



**Process of Reporting Unprofessional Behavior or Mistreatment at the
University of Puerto Rico
School of Medicine**

Approved by:

Dean of Medicine on: January 9, 2015

**Committee on Administration on: January 15, 2015, with Amendments
approved on April 25, 2024**

I. Purpose

The University of Puerto Rico School of Medicine (UPR – SOM) is strongly committed to promote and require that each member of the academic community exhibits the highest standards of ethical and professional conduct. To this end, the process for reporting unprofessional behavior and mistreatment are set forth in this document.

The goal of the “*Process for Reporting Unprofessional Behaviors and Mistreatment*” is to define the steps faculty, students and residents can take to report any incident, witnessed or experienced, in which any member of the academic community incurred in unprofessional behaviors and/or mistreatment.

II. Background

The University of Puerto Rico, the Medical Sciences Campus and the School of Medicine has defined the ethical and professional behaviors expected of each member of the academic community; the different actions, including formative, remedial and disciplinary, that can be taken when members incur in violations of any of the required conducts; and the due process applicable to different situations.

Each member of the academic community is responsible for reading and understating the following documents regarding expected behaviors, applicable due processes and possible consequences:

Faculty

- “*Reglamento General de la Universidad de Puerto Rico*” approved on February 16, 2002 with amendments until December 10, 2006.
 - Article 9- Compliance with Objectives and Fundamental Duties of the University
 - Article 63- Duties and Rights of the Teaching Faculty
 - Section 63.1.4- Respect to Values
 - Article 35- Disciplinary Actions
- “*Code of Conduct for Professional Behavior at the University of Puerto Rico, School of Medicine*”, approved by the Faculty of Medicine on December 17, 2010.
- “*Deberes, Responsabilidades y Derechos del Profesor en Relación al Estudiante*”, Certification # 078 2010- 2011 Academic Senate of the Medical Science Campus, University of Puerto Rico.
- “*Deberes, Responsabilidades y Derechos del Estudiante*”, Certification #016 2011 -2012 Academic Senate of the Medical Science Campus, University of Puerto Rico.
 - Student Rights

- *“University of Puerto Rico House-staff Manual”*, School of Medicine, Graduate Medical Education.
 - Commitments and Responsibilities of Chief Residents and Faculty_

Students- MD Program

- *“Policies and Guidelines for the Academic Evaluation and Advancement of Medical Students”*, Latest revision 2023
- *“Educational Program Objectives for the M.D. Program”*,
- *“Rules_Procedures_for the Evaluation of_Non Cognitive_Academic_Factors”*.
- *“General Rules of Students the University of Puerto Rico”*,

Graduate Students

- *“General Rules of Students of the University of Puerto Rico”*

Medical Residents

- *“University of Puerto Rico House-staff Manual”*, School of Medicine, Graduate Medical Education 2022
- *“Code of Conduct for Professional Behavior at the University of Puerto Rico School of Medicine”*, approved by the Faculty of Medicine on December 17, 2010.

In addition, the University of Puerto Rico Medical Sciences Campus has defined an uncivil environment as one where intimidation and tension in the study place, and where aggressive behavior and angry demeanor predominates and limits reflective learning. The complete definition and description of intolerable behaviors are delineated in the *“Definición de Ambiente Incivil”*, Certification #024, 1999 – 00 Academic Senate of the Medical Sciences Campus.

The University of Puerto Rico Medical Sciences Campus has also implemented a policy to prevent and address violence and harassment in the academic community called the *“Política para la prevención e intervención en casos de violencia doméstica, agresión sexual y acoso”*, Certification #54, 2010- 11 Administrative Board of the Medical Sciences Campus.

The School of Medicine has an Antidiscrimination Policy which must be followed.

III. Legal Bases

The legal bases for the *“Process of Reporting Unprofessional Behaviors and*

Mistreatment” are the “*Code of Conduct for Professional Behavior at the University of Puerto Rico, School of Medicine*”, approved by the Faculty of Medicine on December 17, 2010, the “*General Rules of the University of Puerto Rico*” and the “*General Rules of Students of the University of Puerto Rico*”, with amendments until May 2024.

The “*Code of Conduct for Professional Behavior at the University of Puerto Rico, School of Medicine*”, on page 12, Section V “*Reporting Violations to the Code of Conduct for Professional Behavior*”, Item 6, states that “A reporting document for misconducts and faults to professionalism must be designed.”

The “*General Rules of Students of the University of Puerto Rico*”, in the Article 2.36 state that any student who believes their rights have been affected or violated may report the situation to a competent member of their institutional unit.

IV. Definitions

Unprofessional behaviors: behaviors that are the opposite of the expected ones defined in the above listed official institutional documents; behaviors subjected to academic or disciplinary actions as defined in the official documents and/or behaviors that contribute to an uncivil environment.

Mistreatment: According the Association of American Medical Colleges (5), mistreatment encompasses behaviors that show disrespect for the dignity of others and interfere with the learning environment such as, but not limited to, sexual harassment; discrimination or harassment based on race, religion, ethnicity, gender, or sexual orientation; humiliation; psychological or physical punishment; and the use of assessment in a punitive manner.

In addition, the Association of American Medical Colleges, in the Graduation Questionnaire (6), identifies 9 areas of mistreatment:

1. Public embarrassment
2. Public humiliation
3. Threatening with physical harm
4. Physical harm
5. Requirement to perform personal services
6. Offensive sexist remarks
7. Denial of opportunities for training or rewards based solely on gender
8. Receiving lower evaluations or grades solely because of gender
9. Unwanted sexual advances

V. Process of Reporting

The University of Puerto Rico School of Medicine has a zero tolerance to any unprofessional behavior or mistreatment. Any member of the academic community who

witnesses or is subjected to unprofessional behavior and/or mistreatment by another member of the academic community is advised to follow the steps specified to report such actions:

1. It is advised that he/she discuss the incident with the source of negative behavior, unless they feel that this confrontation may result in personal harm and/or retribution.
2. If the issue is not resolved by direct discussion or if the person is unable to confront the source of negative behavior, then it is advised that he/she notifies the appropriate supervisor (course director, program director, department chair, associate dean and/or dean of medicine) by requesting an appointment and discussing the situation and/or by providing a written report (See Attachment 1).
3. The member of the academic community who receives a report must notify any unprofessional behavior and/or mistreatment to the appropriate UPR-SOM official as defined below:

- Medical Students to the Student Ombudsperson and/or Associate Dean of Students Affairs.
- Graduate Students to the Student Ombudsperson and/or Associate Dean of Biomedical Affairs.
- Medical Residents to the Student Ombudsperson and/or Associate Dean of Graduate Medical Education.
- Faculty Members:
 - If the incident involves a Medical Student, to the Associate Dean of Students Affairs.
 - If the incident involves a Graduate Student, to the Associate Dean of Biomedical Affairs.
 - If the incident involves a Medical Resident, to the Associate Dean of Graduate Medical Education.
 - If the incident involves a faculty member from the UPR, to the Associate Dean of Faculty Affairs
 - If the incident involves a faculty member or nonclinical staff from affiliated hospitals, to the Associate Dean of Clinical Affairs
 - If the incident involves UPR non-faculty staff, to the Associate Dean of Administration

4. Every UPR – SOM official who receives an oral or written report will uphold confidentiality standards; will forward the report to the responsible official (see Attachment 2) and/or will follow the due process as stated in the official documents.

VI. No Retaliation Policy

The University of Puerto Rico School of Medicine strictly forbid discrimination or retaliation against any community member who reports, in good faith, any instances of conduct that do not comply or appear not to comply with official School of Medicine, Medical Center Campus and/or University of Puerto Rico policies and procedures. Individuals who believe they are experiencing retaliation are strongly encouraged to contact their department chair; program director; Associate Dean of Graduate Medical Education; Associate Dean of Biomedical Affairs; Associate Dean of Clinical Affairs, Associate Dean of Faculty Affairs, Associate Dean of Administrative Affairs, or Associate Dean of Student Affairs so that the situation can be addressed immediately.

VII. Intentional Filing of a False Complaint

The intentional filing of a false complaint is dishonest behavior which attempts to harm another person and is a violation of University policies. A member of the academic community who files a false complaint may be subjected to disciplinary actions and or sanctions that may include termination of employment or, in the case of a student, dismissal from the School of Medicine (*“Reglamento General de la Universidad de Puerto Rico”, Article 35, Section 35.2.16*, approved on February 16, 2002 with amendments until December 10, 2006; *“Reglamento General de Estudiantes de la Universidad de Puerto Rico”, Chapter 6, Article 6.2*, with amendments until March 2017; *“Normas y Procedimientos para la Evaluación de Profesionalismo de los Estudiantes de la Escuela de Medicina de la Universidad de Puerto Rico”*).

VIII. Anonymity vs. Confidentiality

The University of Puerto Rico School of Medicine is committed to guaranteeing confidential processing of any information regarding incidents of unprofessional behavior or mistreatment. Any member of the academic community who files a report of unprofessional behavior or mistreatment, but wishes to maintain anonymous, should be aware of the limits to the applicable due processes, based on the rights of accused individuals to know their accusers stated on university policies. In such instances, members must understand that no official charges can be made, nor a due process can be implemented.

IX. Amendments to this document

By the Committee of Administration

X. References

1. *“Definición de Ambiente Incivil”*, Certification #024, 1999 – 00 Academic Senate of the Medical Sciences Campus.
2. *“Política para la prevención e intervención en casos de violencia doméstica,*

agresión sexual y acoso”, Certification #54, 2010- 11 Administrative Board of the Medical Sciences Campus.

3. “*Code of Conduct for Professional Behavior at the University of Puerto Rico, School of Medicine*”, approved by the Faculty of Medicine on December 17, 2010, p.6.
4. “*Reglamento General de Estudiantes de la Universidad de Puerto Rico*”, with amendments until January 21, 2011., p. 19.
5. Mavis, B, Sousa, A, Lipscomb, W & Rappley, M. (2014). Learning About Medical Student Mistreatment from Responses to the Medical School Graduation Questionnaire. *Academic Medicine*, 89 (5): 705-711.
6. Association of American Medical Colleges. Medical School Graduation Questionnaire: 2012 All Schools Summary Report. <https://www.aamc.org/download/300448/data/2012gqallschoolssummaryreport.pdf>. Accessed December 5, 2014.
7. “*Reglamento General de la Universidad de Puerto Rico*”, Article 35, Section 35.2.16, approved on February 16, 2002, with amendments until December 10, 2006.
8. “*Reglamento General de Estudiantes de la Universidad de Puerto Rico*”, Chapter 6, Article 6.2, with amendments until January 21, 2011.
9. “*Normas y Procedimientos para la Evaluación de Profesionalismo de los Estudiantes de la Escuela de Medicina de la Universidad de Puerto Rico*”, April, 2008.

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Attachment 1

Report of Unprofessional Behaviors or Mistreatment



Report of Unprofessional Behaviors or Mistreatment

Page 1 of 2

1. Name of informant: _____
2. Date of submission: _____
3. Specify if you are a student, resident, faculty, nonfaculty instructor, or coordinator.
4. Name of the office and official to whom you are submitting this report: _____
5. Are you discussing the report with the official? Yes No
6. Please use the next page to describe the incident and provide the following information (if the information is not complete the report will be deemed incomplete and will not be evaluated):
 - Date and time of the incident.
 - Full name of the person/persons involved with associated titles (Example: Dr. Reynaldo Canales, a third-year resident and Dr. Maria Nova, an attending physician)
 - Location of the incident, be as specific as possible (example: third floor of the University Pediatric Hospital, General Pediatrics Ward, in front of the nurse's station)
 - If there were witnesses, please name them with their associated titles or state if there were no witnesses.
 - Describe the incident as complete as possible and in chronological order.
7. Sign both pages.
8. What level of follow-up do you prefer?
 - I solely wish to register a complaint without any further follow-up needed. **There are situations where follow-up might become necessary.**
 - I am open to being reached out to for follow-up, if needed.
 - I wish to talk about the incident with an Ombuds face-to-face.

The intentional filing of a false complaint is dishonest behavior in an attempt to harm another person and is a violation of University policies. A member of the academic community who files a false complaint may be subjected to disciplinary actions and or sanctions that may include termination of employment or, in the case of a student, dismissal from the School of Medicine (*“Reglamento General de la Universidad de Puerto Rico, Artículo 35, Sección 35.2.16, 16 de febrero de 2002, según enmendado hasta el 10 de diciembre del 2006; Reglamento General de Estudiantes de la Universidad de Puerto Rico, Capítulo 6, Artículo 6.2, Según enmendado hasta marzo 2017; Normas y Procedimientos para la Evaluación de Profesionalismo de los Estudiantes de la Escuela de Medicina de la Universidad de Puerto Rico*).

Signature:

Attachment #2

**Flow of information to activate a due process when a report is received by a UPR
– SOM official**



Flow of information to activate a due process when a report is received by a UPR- SOM official.

When an official receives an oral or written complaint that involves a member of the academic community for which such an official has no direct supervision, the complaint must be forwarded to the appropriate supervisor within the UPR – SOM.

