



Policy on Standards for the Teacher-Learner Relationship

Adopted as policy October 14, 2004

The University of Vermont College of Medicine is committed to maintaining an environment in which faculty, fellows, residents, students, nurses, other health care professionals, and staff can work together freely to further education and research and to provide the highest level of patient care, whether in the classroom, the laboratory, or the clinical setting. Our goal is to train physicians to meet high standards of professionalism and practice in an environment where effective, humane, and compassionate patient care is demanded and expected. We affirm our commitment to creating and maintaining a community which supports and encourages respect for every individual.

The College of Medicine equally recognizes that each member of the medical school community should be accepted as an autonomous individual and treated civilly, without regard to their race, color, religion, sex, sexual orientation, national or ethnic origin, age, disability, or any other factor irrelevant to participation in the activities of the College. Diversity in background, outlook, and interest among faculty, fellows, residents, nurses, other health care professionals, and staff, students, and patients is inherent in the practice of medicine; appreciation and understanding of such diversity is an important aspect of medical training. As part of that training, the College strives to impart values of professional and collegial attitudes and behaviors in interactions among members of the College community and between these members, patients, and their families.

Accordingly, the College of Medicine is committed to providing an educational environment that supports rational discourse, diversity of views, and free inquiry and expression between teachers and students.

Abusive treatment of students or of any other member of the College of Medicine community is damaging to educational relationships. Abusive behavior toward students may include, but is not limited to, public berating and humiliation; intellectual bullying, deliberately and repeatedly excluding students from reasonable learning opportunities; and asking students to carry out personal chores or tasks to cull favor or to avoid explicit or implicit criticism. Abusive behaviors may also include inappropriate sexualized comments or advances, or intimidation or discrimination on the basis of unlawful criteria.

Frank feedback and constructive criticism are necessary. Feedback to students that is critical is not abusive, per se. Conflicts between freedom of expression and the right to be

free of abuse will be given careful consideration to appropriately protect the rights of all parties involved.

To ensure the implementation of the principles described above, the following Code of Conduct for Teachers and Learners sets forth the standards that all members of the College of Medicine Community must adhere to.

The code of conduct was reviewed and supported by the Medical Student sub-committee of the LCME self-study for the University of Vermont College of Medicine. It was reviewed by legal counsel and human resource departments at the affiliated institutions. The code of conduct was developed to provide a common basis of understanding of the teacher-learner relationship for all members of the University of Vermont College of Medicine community and also to comply with LCME Requirement MS-32. The Dean of the College of Medicine initiated the process for policy implementation of the code of conduct for teachers and learners in the fall of 2004.

CODE OF CONDUCT FOR TEACHERS AND LEARNERS

1. Honesty and integrity must be practiced by both teachers and students during all aspects of the educational process. Teachers must foster an environment that supports open and honest communication as well as constructive criticism.
2. Teachers must fulfill the commitments made at the beginning of a course, rotation, or any other learning activity. Syllabi, assignments, grading principles, and class and office hour schedules involve promises that are made to students and must be adhered to under normal circumstances.
3. Students are responsible for regular attendance and participation, for completion of assignments, and for thorough preparation for examinations.
4. Teachers and students must foster an atmosphere of mutual respect. In particular, respect for racial differences, religious differences, different sexual orientation, disability, gender differences, age differences, marital status, cultural differences, and political convictions should be supported and encouraged in all aspects of the educational process. Additionally, teachers and students are expected to show common courtesy for students during interpersonal interactions. Teachers are expected to respond promptly to students' need for guidance and feedback. An environment free from harassment and discrimination, verbal abuse, physical violence, and intimidation in any form must be provided for all learning activities.
5. Teachers should ensure that their grading practices are as objective as possible by creating and adhering to clear and specific criteria. Teachers are responsible for ensuring that the assessment of a student's performance is valid, open, fair, and congruent with the course or rotation objectives.

6. Teachers must maintain a high level of subject matter knowledge and assure that the content of the educational experience is current, accurate, representative, and appropriate to the position of the learning within the students' program of study. The teacher must approach each student with a commitment to meeting his or her educational needs
7. A pedagogically competent teacher communicates the objectives of the educational experience to students, is aware of alternative instructional methods or strategies, and selects methods of instruction that are effective in helping students to achieve course or rotation objectives.
8. Student grades, letters of evaluation, attendance records, and private communications are treated as confidential materials in accordance with the requirements of the federal students records law known as FERPA which provides that a student's educational records will normally be released only with the written consent of the student, subject to certain limited exceptions, (e.g. disclosures to medical or law enforcement personnel in emergencies or for health and safety reasons).
9. Teachers respect the dignity of their colleagues, including those in other medical specialties and other disciplines, and work cooperatively with colleagues in the interest of fostering student development.
10. Teachers must recognize the unique and changing role of medical and graduate students as they progress through the various stages of the curriculum.
11. Teachers and students must recognize that demeaning comments and public humiliations are unacceptable and are not conducive to a productive learning environment.
12. Teachers and students must be familiar with and compliant with the University of Vermont policies on sexual harassment which is available on the UVM website and in the faculty and student handbooks.
13. Teachers and students must be familiar with and compliant with the University of Vermont Policy Statement on Equal Opportunity in Educational Programs which is available on the UVM website and in the faculty and student handbooks.
14. Teachers and students must be familiar with and compliant with the University of Vermont Policy on Amorous Relationships with Students which is available on the UVM website and in the faculty and student handbooks.
15. Sexual harassment, as well as gender-based discrimination, as those terms are defined in University policies, is prohibited. Activities which may give rise to charges of sexual harassment, or gender-based discrimination, and which in any event are considered inappropriate, include the following:

- a. Denying the opportunity for training or rewards because of gender
 - b. Requesting sexual favors in exchange for grades or other awards
 - c. Making unwanted sexual advances toward a student
 - d. Displaying sexually suggestive or pornographic materials in view of a student
 - e. Grading or evaluating based on gender rather than performance or merit.
16. Other behaviors which may give rise to charges of discrimination or harassment under University Policies, and which in any event are considered inappropriate, include the following:
- a. Denying the opportunity for training or rewards because of age, race, religious affiliation or any attribute other than merit or performance
 - b. Any conduct directly intended to insult or stigmatize
 - c. Exclusion from any reasonable educational opportunity for any reason other than performance or merit
 - d. Requiring personal services such as babysitting or shopping
 - e. Showing favoritism based upon any attribute other than performance and/or merit and thereby reducing educational opportunities available
 - f. Grading or evaluating based upon any attribute other than performance and/or merit
 - g. Any inappropriate physical treatment, such as hitting, slapping, kicking, or threatening such treatment
 - h. Requiring performance of menial tasks with the intent to humiliate.
17. Other behavior toward students that is considered inappropriate, includes
- a. Public belittling
 - b. A consistent pattern of neglect or lack of communication
 - c. Taking credit for another individual's work.

IMPLEMENTATION

1. Mechanisms for the reporting of violations of these standards
 - a. Violations of University Policies Under Sections 12, 13 or 15.
Violations of standards described in Sections 12, 13 or 15 must be reported to the Office of Affirmative Action and Equal Opportunity at the University of Vermont, (802) 656-3368. All College of Medicine faculty and staff are required to report in this manner. If an incident occurs at an affiliated clinical institution such as Fletcher Allen Health Care or Maine Medical Center, the violation must ALSO be reported to the chief medical officer and vice president of Human Resources at the affiliated institution if it involves an employee of such institution. Violations should also be reported to the College of Medicine associate dean for Student Affairs. Medical and graduate students who wish to discuss such violations without report to the Office of Affirmative Action and Equal Opportunity may make use of the University of Vermont Counseling Center where the counselors will keep their

discussions confidential in accordance with the University of Vermont Counseling Center confidentiality policies.

b. All Other Violations of This Policy.

Violations of all other standards will be reported to the dean of the College of Medicine and the associate dean for student affairs. The associate dean for student affairs may refer the alleged violation to Designated Faculty Contacts who are faculty members outside the dean's office charged with responsibility for speaking with the complainant and the alleged offender and generally obtaining information pertaining to the complaint.

2. Mechanisms for the prompt handling of complaints

a. Complaints Alleging Violations of University Policies under Sections 12, 13, 15.

Complaints filed with the Office of Affirmative Action and Equal Opportunity or with the Department of Human Resources at affiliated clinical institutions will be handled according to the standard procedures of those offices. It is expected that final decisions of the Office of Affirmative Action and Equal Opportunity or of the affiliated clinical institutions or officials considering appeals from such decisions will be referred back to the dean of the College of Medicine, the dean of student affairs and, if appropriate, the relevant department chair.

b. Complaints Alleging Other Violations of this Policy.

i. Initial informal complaints may be made orally. Those who wish to make a formal complaint, or advance an informal oral complaint into a formal one, shall report the complaint in writing. On receipt of the written complaint, the dean or the dean's designee will within 10 business days appoint an appropriate ad hoc committee to investigate the complaint. The committee will conduct a prompt, thorough, and fair review.

ii. For a complaint against a resident or fellow, the committee will generally include the associate dean for graduate medical education, the relevant residency or fellowship program director, the relevant chief medical officer and vice president of human resources at Fletcher Allen Health Care or Other Affiliate or their designees, a faculty member from the Committee on Medical Student Well Being, and any designated faculty contact assigned to communicate with the complaining student.

For a complaint against a faculty member the committee will generally include the senior associate dean for research and academic affairs, the relevant department chairperson, a faculty member from the Committee on Medical Student Well Being, and any designated faculty contact assigned to communicate with the complaining student.

For a complaint against a medical student the committee will generally include the associate dean for student affairs, a faculty member from the Committee on

Medical Student Well Being, and any designated faculty contact assigned to communicate with the complaining person.

For a complaint against a graduate student the committee will generally include the senior associate dean for research and academic affairs, the relevant department chairperson and any designated faculty contact assigned to communicate with the complaining person.

For a complaint against a College of Medicine staff member the committee will generally include, the senior associate dean for business and finance or his/her designee, the appropriate staff supervisor, a faculty member from the Committee on Medical Student Well Being, and any Designated Faculty Contact assigned to communicate with the complaining student.

For a complaint against a Fletcher Allen Health Care or Maine Medical Center staff member, or a staff member of an Other Affiliate, the committee will include the appropriate staff supervisor, the chief medical officer and vice president of human resources (or their equivalents) at the Affiliate, or their designees, a faculty member from the Committee on Medical Student Well Being, and any Designated Faculty Contact assigned to communicate with the complaining student.

- iii. In all cases the person against whom the complaint is made will have the opportunity to hear the evidence presented to the ad hoc committee, to address the committee, to present witnesses to the committee, and to present new information to the committee.
- iv. The investigative committee will make a recommendation to the dean for an appropriate action. Such actions may range from dismissal of the complaint as one not supported by evidence or requiring no further action to immediate suspension, or even termination, of employment or enrollment of the offending party, depending on the gravity of the violation of standards. Any disciplinary proceedings must be conducted, and any suspension, termination or other discipline must be imposed, in accordance with the existing personnel policies and procedures of the University of Vermont or the affiliated institution, as appropriate. Recommendations from the dean regarding a resident or fellow, or staff member at Fletcher Allen Health Care, Maine Medical Center, or other affiliated clinical institutions (each referred to here as an "Affiliate") shall be seriously considered by the Affiliate and should result in appropriate disciplinary or other action by the Affiliate, in the context of their own policies, procedures and precedent and should result in appropriate disciplinary or other action by the Affiliate.

In the case of students, suspensions, dismissals or other discipline will be imposed in accordance with the Rules and Regulations of the Faculty of the College of Medicine, with convening of the Committee of Fitness if a student's

fitness for a career in medicine is called into question. Intermediate actions might include a formal verbal or written reprimand and/or requirement of completion of an educational or therapeutic activity addressing the behavior that led to the complaint.

- v. Retaliatory action of any sort during or following the investigation will be specifically prohibited, and written warning to this effect will be promptly provided to the parties under investigation.
- c. Cooperation and Contractual Commitments for Policy Compliance from Affiliates
UVM shall use its best efforts to ensure that Fletcher Allen Health Care, Maine Medical Center and Other Affiliates (collectively “Affiliates”) at which UVM medical students receive professional training and education shall agree:
- i. to review and seriously consider these standards and maintain their own roughly equivalent standards, i.e. roughly similar policies and procedures (“Similar Affiliate Standards”) applicable to their physicians, residents, fellows and other employees who are involved in medical education and training of UVM students;
 - ii. to notify such employees that they are bound by the Similar Affiliate Standards, expected to abide by them, and subject to discipline for violations of them, in accordance with their Similar Affiliate Standards and other relevant and applicable Affiliate policies and procedures;
 - iii. to reasonably participate in the complaint, investigation and adjudication procedures set forth in the standards; and to seriously consider the reasonable disciplinary recommendations relating to them which are issued hereunder by the COM Dean or some similar (i.e. roughly equivalent) disciplinary action.
3. Mechanisms for supporting educational activities aimed at preventing inappropriate behavior
- a. For initial implementation, the dean and other appropriate personnel, such as the senior associate dean for medical education, the associate dean for student affairs, the senior associate dean for research and academic affairs, and the affirmative action officer of the university, will meet with the department chairpersons and departments to present the document and to entertain questions and discussion.
 - b. Also for initial implementation, the Standards for the Teacher-Learner relationship will be disseminated via e-mail to all faculty, medical and graduate students, staff members, and residents.
 - c. For ongoing implementation, the Standards for the Teacher-Learner Relationship will be presented as part of the standard orientation process for all new faculty, medical and graduate students, staff members, and residents.
 - d. Also for ongoing implementation, a computer based training module with an evaluation component will be developed and required to be completed by all faculty, medical and graduate students, staff members, and residents. This module will be comparable to the current system used for HIPAA training at Fletcher Allen Health Care.