



**THE GEORGE
WASHINGTON
UNIVERSITY**
WASHINGTON, DC

Responsible University Official:
Director, Office of Professional and
Respectful Learning

Responsible Office: Office of
Professional and Respectful Learning

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MISTREATMENT POLICY AND PROCEDURES

Policy Statement

Policy's Principles

The George Washington University School of Medicine and Health Sciences (“SMHS”) is committed to maintaining a positive environment for study and training, in which individuals are judged solely on relevant factors such as skill and performance and can pursue their educational and professional activities in an atmosphere that is inclusive, respectful, and safe. The [Educators’ Code of Conduct in the Learning Environment](#) establishes the expectations of faculty, residents, students, other health professionals, and staff in the learning environment.

Reason for Policy/Purpose

Policy's Objectives

This Mistreatment Policy and related procedures (“Policy”) are intended to inform members of the SMHS community about what constitutes learner mistreatment and what members can do should they encounter or observe it. In addition, the Policy is intended to: (i) prohibit learner mistreatment by any employee of the George Washington University (“the University”), or GW Medical Faculty Associates Inc. (“MFA”), including but not limited to faculty members (pre-clinical and clinical), clerkship directors, attending physicians, fellows, residents, nurses and other staff, and classmates in the SMHS community; (ii) encourage identification of learner mistreatment before it becomes severe or pervasive; (iii) identify accessible persons to whom learner mistreatment may be reported; (iv) require persons (whether faculty, staff, or student) in supervisory or evaluative roles to report learner mistreatment complaints to appropriate officials; (v) prohibit retaliation against persons who report learner mistreatment; (vi) provide confidentiality to the extent consistent with the need to resolve the matter appropriately in compliance with the law and other university policies; (vii) assure that allegations will be promptly, thoroughly, and impartially addressed; and (viii) provide for appropriate corrective action.

The ultimate goal is to prevent learner mistreatment through education and the continuing development of a sense of community. If learner mistreatment occurs, SMHS will respond firmly and fairly. As befits an academic community, SMHS’s approach is to consider problems within an informal framework when appropriate but to make formal procedures available for use when necessary.

What Constitutes Learner Mistreatment

Learner mistreatment is behavior that shows disrespect for the dignity of learners and unreasonably interferes with their respective learning process. Such behavior may be verbal (e.g., swearing, humiliation), emotional (e.g., intentional neglect, a hostile/harassing environment), and/or physical (e.g., threats, physical harm).

Examples of learner mistreatment include but are not limited to:

- Verbal attacks;
- Insults or unjustifiably harsh language in speaking to or about a person;
- Public belittling or humiliation;
- Physical attacks (e.g., hitting, slapping, or kicking a person);
- Requiring performance of personal services (e.g., shopping, babysitting);
- Intentional neglect or lack of communication (e.g., neglect in a rotation of students with interests in a different field of medicine);
- Disregard for learner safety;
- Denigrating comments about a learner's field of choice;
- Assigning tasks for punishment rather than for objective evaluation of performance;
- Exclusion of a learner from any usual and reasonable expected educational opportunity for any reason other than as a reasonable response to that learner's performance or merit;
- Other behaviors that are contrary to the spirit of learning and/or violate the trust between the teacher and learner.

Violation of this Policy may lead to disciplinary action, up to and including, expulsion or termination. Disciplinary action may be impacted by other relevant student conduct and/or employment policies or procedures of the entities or individuals covered by this Policy.

The Director of the Office of Professional and Respectful Learning (OPRL) will determine in the first instance whether or not a report of learner mistreatment falls within the parameters of this Policy for investigation. The Director of OPRL will also decide whether certain learner mistreatment behaviors should also be referred to other University offices for investigation including but not limited to claims of sexual harassment, discrimination, resident misconduct, or student honor and professionalism.

The Office of Professional and Respectful Learning (OPRL)

The mission of the Office of Professional and Respectful Learning (OPRL) is to foster a positive environment for study and training that allows individuals to pursue their educational and professional activities in a respectful, inclusive, and safe atmosphere. OPRL accomplishes this goal by recognizing those who create safe and respectful environments, developing educational initiatives for personal development and managing reports of learner mistreatment filed pursuant to this Policy.

All current members of the SMHS community are included in the scope of the OPRL including medical students, residents, fellows, post-doctoral students, Health Sciences students, as well as all faculty and staff. Any report of mistreatment that is experienced by or witnessed by a learner is within the scope of the OPRL. Reports of mistreatment by faculty or staff that are not witnessed or experienced by learners are outside of the scope of the OPRL. If a learner reports mistreatment from a source that is not a GW faculty member, resident, student, or staff, the OPRL will engage appropriate leadership to ensure that the concerns are addressed appropriately. The OPRL is a place where mistreatment at any location can be reported. The Director of the OPRL will refer reports pertaining to individuals who are not employees of GW or the MFA to the appropriate entities with the consent of the reporting party.

Reporting Mistreatment

If a member of the SMHS community believes that they have been subjected to learner mistreatment, witnessed learner mistreatment, or learned about suspected or alleged learner mistreatment, they should report this learner mistreatment to OPRL. Anonymous reports may be made to OPRL, however, the university's ability to respond or address the concerns will depend on the amount of information available in the report. If mistreatment is reported confidentially, the OPRL will only share the reporter's identity when necessary or as required by other University Policies. The OPRL will reach out to the person reporting, when able, to confirm receipt of the report and to provide with follow-up after the report is investigated. If the reporter is not a current member of the SMHS community they will not receive follow-up after the report is investigated. Mistreatment may also be reported to any of the SMHS ombudspersons or any faculty member. There are several student and resident members on the Committee on the Learning Environment. These student members are another option for students wishing to report mistreatment. All reports made to the ombudspersons or the student members of the CLE will be passed along to the OPRL.

Investigation of Alleged Mistreatment

Reports of alleged learner mistreatment will be investigated in a consistent manner by the Director of the OPRL or their designee as outlined in the procedures developed by the OPRL. After investigation, substantiated events of learner mistreatment are classified by the Director of the OPRL using the Mistreatment Response Pyramid as Level I, II or III events.

- Level I: Isolated incident, not severe or egregious
- Level II: Repeated incidents, or single more severe incident
- Level III: Egregious or repeated incidents despite intervention

Level I findings will typically trigger a non-disciplinary intervention, such as professional development, providing feedback, or communication strategy discussions. Level II and Level III findings will typically trigger either a performance improvement plan or formal disciplinary action. If they are a current member of the SMHS community, the person who reported mistreatment will be notified that the case has been investigated and if there was determined to be mistreatment or not.

Committee on the Learning Environment (CLE)

The Committee on the Learning Environment (CLE) is an advisory committee to the OPRL. The Committee will review learner mistreatment aggregate data to identify trends and areas of concern. The Committee will also provide advice to the OPRL Director, when needed, about escalating reports to a Level II or III finding of learner mistreatment. The Committee will issue written recommendations for a performance improvement plan or disciplinary action for Level II and Level III reports. These recommendations will be communicated to the person who committed the mistreatment and their supervisor. Finally, the Committee will be responsible for the development of community-wide strategies to enhance the learning environment. All members of the committee are expected to maintain the privacy of the cases discussed at the meetings of the CLE.

Recommendations for Disciplinary Action

While the OPRL and/or the CLE may provide the disciplinary or supervisory authority with recommendations for Level II or Level III intervention, neither will not independently take disciplinary actions. If disciplinary action is recommended by the OPRL and/or the CLE, the appropriate supervisor (Dean, Department Chair, Director) is responsible for implementing these recommendations in accordance with appropriate policies and procedures. The decisions made by the CLE as to the classification of mistreatment are final.

Prevention and Dissemination of Information

SMHS is committed to preventing and remedying mistreatment of learners. To that end, this Policy will be disseminated among the SMHS community. In addition, SMHS will periodically sponsor programs to inform students, residents, fellows, faculty, administrators, nursing and other staff about learner mistreatment and its resulting problems; advise members of the SMHS community of their rights and responsibilities under this Policy; and train personnel in the administration of this Policy.

Consensual Relationships

Amorous or sexual relationships that are welcomed by both parties are not addressed by this Policy. Whether a relationship is in fact welcomed will be determined according to the facts and circumstances; special risks are involved when one party—whether a faculty member, staff member, or student—is in a position to evaluate or exercise authority over the other. Members of the SMHS community are cautioned that consensual relationships can in some circumstances entail abuse of authority, conflict of interest, or result in other adverse consequences. Moreover, certain consensual relationships may violate University policies, including, but not limited to the University’s Prohibited Relationships with Students Policy and Nepotism and Personal Relationships in Employment Policy.

Retaliation

Retaliation against a person who reports or provides information in a learner mistreatment investigation or proceeding is prohibited. Alleged retaliation may be subject to investigation and may result in disciplinary action.

False Reports

A person who knowingly makes false allegations of mistreatment or who knowingly provides false information in a mistreatment investigation or proceeding may be subject to disciplinary action.

Sexual Harassment

SMHS adheres to the University’s Title IX Sexual Harassment and Related Conduct Policy. The Director of the OPRL and all SMHS faculty are designated reporters under this Policy and must comply with the reporting obligations outlined in the Policy.

<https://compliance.gwu.edu/title-ix-sexual-harassment-and-related-conduct-policy>

Other Relevant Policies/Resources

- *The Equal Employment Opportunity and Access Office (EEOA)*: The EEOA provides consultative services and reporting mechanisms to assist in situations that involve allegations of unfair treatment, discrimination, and affirmative action as well as disability and religious accommodations.
- *The GW University Non-Retaliation Policy*: <https://compliance.gwu.edu/non-retaliation-policy>
- *The GW Resiliency & Well-Being Center*: <https://rwc.smhs.gwu.edu/>. The R&W Center provides whole-person care and education at all levels and offers individual resources for employees and trainees such as group workshops, one-on-one coaching and counseling, and other resources.

Who Needs to Know This Policy

Faculty, staff, Students, Residents/Fellows, and other members of the SMHS community

Who Approved This Policy

Executive Committee of the SMHS Faculty Assembly, 9/26/2023