Student Mistreatment and Learning Environment Incident Response Procedure
UPSOM Office of the Learning Environment
Revised 8.17.21

The response to reports of incidents, including student mistreatment and other negative experiences in the learning environment, is determined by whether the incident is reported confidentially or anonymously.

Confidential reports are recommended because they are more actionable and more advantageous to students than anonymous reports. Specifically, confidential reports allow students: 1) to control how and when their reports are addressed and, 2) to learn the outcome of their report. In addition, students can be contacted to provide additional information about reported incidents, if necessary for investigation and/or intervention.

I. Confidential Reports

Description: Confidential reports are reports where the reporting individual's name and contact information, typically an e-mail address, are known to the OLE.

Route: Confidential reports are submitted either through the online PAIR (Professionalism Accolade and Incident Report) system or directly to one of the deans of the Office of the Learning Environment (OLE).

Importantly, the identity of the reporting individual will be held in strict confidence and will not be revealed without their consent, with the exception of Title IX violations (see Section III, Special Situations.)

Procedure:

1. The appropriate OLE dean promptly reviews the report and assesses student safety. If a threat to student safety appears to be present, the OLE dean will take action immediately. (See Section III, Special Situations.)

2. If the reported party is not an UPSOM educator (faculty, fellow, or resident) or staff member, the report is referred to the appropriate entity:

    a. Reports about non-UPSOM educators – Department/program leadership
    b. Reports about non-UPSOM (e.g., UPMC or VA) staff - Human Relations
    c. Reports about patients – UPMC department
    d. Reports about medical students – Office of Student Affairs

e. Reports about graduate students – Program Director or Dean for Graduate Studies

3. The OLE dean queries the mistreatment database for previous reports related to the reported individual to determine recurrence.

4. An OLE dean meets with the reporting individual to discuss the incident, if they request a meeting or if additional information is needed.

5. If the reporting individual's preference for action is not known, an OLE dean communicates with them to review possible courses of action. With exception of Title IX violations (see Section III, Special Situations), the OLE dean complies with the individual's preferred course of action, including whether to protect or reveal their identity and the timing of action(s) taken (e.g., waiting until after their grade has been submitted).

   Available courses of action include one or more of the following:

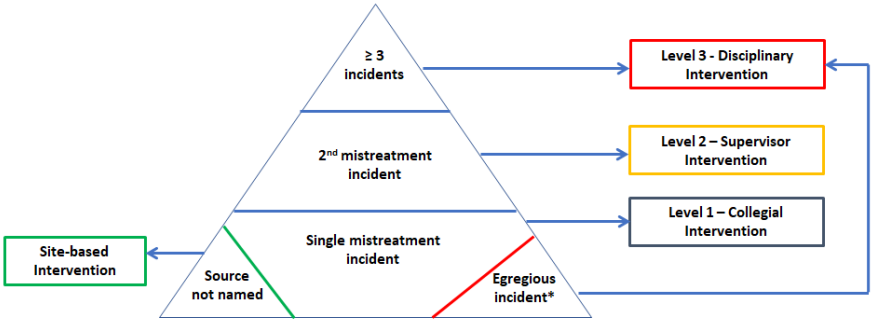
   a. Close monitoring of subsequent evaluations of the reported individual (conducted for all reports)
   b. Investigative actions, such as:
      i. meeting with the reported individual to obtain their perspective of the situation
      ii. reviewing prior evaluations for the reported individual
      iii. speaking with witnesses to the incident
   c. Interventions to remediate the reported individual (e.g., education by a designated colleague about the error, its potential negative impact, and expected standards of professional behavior)
   d. Interventions to protect the reporting individual (e.g., change student's classroom, clinical site, or lab assignment)

6. If the reporting individual desires actions other than monitoring and grants permission, the OLE dean communicates with the appropriate director (e.g., course/clerkship/research program director.) Based on the UPSOM mistreatment graded response pyramid (below), they jointly decide how to implement the course of action, including investigation and/or intervention. If it is decided that the director will take action, the outcome is reported to the OLE dean.

UPSOM Mistreatment Response Pyramid

Response depends on:

- the severity of the mistreatment
- whether the source of mistreatment is named
- whether the mistreatment is recurrent



Adapted from Hickson GB, et al. Academic Medicine, 2007 and the Stanford Medical Student Mistreatment Program, 2014
Approved by the UPSOM Faculty ELEAP (Enhancing the Learning Environment At PittMed) Committee, April 2019

*Egregious: willful or reckless disregard of policies, procedures, or law; malicious intent; causing major harm (or potential harm) to individuals, groups or organization (from Mayo Clinic, 2020)

7. When the report involves an egregious* incident or a pattern of mistreatment, or if the reported individual is not receptive to the collegial intervention, the OLE dean involves the reported individual's supervisor. (For faculty concerns, the Associate Dean for the Office of Faculty Affairs is involved. For fellow or resident concerns, the UPMC DIO/GME Director is involved.)

   For educators, removal or reassignment of teaching privileges is determined based on the severity and impact of the incident and the reported individual's response to remediation.

   **Egregious is defined as willful or reckless disregard of policies, procedures, or law; malicious intent; causing major harm (or potential harm) to individuals, groups or organization (from Mayo Clinic, 2020)*

8. After the planned actions have been completed, the OLE dean closes the loop by informing the reporting individual of the incident resolution.

II. Anonymous reports:

Description: Anonymous reports are reports where the OLE does not know the identity of the person submitting the report.

Route: Anonymous reports are submitted through the online PAIR (Professionalism Accolade and Incident Report) system or through formal UPSOM anonymous evaluations and surveys.

Filing a report anonymously has the following limitations: 1) students have limited control over how their report is addressed and 2) they cannot learn the outcome of their report. In addition, the OLE deans cannot contact the reporting student to obtain additional information, if needed. Insufficient detail about an incident limits the actions which can be taken.

Sufficient incident detail provided

An OLE dean follows the same steps as outlined for confidential reports, without the benefit of incorporating the reporting individual's preferences for action unless this information is included in the report. For reports involving a current course, clerkship, or lab assignment, in which taking action could inadvertently result in retaliation against the reporting individual, the OLE dean waits until the course/clerkship/lab rotation is completed and grades have been submitted.

Insufficient detail provided

Anonymous reports with insufficient detail, including omission of the reported individual's name, may not be actionable. (Students are frequently reminded that confidential reports are strongly encouraged so that they can maintain control of their report and direct which action(s) should be taken.)

In these cases, the OLE dean monitors the evaluations of the site (e.g., course, clerkship, or lab) and takes action, if indicated based on aggregate reports. Such action typically consists of group educator training in collaboration with the site leadership.

If additional information about the learning environment in a particular site is needed, an anonymous climate survey of students, faculty and/or staff in the site can be conducted.

III. Special Situations

Threats to Student Safety

If the OLE dean perceives a credible threat to student safety, action will be taken to protect the student. These actions may include contacting the student, campus or city of Pittsburgh safety officials, or the Dean of Students.

Title IX Violations

Per federal statute, all University faculty and staff (with the exception of those serving in pastoral or counseling capacities) are "responsible employees" and are therefore mandated to refer all reports of sexual misconduct, including sexual harassment, or gender discrimination to the University of Pittsburgh to the Associate Vice Chancellor for Civil Rights and Title IX, Office of Equity, Diversity and inclusion.

Upon receipt, staff in the Office of EDI will contact the reporting individual by email to offer supportive services, no contact orders, and the option of participating in an investigation. The reporting individual is under no obligation to reply to this email or to accept any or all of these possible actions.

Of note, the reporting individual will not be named or required to participate in an investigation of the incident without their full consent.

IV. Monitoring and Reporting

All reports, investigations, interventions, and outcomes are recorded in a secure, centralized OLE database.

De-identified summaries of the OLE database are reported regularly to UPSOM leadership and the student body.