1. PURPOSE

The purpose of this policy is to define unprofessional or abusive behaviors and sexual harassment and to define the procedures used for investigation of a complaint.

There may be situations where medical students or house staff feel they are abused or sexually harassed in the medical education setting. Because the relationship between faculty and students or house staff is hierarchical, it remains the ethical responsibility of the faculty to assure that students and house staff are professionally mentored and respectfully treated.

2. POLICY

A. IU School of Medicine’s educational mission is promoted by professionalism in faculty/resident/student/staff relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of residents that harm this atmosphere undermine professionalism and hinder fulfillment of the School’s educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power. Those who abuse their power in such a context violate their duty to the academic community.

B. Harassment on the basis of sex is a violation of federal and state law. Indiana University School of Medicine does not tolerate sexual harassment of its faculty, staff, or students. Residents who believe they are victims of sexual harassment, as well as those who believe they have observed sexual harassment, are strongly urged to report such incidents promptly. Indiana University will investigate every sexual harassment complaint in a timely manner and, when there is a finding of sexual harassment, take corrective action to stop the harassment and prevent the misconduct from recurring. The severity of the corrective action, up to and including discharge or expulsion of the offender, will depend on the circumstances of the particular case.

C. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's training or academic achievement;
2. Submission to or rejection of such conduct by an individual is used as the basis for training or academic decisions affecting such individuals; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's training or academic performance or creating an intimidating, hostile, or offensive learning environment. (Reference 1)
D. Complaints involving faculty will be investigated in coordination with the following: the Office of Faculty Affairs and Professional Development (OFAPD), appropriate medical governing agencies or the Office of Equal Opportunity.

3. **SCOPE**

This policy applies to all Indiana University School of Medicine (IUSM) GME resident physicians.

4. **DEFINITIONS**

4.1 ACGME is the Accreditation Council for Graduate Medical Education.

4.2 A resident is an IUSM resident or fellow, or a non-IUSM resident or fellow electively rotating through IUSM and provides clinical care as part of a GME program.

5. **PROCEDURE**

A. Residents who believe they have been abused or sexually harassed should notify either their Teacher Learner Advocacy Committee, department chair, program director, or the Associate Dean of Graduate Medical Education. Individuals may also go directly to the IUPUI Office of Equal Opportunity.

B. Complaint procedures should include the following principles:

1. Investigations will be conducted promptly and thoroughly and the outcome will be reported to both parties involved.
2. The Associate Dean of Graduate Medical Education will advise and consult with either or both parties to the complaint.
3. Efforts will be made to restrict information regarding complaints to the complainant, the accused party, and those persons directly involved in processing the matter.
4. If necessary, a formal investigation of the complaint will be conducted by the Associate Dean of Graduate Medical Education or his or her designee.
5. The Office of Equal Opportunity will serve as a resource with regard to interpretation of sexual harassment guidelines.
6. If a complaint is found to be valid, corrective action, up to and including termination of the offender, will be taken through appropriate channels of the Graduate Medical Education Office. The corrective action will reflect the severity and persistence of the abuse or harassment, as well as the effectiveness of any previous remedial action.
7. The GME Office will make follow-up inquiries to ensure the abuse or harassment has not resumed and the complainant has not suffered retaliation.
8. Appeal will be open to either the complainant or the accused party.
6. **IMPLEMENTATION**

The Designated Institutional Official (DIO) for Graduate Medical Education is responsible for implementation of this policy.

7. **OVERSIGHT**

Policy authority for this document resides with the Graduate Medical Education Committee. The DIO and the Graduate Medical Education Committee are responsible for oversight. This policy will be reviewed every three years or more often if deemed necessary.

8. **REFERENCES**


   The Equal Employment Opportunity Commission document can be found at:

   [http://www.eeoc.gov/laws/types/sex.cfm](http://www.eeoc.gov/laws/types/sex.cfm)

2. **IUSM Policy on Non-Reappointment and Termination of Appointment**

   The IUSM Policy on Non-Reappointment and Termination of Appointment can be found at:

3. **IUSM Harassment Policy**

   The IUSM Policy on Harassment can be found at:

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Supersedes: 09/21/2004

Approved by GMEC: 08/28/2013

Peter Nalin, MD, Associate Dean, GME
Electronic Signature on File

Issued by: __________________________
(Signature and Title)