



VCU

Learning Environment and Student Mistreatment Reporting and Response Policy

Policy Statement and Purpose

The Liaison Committee on Medical Education (LCME) has established standards regarding the requirement of medical schools to establish written policies that define mistreatment, as well as outline the specific procedures for reporting concerns of mistreatment and ensuring there is a timely institutional response to all reports of mistreatment. Additionally, the LCME requires institutions to make students aware of the process for reporting potential mistreatment concerns.

VCU School of Medicine has a commitment to a positive learning environment. We strive to create a learning environment that is safe for patients and welcoming to learners, where all individuals involved in education, research, and health care endeavors are treated with respect and are made to feel that they belong.

Striving to create a positive learning environment requires that breaches of this including mistreatment is addressed, tracked, and programs instituted to mitigate. Mistreatment is a type of violation of professionalism which is codified in the VCU and VCU Health Codes of Conduct. This document serves to define mistreatment and outline the procedures for reporting, evaluation, and response to reported concerns by the VCU SOM. These processes are designed to align, where appropriate, with VCU and VCU Health System processes.

Stakeholders

The faculty, staff, students, and health care professionals interacting with students of the VCU School of Medicine are responsible for knowing this standard operating procedure, its contents, and provisions.

Definitions

VCU SOM: Virginia Commonwealth University School of Medicine.

LCME: Liaison Committee on Medical Education. The group with authority to accredit medical education programs leading to the MD degree in the United States and Canada.

CC: Curriculum Council.

OME: Office of Medical Education.

AAMC: Association of American Medical Colleges.



VCU

School of Medicine

ELERT: Excellence in Learning Environment Response Team. The ELERT is the team, charged by the CC, with reviewing and responding to all reported instances of mistreatment and submissions of exemplars.

Good Faith: Good faith is defined as reasonable belief or suspicion, and without ill-will.

Mistreatment: Behavior that demonstrates disrespect for a Learner and that creates a condition, circumstance, or environment that unreasonably interferes with the learning process. Mistreatment may be verbal, emotional, or physical in nature.

Examples of Mistreatment include:

- Subjected to or threatened with physical harm
- Deliberately and/or repeatedly excluded from reasonable learning experiences
- Subjected to vulgar language
- Public embarrassment or humiliation (e.g., verbal attack or denigrating a chosen career path)
- Required to complete personal services (such as buying coffee or running errands unrelated to defined work tasks)
- Exclusion from ordinary opportunities for training or rewards, or denial of fair evaluation or grading that is unreasonable given Learner's performance or merit (e.g., because of discrimination due to race, ethnicity, gender, sexual orientation, or other personal beliefs or characteristics)
 - See the Notice of Non-Discrimination, Equal Opportunity and Affirmative Action policy for more information:
<https://vcu.public.doctract.com/doctract/documentportal/08DA32A740D33543CBC5EBF25ED5AF9D>
- Subjected to offensive remarks, names, comments or behaviors related to race, ethnicity, gender, sexual orientation, or other personal beliefs or characteristics
- Retaliation
- Subjected to unwanted sexual advances, or asked to exchange sexual favors for grades or other rewards
- Sexual misconduct, Title IX misconduct or other prohibited conduct
 - See the Title IX Sexual Harassment Policy—Interim for more information:
<https://vcu.public.doctract.com/doctract/documentportal/08DA32A740D32F4EEAAE663D91564FCA>

Exemplar: Instances of exceptional behaviors or actions by faculty, staff, or members of the health care team involved with students in the learning environment. These instances embody the core values of excellence, respect, integrity, diversity, and professionalism and create an exceptional, supportive environment for all learners.

Title IX Misconduct: Title IX of the Education Amendments of 1972 indicate that “...no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”



Reports of Title IX misconduct submitted through the procedures below, while considered a potential source of mistreatment for reporting purposes, will not be reviewed by the ELERT. These reports will be forwarded to the VCU Title IX Office for review and resolution. If determined to not fall under review of the Title IX policy, the report will return to the ELERT for review.

Discrimination and Harassment: The VCU Equity and Access Services Office responds to concerns related to accessibility, equal opportunity, affirmative action, discrimination, and harassment, and sex-based misconduct.

Reports of these types of concerns submitted through the procedures below, while considered a potential source of mistreatment for reporting purposes, will not be reviewed by the ELERT. These reports will be forwarded to the VCU Equity and Access Services Office for review and resolution. If determined not to fall under this policy the complaint will be returned to the ELERT for review.

Responsibilities

Students: Students are responsible for creating and maintaining a positive and supportive learning environment with respect for all individuals. Students who encounter or witness occurrences of mistreatment are responsible for reporting these concerns using the procedures outlined within this document.

Faculty, Staff, Resident Physicians, and members of the health care team interacting with students: Faculty, Staff, Resident Physicians, and members of the health care team interacting with students are responsible for creating and maintaining a positive and supportive learning environment with respect for all individuals. Individuals in this category who have delegated authority for addressing reports of mistreatment are responsible for maintaining professionalism, confidentiality, and adhering to all related policies and procedures applicable to the circumstances.

ELERT: The ELERT is charged with reviewing all instances of mistreatment concerns reported through the procedures outlined in this document and determining if the concern meets the criteria of mistreatment. The ELERT is responsible for ensuring each report of mistreatment is escalated to the appropriate individual(s) or office(s) needed to address the concern and take appropriate action. The ELERT is also responsible for ensuring timely resolution to each concern and communicating resolution of the concern as appropriate. The ELERT will report to the CC and the Dean of the VCU SOM, and will present aggregate reporting data to the groups identified in the ongoing monitoring section of this policy.

VCU Title IX and Equity and Access Office: The VCU Title IX Office and the VCU Equity and Access Services Office will be responsible for creating a de-identified aggregated trend report every three months for the ELERT of any concerns brought forward by MD students.

Procedures

Reporting Procedures

Mistreatment

In an effort to create a positive, safe, supportive learning environment for all students, the VCU SOM has created multiple avenues for student support regarding questions about mistreatment, and reporting concerns.

Personalized Assistance

Informal discussions and support may be obtained through many different individuals. These include but are not limited to:

- Peer advocates
- Supervising resident or fellow
- Attending physician
- Course/Clerkship Directors and Coordinators
- Assistant and Associate Deans within the OME
- Senior Associate Dean for Medical Education and Student Affairs
- Senior Associate Dean for diversity, equity, and inclusion
- Vice Dean and Senior Associate Dean Office of Faculty Affairs
- Dean of the School of Medicine

These individuals are available to debrief situations, offer support, and refer students to relevant university support services.

While these individuals are available to assist students with mistreatment reporting procedures, students are ultimately responsible for formally reporting their mistreatment concern using the procedures outlined in this document. Exceptions to this will occur only when these individuals have a duty to report the incident, including Title IX concerns, equity and access violations, or other instances as outlined in the VCU Duty to Report and Protection from Retaliation Policy, which can be accessed at: <https://policy.vcu.edu/universitywide-policies/policies/duty-to-report-and-protection-from-retaliation.html>.

Reporting Concerns

- Online Reporting
 - Students may report a mistreatment concern using the form on the Learning Environment webpage which can be accessed at: <https://medschool.vcu.edu/education/medical-education/supporting-our-students/mistreatment/>
 - Students should click the ‘Report a Concern’ button located on the webpage to launch the form
 - The form may be submitted anonymously
 - Anonymous reports *will not* receive any follow up communication regarding the review or resolution to the reported concern
 - QR Code



- Students may scan the QR code found posted in various areas throughout the learning environment and on their Support Services for Medical Student pocket cards to be linked directly to the online form to report a mistreatment concern
- End of Course/Clerkship Evaluations
 - Students are encouraged to utilize the real-time online tool listed above to report potential mistreatment concerns in order to ensure the concern is reviewed in a timely fashion.

Students may also report instances of mistreatment on end of course/clerkship evaluations, as well as other institutional surveys

Exemplars

The VCU SOM aims to create a safe, supportive learning environment that respects all students and promotes exemplary instances of professionalism among faculty and staff. To that end, the institution has created procedures for reporting instances of exemplary, professional behavior that supports student development and enhances the learning environment for all individuals.

To report individual instances of exemplars among faculty or staff, students should:

- Follow the procedures for reporting an exemplar listed on the Learning Environment webpage which can be accessed at: <https://medschool.vcu.edu/education/medical-education/supporting-our-students/mistreatment/>.
- Provide a detailed account of the exemplar on internal and external surveys, including:
 - End of Course/Clerkship Evaluation
 - End of Year Survey

Reports of exemplary behaviors will be reviewed by the CC and distributed to the individual faculty or staff member identified by the report, as well as the Division/Department Chair for the individual.

Excellence in Learning Environment Response Team (ELERT)

Composition of the ELERT

The ELERT is comprised of the following members:

- Senior Associate Dean Office of Faculty Affairs
- Senior Associate Dean for Graduate Medical Education
- Senior Associate Dean for Diversity, Equity, and Inclusion
- One (1) representative from VCU Human Resources
- One (1) representative from VCUHS Human Resources
- Director of Professionalism, Wellness and Engagement
- One (1) representative from the VCU Division for Student Affairs
- Associate Dean(s) for Student Affairs
- The Dean of the VCU SOM may appoint additional members to serve on the ELERT at his/her discretion.

Charge to the ELERT



VCU School of Medicine

- The ELERT is charged with executing fair and timely review of all reports submitted through the mistreatment reporting process. The ELERT will review submitted reports, engage relevant stakeholders to address concerns, and provide consistent, centralized reporting on the learning environment to the Curriculum Council, relevant stakeholders, and senior administration at the VCU SOM.

Review of Reported Concerns

Report Routing

- Online Reports
 - All items reported through the online reporting tool will be routed to the VCU Division of Student Affairs
 - This office will determine if the concern involves a Title IX or Equity and Access violation and, if so, route the concern for review and response as outlined in the Title IX or Equity and Access procedures below
 - If the concern does not represent an above violation, it will be routed to the ELERT for review and response
- End of Course/Clerkship Evaluations
 - Students are encouraged to utilize the real-time online tool to report potential mistreatment concerns in order to ensure the concern is reviewed in a timely fashion. However, to ensure all potential avenues by which students may report instances of mistreatment are being monitored, procedures for reviewing End of Course/Clerkship Evaluations for instances of reported mistreatment have been established. These include:
 - Review of qualitative comments on End of Course/Clerkship Evaluations completed by students by the Office of Assessment, Evaluation, and Scholarship
 - Concerns of mistreatment will be compiled and reported to the ELERT during:
 - Annual Course/Clerkship review process
 - Interim, semi-annual Clerkship report
 - The ELERT will review these reports and follow established review procedures detailed in this document

Review Procedures

- The ELERT will review all reports routed from the VCU Division of Student Affairs within three (3) business days
 - The ELERT will complete an initial review of the concern and determine if the concern meets the criteria of mistreatment
 - If the report does not meet the definition of mistreatment, but involves potential violations of the code of conduct or policies, the concern will be

referred by the ELERT to the appropriate office for review within five (5) business days.

- In instances where a report was not submitted anonymously, the ELERT will communicate with the reporting individual to inform them of the decision regarding mistreatment. Communications with the reporting individual will include notification that there will be no further review of the concern, or that the concern has been referred to appropriate office as deemed by the ELERT to further review the report, and appropriate support will be offered.
- If the report does meet the definition of mistreatment, the report will be assigned to a member of the ELERT who will:
 - Identify the appropriate individual(s)/office(s) to address the reported concern based on the specific details of the violation
 - These may include, but are not limited to:
 - Department and/or Division Chair(s)
 - Faculty Affairs Office
 - Graduate Medical Education Office
 - Program Director(s)
 - Employee Relations
 - VCU/VCU Health Human Resources
 - Dean of the VCU SOM
 - Notify the individual(s)/office(s) within five (5) business days regarding the reported item and expected timeframe for review and response
 - Provide support and collaboration with the individual(s)/office(s) reviewing the violation to ensure timely review and response
 - The identified individual(s)/office(s) are expected to provide a status update no less than every thirty (30) days regarding review and response to the concern
 - These updates will continue until which time the concern has been resolved and resolution communicated to the ELERT
 - The ELERT may escalate the concern as needed to engage senior level administrators if the individual(s)/office(s) fail to meet expected timeframes for reviewing and responding
 - Receive the response from the individual(s)/office(s) and, in instances where a report was not submitted anonymously, communicate completion of the review to the reporting individual
- The ELERT will review unresolved reports at their monthly meeting and provide a status update to the reporting individual in instances where a report was not submitted anonymously

Title IX Concerns

- Reports of mistreatment concerns related to potential Title IX violations will not be reviewed by the ELERT.
 - These reports will be forwarded to the VCU Title IX Office for review and response.



- Individuals may report Title IX concerns directly to this office by utilizing the ‘Title IX Incident Reporting Form’ found on the VCU Office of Institutional Equity, Effectiveness and Success website (<https://equity.vcu.edu/title-ix/>).

Equity and Access Concerns

- Reports of mistreatment concerns related to accessibility, equal opportunity, affirmative action, discrimination, or harassment will not be reviewed by the ELERT.
 - These reports will be forwarded to the VCU Equity and Access Office for review and response.
- Individuals may report Equity and Access concerns directly to this office by utilizing the ‘Discrimination Incident Reporting Form’ found on the VCU Office of Institutional Equity, Effectiveness and Success website (<https://equity.vcu.edu/equal-opportunity--affirmative-action/reporting/>).

Final Authority

- The Dean of the SOM will have final authority over all responses to reports of mistreatment and is responsible for reviewing all final responses to ensure timely and adequate review and response to all reports have been completed.
 - The ELERT will provide an interim report no less than every two (2) months to the Dean with a status update on all reported items that have not yet been resolved

Retaliation

- Threats, other forms of intimidation, and retaliation against a student for good faith reporting or assisting another student in reporting a mistreatment concern are strictly prohibited.
- Students who in good faith report a concern, regardless of the method used for reporting, will be free from any form of retaliation from individuals involved in the report or review of the mistreatment concern.
- Good faith reporting of concerns of mistreatment will have no impact on a Medical Student’s assessment or evaluation.
- Retaliation against individuals who in good faith report, review, or respond to mistreatment concerns may be considered mistreatment, and reports of retaliation will be reviewed by the ELERT team and assigned to the Dean of the SOM or other appropriate senior level administrator for review and response.

Ongoing Monitoring

The VCU SOM strives to create a professional, inclusive learning environment that promotes respect for all individuals. To support this goal, the learning environment—including reports of mistreatment and submissions of exemplars, and aggregate reporting for title IX and discrimination—will be subject to ongoing monitoring.

Information regarding the learning environment—including aggregate data from the ELERT tracking system, information from end of course/clerkship evaluations, institutional end of year surveys, and

AAMC national surveys—will be reviewed by each of the groups below on an annual basis at a minimum, but may be reviewed more frequently if requested by the CC or the Dean of the VCU SOM

- The ELERT
- Course/Clerkship Directors
- Curriculum Council
- VCU SOM Professionalism Committee
- Department/Division Chairs
- DIO/GMEC

Distribution and Education of Policy

To ensure all faculty, staff, members of the health care team, and students are aware of policies and procedures for reporting mistreatment, the institution will use a variety of avenues to disseminate this information. These include, but are not limited to:

Dissemination to Students

- The CC approved mistreatment policy will be posted on the VCU SOM OME policies webpage and can be accessed at: <https://medschool.vcu.edu/education/medical-education/lcme-accreditation/policies/>
- The CC approved mistreatment policy will be posted on the VCU SOM Learning Environment webpage and can be accessed at: <https://medschool.vcu.edu/education/medical-education/supporting-our-students/mistreatment/>
- Leadership from within The Office of Medical Education will attend each year-specific class orientation to present the mistreatment policy and reporting procedures and answer any student questions.
- The student homepage within the Learning Management System for VCU will include a direct link to the webpage for reporting mistreatment concerns.
- The syllabi for each required course and clerkship will include instructions on how to navigate to the CC approved mistreatment policy.
- The CC approved mistreatment policy will be included in the student handbook and become part of the annual checklist which students must attest that they have received and read each year of their continued enrollment with the SOM.

Dissemination to Faculty, Staff, and Members of the Health Care Team

- The CC approved mistreatment policy will be posted on the VCU SOM OME policies webpage and can be accessed at: <https://medschool.vcu.edu/education/medical-education/lcme-accreditation/policies/>
- The CC approved mistreatment policy will be posted on the VCU SOM Learning Environment webpage and can be accessed at: <https://medschool.vcu.edu/education/medical-education/supporting-our-students/mistreatment/>
- For residents engaged in teaching and supervising students, policies and procedures for reporting mistreatment will be included in the annual residents as teachers training.



- The Department Chairs and Course/Clerkship Directors are responsible for disseminating policies and procedures for reporting mistreatment to all individuals teaching and/or supervising medical students, as well as administrative staff working within the course or clerkship.

Related Policies

- VCU Policies for Title IX and Discrimination:
 - [Interim Title IX Sexual Harassment Policy](#)
 - [Interim Sex-Based Misconduct Policy](#)
 - [VCU Notice of Nondiscrimination, equal opportunity and affirmative action](#)
 - [Preventing and Responding to Discrimination Policy](#)
- VCU Code of Conduct [VCU Code of Conduct - Audit and Compliance Services](#)
- VCU Expectations of Ethical Conduct [VCU Policy Program \(doctract.com\)](#)
- Duty to Report and Protection from Retaliation [VCU Policy Program \(doctract.com\)](#)
- VCU Health System Code of Conduct [code-of-conduct_january-2021.ashx \(vcuhealth.org\)](#)
- VCU Threat Assessment [Threat Assessment - VCU Police](#)

Review Cycle and Revision History

The policy is reviewed and may be revised by the Curriculum Council as necessary, but at least every three years.

Initial Policy Approved: 10.19.2022

Current Revision Approved: 10.19.2022

Applicable Laws, Regulations & Standards

LCME Standards for Accreditation of Medical Education Programs Leading to the MD Degree:

- LCME Standard 3, Element 6