

**Student Complaint Resolution Process  
Office of Student Affairs  
Faculty of Medicine and Dentistry**

**1.0 Introduction and Statement of Values**

The Office of Student Affairs (OSA) serves as the primary advocate for students within the Faculty of Medicine and Dentistry (FMD). In addition to advocating for students and overseeing their general well-being, the OSA is committed to ensuring that the behavior of both faculty and students adheres to the principles of the Professional Standards for Students in the Faculty of Medicine and Dentistry (PSSFMD).

In particular, the OSA is committed to the elimination of harassment and intimidation in the educational environment, where mutual respect and the ability of students and faculty to interact in an atmosphere of trust and dignity are supported at all levels. The education environment includes anywhere a student is at in an education-related context and should be understood broadly to include all training situations, both classroom and clinical.

**2.0 Scope of Policy**

In addition to the statements of the PSSFMD, the following definitions are provided for clarity:

Harassment is considered to be unsolicited, gratuitous, unwanted or unwelcome verbal or physical conduct which is known, or reasonably ought to be known, to have the purpose or effect of

- violating an individual's dignity, respect and self worth; and/or
- instilling fear or discomfort.

Harassment may include, but is not limited to the following:

- inappropriate physical contact such as striking, pinching, kicking, bumping;
- threatened or attempted acts such as those above;
- verbal or mental abuse, such as inappropriate comments and the use of obscene language, gesture or threats;
- sexual harassment, which is unwelcome, unsolicited and inappropriate behavior or speech that is sexual or gender related in nature;
- demeaning a person by sex, gender or sexual orientation.

Intimidation, either implied or explicit, includes, but is not limited to:

- behaviors or threats which imply loss of future opportunity, worsening abuse, or compromise of education; and/or
- abuses of power through threats or coercion.

For the purposes of this policy, harassment does not include the legitimate exercise of an individual's supervisory authority in an appropriate manner. This recognition of the

appropriate use of supervisory authority is not meant to deflect attention from the intent of this policy.

### **3.0 Policy**

- 3.1 Any breach of the PSSFMD or act of harassment or intimidation by any person to any other person covered by this policy statement is unacceptable conduct and will not be tolerated.
- 3.2 The OSA will complete an investigation of all reported incidents in a prompt, objective and sensitive manner, taking all necessary and possible corrective action, and will provide support to students in accordance with the processes outlined in Section 4: Investigation Procedures.
- 3.3 Any student who is subjected to harassment or intimidation has a responsibility to inform the offender that such behavior is unwelcome. A complainant has the opportunity to seek advice from the OSA, any person in authority in the FMD, or the University of Alberta Office of Human Rights.
- 3.4 Strict confidentiality will be maintained concerning a harassment or intimidation complaint. Details are not to be discussed with any third party without prior consent from the complainant.
- 3.5 In cases where issues of public or private safety are involved, it may be necessary to waive the requirement for consent in Article 3.4 above.
- 3.6 In cases where a complainant's consent to discuss details of the complaint with third parties is withheld, further investigation may be limited to potential general actions which do not identify either the complainant or the potential respondent.
- 3.7 Malicious or unsubstantiated complaints must be distinguished from those brought forward in good faith. No person shall be penalized in any way for making a complaint or giving evidence in a harassment or intimidation investigation unless the allegation eventually proves to be malicious or without foundation.

### **4.0 Investigation Procedure**

- 4.1 An accurate, written and signed record of the incident completed by the complainant is required including the date, time, location, description of the alleged offending behavior, the response taken by the complainant to the incident, and the names of any witnesses. Upon request, the complainant's identity can be withheld pending initial investigation (see Articles 3.4-3.6 above).
- 4.2 The complainant is responsible for providing copies of the complaint to any or all of the bodies listed below:
  - the OSA
  - the Dean of the FMD
  - the Associate Dean, Equity, FMD
  - the University Office of Human Rights
- 4.3 If any of the latter three offices receive the complaint, they are responsible for informing the OSA, unless the complaint involves persons in the OSA.

- 4.4 In most cases, the OSA will lead the investigation of the complaint. This may initially take the form of informal investigation on the part of the Assistant Dean, Student Affairs. If necessary, a more formal investigation will involve a panel consisting of the Assistant Dean, Student Affairs; an appointee of the Faculty Equity and Respect Committee and two student representatives not involved in the case.
- 4.5 All investigations must consider the rights of all parties involved.
- 4.6 Investigations will be conducted in a confidential, sensitive and timely manner. They should make every attempt to be completed within six months after the complaint is made. Complaints should be made in a timely manner, no later than six months after the alleged incident.
- 4.7 If a complaint is brought against a student by an employee of an organization, the policy and investigatory processes of the complainant's employer shall take precedence over this policy.
- 4.8 If an investigation determines that the incident may be resolved by a mediator, one will be appointed who is acceptable to both the complainant and the respondent. The mediator may provide a written recommendation to all parties.
- 4.9 A person bringing a complaint may also file a complaint with the Alberta Human Right Commission (within 12 months of the most recent incident), may take civil action and/or may report incidents to the police.

## **5.0 Policy Deliverable**

- 5.1 Both the complainant and the respondent will receive written response on the conclusion of the investigation which will include findings and recommendations for action.
- 5.2 If a complaint of intimidation or harassment is supported by investigation, corrective action may include any or all of the following remedies, as recommended by the investigation panel in consultation with the Dean of the FMD or alternate:
  - mediation;
  - education;
  - counselling;
  - discipline, up to and including dismissal;
  - some other appropriate measure designed to correct the violation of the PSSFMD or harassing or intimidation behavior.
- 5.3 Where a complaint is made in good faith, documentation will not be placed in the complainant's educational file. If the investigation fails to find evidence to support the complaint, there will be no documentation placed in the respondent's file.