



# Appropriate Treatment of Learners

POLICY 02.01.01

Effective Date: 11/20/2017  
Date Last Revised:

The following are responsible for the accuracy of the information contained in this document

**Responsible Policy Administrator**

**Responsible Department**  
Diversity and Inclusion

**Contact** (508) 856-2179

---

## Policy Statement

---

The University of Massachusetts Medical School (“UMMS”) is committed to providing a supportive and respectful learning environment that fosters mutual trust and understanding between learners and members of the educational community. Accordingly, UMMS has developed this Appropriate Treatment of Learners (“ATL”) policy to address concerns regarding the inappropriate treatment of learners by any member of the educational community.

---

## Reason for Policy

---

This policy defines some, but not all, behaviors that may represent inappropriate treatment of learners within the learning environment. It also describes the procedure for reporting complaints of inappropriate treatment and the follow-up to such allegations. UMMS is committed to conducting investigations thoroughly, promptly and impartially.

---

## Entities Affected By This Policy

---

The ATL policy applies to all UMMS faculty, staff, residents, fellows, nurses, administrators and any other individuals who interact with Learners in educational settings.

---

## Definitions

---

DIO: Diversity and Inclusion Office.

Learner: A UMMS matriculated student, a non-matriculated student taking a course at UMMS, or a visiting student from another institution for educational purposes. It also includes residents, fellows, and post-docs.

**Educational Community:** Any individual interacting with Learners in a learning environment.

**Inappropriate Treatment:** Inappropriate treatment of Learners occurs when behavior by a member of the Educational Community shows disrespect for the dignity of Learners such that it may interfere with their learning process. Examples of such inappropriate behaviors include, but are not limited, to the following:

- Humiliation of Learners
- Verbal attacks towards Learners
- Inappropriate anger or harsh language when addressing a Learner
- Lack of proper and timely communication with a Learner
- Requiring a Learner to perform tasks that belittle them
- Requiring a Learner to perform personal services, e.g. babysitting, errands, shopping, etc.
- Insulting conduct to a Learner
- Disregard for Learner safety

---

## **Related Documents**

---

02.01.07	Sexual Harassment Policy and Procedure
02.01.09	Title IX Incident Policy
02.01.10	Discrimination Complaint Policy and Procedures Civility Statement

---

## **Scope**

---

This policy applies to all UMMS Learners and those within the Educational Community.

Other UMMS policies govern the reporting and investigations of other types of complaints and incidents beyond “inappropriate treatment in an educational setting”, including but not limited to:

- Title IX Incident Policy, 02.01.09 (sexual harassment and sexual violence)
- Violence and Hostility in the Workplace, Volume II, policy number 01.01.07
- Discrimination Complaint Policy and Procedure, Volume II, policy number 02.01.10.
- 02.01.07 Sexual Harassment Policy and Procedure

---

## **Responsibilities**

---

If a Learner wishes to try to informally resolve an ATL complaint, they should consult with the appropriate office of student affairs.

If a Learner is not satisfied with such informal resolution or if they wish to immediately file a formal ATL Complaint, it shall be handled and investigated by the DIO.

Any member of the Educational Community who becomes aware of potentially Inappropriate Treatment of a Learner should bring the matter to the DIO for investigation.

The DIO investigates formal complaints of Inappropriate Treatment of Learners, and provides the results of such investigation and potential recommended remediation to the appropriate dean or program director, as applicable (and as defined herein). Any Appeals of decisions by the appropriate dean or program director, as applicable, shall be filed and decided by the UMMS Provost.

Concerns regarding Inappropriate Treatment of Learners should be brought to the appropriate office of student affairs and/or DIO as soon as possible following the alleged conduct. This will allow the office of student affairs and/or DIO to conduct an investigation as close as possible to the alleged conduct.

When concerns regarding alleged Inappropriate Treatment are reported to either the appropriate office of student affairs and/or DIO, it should be considered whether the alleged conduct may need to be investigated under other UMMS policies listed above.

The DIO is responsible for the ongoing oversight and periodic review of this policy in consultation with the Office of Management.

---

## **Procedures**

---

Learners who believe they have been subjected to Inappropriate Treatment by a member of the Educational Community may first seek informal resolution by discussing the matter with the appropriate office of student affairs, which shall attempt to informally resolve the matter.

If informal resolution is not desired, or if the Learner is not satisfied with the attempt at informal resolution, the Learner may choose to file a formal complaint with the DIO. To do so, the Learner must submit a written and signed complaint with the DIO. If the complaint is provided orally to the DIO, it shall be reduced to writing by the DIO and then signed by the Learner.

If the report of alleged Inappropriate Treatment is made by a member of the Educational Community to DIO, the reporter shall submit a written and signed report with the DIO. If the report is provided orally to the DIO, it shall be reduced to writing by the DIO and then signed by the reporter.

If the Learner wishes to remain anonymous, the DIO shall advise the Learner that the DIO will review the matter and may speak with the allegedly involved parties, but that opportunities to fully remedy the alleged matter may be limited. If the alleged Inappropriate Treatment is provided by a reporter, the DIO shall discuss same with the Learner, and if the Learner either does not support the report or does not wish the matter to be investigated, it shall be closed.

Subject to the above, the DIO shall investigate the allegation(s). The investigation may include interviews of both the Learner and the accused and any other witnesses who may have relevant information. The Learner and accused (but not any witness(es)) may have an advisor/support person (who may be an attorney) present during the interview but the advisor/support person may not participate in the interview in any way.

Following the receipt of the complaint/report of Inappropriate Treatment, based on the severity of the alleged conduct, and after consultation with the appropriate dean or program director, as applicable, the DIO may recommend to the dean or program director, as applicable, that interim measures be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, modifying a course/activity schedule, removing the Learner from a clinical rotation, changing the Learner's supervisor, or issuing a "no communication" order.

The DIO will complete the investigation in no more than 30 days from receipt of the signed written complaint from the Learner or reporter, unless additional time is reasonably required. At the conclusion of the investigation, the DIO will present its findings and potential recommended remediation to the appropriate dean, or program director, as applicable. The appropriate dean in the School of Medicine is the Senior Associate Dean for Educational Affairs, while it is the Dean of the Graduate School of Nursing and the Dean of the Graduate School of Biomedical Sciences. The appropriate dean or program director, as applicable, shall consider all the information provided by the DIO and shall decide if any Inappropriate Treatment has occurred, and if so, what discipline and/or remediation, if any, shall be imposed. The appropriate dean or program director, as applicable, shall inform both the Learner and Accused, in writing, of these findings.

### **Right to Appeal**

Once written notification of the outcome of the ATL Complaint has been delivered, both the Learner and the Accused have the opportunity to appeal the outcome. If the Accused is a UMMS employee who has appeal/grievance rights under another UMMS Policy, that other UMMS Policy shall apply and not this Section. In all other situations, an appeal must be submitted in writing to the UMMS Provost within ten (10) calendar days of delivery of the outcome. The appeal must set forth, with as much specificity and detail as possible, the grounds upon which the appeal is based. By way of example, the appellee may allege an incomplete or non-thorough investigation and/or that the dean or program director's decision, as applicable, was not supported by the weight of the evidence. The Provost will be provided the investigation report, any supporting materials, and the dean or program director's decision, as applicable. Neither the Learner nor the Accused are

entitled to a hearing in connection with the appeal, but the Provost, in his/her discretion, may request written submissions from either Party. Both Parties shall be informed in writing of the outcome of any appeal within fourteen (14) days of the date by which all requested information is received by the Provost, unless the school determines that additional time is required.

The Provost's decision is final.

**Prohibition Against Retaliation**

There will be no retaliation against individuals filing an ATL complaint and those who cooperate with an investigation.

---

**Approvals**

---



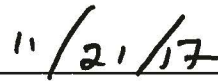
Vice Chancellor, Diversity & Inclusion



Date



Provost



Date

---

## **Forms / Instructions**

---

In support of this policy, the following forms are included:

<b>Name</b>	<b>Number</b>
-------------	---------------

---

## **Appendices**

---

In support of this policy, the following appendices are included:

<b>Name</b>	<b>Number</b>
-------------	---------------