

RESIDENT HANDBOOK

SECTION III: TRAINING ENVIRONMENT

RESPECTFUL LEARNING ENVIRONMENT POLICY

The Kirk Kerkorian School of Medicine at UNLV promotes a learning and working environment where all members of the Health Sciences Center community interact in a mutually respectful fashion where personal dignity, cultural awareness and civility are maintained. UNLV strives to foster an environment that promotes learning through positive and courteous interactions between teachers and learners. This is an environment free of harassment, intimidation, exploitation, and abuse.

PURPOSE

The purpose of this policy is to define inappropriate conduct in the teacher-learner relationship and to provide a mechanism and procedures to allow medical students and residents to report violations without fear of retaliation. In addition, the policy aims to ensure that educational programs aimed at preventing student mistreatment are provided to the entire community on a regular basis. The “community” is defined as all sites where UNLV medical students and residents receive training.

DEFINITIONS/EXAMPLES

Mistreatment of students can occur in a variety of ways and may impair learning. Types of abuse include verbal, power, ethnic, physical, and sexual harassment. Examples of mistreatment of students include, but are not limited to instances or a single egregious instance of public humiliation or belittlement, criticism or other actions that reasonably can be interpreted as demeaning or humiliating, unwarranted exclusion from reasonable learning opportunities, unwelcome sexual comments, jokes, innuendos, or taunting remarks about one’s body, attire, age, gender, ethnicity, sexual orientation, or marital status, intentional physical contact such as pushing, shoving, slapping, hitting, tripping, throwing objects at, or aggressive violation of personal space.

ONGOING EDUCATION TO PROMOTE A POSITIVE LEARNING ENVIRONMENT AND DISCOURAGE MISTREATMENT AND ABUSE

The Kirk Kerkorian School of Medicine at UNLV provides ongoing education to its community on promotion of a positive learning environment respectful of all individuals. This policy is included in the student handbooks and posted on the medical school website; the topic will be addressed at orientations at matriculation and at the beginning of the third year. The policy will be reviewed by the Curriculum Committee, the GME office and the faculty of the Kirk Kerkorian School of Medicine at UNLV on a regular basis and modified as necessary. A letter will be sent each year from the dean to all faculty (including voluntary faculty) reminding them of the school’s statement on supporting an abuse-free environment, of the trainee mistreatment policy, and of the existence of resources for resolution.

PROCEDURE FOR INVESTIGATING AND RESOLVING ALLEGATIONS OF PROFESSIONALISM VIOLATION

Through multiple avenues, a complaint or allegation about behaviors of a faculty member or resident in violation of professionalism codes of conduct or inconsistent with the Kirk Kerkorian School of Medicine at UNLV statement supporting a respectful learning environment, is made to one or more of the following individuals.

- I. senior associate dean for admissions and student affairs
- II. associate dean for curriculum
- III. course directors
- IV. clerkship directors
- V. learning community faculty
- VI. Submission of report to senior associate dean for admissions and student affairs

Informal resolution may be pursued by any of these individuals, based on an assessment of the complaint and/or the wishes of the student. Informal resolution may be achieved by direct discussion and/or mediation with the alleged offender by the student along with the individual contacted above. When a learner has exhausted the possibility of resolving a situation of abuse or mistreatment using informal mechanisms, he/she either acting alone or in conjunction with one of the individuals listed above, will contact the chair of the ad hoc professionalism committee, and give a written description of the circumstances leading to the complaint. The complainant must be willing to be identified to the person against whom the complaint is directed. The purpose of the ad hoc professionalism committee is to provide consultation and recommendations to address violations of professionalism and to be advisory to the (Executive) dean.

Membership of the Ad hoc Professionalism Committee

To be appointed by the dean of the Kirk Kerkorian School of Medicine at UNLV.

The purpose of the ad hoc professionalism committee is to provide consultation and recommendations to address violations of professionalism and to be advisory to the (executive) dean.

The ad hoc professionalism committee chair will conduct an investigation of the written complaint. The committee will convene within 10 working days after the chair receives the complaint and will interview the complainant, informing the accused about the substance of the complaint, interview the accused, and any other persons who might have insight into the situation, such as witnesses. Because the ad hoc professionalism committee is advisory to the vice dean for academic affairs and education of the Kirk Kerkorian School of Medicine at UNLV and has no status as a disciplinary committee within the university, legal counsel will not be permitted to appear before the committee and the accused or any witnesses have the right to refuse to appear without prejudice against their case.

As part of its investigation, the committee will evaluate all available materials and then determine by majority vote that there is no significant basis to conclude that mistreatment or abuse did occur or that mistreatment or abuse probably did occur. The ad hoc professionalism committee will forward the findings to the vice dean for academic affairs and education.

The vice dean for academic affairs and education in the Kirk Kerkorian School of Medicine at UNLV will review the committee's findings and make a decision on corrective action to take. He/she may meet with both the complainant and the accused prior to rendering a decision. The vice dean for academic affairs and education will inform the parties of the decision within 10 working days after receiving the recommendations

of the ad hoc professionalism committee. The vice dean for academic affairs and education will work with the appropriate department chair, section head, dean, or CEO to ensure that corrective action is taken. In the case of faculty, this corrective action may include referral of the matter to the appropriate academic senate committee for formal investigation and remediation. If the accused is a staff member, human resources will be consulted regarding the appropriate procedures to be followed. The vice dean for academic affairs and education will inform the subcommittee of the final disposition of these complaints.

None of the procedures detailed above are intended to deprive the complainant or the accused of his or her rights to seek remedies through general university procedures.

APPEALS

In cases where either the complainant or the accused is dissatisfied with the vice dean for academic affairs and education decision, that person must submit his or her appeal in writing to the dean within 10 working days of the report. The dean has 10 working days from receipt of the appeal to respond. If the complainant is dissatisfied with the results of the appeal, he or she then may also seek relief through general university processes.

ANONYMITY/CONFIDENTIALITY

Proceedings will be kept in confidence by the student mistreatment committee, which will report findings only to the vice dean for academic affairs and education. All individuals involved in the process should know and understand the need for confidentiality. Written documents will be forwarded to the vice dean for academic affairs and education only when the subcommittee finds that mistreatment did occur or when the subcommittee is unable to reach a consensus. In all other cases, written material will be kept in confidential files maintained by the chair of the committee.

At the end of the academic year, the committee will submit an annual report to the curriculum committee and the dean of the Kirk Kerkorian School of Medicine at UNLV.

RETALIATION

Retaliation against those reporting mistreatment is regarded as a form of mistreatment and will not be tolerated. Accusations that retaliation has occurred will be handled in the same manner as accusations concerning other forms of mistreatment.

TEACHER-LEARNER EXPECTATIONS

The Kirk Kerkorian School of Medicine at UNLV values professional behaviors and attitudes, including altruism, integrity, respect for others, and a commitment to excellence. Learning is best fostered in an environment of mutual respect between teachers and learners. In the context of medical education, the term "teacher" is used broadly to include peers, resident physicians, full-time and volunteer faculty, clinical preceptors, nurses, ancillary support staff as well as others from whom students learn.

PRINCIPLES

Duty - Teachers have a duty not only to facilitate the acquisition of knowledge and skills required to deliver the standard of care but also to instill the values and attitudes required for preserving the medical profession's social contract with its patients.

Integrity - Learning environments that are conducive to conveying professional values are based on integrity. Students learn professionalism by observing and emulating role models who epitomize professional values and attitudes.

Respect - Respect for every individual is fundamental to the ethic of medicine. Mutual respect is essential for nurturing that ethic. Teachers have a special obligation to ensure that students are always treated respectfully.

RESPONSIBILITIES OF TEACHERS AND LEARNERS

I. Teachers should:

- a. Treat students fairly and respectfully
- b. Maintain high professional standards in all interactions
- c. Be prepared and on time
- d. Provide relevant and timely information
- e. Provide explicit learning and behavioral expectations early in the course of instruction
- f. Provide timely, focused, accurate and constructive feedback on a regular basis and thoughtful and timely evaluations at the end of instruction
- g. Display honesty, integrity and compassion
- h. Practice insightful questioning, stimulate self-discovery and avoid questioning which may be perceived as humiliating, degrading or punitive
- i. Solicit feedback from students regarding their perception of the educational experience
- j. Encourage students who experience mistreatment or who witness unprofessional behavior to report the facts immediately

II. Students should:

- a. Be courteous of teachers and fellow students
- b. Be prepared and on time
- c. Be active, engaged and curious learners
- d. Demonstrate professional behavior in all settings
- e. Recognize that not all learning stems from formal and structured activity
- f. Recognize their responsibility to establish learning objectives
- g. Recognize their responsibility to participate as an active learner
- h. Demonstrate a commitment to life-long learning
- i. Recognize personal limitations and seek assistance as needed
- j. Display honesty, integrity and compassion
- k. Recognize the privileges and responsibilities that come from the opportunity to work with patients
- l. Recognize the duty to place patient welfare above their own
- m. Recognize and respect patient privacy

- n. Solicit feedback on their performance
- o. Recognize that criticism is not synonymous with abuse

RELATIONSHIPS BETWEEN TEACHERS AND STUDENTS

Students and teachers should recognize the special nature of the teacher-learner relationship which is in part defined by role modeling, mentorship and supervision. Students and teachers should strive to develop their relationship to one characterized by mutual trust, acceptance, and confidence. There is a power differential as teachers often evaluate student performance and the results of evaluations may impact a student's future. Students also evaluate the quality of their teachers and to an extent, may impact the teacher's career.

Both should recognize the potential for conflict of interest and respect appropriate boundaries.

- I. Actions that give the appearance of violating boundaries should be avoided. These include, but are not limited to:
 - a. Romantic involvement
 - b. Business relationships
 - c. Faculty or students accepting services or personal favors from each other (e.g., baby-sitting, work in the office)
 - d. Accepting substantial gifts
 - e. Special treatment of a student, including gifts, meals, entertainment or social contacts that differ from the usual teacher-learner relationship with other students.