

Appropriate Treatment in Medicine Policy

I. Standards of Conduct in 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.

The nature of professionalism in the context of patient care is well defined and evaluated in the student through their education. However, the nature of professionalism in the context of the teacher-learner relationship is less well defined. The purpose of this document is to provide a standard for appropriate conduct in the teacher-learner relationship through a general definition and more specific examples of inappropriate conduct.

A. 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, or a fellow student.

B. Examples of Inappropriate Conduct

1. Sexual harassment is an exploitative sexual relationship. That is, a person in a position of power uses such power to excuse or enable sexually offensive behavior or sexual advances. Moreover, the learning environment is not the place for consenting romantic or sexual activities. The UT Southwestern Sexual Harassment and Sexual Misconduct Policy is a source of additional information. Specific examples include:
 - a. A teacher who offers preferential treatment in exchange for sexual favors.
 - b. Unwanted sexual advances
 - c. Offensive sexually-oriented remarks by the teacher.
2. Discrimination for any reason. The UT Southwestern Nondiscrimination Policy is a source of additional information. For example, discrimination based on age, race, gender, religious affiliation, or physical disability manifested by:
 - a. Denied opportunities.
 - b. Offensive remarks.

- c. Lower evaluations.
3. Abuse of power, manifested by the teacher:
 - a. Requiring the performance of personal services (e.g. shopping, baby sitting).
 - b. Requiring the performance of professional services unrelated to the educational experience (e.g. research, teaching).
 - c. Belittling or humiliating the student.
 - d. Causing or threatening the student physical harm.
 - e. Threatening a lower grade for reasons other than student scholastic and/or professional performance.
4. Requiring clinical duties which are unethical or beyond the student's level of training.
5. Any other behavior that is contrary to the spirit of learning and/or violates the trust between teacher and learner.

II. Adjudication Process for Handling Claims of Mistreatment

Students who believe they have been mistreated must have access to a process for registering a grievance that is fair and minimizes the possibility of retaliation. Some grievances may be resolved informally, while others may require a more formal process. The UT Southwestern Sexual Harassment and Sexual Misconduct Policy and the Nondiscrimination Policy apply to student allegations of sexual harassment and discrimination. Students asserting complaints of sexual harassment and discrimination should contact the UT Southwestern Office of Equal Opportunity and Minority Affairs. Students asserting other grievances of mistreatment should follow the procedure detailed below.

A. Attempt Informal Resolution

Students who believe they have been mistreated are encouraged to informally resolve the situation. Speaking with the offender directly and in a timely manner will often uncover a misunderstanding and prompt an immediate resolution. Alternatively, speaking with the offender's superior is another method of resolving the situation informally. Grievances not resolvable in this manner may need to be registered formally.

B. Adjudication of a Formal Grievance

The format of a formal grievance is a written documentation that is signed by the claimant. Formal grievances should be filed with either a course director or an associate dean for student affairs within 30 days after the end of the course in which the incident of alleged mistreatment occurred. The person with whom the formal grievance was filed will act as a "grievance officer".

The grievance officer (GO) is responsible for maintaining confidentiality to the degree reasonably practicable under the circumstances. Students should be informed that retaliation for grievances is not tolerated. The GO reviews the case to decide whether

further review is appropriate. If further review is appropriate, the GO must forward the grievance to the accused and requires a written response within 10 working days. This response will be shared with the claimant for a response within another 10 working days.

Following the receipt of all documents, the GO may gather more facts as necessary to make a judgment on the case. The judgment is provided in writing to the claimant and accused. Either party may appeal the judgment to an ad hoc “grievance committee” appointed by the dean, and ultimately to the dean. All appeals must be made within 10 working days of the written submission of the judgment.

Should the Grievance Officer believe that a grievance has been made maliciously or in bad faith, the GO should refer the matter to Student Affairs for further investigation. Upon investigation, a finding that a grievance has been made maliciously or in bad faith may subject the complainant to disciplinary proceedings pursuant to the Student Conduct and Discipline Policy.

Copies of all formal grievances eventually should be reviewed by and stored in the student affairs office to allow recognition of patterns of repeat offenses.

C. Exceptions to this policy

Claims of mistreatment that allege a violation of the law, like sexual harassment or certain forms of discrimination, are exempt from this policy. These matters are handled via the Sexual Harassment and Discrimination Policies.

III. Educating the Campus Community on this Policy

The teachers and learners of this campus must be informed about these standards of conduct and adjudication process for claims of inappropriate conduct.

A. Educating the Teachers

Department chairpersons and course directors should be recruited to help disseminate this policy. Department chairpersons could be informed of this policy at the Dean’s Faculty Council Meeting and asked for their support. Course directors could be informed at an ad hoc meeting or as a part of another meeting of course directors.

The general faculty could be informed via several mechanisms. A communication from the dean’s office would carry the weight worthy of this policy. A member of this committee could present the policy at an ethics grand rounds.

Residents could be informed by recruiting the assistance of program directors through the Graduate Medical Education Committee (for existing residents) and the Parkland Hospital Housestaff Office (for future residents).

B. Educating the Learners

All medical students should be made aware of this policy. This can be accomplished during the student affairs office’s annual orientation process and a posting of the policy on the student affairs web page.

In summary, it is this committee's hope that this policy will educate both learners and teachers on their appropriate relationship and leads to an environment that improves the perception that students are mistreated that is reflected in the AAMC's Graduation Questionnaire.