of Formal Complaints

When the Associate Dean receives a formal complaint of mistreatment, s/he will bring it to the attention of the Senior Vice Dean for Education and the Senior Vice Dean will take appropriate action to determine the facts and the appropriate avenue for resolution of the complaint.

At her sole discretion, the Senior Vice Dean may appoint an ad hoc committee, consisting of 3 faculty members, to conduct an inquiry into the allegations and make a recommendation regarding further action. The ad hoc committee will evaluate available materials and may interview appropriate persons, including the complainant and the respondent. The ad hoc committee will prepare a written report summarizing its findings and recommendations and the Senior Vice Dean will rely on the committee’s recommendations regarding whether corrective action is warranted. The Senior Vice Dean will inform the parties of the determination regarding further action within 10 days of receipt of the ad hoc committee’s report. If the ad hoc committee recommends corrective action, the Senior Vice Dean and may attempt to resolve the complaint informally, with mutual agreement of the parties involved, or may refer the matter to an appropriate grievance procedure within the University.

The appropriate channel for formal investigation and resolution of a complaint will depend on the nature of the offending behavior. If there is an existing University policy that addresses the behavior of concern, the procedures dictated by that policy will be employed. For example, alleged behaviors that violate the University’s Sexual Harassment Policy will be handled in accordance with the procedures described in that policy and alleged behaviors that violate the University’s Sexual Violence Policy will be handled according to the procedures outlined in the University’s procedures for resolving complaints of sexual assault, sexual violence, relationship violence and stalking.

The status of the offending party will also inform the process for further action. For example, if the offending party is a faculty member, further action will be pursued through an appropriate mechanism for addressing faculty behavior. In the case of a University staff, the Senior Vice Dean will consult with the Human Resources Department regarding the appropriate steps for further action.

For incidents of mistreatment that occur in locations beyond the parameters of the University, the Senior Vice Dean will pursue appropriate steps at the institution where the alleged mistreatment occurred.

VI. Interim Action

The Senior Vice Dean is authorized to take any actions on behalf of the Perelman School of Medicine that he or she deems necessary to protect the complainant and/or the respondent pending the investigation and resolution of a complaint. The Senior Vice Dean may also take immediate action necessary for reasons of safety.
VII. Protection from Retaliation

Retaliation against any member of the school community who comes forward with a complaint or concern is prohibited. If an individual believes that he or she is being subjected to retaliation as a result of coming forward with a concern or a complaint, he or she should refer the matter to the Senior Vice Dean.

VIII. Course and Clerkship Evaluations

Students are encouraged to report any mistreatment that occurs during a course or clerkship by use of the official evaluation tool for the course or clerkship. While these reports do not necessarily result in an investigation, the data are helpful in identifying and documenting systemic problems that may interfere with the safe learning environment.