

Subject: Learning Environment	Page 1 of 4	Policy # Version: 1.0
Title: Safe and Healthy Learning Environment	Revision of: New policy	Effective Date / Last Revised Date: 08/01/2013, 01/22/2021, 04/05/2022, 06/14/2024 revised
		Removal Date:

Introduction

Because McGaw oversees the training of individuals who are entrusted with the lives and well-being of others, we have unique responsibilities to assure that residents and fellows (collectively referred to as “trainees” or “learners”) learn as members of a community of scholars in an environment that is conducive to learning. McGaw encourages residents and fellows to report any conduct that interferes with or is otherwise inconsistent with such an environment, as described in this policy. Additionally, the Accreditation Council for Graduate Medical Education (ACGME) Common Program Requirements state that Program Directors must have the authority to approve and / or remove faculty members from participation in the residency or fellowship program education at all training sites. These Common Program Requirements further state that the Program Director has the responsibility to ensure that all who educate residents effectively role model the ACGME’s Core Competencies. Working with residents and fellows is a privilege that is earned through effective teaching and professional role modeling. This privilege may be removed by the Program Director or others at McGaw when the standards of the clinical learning environment described in this policy are not met.

Responsibilities

The teacher-learner relationship confers rights and responsibilities upon both parties. By setting forth these responsibilities, McGaw hopes to foster mutual respect, minimize the likelihood of learner mistreatment, and optimize the educational experience.

1. Responsibilities of Teachers
 - Treat learners, patients, patient’s families, and other members of the health care team fairly, professionally, respectfully, and without bias related to their race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, or any other classification protected by law or University policy.
 - Distinguish between the Socratic method, where insightful questions are a stimulus to learning and discovery, and overly aggressive questioning, where detailed queries are repeatedly presented with the endpoint of belittlement or humiliation of the learner.
 - Give learners timely, constructive, and accurate feedback and opportunities for remediation.
 - Provide written evaluations on time.
 - Be prepared and on time for all activities.
 - Consistently act as a role model for learners, demonstrating professional behaviors and interactions at all times.
 - Provide learners with current material and information and appropriate educational activities.

2. Responsibilities of Learners
 - Do not discriminate against or harass others or otherwise treat them differently based on their race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental

status, marital status, age, disability, citizenship status, veteran status, genetic information, or any other classification protected by law or University policy.

- Be prepared and on time for all activities.
 - A trainee should act in accordance with the policies and procedures as outlined on the McGaw website.
 - Be aware of the medical condition and current therapy of patients.
 - Put patients' welfare first.
 - Know limitations and ask for help when needed.
 - Maintain patient confidentiality
 - Comply with all hospital / clinical site policies and guidelines.
 - View feedback as an opportunity to improve knowledge and performance skills.
3. Responsibility of Program Directors
- Administer a learning environment that is consistent with this policy and the ACGME Common Program requirements.
 - Obtain feedback regarding individual teachers which may emanate from a variety of sources including both formal written evaluations and informal feedback from learners, other teachers, and / or staff
 - Use feedback regarding individual teachers to assign, modify, or remove teachers from supervisory roles in the educational program or take other action consistent with this policy

Examples of Inappropriate Behaviors

Examples of inappropriate behaviors which compromise the integrity of the educational environment include, but are not limited to:

- Unwanted physical contact (such as touching, hitting, slapping, kicking, pushing) or the threat of the same;
- Sexual harassment and other forms of sexual misconduct
- Discrimination or harassment based on race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, or any other classification protected by law or applicable policy
- The use of excessively harsh or demeaning feedback from the teacher;
- Preferentially focusing education and feedback on selected learners;
- Requiring learners to perform personal chores (e.g., running errands or babysitting);
- Verbal harassment by the teacher, including humiliation or belittlement in public or privately
- Use of grading and other forms of assessment in a punitive or self-serving manner;
- Romantic or sexual relationships between a teacher and learner over whom the teacher has oversight or supervisory responsibilities, even if those responsibilities are intermittent or limited
- Violation of a clinical sites' policies or procedures

The list above identifies some specific type of conduct that are inconsistent with this policy. It is not intended to be exhaustive. Other behaviors may also be inconstant with this policy. If the trainee is

unsure, the trainee should consult with the Program Director or other appropriate officials as detailed below

Reporting and Initial Evaluation

Concerns regarding behaviors inconsistent with this policy may arise from a variety of sources, including but not limited to individual trainee reports or complaints, information obtained by or from a Program Director or other faculty members, information provided as part of the McGaw Internal Review (IR) process, anonymous feedback provided via trainee evaluations of supervising faculty or the form available on the McGaw web site, information provided by or in connection with the McGaw Housestaff Associations, information provided to the McGaw Ombudsperson, or information obtained

by or through hospital reporting systems. A report or complaint from any source should be reported in a timely fashion, typically within 30 days of the end of the clinical rotation in which the alleged conduct occurred (although reports or complaints may be made at any time).

Individuals are encouraged to communicate concerns directly to the appropriate Program Director. Alternative options for raising concerns are identified in the preceding paragraph. Concerns may also be reported directly to McGaw's Graduate Medical Education Office by calling 312.503.7975 or gme@northwestern.edu. After review of the report or complaint, the Program Director or other appropriate McGaw representative will evaluate the information that has been reported and determine what next steps are appropriate, including an assessment of whether the matter is appropriate for informal resolution. This initial review may include interim actions pending resolution of the matter, including but not limited to alteration, removal, or suspension of the teacher's supervisory / teaching responsibilities pending resolution of the concerns at issue.

If the respondent is a McGaw trainee, then McGaw may, at its option, address the report or complaint through the Conduct and Discipline of Housestaff Members policy found on the McGaw website <https://www.mcgaw.northwestern.edu/policies/index.html>

Resolution Options

Reports and complaints under this policy may be resolved by means of an informal resolution or a formal resolution by means of an investigation at McGaw's sole discretion.

If McGaw determines that a matter is eligible for informal resolution, McGaw may explore whether the matter may be resolved informally on terms that are agreed upon by McGaw and the person accused of such conduct (the "respondent").

If an informal resolution is not reached, or if McGaw determines that an informal resolution is not appropriate under the circumstances, then the DIO or designee may proceed with a formal resolution by conducting an investigation into the conduct that is the subject of the report or complaint. As part of this investigation, the respondent will be given written notice describing the alleged conduct and will be given the opportunity to respond to the allegations. To the degree possible, the identity of the reporting party or complainant will be kept confidential from the respondent. The respondent will be allowed to identify witnesses and submit information as part of the investigation. The respondent will not be allowed to interview or "cross examine" any witnesses or the complainant and will not be present during interviews with witnesses or the complainant.

At the conclusion of the investigation, the DIO or designee will complete a written report of the investigation and its findings, which will be based on a preponderance of the evidence standard. This report will include any sanctions or other corrective actions to address any conduct that is found to be in violation of this policy. Such sanctions and corrective actions may include, but are not limited to, professional/educational coaching for the respondent and suspension or removal of the teacher from teaching or supervisory responsibilities either for a specified period of time or permanently, depending on the findings and any previous findings or conduct that might be relevant. The respondent will be notified of the outcome of the investigation and of any sanctions in writing. The results of the investigation may be shared with the respondent's employer(s) and supervisor(s), including but not limited to the hospital at which the training program is based, Northwestern University, the training Program Director, and the appropriate Department Chair, at the discretion of McGaw.

Appeals

The respondent has the right to appeal the outcome of the formal resolution process if that process results in a finding that the respondent violated this policy and the imposition of sanctions against the respondent. Informal resolutions may not be appealed.

To appeal, the respondent must inform the DIO in writing within five business days of being notified of the outcome of the formal resolution process. The respondent must include the basis for the appeal. For an appeal, the President of McGaw will appoint three Feinberg School of Medicine faculty members to serve as the appeals committee to address the appeal. The appeals committee will review the appeal, the investigation report, the outcome letter, and any other information that McGaw deems relevant to the appeal. The respondent will have the opportunity to be interviewed by and make a presentation to the

appeals committee. The appeals committee may elect, at its discretion, to interview the complainant or other witnesses or other individuals with information relating to the appeal. The appeals committee will submit a written recommendation to the President of McGaw to uphold, overturn, or modify the outcome or to return the matter to the investigator for reconsideration. The President of McGaw may elect to interview the respondent, reporting party or complainant, witnesses, or others at the President's sole discretion. The President of McGaw will make a final written decision upholding, overturning, or modifying the initial outcome or returning the matter to the investigator for reconsideration or other further action. The President's determination will be shared with the respondent in writing and will be final. The President may share the final decision with the respondent's employer(s) and supervisor(s), including but not limited to the hospital at which the training program is based, Northwestern University, the training Program Director, and the appropriate Department Chair, at the discretion of McGaw.

Retaliation

McGaw prohibits retaliation against anyone for making a report or complaint under this policy (or assisting someone on doing so) or for participating in the informal or formal resolution processes described in this policy. Anyone experiencing or witnessing any conduct believed to be retaliatory should immediately report it to any of the individuals named above. McGaw will investigate complaints of retaliation. A finding of retaliation will be grounds for formal disciplinary or other corrective action, up to and including dismissal or termination for trainees and permanent removal of all teaching and supervisory responsibilities for teachers. Additionally, a finding of retaliation may, in McGaw's discretion, be reported to the respondent's employer(s) and supervisors, including but not limited to the hospital at which the training program is based, Northwestern University, the training Program Director, or the appropriate Department Chair, at the discretion of McGaw.