

Policy Number	UME.HS.103
Policy Title	Student Mistreatment Policy
Effective Date	Pre-2019
Last Revision Date (if any)	09/19/2022
Scope	All (Faculty, Students, Staff)
LCME Element(s) (if any)	3.6

Student Mistreatment Policy

I. PURPOSE

The purpose of this policy and guideline is to promote a positive learning environment for medical students and to outline the procedures for reporting and addressing alleged incidents of student mistreatment. This document includes information related to the [University of Pennsylvania's policy on Sexual Misconduct](#).

This policy also ensures compliance with LCME Standard 3.6 which states:

A medical school develops effective written policies that define mistreatment, has effective mechanisms in place for a prompt response to any complaints, and supports educational activities aimed at preventing mistreatment. Mechanisms for reporting mistreatment are understood by medical students, including visiting medical students, and ensure that any violations can be registered and investigated without fear of retaliation.

II. SCOPE

All (Faculty, Students, Staff)

III. STANDARD OF CONDUCT

The University of Pennsylvania (Penn)'s Perelman School of Medicine (PSOM) 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, there is a unique responsibility to guarantee 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 to 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 student mistreatment, and optimizes the educational experience. PSOM does not tolerate mistreatment of students.

IV. DEFINITION/EXAMPLES of STUDENT MISTREATMENT

As described by the Association of American Medical Colleges (AAMC), 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." Student mistreatment also may include witnessing unprofessional behavior by faculty/housestaff/staff towards another person that creates an unsafe or unhealthy learning environment for the student(s).

Examples of unprofessional behavior and/or student mistreatment include, but are not limited to:

- Unwanted physical contact or purposeful harm (such as touching, hitting, slapping, kicking, pushing) or the threat of the same;
- Sexual Harassment, Sexual Violence, Relationship Violence, and Stalking (see the [Penn policy on Sexual Misconduct](#)), gender identity, religion, creed, national or ethnic origin, citizenship status, age, disability, veteran status or any other legally protected class status (see [Penn's Non-discrimination Statement](#));
- Requiring learners to perform personal chores (e.g., running errands or babysitting);
- Verbal harassment, including humiliation or belittlement in public or privately;
- Use of grading and other forms of assessment in a punitive or self-serving manner;
- Romantic or sexual relationships between faculty/housestaff/staff and students (see the Penn's Policy on [Consensual Romantic and Sexual Relationships in the Workplace and Educational Setting Policy](#))

V. PROCEDURES for REPORTING POSSIBLE MISTREATMENT

While PSOM believes that professional behavior is generally practiced and respected by the members of our diverse community, we recognize that there may be occasions when real or perceived incidents of unprofessional behavior/professionalism lapses towards students occur. In addition, students may observe unprofessional behaviors directed towards other students, staff members, faculty, or towards patients in a manner that impacts the learning environment. Any incidents or concerns should be reported as soon as possible after the alleged incident.

There are multiple ways to report mistreatment, both formal and informal, outlined below. We encourage students to report allegations in whatever format works best for them. Anonymous submissions may be more difficult to address because of lack of access to further incident details.

1. Formal Pathways for Reporting

The process for formal report resolution is outlined in section VI below.

- a. Students who choose to make a formal report and/or complaint of an incident of possible mistreatment may do so via the online University of Pennsylvania Health System (UPHS), [Safety Net](#), or may submit an oral or written complaint to the Associate Dean (AD) for Student Affairs and Wellness. The University has a mechanism to report bias here <https://diversity.upenn.edu/diversity-at-penn/bias-motivated-incident-report>
 - i. In the case of an oral report, the AD for Student Affairs and Wellness will write out a summary to serve as the formal record. The student will be asked to sign-off on the report summary prior to submission. All formal reports and/or complaints that include sexual misconduct will be reported to and reviewed by the Title IX Office at the University.
 - ii. Students who report through [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 ability to investigate an incident. Safety Net submissions are viewed by the Chief Operating Officer (COO) of the Academic Programs Office (APO) and the Vice Dean for Undergraduate Medical Education (VDUME).

Note: Students may choose to make a formal report without filing an official complaint to document any experienced or witnessed behavior; however, certain types of behavior may require investigation.

2. Informal Pathways for Resolution/Reporting

- a. If the student feels comfortable doing so, the student may speak directly with the individual involved in the incident. Open communication may clarify any misunderstanding or issue(s) and lead to a successful informal resolution. 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.

- b. A student may discuss an incident or concern with a school representative, including an ombudsperson, 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 PSOM and/or University resources.
- c. It is recommended that the student contact their Advisory Dean or the AD for Student Affairs and Wellness to discuss the available options for addressing a concern about mistreatment. The AD for Student Affairs and Wellness can offer guidance and counsel the student on how to best handle each matter discretely, and will make every effort to do so in a manner consistent with the student's wishes re: anonymity, permanent records, etc. Any member of the Undergraduate Medical Education Leadership Team (UMELT) is also available for discussion.

Note: Depending on the nature and severity of an incident, leadership may not be able to guarantee that a student's desire for confidentiality can be honored. In any case where confidentiality cannot be maintained, the student will be notified. These include but are not limited to issues that may be Title IX concerns, child abuse or elder abuse. In all cases, information will be kept as private as possible.

VI. SEXUAL MISCONDUCT

PSOM adheres to the sexual misconduct policies issued by Penn: [Reporting Sexual Misconduct | Associate Vice President for Equity and Title IX Officer](#)

Penn's Sexual Misconduct Policy prohibits sexual harassment, sexual violence, relationship violence, stalking, and retaliation; and prohibits and requires reporting of certain consensual relationships between members of our community. Students impacted by sexual misconduct can report their allegations directly to the AVP-Title IX Office or talk confidentially with one of the Confidential Resource Offices listed below to receive options-counseling. Students can also make an anonymous report that will be shared with the AVP-Title IX Office without self-identifying information. There may be a limit to the action that can be taken by the University in response to an anonymous report.

Disclosure and Required Reporting

Under this policy, disclosures of sexual misconduct to the following groups/persons are required to be reported to the AVP-Title IX Office. If a disclosure is made to an entity that is not required to report and that entity brings the disclosure to the attention of a required reporter, the disclosure must be reported to the AVP-Title IX Office.

The offices and roles required to report disclosures of sexual misconduct to the AVP-Title IX Office include the following:

- Central University and all 12 Schools' Human Resources Departments
- Senior/Vice/Associate/Assistant Provosts
- Senior/Vice/Associate/Assistant Deans
- The Office of Affirmative Action and Equal Opportunity Programs
- The Division of Recreation and Intercollegiate Athletics
- Student Intervention Services
- Office of Student Conduct
- Office of Staff and Labor Relations

Episodes of self-abuse, geriatric abuse, and child abuse will be reviewed for sexual misconduct.

Confidential Resources for support, counseling, and advice are listed in section IX below.

VII. PROCESS for RESOLUTION of FORMAL COMPLAINTS

When the AD for Student Affairs and Wellness receives a formal complaint of mistreatment, the COO will be informed who will in turn inform the VDUME. If the COO retrieves or receives a Safety Net or is otherwise informed, the VDUME will be informed. The subsequent process is dependent upon the role of the person alleged in the report and/or complaint according to the following guidelines. In all cases where sexual misconduct is alleged, the AVP-Title IX Office will be informed and may assume oversight of the resolution process.

Faculty: The VDUME and the AD for Student Affairs and Wellness may resolve the complaint with the curriculum team or via other mechanisms. For more egregious issues, the COO will notify the Chair of the Departmental Professionalism committee of the appropriate department of the formal complaint. The formal investigation and resolution will be conducted according to existing guidelines and policies. Educational leaders will be involved as necessary and will receive feedback on the outcome of matters in quarterly reports (in an anonymous fashion) as is required when students are involved.

Housestaff/Residents: The COO will notify the Office of Graduate Medical Education (GME) of the formal report and/or complaint, and available options for resolution will be considered. As necessary, GME may investigate and resolve the issue as appropriate based on existing guidelines and policies, including [House Staff Code of Conduct](#), [House Staff Discipline](#), and the [GMEC House Staff Professionalism Committee](#). UME leaders will be involved as necessary and will receive feedback on the outcome of matters in quarterly reports (in an anonymous fashion) as is required when students are involved.

Staff: If the report and/or complaint is egregious and unable to be resolved by other means or feedback, the COO will notify the HR Department of the formal report and/or complaint. The HR Department will investigate and resolve the issue, as appropriate, based on existing guidelines and policies. Educational leaders will be involved as necessary and will receive feedback on the outcome of matters in quarterly reports (in an anonymous fashion) as is required when students are involved.

All resolutions will be reported back to the VDUME and the COO. The COO of Med Ed will prepare a quarterly report to students with anonymized complaints and resolutions.

If there is an existing Penn policy that addresses the behavior of concern, the procedures dictated by that policy will be employed. For example, alleged behaviors that violate the Penn's Sexual Misconduct Policy will be handled in accordance with the procedures described in that policy. Where it is indicated that it is at the discretion of PSOM's Dean to decide the pathway, the Dean will be asked to make that decision.

For incidents of mistreatment that occur in locations beyond the parameters of the University (e.g., a student participating in an away-rotation), the VDUME will pursue appropriate steps at the institution where the alleged mistreatment occurred.

VIII. INTERIM ACTION

The VDUME is authorized to take appropriate actions on behalf of PSOM that are deemed necessary to ensure a safe and healthy learning environment, and to protect the complainant and/or the respondent pending the investigation and resolution of a report and/or complaint. The VDUME may also take immediate, appropriate action necessary for reasons of patient/community/personal safety in collaboration with the relevant Department.

IX. PROTECTION from RETALIATION

Penn's [Policy Against Retaliation](#) prohibits retaliation against an individual who in good faith reports possible mistreatment, or participates in an investigation of an allegation of mistreatment, discrimination, or harassment. In addition, knowingly and intentionally making a false report of a violation of Penn's policy is prohibited.

If an individual believes that they are being subjected to retaliation as a result of coming forward with a concern or a complaint, they should report this to the AD for Student Affairs and Wellness, or the VDUME, or the COO of APO immediately.

X. RESOURCE OFFICES for REPORTING ALLEGATIONS of SEXUAL MISCONDUCT and OTHER FORMS of STUDENT MISTREATMENT

The following offices can be contacted for support, counseling, and advice in all manners of alleged student mistreatment. If reports of sexual misconduct are made with or come to the attention of a required reporter, they must ensure appropriate actions are being taken, which includes notifying the AVP-Title IX Office

Each student is entitled to meet with a Title IX Officer to address issues of confidentiality and anonymity for situations involving required reporting of sexual misconduct. This conversation will include a discussion on how the complaint may be managed based on the student's preferences and the parameters outlined in Title IX.

- Bias Incident Reporting Form (University of Pennsylvania)
<https://diversity.upenn.edu/diversity-at-penn/bias-motivated-incident-report>
- Special Services Department, Division of Public Safety
24 hour help line (215) 898-6600
4040 Chestnut Street
<http://www.publicsafety.upenn.edu/special-services/>
- Counseling & Psychological Services (CAPS)
(215) 898-7021 [Business hours]
(215) 349-5490 [After hours]
3624 Market St, 1st Fl West
<http://www.vpul.edu/caps/>
- Sexual Trauma Treatment, Outreach, and Prevention (CAPS)
<http://www.vpul.edu/caps/sstop.php>
- Penn Women's Center (PWC)
(215) 898-8611 and (215) 898-6500
3463 Locust Walk
<http://www.vpul.upenn.edu/pwc>
- Student Health Services (SHS)
(215) 746-3535
3535 Market St, Suite 100
<http://www.upenn.edu/shs>

- Lesbian Gay Bisexual Transgender Center
(215) 898-5044
3907 Spruce Street
<https://www.vpul.upenn.edu/lgbtc>
- African American Resource Center
(215) 898-0104
3643 Locust Walk
<http://www.upenn.edu/aarc>
- Office of the Ombuds
(215) 898-8261
236 S. 34th Street, 113 Duhring Wing
<http://www.upenn.edu/ombuds>
- Office of the University Chaplain
(215) 898-8456
3417 Spruce Street, 240 Houston Hall
<http://www.upenn.edu/chaplain>
- Penn Violence Prevention
(215) 746-2642
3611 Locust Walk
<http://secure.www.upenn.edu/vpul/pvp/gethelp.php>

XI. POLICY AUTHOR(S)

Policy Subcommittee of the Undergraduate Medical Education Committee

XII. REFERENCES

[University of Pennsylvania's policy on Sexual Misconduct](#)
[Penn's Non-discrimination Statement](#)
[Consensual Romantic and Sexual Relationships in the Workplace and Educational Setting Policy](#)
[Safety Net](#)
[Reporting Sexual Misconduct | Associate Vice President for Equity and Title IX Officer](#)
[House Staff Code of Conduct](#)
[House Staff Discipline](#)
[GMEC House Staff Professionalism Committee](#)

XIII. GOVERNING BODY

Undergraduate Medical Education Committee

XIV. POLICY HISTORY

Date	Change
Pre-2019	Created/Approved/Implemented
12/2021	Revised/Approved
09/19/2022	Revised by PC and Approved by UMEC