

Student Code of Conduct & Student Grievance

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Authorized Date: 01-04-2003

Review History:

Academic Affairs 1/30/03
 Reviewed & Approved by Admin Council Subcommittee on Policy & Personnel. Posted for faculty vetting May 31, 2006
 Revisions effective June 15, 2006
 Admin Council Subcommittee on Policy & Personnel reviewed faculty comments on June 15, 2006
 Approved by Administrative Council on June 20, 2006
 Revised Feb 7, 2007 by SON Conduct & Grievance Committee
 Revised Mar 27, 2007 by OHSU Legal Affairs
 Reviewed by SON Conduct & Grievance Committee April 2007
 Reviewed & Approved by Admin Council Subcommittee on Policy & Personnel. Posted for faculty vetting May 8, 2007
 Changes effective: May 22, 2007
 Revised October 5, 2007: Minor editorial changes and changes to hearing details
 Revised October 31, 2007 by Conduct & Grievance Committee: Corrections to committee composition per Faculty By-Laws
 Reviewed & Approved by SON Council Subcommittee on Policy & Personnel: November 2007
 Code of Conduct & Student Grievance policies merged & approved by chairperson of Grievance & Student Conduct Committee: December 2007
 December 7, 2007: Sent to SON faculty and staff for comment. Comments received and document revised. Manager of Policies, Procedures & Program Evaluation met with person expressing strong objection and resolution reached.
 February 2008: Reviewed by OHSU Office of Academic Affairs and OHSU Legal Department. Inserted OHSU Code of Conduct standards and removed duplicate school level standards
 May 2008 Reviewed by OAA and Chairperson for Conduct/Grievance Committee
 May 2008 Code of Conduct & Student Grievance policies merged & approved by chairperson of Grievance & Student Conduct Committee
 July 2011: Policy updated to reflect current practice and catalog production/approvals since May 2008

POLICY STATEMENT:

This document outlines the policy and process for two separate constructs that share processes and differ in whom typically initiates the process. These two policies and processes are the *Student Code of Conduct* and *Student Grievance*.

I. CODE OF CONDUCT:

OHSU and the School of Nursing (SON) seek excellence in instruction, research, clinical, and public services. OHSU and SON recognize and value the diversity of their members and support the right of all people to live and learn in a safe and respectful environment that promotes the free and diverse expression of ideas. These policies and procedures are designed to protect such freedoms and the fundamental rights of others.

These procedures occur under the authority of and may be subject to review and amendment by the SON Dean or the Dean’s designee. The provisions of these rules apply to all matriculated students,

non-matriculated students taking courses, and University-sponsored or recognized student organizations and activities on University owned or controlled property or any other location. In addition to these rules, students must comply with the OHSU Code of Conduct and all other applicable University policies.

All matters pertaining to Code of Conduct violations are kept confidential to the extent appropriate under the circumstances. All records/materials regarding a case will be kept in locked files in the SON in accordance with the OHSU retention schedule. Disciplinary actions will be noted in the student's academic file that is retained in the SON for one year past last date of attendance. Dismissals are recorded on the student's official transcript.

Because after graduation nursing students may be licensed to practice nursing and are required to assume responsibility for the life and welfare of other human beings, every nursing student is expected to demonstrate competence and patterns of behavior that are consistent with professional responsibilities and are deserving of the public's trust. All students are required to sign an agreement to abide by the guidelines contained in the Student Code of Conduct and Responsibility Code (the "Code") at the time of admission. A student, group of students, or student organization whose conduct is determined to be inconsistent with the standards as described in this Code is subject to disciplinary action.

Students and faculty are expected to report to the School of Nursing Conduct Officer any unethical or proscribed conduct that violates this Code. *A Statement of Violation of the Student Code of Conduct & Responsibility* for reporting unethical or proscribed conduct is available on the SON website or can be obtained from the Student Conduct Officer. Any charge should be submitted as soon as possible after the event takes place, preferably within 14 calendar days of the event. Pending decision on a complaint, a student is entitled to all of the rights and privileges of a student in good standing. The Senior Associate Dean for Academic Affairs (in consultation with the University Office of Academic and Student Affairs and the OHSU Legal Department) may suspend the student pending decision on a conduct violation when there is clear and convincing evidence that the individual's presence at the University constitutes a substantial threat to health, personal safety, or property, or is otherwise in the best interest of the SON, the University, or the student.

The Code will be applied without regard to age, ability, ethnicity, sex, race, disability, religion, political affiliation, sexual orientation, or any other basis protected by state, local, or federal law. Each case is considered individually, and informal resolution of student conduct complaints will be sought whenever possible. When Conduct issues are brought to the attention of the Student Conduct Officer, that person will investigate the matter to determine whether there are reasonable grounds to believe that the complaint is well founded. If reasonable grounds are not found, the SON Student Conduct Officer will dismiss the charges. If reasonable grounds are found or if the student accepts responsibility for the conduct, the student is informed of the matter charged, with reference to the specific section of this Code allegedly violated. The student is given the option to have the case heard and a disciplinary decision made by the SON Student Conduct Officer or to have a hearing before the full committee. Once informed of this option, the student has 7 calendar days to submit a written request for a hearing. Failure to file a timely request for a hearing shall result in the loss of this option.

If the student chooses to have the SON Student Conduct Officer hear the case, the student will be

given an opportunity to explain the behavior and will be informed of the evidence supporting the charge. In addition, the SON Student Conduct Officer may involve additional relevant individuals and review other information that is pertinent to the allegation(s). The SON Student Conduct Officer will determine, based upon a preponderance of the evidence, whether a Code violation exists. Subsequent to that determination, the student will receive written notice confirming the matter charged and the sanction, if any, as well as the right to appeal the decision

Students have the right to request access to evidence collected by the SON regarding a possible Code of Conduct violation. Examples of evidence that may be released include the written statements by witnesses or complainants related to the alleged violation, applicable OHSU & SON policies, and formal or electronic correspondence between the SON and the student. Requests for access to the evidence are directed to the SON Conduct Officer or the SON Senior Associate Dean for Academic Affairs.

Conduct prohibited by OHSU (OHSU policy 02-30-010):

1. Conviction of a felony, a class A misdemeanor or of a crime involving moral turpitude (which shall include, but not be limited to, sex or drug related crimes) while attending the University or prior thereto if the conviction was not disclosed (if the application process required disclosure) in applying to the University for admittance;
2. Obstruction or disruption of teaching, research, patient care, administration, disciplinary procedures, or other institutional activities, including the institution's public service functions or other authorized activities;
3. Obstruction or disruption interfering with freedom of movement, either pedestrian or vehicular, on institutionally-owned or controlled property;
4. Possession or use of firearms, explosives, dangerous chemicals, or other dangerous weapons or instrumentalities on institutionally-owned or controlled property, unless expressly authorized by law, Board or University policies (absence of criminal penalties is not considered express authorization);
5. Detention or physical abuse of any person or conduct that may threaten harm to or endanger any person on any institutionally-owned or controlled property;
6. Malicious damage, misuse, or theft of institutional property, or the property of any other person where such property is located on institutionally-owned or controlled property, or, regardless of location, is in the care, custody, or control of the University;
7. Refusal while on institutionally-owned or controlled property to comply with an order of the President or appropriate authorized official to leave such premises because of conduct proscribed by OHSU policies or procedures or when such conduct constitutes a risk to personal safety, property, or disruption of patient care, educational, research, outreach or other University activities on such premises;
8. Unauthorized entry to or use of institutional facilities, including buildings, offices and grounds;
9. Illegal use, possession, sale or distribution of drugs on institutionally owned or controlled property (absence of criminal penalties is not considered express authorization);
10. Inciting others to engage in any of the conduct or to perform any of the acts prohibited herein.

Inciting means that advocacy of proscribed conduct that calls on the person or persons addressed for imminent action and, coupled with a reasonable apprehension of imminent danger to the functions and purposes of the University, including the safety of persons, and the protection of its property;

11. Conduct prior to enrollment at OHSU which was not disclosed and which could have resulted in a decision not to admit the person; or
12. Misrepresentation or false statements made in an application process

Additional conduct prohibited by the SON:

1. Violating state or federal laws or regulations or SON or OHSU policies, (including the OHSU Code of Conduct),
2. Violating professional standards as described in the OHSU Code of Conduct and the SON Catalog /Student Handbook
3. Engaging in academic dishonesty, cheating, or fraud, including but not limited to: a) plagiarism, from the work of others, including work by other students or from published materials without appropriate citation, b) the buying and selling of course assignment and research papers, c) performing academic assignments (including tests and examinations) for other persons, d) unauthorized disclosure and receipt of academic information, e) allowing students to copy answers from exams or assignments, f) using disallowed materials or methods for exams or assignments, g) working with others when the assignment indicates the work is to be independent, and h) falsification of research data;
4. Knowingly producing false evidence or false statements, making charges in bad faith against any other person, or making false statements about one's own behavior related to education or professional matters;
5. Falsifying or misusing University, SON, or clinical records, permits, or documents;
6. Exhibiting behavior disruptive to the learning process or to the academic or community environment;
7. Failing to report observed unethical or proscribed behavior;
8. Taking food, medications, patient belongings or materials from clinical settings without approval or authorization;
9. Not questioning a medical order when in doubt;

Students whose behavior violates this Code are subject to one or more of the following sanctions:

1. **Restitution**: In cases involving damaged, stolen, or misappropriated property, a student may be required to reimburse by dollar amount, by transfer of property, or by the provision of services to the University or a member of the University community in accordance with the nature of the violation and in an amount not to exceed the actual expenses, damages, or losses incurred.
2. **Community Service**: A student may be required to render a designated number of hours of specified service to the University or the community.

3. **Reprimand:** A student may receive written notice that the conduct in which the student(s) engaged is inconsistent with the Code. Such notice will indicate that future violations of the Code may result in the imposition of more serious sanctions.
4. **Disciplinary Probation:** A student may be placed on probation during which there is observation and review of behavior and the student must demonstrate compliance with the student conduct regulations. A student on probation is not in "good standing" with the SON. Terms of the probation will be determined at the time the probation is imposed and may include loss of privileges, restitution, and/or required educational activities.
5. **Loss of Privileges:** A student may be denied specific privileges normally associated with student status, such as participation in recognized activities or use of University facilities or services.
6. **Negative Notation on Transcript:** A student may be subject to entry of information onto the student's OHSU academic record regarding his or her violation of the Code and subsequent sanction if it results in a dismissal from the SON.
7. **Suspension:** A student may lose the right to be a student at the University for a specific period of time. Suspended students are not eligible for the privileges and services provided to currently enrolled students, including residing in University-owned or recognized student housing, registering, attending class, or using other University services or facilities. The suspension may be specified for any length of time.

If a student is suspended, fees will be refunded in accordance with the refund schedule adopted by the University. The conditions of suspension take effect immediately after the student has been informed of the decision. If an appeal is filed, the imposition of the suspension will be stayed until the conclusion of the appeal process. However, if a pending conduct hearing or appeal may result in suspension, awarding of the academic degree sought will be postponed pending the outcome of the hearing.

Upon expiration of the period of suspension, the student may submit in writing to the Senior Associate Dean for Academic Affairs a request for permission to apply for readmission to the University. The request should include a description of the student's activities since the suspension went into effect. If the Senior Associate Dean for Academic Affairs certifies that the terms of suspension have been met, the student may apply for readmission through the regular process. Such readmission shall be contingent on the satisfaction of all general admission and registration requirements.

8. **Dismissal:** A student may be dismissed from the SON and may or may not be eligible for readmission.
9. **Degree Revocation:** A former student may have his/her degree revoked if the student is found to have engaged in academic dishonesty in courses taken leading to a degree that, if known at the time the degree was awarded, would have made the student unqualified for the degree.

CONDUCT OFFICER:

The SON Conduct Officer acts as the first point of contact for faculty and students to discuss a

possible Code of Conduct violation and works with faculty and/or students to determine if an informal resolution to the issue can be reached. If an informal resolution cannot be reached, the Conduct Officer will refer the violation to the chairperson of the Student Grievance & Conduct Committee to initiate a hearing

II. STUDENT GRIEVANCE:

Students as individuals or as a group, have the right to grieve matters that they deem to be unfair or unreasonable on the part of the SON or an individual or individuals representing the SON. The Student Grievance policy and related process provide a structure for the resolution of grievances when informal resolution is not possible or is unsatisfactory.

A student who wishes to grieve a matter is encouraged first to discuss the problem with the individual(s) involved. In the case of a grade or course related grievance, the student should first address the concern to the course instructor. If not satisfied with the response of the individual(s), or if the student is unable, for any reason, to discuss the matter with the individual(s) involved, students may address their grievance to the Program Director/Associate Dean. Students may submit a grievance for a grade only if they allege unfair or unreasonable procedures.

If a student wishes to have his/her grievance considered beyond the Program Director/Associate Dean, s/he may address the grievance to the SON Grievance and Student Conduct Committee. A formal statement of the grievance must be presented in writing to the Chair of the Grievance and Student Conduct Committee within 60 calendar days of the end of the quarter in which the matter occurred

All matters pertaining to Student Grievances are kept confidential to the extent appropriate under the circumstances. All records/materials regarding a case will be kept in locked files in the SON in accordance with the OHSU retention schedule.

III. GRIEVANCE AND STUDENT CONDUCT COMMITTEE COMPOSITION:

The whole Student Conduct & Grievance Committee is a group of 12 faculty members whose primary teaching responsibilities may be in any academic program of the SON and 11 students¹. The faculty Chairperson and Recorder are elected through the faculty by-laws election process and serve three year terms. The remaining 10 elected faculty members serve three year terms and represent the four campuses². Students are elected to serve a one year term by the Student Nurses Association on each campus and the Graduate Nursing Senate, respectively. Student election to the pool will include the following:

- Two Ashland or Klamath Falls campus undergraduate student representatives
- Two La Grande campus undergraduate student representatives
- Four Portland campus undergraduate student representatives³
- Three master or doctoral student representatives, preferably two masters and one doctoral level student.

For a Conduct or Student Grievance hearing to be valid, at least 5 faculty members and 2 students must be in attendance.

¹ Effective Fall 2008 there will be twelve students to reflect an additional student representative from the Monmouth campus

² Effective Fall 2008 the SON will have 5 campuses

³ Fall 2008 this will change to five members from the Portland or Monmouth campus

IV. CODE OF CONDUCT VIOLATION & STUDENT GRIEVANCE APPEALS:

Students may appeal decisions of the SON Conduct Officer or the Grievance & Student Conduct Committee to the SON Senior Associate Dean for Academic Affairs or his/her designee. An appeal must occur within 14 calendar days from the date of receipt of the traceable overnight mail indicating the resolution of the Code of Conduct violation resolution or the Student Grievance hearing.

The SON Senior Associate Dean for Academic Affairs or his/her designee must reply to the student within 14 calendar days. Students may appeal the final decision of the SON Senior Associate Dean for Academic Affairs to the University Provost as described in OHSU policy 02-30-050. Students may only appeal to the Provost if unfair process is alleged; extenuating circumstances surrounding the basis of the SON Code of Conduct and/or Grievance decisions will not be considered.

CONDUCT OR STUDENT GRIEVANCE HEARING PROCEDURES:

1. Whenever possible, a formal hearing will occur within 21 working days of receipt of the Code of Conduct Violation Statement or the notification that a student wants to file a Student Grievance, and attempts to informally resolve the conduct or grievance issue have been exhausted. All hearings of the Grievance and Student Conduct Committee are closed, and information presented in them and all supporting documents are confidential to the extent possible. The hearing is informal and does not follow administrative, contested case, or courtroom procedures. If the student has been properly notified and fails to appear, the Grievance and Student Conduct Committee may proceed with the hearing and disciplinary action may be taken in Code of Conduct cases. All hearings are recorded and those recordings are stored with the official conduct file and maintained according to the OHSU Records Retention Schedule.
2. During the hearing, students may be accompanied by an advisor of their choice. The advisor may be a faculty or staff member, fellow student, parent, attorney, or any person of the student's choice so long as the availability of the advisor does not hamper the timeliness of the hearing. The student must notify the Chairperson or his/her designee 3 working days in advance of the hearing if the student will be accompanied by an attorney so an OHSU attorney also can be present at the hearing. The advisor may assist the student during the hearing. However, unless otherwise allowed by the chair, the student will be expected to speak for him/herself at all times.
3. During the hearing, the student will be given the opportunity to offer information and testimony on his/her own behalf regarding the incidents that have brought forth the hearing. The student will also have the opportunity to review and respond to all information, statements, or evidence presented. In addition, if a grievance involves a complaint against any individual(s), the individual (s) being complained about will have an opportunity to be present during the hearing and make a presentation to the committee.
4. The chairperson of the Grievance and Student Conduct Committee, or designee will decide any

questions or objections to hearing procedures that are raised during the hearing.

5. Members of the Committee may ask questions of any person present during the hearing, and the chairperson will invite questions and comments from the accused student and the complainant, if present. The chairperson may also invite questions or comments from the student's advisors or others present. If the chairperson decides an essential person or piece of information is missing, the chairperson may decide to reconvene the hearing at the earliest practical time that the missing person or information will be available.
6. At any stage of the hearing, the Committee may attempt to resolve the grievance or conduct issue. If an acceptable resolution is reached, the Committee will prepare a Statement of Understanding for all parties to sign.

DEFINITIONS, RELATED REFERENCES, & NOTES (if applicable):

OHSU:

Conduct Relating to Student- Proscribed Conduct (02-30-010)

http://ozone.ohsu.edu/policy/pac/chapt_2/2-30-010.htm

Student Dismissal, Grievance And Appeal Procedure (02-30-050)

http://ozone.ohsu.edu/policy/pac/chapt_2/2-30-050.htm

Code of Conduct <http://www.ohsu.edu/cc/codeofco.pdf>

School of Nursing:

This policy supersedes the following SON policies:

- Honor Code (50-02.01)
- Student Grievance (20-04.21)

Signature Authority:

Signature

Peggy Wros, PhD, RN

Date