



OHSU POLICY MANUAL

Policy Number: 02-30-010

Policy Title: CONDUCT RELATING TO STUDENTS – PROSCRIBED CONDUCT

Effective Date: October 14, 2020

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1. Proscribed Conduct Generally

No student shall engage in conduct proscribed by an applicable school or program or by OHSU or its Board of Directors, including but not limited to the OHSU Code of Conduct. Engaging in proscribed conduct shall subject a student to sanctions ranging from oral or written reprimand to dismissal, according to written procedures administered by the student's school or program.

2. Suspension or Dismissal

- A. A sanction of suspension or dismissal shall be imposed only after a hearing on the matter conducted in accordance with school policies and procedures and advice from the OHSU Legal Department.
- B. If a school or program has reasonable grounds to believe that a student presents a serious and imminent threat to other persons or themselves, the school or program may immediately suspend the student and provide a hearing as soon as reasonably possible.

3. Specific Proscribed Conduct

Without limiting the generality of the above, the following conduct is proscribed by OHSU:

- A. 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 OHSU or prior thereto if the conviction was not disclosed (if the application process required disclosure) in applying to OHSU for admittance;
- B. 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;
- C. Obstruction or disruption interfering with freedom of movement, either pedestrian or vehicular, on institutionally-owned or controlled property;
- D. Possession or use of firearms, explosives, dangerous chemicals, or other dangerous weapons or instrumentalities on institutionally-owned or controlled property as

provided by Policy 07-90-030 (Weapons and Firearms), unless expressly authorized by law, or Board or OHSU policies (absence of criminal penalties is not considered express authorization);

- E. 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;
- F. Conduct that endangers the mental health, physical health, or safety of any applicant or OHSU member, which includes but is not limited to written, verbal, electronic, or physical conduct. Proscribed conduct also includes hazing, i.e., endangering the health or safety of an applicant or OHSU member as a precondition of admission or affiliation with OHSU or an OHSU-sponsored group, regardless of the person's willingness to participate.
- G. 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 OHSU;
- H. 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 OHSU activities on such premises;
- I. Unauthorized entry to or use of institutional facilities, including buildings, offices and grounds;
- J. Illegal use, possession, manufacture, diversion, sale, dispensation, or distribution of drugs or controlled substances, including being under the influence or impaired, on institutionally owned or controlled property (absence of criminal penalties is not considered express authorization);
- K. 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 OHSU, including the safety of persons, and the protection of its property;
- L. Conduct prior to enrollment at OHSU which was not disclosed and which could have resulted in a decision not to admit the person;
- M. Misrepresentation or false statements made in an application process; or
- N. Failure to comply with approved OHSU or school policies or procedures.

4. Reporting Proscribed Conduct

A. In accordance with the Clery Act and/or other state and federal regulations, school or program officials must report to the Department of Public Safety whenever:

- (1) A student commits one or more of the following:
 - (a) Criminal Homicide (murder, non-negligent manslaughter, or negligent manslaughter);
 - (b) Sex Offenses (rape or non-forcible sex offenses);
 - (c) Robbery;
 - (d) Aggravated Assault;
 - (e) Burglary;
 - (f) Motor Vehicle Theft; or
 - (g) Arson.
- (2) A student is either arrested or referred for disciplinary action for:
 - (a) Liquor Law Violations;
 - (b) Drug Law Violations; or
 - (c) Illegal Weapons Possession.
- (3) School officials shall report to the Department of Public Safety any proscribed conduct involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim.
- (4) School officials shall report to the Department of Public Safety any proscribed conduct that involves domestic violence, dating violence, or stalking.
- (5) School officials shall report to the Department of Public Safety and the Office of the Provost any proscribed conduct that involves hazing.

B. In making a report, school officials shall provide the following information:

- (1) Nature of proscribed conduct;
- (2) Date;
- (3) Time; and
- (4) General location of each incident.

- C. Crimes reported to mental health professionals or religious counselors are exempt from reporting obligations.

Related Regulations: Clery Act 20 U.S.C. §1092(f), and applicable regulations; ORS 350.259

Related Policies and Procedures: OHSU Code of Conduct; Policy 02-01-003, Student Drug and Alcohol Testing; Policy 07-30-010, Weapons and Firearms; Policy 07-30-020, Workplace Violence

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