



MEDICAL SCHOOL POLICY

Medical Student Mistreatment

Senior Leader: Medical School Dean

Policy Owner: Associate Dean for Undergraduate Medical Education

Responsible University Officer: Minority Affairs and Diversity

Policy Contact: Mary Tate, Harassment and Mistreatment Oversight Team, (612) 625-1494, tatex001@umn.edu

POLICY STATEMENT

The University of Minnesota recognizes its obligation to its students, faculty, staff, and community to maintain the highest ethical standards. As part of this obligation, the University of Minnesota Medical School (UMMS) believes all members of the community are responsible for ensuring a safe, respectful and supportive learning environment free of belittlement, humiliation or hostility. Community members are expected to reflect the School's values of professionalism, respect for individual rights, appreciation of diversity and differences, altruism, compassion and integrity. Mistreatment of medical students is unacceptable and will not be tolerated.

REASON FOR POLICY

This policy informs members of the UMMS community, including both the Central Campus-Twin Cities and Regional Campus-Duluth about what constitutes medical student mistreatment and how community members should respond when encountering it. Specifically, it clarifies:

- What constitutes medical student mistreatment.
- Ways members of the community can identify mistreatment and the various options community members have available for the reporting of mistreatment allegations, including the ways in which confidentiality is maintained.
- The responsibility of the Medical School to prevent retaliation against any persons who bring medical student mistreatment complaints.
- The process by which allegations of mistreatment will be investigated in a prompt, thorough and impartial manner including how incidents that may overlap with other policies are handled (e.g. sexual harassment, racial/ethnic harassment, etc.).

The ultimate intent is to prevent incidents of medical student mistreatment through education, the development of community, and clear expectations regarding codes of conduct and professionalism for all members of our community. However, in the event that medical student mistreatment occurs, UMMS will respond firmly and fairly.

This policy also ensures the medical school meets Liaison Committee on Medical Education (LCME) Accreditation requirements as follows:

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.”

PROCEDURES

Student Conduct Code: UMMS abides by the Board of Regents *Student Conduct Code* (and its associated Board of Regents policies), which serves as the framework under which this and other medical school policies fall (See “*Related Information*” for links to the Board of Regents *Student Conduct Code*).

Association of American Medical Colleges (AAMC): UMMS has also chosen to apply the AAMC’s definition of mistreatment as follows:

“Mistreatment arises when behavior shows disrespect for the dignity of others and unreasonably interferes with the learning process. It can take the form of physical punishment, harassment, psychological cruelty, and discrimination based on race, religion, ethnicity, sex, age or sexual orientation.”

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

- Verbally abusing, belittling or humiliating a student or otherwise subjecting students to offensive remarks or names
- Intentionally singling out a student for arbitrary treatment, including unwarranted exclusion from learning opportunities, that could be perceived as punitive
- Violating student duty hours
- Exploiting students in any manner (e.g., asking students to perform personal errands)
- Pressuring a student to perform medical procedures for which the student is insufficiently trained (i.e. putting a student in a role that compromises the care of patients)
- Threatening a lower or failing grade/evaluation to a student for inappropriate reasons
- Committing an act of physical abuse or violence of any kind, (e.g., throwing objects, aggressive violation of personal space)
- Taking credit for another’s work
- Engaging in sexual harassment
- Engaging in racial or ethnic harassment
- Engaging in discrimination that violates the University of Minnesota’s [Board of Regents Policy on Equity, Diversity, Equal Opportunity, and Affirmative Action](#)

Some mistreatment behaviors overlap with, but are sufficiently distinct from, those associated with the procedures described herein. In such cases, these behaviors may have their own associated medical school policies specific to the form of mistreatment. Individuals should consult those policies where appropriate (see “*Related Information*” below for links to relevant policies). In the absence of such medical school policies, this policy and its related procedures may take precedence.

Reporting Allegations of Mistreatment: The individual considering making a report of mistreatment should first, if possible, attempt to resolve the matter directly with the alleged offender(s). However, when such an option is not viable for any reason, several options are available for reporting. For both the Twin Cities and Duluth Campuses, these include:

Reporting to Medical School Officials

The medical school maintains a Mistreatment and Harassment Oversight Team, consisting of key leaders on both campuses, within Undergraduate Medical Education, Student Affairs, and Minority Affairs and Diversity, who serve as officially designated individuals for handling reports of mistreatment (see “*Related Information*” below).

Online/Hotline Reporting

The University of Minnesota provides an online mechanism (UReport) for reporting perceived violations of University policies. This system allows individuals (students, staff, faculty and

residents) to submit an allegation of mistreatment, **including anonymously**, and to track the status of their submission. Additionally, individuals may contact the University's hotline by calling: 1-866-294-8680. Reporting is monitored by the University's Office of Institutional Compliance which then triages to the Office of Equal Opportunity and Affirmative Action (EOAA), the Office for Community Standards, the Mistreatment and Harassment Oversight Team in the Medical School, and/or other appropriate University offices.

An inquiry or investigation will begin promptly for all incidents and follow-up will be provided in a timely manner to the reporting person. Submitters are provided a unique key allowing them to return for updates and to review any follow-up questions.

<https://www.med.umn.edu/md-students/reporting-mistreatment-harassment>

Equal Opportunity and Affirmative Action (EOAA)

Reports of discrimination or harassment **engaged in by university employees or third parties** based on protected identities, as well as reports of sexual misconduct can be made directly to EOAA. University employees must report sexual misconduct that impacts University community members in accordance with the University's Sexual Harassment, Sexual Assault, Stalking and Relationship Violence policy.

Office for Community Standards (OCS)

Reports of discrimination or harassment **engaged in by students** based on protected identities, as well as reports of other forms of mistreatment or bullying (other than sexual misconduct) can be made directly to the Office for Community Standards.

Responding to, and Adjudicating Allegations of Mistreatment: The medical school takes every report of alleged mistreatment seriously and makes every effort to respond to such reports in a responsible manner, prevent any risk of retaliation, and conduct investigations in a manner that upholds a duty of care to its community members, while adhering to University requirements for due process.

Sexual Misconduct:

Allegations of sexual misconduct, including sexual harassment, sexual assault, stalking and relationship violence that are submitted to the Mistreatment and Harassment Oversight Team through UReport will be reported to the University's Office of Equal Opportunity and Affirmative Action (EOAA). EOAA will determine how to address the report. More information about EOAA's process can be found at: <http://eoaa.umn.edu/procedures>.

Other Forms of Misconduct:

The Medical School's Mistreatment and Harassment Oversight Team will determine how to address other allegations of mistreatment. The Oversight Team may work or consult with other appropriate offices depending on the nature of the allegations (e.g. EOAA or OCS may be involved when allegations of discrimination or harassment are made; the Office of Faculty Affairs may be consulted on allegations of student mistreatment by a faculty member).

Appeals: Information about appeals processes are available from the office addressing the misconduct allegation (e.g. EOAA or OCS).

For appeals made to the Medical School's Mistreatment and Harassment Oversight Team regarding internal investigations and findings, the Oversight Team will review their findings and render a determination to uphold or revise their findings. Further appeals will be submitted to the University's Provost who makes the final University decision.

Confidentiality: The medical school is committed to protecting a student's right to privacy. However, given the medical school's and the University's obligation to responsive action, it may not be possible to guarantee confidentiality. Reporting individuals may choose to withdraw from the process. However, the medical school reserves the right to continue its investigation where there may be potential violations of

law or University policy, where the alleged incident is of sufficient seriousness that it raises concerns of imminent safety or security, compliance with Title IX mandated reporting, or resulting from a court order.

No Retaliation: The University strictly prohibits retaliation against another community member for reporting suspected violations of compliance with the Board of Regents *Code of Conduct*, and all associated policies. Individuals who believe that retaliation is occurring or has occurred, as a result of reporting or otherwise expressing opposition to suspected or alleged mistreatment, can utilize the same reporting options outlined above. Reports of retaliation will be reviewed and investigated in the same manner in which other concerns of misconduct are handled and may result in disciplinary action up to and including termination or expulsion.

The University also maintains a *Retaliation Policy*, which can be found at:
<https://policy.umn.edu/operations/retaliation>.

Distribution: The University of Minnesota Medical School understands the importance awareness has on reducing incidences of mistreatment. In addition to any required university and/or medical school training, it is also expected that this policy be shared, at a minimum, with all students (new, continuing, and visiting) and all new residents and faculty teachers. In addition, this policy should be made available to the entirety of the medical school community in the event of modifications or revisions, and ideally on a regular basis, at least every two years.

FORMS/INSTRUCTIONS

There are no forms or instructions associated with this policy.

APPENDICES

There are no appendices associated with this policy.

FREQUENTLY ASKED QUESTIONS

Can I report an allegation of mistreatment to a course of clerkship director or other medical school personnel outside of the reporting procedures listed in this policy?

Yes. You may discuss your concerns about mistreatment with any member of the community as an unofficial step. However, we strongly encourage individuals to report allegations of mistreatment using the official methods described in this policy. This ensures appropriately trained and authorized representatives or offices handle allegations of mistreatment and subsequent investigation.

Why does the medical school have a Harassment and Mistreatment Oversight Team?

The University's EOAA is appropriately charged and authorized to investigate allegations based on various forms of discrimination, harassment, nepotism, and sexual misconduct. However, mistreatment is a broad topic with a variety of behaviors that may be particular to the healthcare environment. These require specially trained individuals who understand the environment and its associated policies and procedures when those fall outside of the purview of the EOAA.

ADDITIONAL CONTACTS

Subject	Contact	Phone	Fax/Email
Primary Contact	Name	Phone	Fax/Email
Associate Dean for Undergraduate Medical Education - Twin Cities	Robert Englander, MD, MPH	(612) 626-5812	rengland@umn.edu

DEFINITIONS

Board of Regents: A 12-member body elected during a joint convention of the Minnesota House and Senate whose responsibilities include approving major policies, long-range plans, and educational programs as well as ensuring that the University remains an equal opportunity institution. Further details on the BOR can be found at: <https://regents.umn.edu/>

Liaison Committee on Medical Education (LCME): Medical education programs leading to the MD degree in the United States and Canada are accredited by the LCME. LCME accreditation is a voluntary, peer-reviewed process of quality assurance that determines whether the medical education program meets established standards. Further details on the LCME can be found at: <http://lcme.org/about/>

RESPONSIBILITIES

Mistreatment and Harassment Oversight Team: The Oversight Team is the officially designated body for investigating and adjudicating allegations of mistreatment that do not meet EOAA criteria. The Oversight Team will refer all allegations of discrimination, harassment, nepotism, sexual misconduct and related retaliation to EOAA for appropriate investigation. In addition, the Oversight Team will track all reports of mistreatment, whether reported through EOAA or internally, for purposes of identifying trends and developing effective educational programs to reduce incidents and improve the well-being of the medical school community.

EOAA: EOAA addresses reports of discrimination, harassment, nepotism, sexual misconduct (including sexual harassment, sexual assault, stalking and relationship violence) and related retaliation through investigation, informal problem-solving, consultation, and education. EOAA will triage complaints to the appropriate representatives of the Mistreatment and Harassment Oversight Team for allegations that are appropriate for internal medical school review.

Office for Community Standards: In its effort to improve the campus climate, the OCS upholds the Student Conduct Code. It accomplishes this by addressing reports of scholastic dishonesty, hazing, and other allegations of violations of the Student Conduct Code.

Community Members: Members of the medical school community are expected to become familiar with the types of mistreatment, should refrain from engaging in such behavior themselves, and should communicate clear expectations for others with whom they interact. In addition, members of the medical school community should report instances of mistreatment through the appropriate channels and encourage those who have witnessed or been subject to mistreatment to do the same.

RELATED INFORMATION

To report suspected violations on-line: <https://compliance.umn.edu/report>

To report suspected violations to the *Mistreatment and Harassment Oversight Team* contact:

Mary Tate, Director of Minority Affairs & Diversity
tatex001@umn.edu | (612) 625-1494

Michael Kim, MD, Assistant Dean for Student Affairs, Central Campus - Twin Cities
mikekim@umn.edu | (612) 625-5180

Robin Michaels, PhD, Associate Dean for Student Life & Academic Affairs-Regional Campus - Duluth
rmichael@d.umn.edu | (218) 726-8872

The University of Minnesota *Retaliation Policy*: <https://policy.umn.edu/operations/retaliation>

Office of Equal Opportunity and Affirmative Action: <http://eoaa.umn.edu/>

Board of Regents *Student Conduct Code*:

https://regents.umn.edu/sites/regents.umn.edu/files/policies/Student_Conduct_Code.pdf

Medical School *Duty Hours Policy*:

https://www.med.umn.edu/sites/med.umn.edu/files/duty_hours_years_3_and_4.pdf

UMMS policy on *Harassment & Assault* available at:

<https://www.med.umn.edu/md-students/reporting-mistreatment-harassment/sexual-harassment-assault>

Board of Regents *Sexual Harassment, Sexual Assault, Stalking and Relationship Violence* Policy available at:

https://regents.umn.edu/sites/regents.umn.edu/files/policies/Sexual_Harassment_Sexual_Assault_Stalking_Relationship_Violence.pdf

UMMS policy on *Racial or Ethnic Harassment* available at:

<https://www.med.umn.edu/md-students/reporting-mistreatment-harassment/racial-or-ethnic-harassment>

Board of Regents *Equity, Diversity, Equal Opportunity, and Affirmative Action* Policy available at:

https://regents.umn.edu/sites/regents.umn.edu/files/policies/Equity_Diversity_EO_AA.pdf

Medical School *Reporting Mistreatment and Harassment*:

<https://www.med.umn.edu/md-students/reporting-mistreatment-harassment>

HISTORY

Original Approval: October, 2011

Amended: July, 2019

Approved by: Medical School Office of Student Affairs - Twin Cities

Approved by: Medical School Office of Minority Affairs and Diversity

Approved by: Medical School Office of Student Affairs - Duluth

Approved by: University of MN, EOAA

Approved by: University of MN, Office for Community Standards

Approved by: Medical School General Counsel