Mistreatment versus a Sub-optimal Learning Environment – WORKING DRAFT

Background & Objectives
The University of Colorado School of Medicine has a responsibility to provide an environment conducive to effective learning and compassionate, high quality patient care, by creating an atmosphere of mutual respect and collegiality among faculty, residents, fellows, students and staff. All healthcare providers and learners will be expected to maintain a high standard of professionalism as outlined in the Teacher-Learner Agreement and the Faculty Professionalism Code of Conduct.

The School of Medicine is committed to creating a learning, research and clinical care environment that is supportive, that promotes learner well-being and that is free from ridicule, exploitation, intimidation, sexual or other forms of harassment and threats of physical harm. To that end, the University of Colorado School of Medicine will not tolerate the mistreatment of students, nor will it tolerate retaliation against any learner because he or she has reported, in good faith, a violation of the school’s professionalism standards. The School of Medicine shall also: 1) provide mechanisms and procedures by which learners may safely report mistreatment against them or others; 2) provide information to students about what will happen to their reports of mistreatment; and 3) use data from these reports to educate faculty, residents, professional staff and others about what constitutes mistreatment, with the goal of a reinforcing a culture of respect.

Definition of Mistreatment
The American Association of Medical Colleges states, “Mistreatment, either intentional or unintentional, occurs when behavior shows disrespect for the dignity of others and unreasonably interferes with the learning process. Examples of mistreatment include: sexual harassment; discrimination or harassment based on race, religion, ethnicity, sex, age, or sexual orientation; humiliation; psychological or physical punishment; and the use of grading or other forms of assessment in a punitive manner.”

Additionally, the University of Colorado School of Medicine believes that to abuse is to treat in a harmful, insulting, injurious, or offensive way, to pressure into performing personal services, to speak insultingly or harshly to or about a person, or to speak to or about a person in an intimidating or bullying manner. Harassing behavior is verbal or physical conduct that creates an intimidating or hostile work or learning environment. Comments that cause public embarrassment or humiliation are often perceived as mistreatment, even if the comments are made in an attempt to add humor or reinforce learning.

What constitutes mistreatment
Mistreatment includes but is not limited to:
• Public belittlement or humiliation;
• Physical harm or the threat of physical harm;
• Requests to perform personal services;
• Being subjected to offensive, sexist remarks, or being subjected to unwanted sexual advances (physical or verbal);
• Being denied opportunities for training or rewards, or receiving lower evaluations or grades, based solely on gender;
• Being subjected to racially or ethnically offensive remarks;
• Being denied opportunities for training or rewards, or receiving lower evaluations or grades, based solely on race or ethnicity;
• Being subjected to offensive remarks about one’s sexual orientation;
• Being denied opportunities for training or rewards, or receiving lower evaluations or grades, solely because of sexual orientation;
• Verbal or emotional harassment through neglect or creating a hostile environment;
• Inappropriate comments about a student’s appearance;
• Use of foul language;
• Retaliation or threats of retaliation against any student who, in good faith, reports mistreatment or unprofessional behavior.

Suboptimal Learning Environment
There exists a spectrum of mistreatment. While some instances of mistreatment are clear-cut and can be related to specific acts perpetrated by individuals, others may be more subtle or may consist of multiple incidents that, when considered together, create a suboptimal learning environment. This can be a series of events or circumstances that lead students to perceive that the environment is not conducive to learning, or that may deter learners from the pursuit of knowledge and optimal patient care. Although it is not mistreatment, a suboptimal work or learning environment can interfere with learning, compromise patient care, marginalize students and cause significant distress among students. Circumstances and events that signify a suboptimal learning environment should be reported with the understanding that these reports will be considered separately from reports of mistreatment and will be handled in a way that will give feedback to faculty members, residents, block directors and others in teaching leadership positions. Such reports should be reported to course or block directors or to the Assistant Deans of the Essentials or Clinical Cores, as appropriate.

What constitutes a suboptimal learning environment
A suboptimal learning environment includes but is not limited to:
• Repeated lack of courtesy toward students, which may leave students feeling ignored or disenfranchised;
• Repeated lack of courtesy or respect for patients or patient care team members;
• Lack of clear learning objectives.
- Excessive, repetitive “work without education” (the expectation that students perform an excessive number of tasks that are not related to teaching, learning or high quality patient care or that are not appropriately supervised);
- Lack of teachers (faculty or residents) or insufficient time to ensure that education takes place during rounds or clinical encounters and that students receive constructive, performance-based feedback.
- Poor communication between teacher and student;
- Significant lack of attention paid to teaching and the role of learners, such that students are only allowed to “shadow,” rather than actively participate in patient care activities.

**Mistreatment vs. SoLE vs. Neither**
Example: A chart will be created, modeled after the Pritzker document or others, providing examples of “Mistreatment” vs. “Sub-optimal Learning Environment” vs. “Neither.”