

Undergraduate Medical Education (UME) Policy

| Title: Student Mistreatment Policy | | | |
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| <i>Origination Date: 10/07/2010</i> | <i>Last Amended Date: 10/19/2018</i> | <i>Next Scheduled Review Date: 10/19/2022</i> | <i>Policy Reaffirmed Date:</i> |
| Purpose: | To create a learning environment free of behaviors that adversely affect the Teacher-Learner relationship and promotes academic and professional success in learners at all levels. | | |
| Definitions: | <p>Student Mistreatment – includes behaviors that demonstrate disrespect for others or lack of professionalism in interpersonal conduct. This includes, but is not limited to, the following:</p> <ul style="list-style-type: none"> • Physical or sexual harassment or assault • Threat of physical or sexual harassment or assault • Discrimination or harassment based on age, gender, race, ethnicity, national origin, religion, disability, or sexual orientation • Disparaging or demeaning comments about an individual or group • Loss of personal civility including shouting, displays of temper, public or private abuse, belittling or humiliation • Grading/evaluation on factors unrelated to performance, effort, or level of achievement • Sending students on inappropriate errands unrelated to the didactic, investigational or clinical situation at hand <p>LCME Element 3.4 Anti-discrimination policy - a medical school does not discriminate on the basis of age, creed, gender identity, national origin, race, sex, or sexual orientation.</p> <p>LCME Element 3.5 Learning Environment/Professionalism - A medical school ensures that the learning environment of its medical education program is conducive to the ongoing development of explicit and appropriate professional behaviors in its medical students, faculty, and staff at all locations and is one in which all individuals are treated with respect. The medical school and its clinical affiliates share the responsibility for periodic evaluation of the learning environment in order to identify positive and negative influences on the maintenance of professional standards, develop and conduct appropriate strategies to enhance positive and mitigate negative influences, and identify and promptly correct violations of professional standards.</p> <p>LCME Element 3.6 Student Mistreatment - a medical education program defines and publicizes its code of professional conduct for the relationships between medical students, including visiting medical students, and those individuals with whom students interact during the medical education program. A medical school develops effective written policies that address violations of the code, has effective mechanisms in place for a prompt response to any complaints, and supports educational activities aimed at preventing inappropriate behavior. Mechanisms for reporting violations of the code of professional conduct are understood by medical students, including visiting medical students, and ensure that any violations can be registered and investigated without fear of retaliation.</p> | | |
| Policy: | The Long School of Medicine is committed to maintaining a safe and supportive academic environment that is free of all mistreatment, whether intentional or unintentional, including but not limited to intimidation, disrespect, belittlement, humiliation and abuse. Student mistreatment may take many forms all of which impact student performance. Student mistreatment in any form will not be tolerated. | | |

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| | <p>Anyone who experiences or witnesses an incident of student mistreatment is encouraged to report the incident through the methods described in the Procedures for reporting an incident of mistreatment, outlined below.</p> <p>During any investigation of a report of mistreatment, all precautions will be taken to maintain the confidentiality of the complainant to the greatest extent possible and appropriate action taken to protect against harm or any type of retaliation. Likewise, personnel actions taken by the school or university against a perpetrator may be confidential and not disclosed to the complainant.</p> |
| <p>Process:</p> | <p><u>Medical students who feel they have been mistreated may report such perceptions to any of the following:</u></p> <ul style="list-style-type: none"> • Associate Dean for Student Affairs • Student Ombudsperson • Chief Student Affairs Officer/Title IX Director • Student Counseling Center • Office of Student Life • Course/Clerkship Director <p>These school representatives are empowered to informally discuss a student's perceptions related to mistreatment, providing guidance. These school representatives should refer the student immediately to the Associate Dean for Student Affairs for further instructions and to review applicable policies and procedures.</p> <p>If the allegation is one of sexual harassment/assault, the Associate Dean for Student Affairs will engage UT Health San Antonio's Title IX Director for a separate processes and timeline for response. (Please see additional related policies "General Regulations and Requirements, Sexual Assault Policy" at http://uthscsa.edu/eoo/harassment.asp).</p> <p>A grievance involving perceived mistreatment that is not one of sexual harassment or assault may be resolved through an informal or a formal process.</p> <p><u>Informal Non-Academic Grievance Process</u></p> <p>A student pursuing an informal nonacademic grievance resolution must contact the Associate Dean for Student Affairs, in writing, within five business days of the alleged grievance. If the grievance involves staff, faculty, student(s) from the broader UT Health San Antonio community, the Associate Dean for Student Affairs will liaison with other appropriate authorities, as indicated. The Associate Dean for Student Affairs will assist the student in the informal resolution of the grievance, to be completed within 30 calendar days of receipt of the written grievance.</p> <p>If an informal resolution is not achieved, the aggrieved student has an additional 10 business days from the end of the initial 30 calendar days allowed for informal resolution to file a formal written grievance with the Associate Dean for Student Affairs.</p> |

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Formal Non-Academic Grievance Process

A student considering an initial formal nonacademic grievance must file a formal written grievance with the Associate Dean for Student Affairs **within five business days from the alleged incident**. The formal grievance must include a detailed description of the grievance and a proposed resolution, if possible.

A student pursuing a formal nonacademic grievance after previously pursuing an informal grievance, must file a formal written grievance with the Associate Dean for Student Affairs within **10 business days from the end of the 30 calendar days permitted for informal resolution**. The formal grievance must include a detailed description of the grievance and a proposed resolution, if possible. The formal grievance must include a detailed description of the grievance and a proposed resolution, if possible.

If the grievance involves/accuses UT Health San Antonio non- medical students or employees, the Associate Dean for Student Affairs will facilitate engagement with appropriate advocacy/supervisory institutional authorities. Copies of the written grievance will be made available to named parties and the appropriate advocacy/supervisory institutional authorities.

The Associate Dean for Student Affairs (and appropriate institutional authorities noted above) may, at her/his discretion, hold discussions with or without the involved/accused individual(s) to hear and resolve the grievance, schedule a meeting between the student and the involved/accused individual(s) and/or involve other parties in facilitating a resolution of the grievance. This process will be afforded **30 calendar days from receipt of the written grievance** to resolve the grievance and provide the aggrieved student a written summary of resolution.

If the aggrieved student is dissatisfied with the resolution, the student may file a formal written appeal with the Dean of the Long SOM **within five business days of the decision**. The dean has **30 calendar days from date of receipt of appeal** to provide a written decision to the student and to the Associate Dean for Student Affairs.

If the aggrieved student is dissatisfied with the procedures followed during the formal grievance process, the student may file a formal written appeal to the Vice President for Academic, Faculty, and Student Affairs (AFSA) on procedural concerns only within five business days of receipt of the dean's decision.

Approval Body: Office of Undergraduate Medical Education, Executive Leadership

CERTIFIED BY:

Policy Custodian

Name: Joshua Hanson, MD

Title: Associate Dean for Student Affairs

ACCEPTED AND AGREED TO:

Responsible Officer

Name: Florence Eddins-Folensbee, MD

Title: Vice Dean for Undergraduate Medical Education

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Responsible Executive

Name: Robert Hromas, MD, FACP

Title: Dean/Vice President for Medical Affairs, Long School of Medicine

References to regulations and/or other related policies:

- **LCME Elements:**
 - 3.4 Anti-Discrimination Policy
 - 3.5 Learning Environment/Professionalism
 - 3.6 Student Mistreatment
- **Other Relevant Policies/Guidelines/Procedures/Forms:**
 - UTHSCSA Handbook of Operating Procedures, Policy 4.2.1 Nondiscrimination Policy and Complaint Procedure
 - UTHSCSA Handbook of Operating Procedures, Policy 4.2.2 Title IX Sexual Harassment/Sexual Misconduct Policy
 - Regents' Rules and Regulations, Rule 30105, Sexual Harassment, Sexual Misconduct, and Consensual Relationships
 - University of Texas System Administration System-wide Policy (UTS 184), Consensual Relationships

Long School of Medicine

Procedures for reporting an incident of mistreatment

Medical students who feel they have been mistreated may report an incident to any of the following individuals:

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| <ul style="list-style-type: none"> • Associate Dean for Student Affairs • Student Ombudsman • Chief Student Affairs Officer/Title IX Director | <ul style="list-style-type: none"> • Student Counseling Center • UT Health SA, Office of Student Life • Course/Clerkship Director |
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The student is referred to Associate Dean for Student Affairs (ADSA).

Student must contact the ADSA, in writing, **within 5 business days** of the alleged incident.

Student meets with ADSA to review applicable policies and procedures.

Is allegation one of sexual harassment or assault?

ADSA will engage UT Health San Antonio's Title IX Director for a separate response process and timeline.

Student decides whether to pursue an **INFORMAL** or **FORMAL** grievance process.

Informal process

Formal process

Student decides to pursue an **INFORMAL** grievance process.

Student decides to pursue a **FORMAL** grievance process.

ADSA assists the student to informally resolve the grievance **within 30 calendar days** from receipt of the written grievance.

Student must file a formal written grievance with the ADSA, **within 5 business days** of the alleged incident.

Grievance is resolved to the student's satisfaction?

ADSA has **30 calendar days from receipt of the written grievance** to resolve the grievance and provide the aggrieved student with a written summary of the resolution.

Grievance is resolved to the student's satisfaction?

The **INFORMAL** grievance process concludes.

The **FORMAL** grievance process concludes.

The aggrieved student has **10 additional business days from the end of the initial 30 calendar days** to file a formal written grievance with the ADSA.

The aggrieved student has **5 business days of the decision** to file a written appeal to the LSOM Dean.

The LSOM Dean has **30 calendar days from date of receipt of appeal** to provide a written decision to the student and ADSA.

Is the student satisfied with the procedures followed leading to the LSOM Dean's decision?

The **FORMAL** grievance process concludes.

The aggrieved student has **5 business days within receipt of the decision** to file a written appeal to Vice President for Academic, Faculty & Student Affairs (AFSA) on procedural concerns **ONLY**.