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Equal Opportunity
Policy No. 03-05-030

Effective Date: March 24, 2014

1. POLICY

OHSU provides equal opportunities to all individuals without regard to race, color, religion, national origin, disability, age, marital status, sex, sexual orientation, gender, gender identity or expression, military service, or any other status protected by law. This policy applies to all employment, education, volunteer, and patient care related activities.

2. DIVERSITY DEFINITION

At OHSU, we embrace the full spectrum of diversity, including age, color, culture, disability, ethnicity, gender identity or expression, marital status, national origin, race, religion, sex, sexual orientation, and socioeconomic status. We respect and support diversity of thought, ideas and more.

To fully leverage the richness of our diversity at OHSU, we must create, maintain and promote a community of inclusion. Inclusion means we honor, respect, embrace and value the unique contributions and perspectives of all employees, patients, students, volunteers and our local and global communities. It also includes removing barriers to individual success.

Diversity and inclusion maximize our true business potential, creativity, innovation, quality patient care, educational excellence and outstanding service.

3. BUSINESS CASE FOR DIVERSITY

Diversity is essential to realize our multifaceted mission and to set the example for integrity, compassion and leadership in healthcare, education, research and community service.

Diversity is fundamental to OHSU’s ability to attract and retain top talent, achieve innovation and creativity, flourish in a competitive market, maximize the return on our investment in people, and ensure flexibility to thrive.

4. OFFICIAL EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The following statements should be used in job postings as needed:

A. All job announcements and advertisements must include: “OHSU is an equal opportunity, affirmative action institution. All qualified applicants will receive consideration for employment and will not be discriminated against on the basis of disability or protected veteran status.”

B. When space allows, the language should read: "OHSU is an equal opportunity, affirmative action institution. All qualified applicants will receive consideration for employment and will not be discriminated against on the basis of disability or protected veteran status. Applicants with disabilities can request reasonable accommodation by contacting the Affirmative Action and Equal Opportunity Department at 503-494-5148."

5. DISABILITIES

It is a policy of the State of Oregon (ORS 410.710) that all persons regardless of any disability have the right to live their lives with dignity and to participate in society and all state programs to the fullest extent possible. OHSU policy echoes this statute.

A. REFLECT A POSITIVE APPROACH TO PERSONS WITH DISABILITIES
In all correspondence and publications:

(1) Avoid the use of stereotypes and negative labels such as "victim," "afflicted," "crippled" and "handicapped" except as such terms are required by statute or federal law and/or regulation.

(2) Use positive terminology such as, "person with disabilities" instead of "disabled person," "handicapped" or other negative words except as such terms as required by statute, or federal law and/or regulation.

(3) Develop and seek input regarding positive terminology and portrayal of persons with disabilities from persons who have disabilities and their advocates.

(4) Foster corrective measures and avoid stereotypes and negative labeling in texts used by schools, newspapers, magazines, radio and television by encouraging review and analysis of these media by publishers, company owners or appropriate agencies.

B. REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES

Any employee who has a physical or mental disability that substantially limits an individual's ability to perform the job is encouraged to advise his or her supervisor, Human Resources, or OHSU's Affirmative Action and Equal Opportunity (AAEO) Department regarding the disability, the work limitations covered by the disability, and any suggested reasonable accommodations. The AAEO Department administers a reasonable accommodation request process for employees with disabilities. Volunteers may request reasonable accommodations by contacting Volunteer Services or the AAEO Department.

Students with disabilities who seek reasonable accommodation should contact the Office of Student Access.

Patients who seek reasonable accommodations due to a disability are encouraged to contact the Department of Patient Relations or AAEO Department.

Public event attendees with disabilities may contact the event contact person or AAEO Department prior to the event to request reasonable accommodation to attend or participate in the event.

Information regarding requests for accommodation will be kept confidential, with limited exceptions recognized by law and as required to provide for accommodation. Any individual who receives a report relating to an employee's disability or a request for accommodation shall promptly notify the AAEO Department.

6. REASONABLE ACCOMMODATIONS FOR RELIGIOUS BELIEFS

Employees or students who desire reasonable accommodation for a religious belief or practice are encouraged to advise their supervisor, Academic Official, Human Resources, or the AAEO Department regarding the request. The AAEO Department administers a reasonable accommodation request process for employees and students who desire religious accommodation.

Patients who seek reasonable accommodation due to a religious belief or practice are encouraged to contact the Department of Patient Relations or the AAEO Department.

Volunteers who seek reasonable accommodation due to a religious belief or practice are encouraged to contact Volunteer Services or the AAEO Department.

7. REPORTING DISCRIMINATION

OHSU encourages individuals who believe they have been discriminated against in violation of this policy to come forward promptly. Such discrimination may include prohibited harassment, retaliation, sexual harassment, sexual misconduct or sexual violence. At times, concerns regarding discrimination can most often be resolved directly with
the person engaging in discriminatory behavior. When such resolution is not possible or reasonable, concerns regarding discrimination may be brought to:

A. The supervisor or department head most directly concerned; or

B. Any academic or administrative official of OHSU including but not limited to the President, a Vice President, Chief Diversity Officer, Legal Counsel, the Provost or a Vice Provost, a Dean, a Chair, a Director, a Manager, or a Supervisor; or

C. The Affirmative Action and Equal Opportunity (AAEO) Department; or

D. The Title IX Coordinator, the AAEO Director; or

E. Human Resources; or

F. The Office of Academic Affairs; or

G. The Integrity Office; or

H. The Department of Patient Relations; or

I. The Department of Public Safety.

Any person who receives a report of discrimination shall promptly notify the AAEO Department or Human Resources of the complaint. The AAEO Department has primary responsibility for investigating and resolving reports of discrimination lodged by students, patients, applicants for educational programs, volunteers and others. The AAEO Department and Human Resources have primary responsibility for investigating and resolving complaints lodged by employees and employment applicants.

8. OPTIONS FOR RESOLUTION

Individuals who report discrimination will be advised of their options for resolution of the complaint. Depending on the nature of the complaint, these options include:

A. Informal resolution of the complaint, pursuant to the University's Equal Opportunity Complaint Procedure of Policy No. 03-05-050.

B. Formal investigation of the complaint, pursuant to the University's Equal Opportunity Complaint Procedure of Policy No. 03-05-050.

9. CONFIDENTIALITY

To the extent possible, OHSU treats as confidential all information received in connection with reports of discrimination. It may become necessary, however, to disclose particulars in the course of the investigation. All individuals who participate in an investigation have an obligation to maintain confidentiality of the matters discussed.

10. NON-RETLATION

Retaliation against an individual for reporting discrimination or for participating in an investigation is strictly prohibited. Any act of reprisal violates this policy and will result in appropriate disciplinary action.
11. COOPERATION AND TRUTHFULNESS

Individuals who are asked to participate in an investigation are required to fully cooperate and to provide truthful information and responses to questions and inquiries.

12. FALSE COMPLAINTS

It is a violation of this policy for anyone to make an intentionally false accusation of discrimination. Any employee or student who is found to have made an intentionally false accusation of discrimination will be subject to disciplinary action.

13. CORRECTIVE ACTION

Where discrimination is found, steps will be taken to ensure that the discrimination is stopped immediately. Appropriate corrective measures may range from counseling, verbal or written reprimands, suspensions, or other action, up to and including dismissal, in accordance with established OHSU policies and procedures and applicable laws and regulations.

Related Regulations:

- ORS 182.109
- ORS 410.710

Related Policies and Procedures:

- Policy No. 03-05-032, Harassment
- Policy No. 03-05-035, Sexual Harassment
- Policy No. 03-05-050, Equal Opportunity Complaint Procedure
- Policy No. 02-01-002, Equal Access for Students with Disabilities
- Policy No. 08-01-005, Access for Members of the Public to Programs, Services & Activities
- Policy No. 08-01-006, Physical Access Committee

Related Forms:

- Public Event Disability Access Accommodation Request Form
- Public Event Disability Accommodation Request Procedure
- 'Person First' Document

Revision History:

- June 24, 1997; March 15, 1999; October 9, 2001; November 25, 2008; October 22, 2010; June 13, 2013; March 24, 2014

Responsible Office: Affirmative Action and Equal Opportunity Department
Harassment
Policy No. 03-05-032

Effective Date: October 22, 2010

1. Policy

Harassment on the basis of race, color, religion, national origin, gender, age, disability, marital status, veteran status, sexual orientation, gender identity or expression, participating in a Civil Rights complaint, use of the Worker's Compensation system, use of the Federal Family Medical Leave Act or the Oregon Medical Leave Act, or any other prohibited basis in law is unlawful and is strictly prohibited at OHSU. OHSU administration, faculty, staff, volunteers, and students are responsible for maintaining an environment for work, study, and the provision of services free from harassment.

2. Definition

Harassment is any verbal, visual, physical, or any other kind of conduct that is connected, in a negative way, with an individual's, or a group's, race, color, religion, national origin, gender, age, disability, marital status, veteran status, sexual orientation, participating in a Civil Rights complaint, use of the Worker's compensation system, use of the Federal Family Medical Leave Act or the Oregon Medical Leave Act, or any other prohibited basis in law when:

A. Submission to or rejection of such conduct is used either explicitly or implicitly as a basis for any decision affecting terms or conditions of an individual's employment, receipt of services, or academic activities; or

B. Such conduct has the effect of unreasonably interfering with an individual's work performance, receipt of services or academic activities, or creates an intimidating, hostile or offensive environment.

The only exception is, if in the teaching, research, or service provision context, a reference to, or consideration of, an individual's, or a group's, race, color, religion, national origin, gender, age, disability, marital status, veteran status, sexual orientation, gender identity or expression, etc. is legitimate and germane to the specific subject matter or activity.

3. Examples of Harassment

Harassment can occur between any individuals associated with OHSU, e.g., between an employee and a supervisor; between co workers; between faculty members; between a faculty, staff or student and a customer, patient, vendor, or volunteer, and contractor; or between a student and a faculty member or another student.

Examples of verbal or physical conduct prohibited by OHSU's Harassment policy include, but are not limited to a pattern of prohibited conduct that causes or results in discomfort or embarrassment including: (1) comments; (2) explicit statements, questions, jokes, or anecdotes; and/or (3) display of inappropriate materials in a location where others can see it, including using OHSU computing and telecommunications resources, when such a display or materials unreasonably interferes with a person's work, receipt of services, or academic activities.

4. Reporting Harassment

OHSU encourages individuals who believe they have experienced or witnessed harassment to come forward promptly. Harassment concerns can be resolved by the person being harassed directly with the harasser. When such resolution is not possible or appropriate, concerns regarding harassment should be brought to:

A. The supervisor or department head most directly concerned; or
B. Any academic or administrative official of OHSU including but not limited to the President, a Vice President, Chief Diversity Officer, Legal Counsel, the Provost or a Vice Provost, a Dean, a Chair, a Director, a Manager, or a Supervisor; or

C. The Affirmative Action and Equal Opportunity (AAEO) Department; or

D. Human Resources; or

E. The Integrity Office; or

F. The Office of Academic Affairs; or

G. The Department of Patient Relations; or

H. The Department of Public Safety.

Any person who receives a report of harassment shall promptly notify the AAEO Department or Human Resources of the complaint. The AAEO Department has primary responsibility for investigating and resolving reports of harassment lodged by students, patients, applicants for educational programs, volunteers and others.

The AAEO Department and Human Resources have primary responsibility for complaints lodged by employees and employment applicants.

5. Options For Resolution

Individuals who report harassment will be advised of their options for resolution of the complaint. These options include:

A. Informal resolution of the complaint pursuant to the University's Equal Opportunity Complaint Procedure of Policy No. 03-05-050; or

B. Formal investigation of the complaint pursuant to the University's Equal Opportunity Complaint Procedure of Policy No. 03-05-050.

6. Confidentiality

To the extent possible, OHSU treats as confidential all information received in connection with reports of harassment. It may become necessary, however, to disclose particulars in the course of the investigation. All individuals who participate in an investigation have an obligation to maintain confidentiality of the matters discussed.

7. Nonretaliation

No person shall retaliate against an individual for reporting harassment or for participating in an investigation.

8. Cooperation and Truthfulness

Individuals who are asked to participate in an investigation are required to fully cooperate and to provide truthful information and responses to questions and inquiries.

9. False Complaints

No person shall intentionally make a false accusation of harassment through the use of these procedures.
10. Corrective Action

Where harassment is found, measures shall be taken to stop it immediately and to implement corrective action and discipline as appropriate.

Revision History: October 14, 1999; October 9, 2001; October 22, 2010

Responsible Office: Affirmative Action and Equal Opportunity Department

Sexual Harassment
Policy No. 03-05-035

Effective Date: October 22, 2010

1. Policy

Sexual harassment is unlawful and is strictly prohibited at OHSU. OHSU administration, faculty, staff, students and volunteers are responsible for assuring that OHSU maintains an environment for work, study, and the provision of services free from sexual harassment.

2. Definition

Sexual harassment is any unwelcome sexual advance, request for sexual favor, and other behavior of a sexual nature when:

A. Submission to or rejection of such conduct is used either explicitly or implicitly as a basis for any decision affecting terms or conditions of an individual's employment, receipt of services, or academic activities; or

B. Such conduct has the effect of unreasonably interfering with an individual's work performance, receipt of services or academic activities, or creates an intimidating, hostile or offensive environment.

Sexual harassment can occur between any individuals associated with OHSU, i.e., between an employee and a supervisor; between co-workers; between faculty members; between a faculty, staff or student and a customer, patient, vendor, volunteer, and contractor; or between a student and a faculty member or another student.

3. Examples Of Sexual Harassment

Sexual harassment can encompass any sexual attention that is unwelcome. Examples of verbal or physical conduct prohibited by OHSU's Sexual Harassment Policy include, but are not limited to:

A. A pattern of conduct (not legitimately related to the subject matter of a course) that causes discomfort or embarrassment including: (1) comments of a sexual nature; (2) sexually explicit statements, questions, jokes, or anecdotes; (3) touching, patting, hugging, brushing against a person's body, or repeated or unwanted staring; (4) remarks about sexual activity, experience, or orientation; and/or (5) display of inappropriate sexual materials in a location where others can see it, including using OHSU's computing and telecommunications resources; when such conduct, comments, actions or materials unreasonably interfere with a person's work, receipt of services, or academic activities;

B. Direct propositions of a sexual nature and/or subtle pressure for sexual activity which is unwelcome and unreasonably interferes with a person's work, receipt of services, or academic activities;
C. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, receipt of services, promotion, grades, or letters of recommendation;

D. Physical sexual assault.

4. Reporting Sexual Harassment

OHSU encourages individuals who believe they have experienced or witnessed sexual harassment to come forward promptly. Sexual harassment concerns often can be resolved by the person being harassed directly with the harasser. When such resolution is not possible or appropriate, concerns regarding sexual harassment may be brought to:

A. The supervisor or department head most directly concerned; or

B. Any academic or administrative official of OHSU including but not limited to the President, a Vice President, Chief Diversity Officer, Legal Counsel, the Provost or a Vice Provost, a Dean, a Chair, a Director, a Manager, or a Supervisor; or

C. The Affirmative Action and Equal Opportunity (AAEO) Department; or

D. Human Resources; or

E. The Integrity Office; or

F. The Office of Academic Affairs; or

G. The Department of Patient Relations; or

H. The Department of Public Safety.

Any person who receives a report of sexual harassment shall promptly notify the AAEO Department or Human Resources of the complaint. The AAEO Department has primary responsibility for investigating and resolving reports of sexual harassment lodged by students, trainees, patients, applicants for educational programs, volunteers and others. The AAEO Department and Human Resources have primary responsibility for complaints lodged by employees and employment applicants.

5. Options For Resolution

Individuals who report sexual harassment will be advised of their options for resolution of the complaint. These options include:

A. Informal resolution of the complaint pursuant to the University's Equal Opportunity Complaint Procedure of Policy No. 03-05-050; or

B. Filing a complaint through the University's Equal Opportunity Complaint Procedure of Policy No. 03-05-050.

6. Confidentiality

To the extent possible, the OHSU treats as confidential all information received in connection with reports of sexual harassment. It may become necessary, however, to disclose particulars in the course of the investigation. All individuals who participate in an investigation have an obligation to maintain confidentiality of the matters discussed.
7. Nonretaliation

Retaliation against an individual for reporting sexual harassment or for participating in an investigation is strictly prohibited. Any act of reprisal violates this policy and will result in appropriate disciplinary action.

8. Cooperation and Truthfulness

Individuals who are asked to participate in an investigation are required to fully cooperate and to provide truthful information and responses to questions and inquiries.

9. False Complaints

It is a violation of this policy for anyone to make an intentionally false accusation of sexual harassment through the use of University procedures. Any employee or student who is found to have made an intentionally false accusation of sexual harassment will be subject to disciplinary action.

10. Corrective Action

Where sexual harassment is found, steps will be taken to ensure that the harassment is stopped immediately. Appropriate corrective measures may range from counseling, verbal or written reprimands, suspensions, or other action, up to and including dismissal, in accordance with established OHSU policies and procedures.

Revision History:  June 24, 1997; March 15, 1999; October 9, 2001; October 22, 2010

Responsible Office:  Affirmative Action and Equal Opportunity Department

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**Employment of Family Members**

**Policy No. 03-05-040**

**Effective Date: December 15, 2003**

The University does not unlawfully discriminate against an individual solely because another member of the individual's family works or has worked for the University. However, unless approved by the Human Resources Director and the individual's Department Chair or equivalent supervisor, no person shall be employed in a position of exercising supervisory appointment or other decision making authority over a member of the individual's family or in a position of being subject to such authority.

For purposes of this policy, "member of an individual's family" means the spouse, registered domestic partner, domestic partner, child, parent, sibling, sibling-in law, parent-in-law, aunt, uncle, niece, nephew, stepparent or stepchild of the individual.

Revision History:  January 20, 1998; July 8, 1999; December 15, 2003

Responsible Office:  Human Resources
Conflicting Consensual Relationships
Policy No. 03-05-045

Effective Date: December 15, 2003

1. Definitions

"Conflicting Consensual Relationship": A relationship of an amorous, romantic or sexual nature (including, but not limited to, a marriage relationship), in which both parties appear to have consented, and where there is a position of direct educational or workplace authority of one individual over the other.

"Person with Power": A person with educational or workplace authority over another person with whom there is a Conflicting Consensual Relationship.

"Supervisor": The person with immediate supervisory authority or the unit director with authority over the person with power.

2. Recommendation Regarding Conflicting Consensual Relationships

OHSU recognizes the individual right of association among its members. However, OHSU strongly recommends against engaging in personal relationships where a Conflicting Consensual Relationship may exist or arise. Examples include relationships between student and faculty or employee and supervisor.

3. Requirements

A. Where two members of the OHSU community choose to engage in a Conflicting Consensual Relationship, the Person with Power must eliminate the professional conflict by recusing him or herself from any direct oversight of the other individual. The Person with Power shall report the existence of the relationship to the Supervisor.

B. If doubt exists as to whether a Conflicting Consensual Relationship exists, either prior to or during the course of a personal relationship, the parties are encouraged to consult with a supervisor. Disclosure of the relationship shall be kept confidential to the extent possible.

C. The Supervisor shall assess the situation to determine the effect of the relationship upon the department, the institution, and the supervisor’s professional duties and responsibilities. The Supervisor shall consult with the Director of Affirmative Action and Equal Opportunity and then specify what actions need to be taken to remove the conflict. Any changes made by the Supervisor shall be in the interest of the University and only actions that are necessary to eliminate the conflict shall be taken.

4. Potential Remedial Actions

Remedial options available to the supervisor shall include, but not be limited to, the following:

A. Written Plan

The Person with Power may be asked to submit a written plan to effectively eliminate the actual or potential conflict.

B. Other Potential Actions

Other actions may include required counseling, verbal or written reprimand, or other reasonable actions deemed necessary to achieve solutions to problems arising from pre-notification and recusal of Conflicting Consensual Relationships.
C. Departmental Actions

To the extent necessary, the person who has the requisite authority may attempt to resolve the conflict through administrative measures, including reorganization of workplace structure, reassignment of duties, or appropriate disciplinary action.

Related Policies and Procedures:

- **Policy No. 03-05-040, Employment of Family Members**

  Responsible Office: Affirmative Action and Equal Opportunity Department

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**Equal Opportunity Complaints**

**Policy No. 03-05-050**

**Effective Date:** November 10, 2014

**1. General**

A. In accordance with the Affirmative Action and Equal Opportunity program of OHSU and Title IX of the Education Amendments of 1972, the procedures that follow are established to provide an opportunity to request and receive consideration of any complaints relating to services and/or terms and conditions of employment or education that are believed to be the result of prohibited discrimination, harassment, and/or retaliation.

B. The procedures described below are applicable to applicants, employees, patients, students, trainees, and volunteers for educational programs, employment or services, and others who believe that they have been the victim of prohibited discrimination or harassment on the basis of age, color, disability, gender, gender identity or expression, marital status, military status, national origin, race, religion, sex, sexual orientation, or any other status protected by law. These procedures are promulgated for their accessibility, simplicity, speed, and high standards of fairness in seeking redress of perceived discrimination, harassment, and retaliation; and are established to provide prompt, equitable, and effective resolution for complaints. The Affirmative Action and Equal Opportunity (AAEO) Department, Title IX Coordinator, and/or Human Resources may provide assistance to any person at any point in the process.

C. Persons who make use of these procedures are entitled to a fair and impartial investigation without fear of harassment or retaliation. Retaliation of any kind taken against anyone as a result of a person having used or attempting to use these procedures, cooperating in an investigation, or participating in any manner in any activity under these procedures is prohibited and shall be regarded as a separate and distinct matter.

D. These complaint procedures are intended to fulfill the requirements of Title IX of the Education Amendments of 1972, 34 CFR Part 106, 41 CFR Part 60, and any other applicable federal or state law(s), regulations, or policies concerning prohibited discrimination, harassment, and/or retaliation on the basis of a protected status. The complaint procedures are also meant to fulfill institutional mechanisms for the resolution of Equal Opportunity and Title IX complaints, and to provide a procedure for non-disciplinary personnel decisions in matters of discrimination, harassment, and retaliation.

**2. Definitions**

"*Complainant*": The individual who raises concerns about prohibited discrimination, harassment, or retaliation.

"*Complaint*": The informal or formal concern alleging prohibited discrimination, harassment, or retaliation.
“Harassment”: See definition in OHSU Policy 03-05-032, Harassment.

“Human Resources”: A responsible Human Resources employee for the unit where the Complainant and/or Respondent work.

“Respondent”: The individual accused of engaging in prohibited discrimination, harassment, or retaliation.

“Sexual Harassment”: See definition in OHSU Policy 03-05-035, Sexual Harassment.

“Title IX”: The federal law prohibiting discrimination on the basis of sex or gender in any education program, employment, admissions, or activity operated by a recipient of federal financial assistance, such as OHSU. Discrimination on the basis of sex or gender includes (but is not limited to) gender-based harassment, sexual harassment, sexual misconduct, sexual violence, and retaliation relating to complaints of sex or gender discrimination.

“Title IX Coordinator”: The Director of the AAEO Department and the person responsible for implementing OHSU’s Title IX policy and procedures.

3. Reporting a Complaint

OHSU encourages individuals who believe they have experienced or witnessed discrimination, harassment, and/or retaliation to come forward promptly. At times, such concerns can be resolved directly with the person engaging in the behavior. When such resolution is not possible or appropriate, concerns should be brought to:

A. The supervisor or department head most directly concerned; or

B. Any academic or administrative official of OHSU including but not limited to the President, a Vice President, Chief Diversity Officer, Legal Counsel, the Provost or a Vice Provost, a Dean, a Chair, a Director, a Manager or Supervisor; or

C. The Affirmative Action and Equal Opportunity (AAEO) Department; or

D. Title IX Coordinator; or

E. Human Resources; or

F. The Integrity Office; or

G. The Office of Academic Affairs; or

H. The Department of Patient Relations; or

I. The Department of Public Safety.

Any person who receives a complaint shall promptly notify the AAEO Department, Title IX Coordinator, or Human Resources of the complaint.

The AAEO Department and Title IX Coordinator have primary responsibility for investigating and resolving reports of discrimination, harassment, and retaliation lodged by applicants for educational programs, patients, students, volunteers, and others. The AAEO Department, Title IX Coordinator, and Human Resources have primary responsibility for complaints lodged by employees and employment applicants.

4. Complaint Procedures

A. AAEO Department’s Authority
The AAEO Department has the responsibility to adopt and amend complaint procedures as appropriate and necessary for execution of this policy.

All complaints of prohibited discrimination, harassment, and retaliation will be processed in accord with complaint procedures adopted and implemented by the AAEO Department. Such procedures can be found on the AAEO Department website (www.ohsu.edu/aaeo).

B. Complaints Alleging a Violation of Title IX

The Title IX Coordinator shall ensure OHSU’s compliance with Title IX, oversee the investigation of any complaint alleging a violation of Title IX and may, as necessary, take appropriate action to ensure OHSU complies with Title IX in a manner that is prompt, equitable, and effective. The Title IX Coordinator has discretion to implement any reasonable measure necessary to comply with Title IX, including taking interim steps before an investigation has concluded.

Anonymous reporting of a complaint alleging a violation of Title IX is possible by calling the OHSU Integrity hotline (1-877-733-8313, toll free; 24 hours a day, 7 days a week) or by filing an online report (www.ethicspoint.com). The ability to meaningfully investigate and/or address anonymous concerns may be limited. Complainants alleging a violation of Title IX may also file a formal complaint with the U.S. Department of Education Office for Civil Rights, 1-800-421-3481 or OCR@ed.gov.

Complainants have a right to simultaneously report a complaint alleging a violation of Title IX and file a criminal complaint with local law enforcement.

C. Title IX Coordinator

Questions regarding Title IX can be directed to the Title IX Coordinator. OHSU’s Title IX Coordinator is the Director of the AAEO Department.

Mailing address: OHSU, Mail code MP 240, 3181 S.W. Sam Jackson Park Road, Portland, OR 97239-3098

Office location: Marquam Plaza, Suite 240, 2525 S.W. Third Avenue, Portland, OR 97201-4901

Telephone: 503-494-5148

Fax: 503-494-8810

Email: aaeo@ohsu.edu

Website: www.ohsu.edu/aaeo

D. Further Review

Complainants who are not satisfied with the results of the AAEO complaint process or who choose not to pursue the AAEO complaint process may, at any time, contact the Oregon Bureau of Labor and Industries, the Equal Employment Opportunity Commission, the U.S. Department of Education Office for Civil Rights (1-800-421-3481), and/or any other state or federal agency responsible for enforcing laws governing prohibited discrimination, harassment, and retaliation in education, employment, and patient care related activities and services.

Related Policies and Procedures:

- OHSU Code of Conduct
- Policy 03-05-030, Equal Opportunity
- Policy 03-05-032, Harassment
- Policy 03-05-035, Sexual Harassment
Acceptable Use of Computing and Telecommunications Resources  
Policy No. 11-20-010  

Effective Date: July 18, 2014

1. APPLICABILITY

This policy applies to all users of OHSU computing, telecommunications and wireless resources, including but not limited to computers, computer systems, networks, portable digital assistants (PDAs), telephones, pagers, cellular phones, smart phones, electronic tablets, wireless cards, and two-way radios, whether affiliated with OHSU or not, and to all uses of those resources, whether on campus or from remote locations. These resources are hereinafter referred to as "Computing and Telecommunications Resources." Additional guidelines or directives may be established by OHSU to apply to specific computers, computer systems, networks, or applications.

2. REQUIREMENTS

A. LEGAL

A user of Computing and Telecommunications Resources shall comply with all federal, Oregon, and other applicable laws; all applicable OHSU rules and policies; and all applicable contracts and licenses. Examples of such laws, rules, policies, contracts, and licenses include, but are not limited to, the laws of libel, privacy, copyright, trademark, and child pornography; the Electronic Communications Privacy Act and the Computer Fraud and Abuse Act, which prohibit "hacking", "cracking", and similar activities; Federal Communication Commission regulations; applicable Internal Revenue Service Regulations; the OHSU's Code of Conduct; the OHSU's sexual harassment policy; and all applicable software licenses. Users who engage in communications with persons in other states or countries or on other systems or networks should be aware that they may also be subject to the laws of those other states and countries and the rules and policies of those other systems and networks. Users are responsible for ascertaining, understanding, and complying with the laws, rules, policies, contracts, and licenses applicable to their particular uses.

B. AUTHORIZED

A user of Computing and Telecommunications Resources shall use only those resources that they are authorized to use and use them only in the manner and to the extent authorized. Ability to access computing resources does not, by itself, imply authorization to do so. Users are responsible for ascertaining what authorizations are necessary and for obtaining them before accessing any computing resource.
Accounts and passwords may not, under any circumstances, be shared with, or used by, persons other than those to whom they have been assigned by OHSU.

A user of Computing and Telecommunications Resources shall respect the privacy of other users and their accounts, regardless of whether those accounts are securely protected. The ability to access other persons' accounts does not, by itself, imply authorization to do so.

C. REASONABLE

A user of Computing and Telecommunications Resources shall respect the finite capacity of those resources (including, for example, bandwidth, disk space and CPU time) and limit use so as not to consume an unreasonable amount of those resources or to interfere unreasonably with the activity of other users.

D. PERSONAL

A user of Computing and Telecommunications Resources shall not use those resources for personal commercial purposes or for personal financial or other gain, except as may be authorized under Policy 10-01-015 (Outside Activities/Outside Compensation policy) or institution established news groups.

Incidental personal use of Computing and Telecommunications Resources for other purposes is permitted when the use:

(1) does not unreasonably consume those resources;
(2) does not interfere with the performance of the user's job or other OHSU responsibilities;
(3) does not consume an unreasonable amount of the user's time;
(4) does not concern subjects inappropriate in a work or study environment (e.g. accessing pornographic web sites);
(5) does not result in unauthorized use or disclosure of confidential OHSU information, including protected health information, through use of electronic media such as blogs, podcasts, discussion forums and other social media;
(6) is consistent with OHSU's mission of healthcare, education, research and community service; and
(7) is otherwise in compliance with this and other OHSU policies including requirements to reimburse OHSU where required under Policy 03-25-080.

Further limits may be imposed upon personal use in accordance with normal supervisory responsibilities.

E. E-MAIL AND OHSU COMMUNICATIONS

All email communication containing OHSU "restricted" information (as defined in Information Security Directive 700-00001) must be generated and stored using OHSU.EDU or other OHSU approved email systems.

Communications over the email system shall be professional and appropriate for the workplace or group setting. Email may not be used for personal solicitations or advertising or other activities except through OHSU provided electronic news group systems for those types of activities. Propagation of chain letters is specifically prohibited.

Falsifying email headers (e.g. providing a false sender's address) or routing information so as to obscure the origins of mail or mail routes is forbidden. Altering the content of a message attributed to another is not permitted unless the changes are explicitly noted.
Announcements, bulletins, and documents deemed by management to be of value and interest to the well-being of employees and students are an integral part of the system. All broadcast e-mail (unsolicited messages sent to more than 50 OHSU addresses across departments) must be submitted and approved by Strategic Communications, except:

- as otherwise authorized by collective bargaining agreements;
- as otherwise authorized by Strategic Communications;
- as deemed necessary by the leader or executive sponsor of individual OHSU units or OHSU-chartered groups for the purpose of communicating with their constituencies;
- as otherwise provided for in the [Emergency Preparedness policy, 01-40-001](#).

In all cases, messages of a strategic nature should be developed in collaboration with Strategic Communications.

**F. REPRESENTING OHSU**

A user of Computing and Telecommunications Resources shall not state or imply that they speak on behalf of OHSU or use OHSU trademarks and logos without authorization to do so. Affiliation with OHSU does not, by itself, imply authorization to speak on behalf of OHSU. Authorization to use OHSU trademarks and logos on Computing and Telecommunications Resources may be granted only by the Strategic Communications Department. The use of appropriate disclaimers is encouraged.

**3. SECURITY**

OHSU employs various measures to protect the security of its Computing and Telecommunications Resources and of their users’ accounts. Users must comply with OHSU Information Security Policies and Directives and OHSU Information Security Guidelines. Users must engage in applicable "safe" practices, for example, by establishing appropriate access restrictions for their accounts, keeping the network virus-free, safeguarding passwords, ensuring proper physical safeguards, and protecting the confidentiality of electronic protected health information. In addition to the policies, directives, and guidelines referenced in this policy, users of telecommunications resources such as personal digital assistants (PDAs), smart phones, electronic tablets, or similar personal devices who are using a personal device for business purposes must comply with the security policies outlined in OHSU Managed PDA Security Policy and Information Security Directive ISD-700-00011 (wipe personal unit) and all the terms and conditions outlined in underlying ITG terms and conditions. See applicable information security policies and directives at [www.ohsu.edu/xd/about/services/integrity/policies/ips-policies-by-category.cfm](http://www.ohsu.edu/xd/about/services/integrity/policies/ips-policies-by-category.cfm). All users must follow the Confidentiality of Health Information policy, 01-05-012, and only use encrypted OHSU owned or encrypted OHSU approved personally-owned electronic media to access electronic protected health information, unless an OHSU approved exception is in place.

**4. EXPECTATION OF PRIVACY**

**A. GENERAL**

Computing and Telecommunications Resources are not private. For example, communications made by means of these resources are subject to Oregon’s Public Records Law to the same extent as they would be if made on paper. The normal operation and maintenance of Computing and Telecommunications Resources require the backup and caching of data and communications, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for the rendition of service.

**B. REASON TO ACCESS ACTIVITY**

In addition, OHSU may access or monitor the activity and accounts of individual users of Computing and Telecommunications Resources, including individual log in sessions and communications, without notice, when:

1. The user has voluntarily made them accessible to the public, as by posting to Usenet or a web page;
(2) It is necessary for OHSU work and business-related reasons (e.g. a person is on vacation or sick leave and access to some files is needed to further institution business);

(3) It reasonably appears necessary to do so to protect the integrity, confidentiality, availability, or functioning of OHSU generally or Computing and Telecommunications Resources in particular, or to protect OHSU from liability;

(4) There is reasonable cause to believe that the user has violated, or is violating, OHSU policy;

(5) There is reasonable cause to believe that the user is engaging in unlawful activity;

(6) An account appears to be engaged in unusual or unusually excessive activity, as indicated by the monitoring of general activity and usage patterns; or

(7) It is otherwise required by law.

Any such access or individual monitoring, other than that specified in 4.A. and B.(1) above, required by law, or necessary to respond to perceived emergency situations, must be authorized in advance by three of the following individuals: Human Resources Director, Legal Counsel, Chief Information Officer, and Information Security Officer. The head of the unit which employs the individual will be notified of such access when appropriate. OHSU, at its discretion but subject to any applicable laws, may disclose the results of any access or monitoring, including the contents and records of individual communications, to appropriate OHSU personnel or law enforcement agencies and may use those results in OHSU disciplinary proceedings and/or legal proceedings.

C. MONITORING AS A JOB OR SERVICE REQUIREMENT

OHSU may also authorize access and monitoring of an employee’s or agent’s actual communications over its Computing and Telecommunications Resources where customer service is a primary responsibility of an employee’s job duties. Such monitoring must be authorized by the Human Resources Director and employees in positions subject to monitoring shall be notified of such activity.

5. REMOTE ACCESS TO OHSU COMPUTING RESOURCES

A. OHSU employees and students may be authorized secure remote access to information assets owned by or in custody of OHSU. Remote access may be granted by the department director or other appropriate authorizing authority where appropriate to fulfill a person’s work or other responsibilities.

B. Remote access for contractors, business partners, referring physicians, other health care providers or other approved users with significant business justification may be approved on a case-by-case basis by an appropriate authorizing authority.

C. Applicants for remote access must submit the OHSU Remote Access form. Information technology support vendors may also be granted remote access for system and application maintenance as negotiated in the support contracts.

D. Noncompliance with the requirements of a remote access authorization or with other provisions of this policy, as determined by the authorizing authority, may result in immediate loss of access privileges and possible corrective or legal action against the violator without notification.

6. ENFORCEMENT

Users who violate this policy may be denied access to Computing and Telecommunications resources and may be subject to other penalties and disciplinary action, both within and outside of OHSU, including any actions authorized by security policies or any policy applicable to personal devices. Violations will normally be handled through OHSU procedures applicable to the relevant user. However, OHSU may temporarily suspend or block access to an account, prior to the initiation or completion of such procedures, when it reasonably appears necessary to do so to protect the integrity, confidentiality, or availability of OHSU or other computing resources or to protect OHSU from liability.
CONFIDENTIALITY AND INTELLECTUAL PROPERTY
ASSIGNMENT AGREEMENT

In consideration and as a condition of my employment or engagement as a consultant or otherwise by OHSU, and any compensation or other benefits provided to me by OHSU, I agree to be bound by the policies of OHSU, as now or hereafter constituted, including but not limited to policies concerning confidentiality (see Policies 01-05-010, 01-05-012, 02-20-005 through 02-20-040, and 03-60-005) and Intellectual Property (see Policy 04-50-001). Accordingly, I agree as follows:

1. Confidentiality. To safeguard and not to disclose confidential information of OHSU including: (a) patient information; (b) student information; (c) personnel information; (d) matters of a technical nature; (e) matters of a business nature; and (f) other information of a similar nature which is not generally disclosed by OHSU to the public, referred collectively hereafter as “Confidential Information” or “OHSU Restricted Information.” I further agree that I will not use Confidential Information or OHSU Restricted Information except as may be necessary to perform my duties for OHSU. Upon termination of my employment or engagement as a consultant by OHSU, or otherwise as requested, I will deliver promptly to OHSU all Confidential Information, in whatever form, that may be in my possession or under my control.

2. Assignment of Intellectual Property. That all my rights, title and interest to any ideas, improvements, designs, authored works or discoveries, software, technologies, techniques, processes, products, material, concepts, whether or not patentable or copyrightable, as well another newly-discovered or newly-applied information or concepts, that relate to or are useful on the actual or anticipated business of OHSU, or that result from a derivative from work assigned to me or work performed by me on behalf of OHSU, or that was developed in whole or in part on any OHSU time or using OHSU equipment, supplies, facilities or Confidential Information belongs exclusively to OHSU. This Agreement operates as an actual assignment of all those rights to OHSU. This assignment does not apply to and OHSU shall not claim any interest in material created or registered, copyrighted, or patent filed or issued prior to employment or engagement by OHSU and listed on the back of this Agreement.
3. **Work Made for Hire.** That all creative work, including but not limited to patentable works, computer programs or models, prepared or originated by me for OHSU or on OHSU time or within the scope of my employment by OHSU, which may be subject to protection under federal copyright law, constitutes work made for hire, all rights to which are owned by OHSU. In any event, I assign and agree to assign to OHSU all rights, title, and interest, now existing or arising in the future, whether by way of copyright, trade secret, or otherwise, in all such work, whether or not subject to protection by copyright laws.

4. **Royalty Sharing.** That OHSU acknowledges that I and any co-inventors or coauthors may be entitled to receive a percentage of net income, if any, received by OHSU from licensing or selling intellectual property rights assigned under paragraphs 2 and 3 above under applicable provisions of OHSU policies.

5. **Equitable Relief.** That violation of the covenants in this Agreement will cause irreparable injury to OHSU and that any remedy at law will be inadequate. Therefore, OHSU shall be entitled to, in addition to any other rights or remedies it may have at law or in equity, injunctive relief.

6. **Continuation of Obligations.** That my obligations and the restrictions under this Agreement shall continue indefinitely after termination of my relationship with OHSU.

7. **Entire Agreement; Amendment.** That this is the entire Agreement with OHSU with respect to its subject matter. This Agreement may be modified, amended or terminated only by an agreement in writing executed by OHSU and me.

8. **Successors and Assigns; Venue.** That this Agreement shall be binding upon my heirs, executors, administrator or other legal representatives and is for the benefit of OHSU, its successors and assigns. I irrevocably consent and submit to the exclusive and personal jurisdiction of the United States District Court of Oregon or, if such court does not have jurisdiction over such matter, the applicable state court in Multnomah County, Oregon.

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**FREQUENTLY ASKED QUESTIONS (FAQ)**

1. **Question:** If I filed a patent application or registered a copyright before joining OHSU, does the University take ownership of those?

   **Answer:** No. You should list these items on the second page of the Confidentiality and Intellectual Property Assignment Agreement. This assignment employees make is for developments they make while employed at OHSU.

2. **Question:** What if I continue to work on an earlier project while at OHSU?

   **Answer:** If an employee used OHSU resources, including his or her time as an employee, new developments are assigned to OHSU. If there is no relationship to your OHSU work, and you continue the project away from OHSU facilities, on your own time, using no OHSU resources, then OHSU would not expect assignment of any new developments.

3. **Question:** What if I develop something while employed at OHSU, but it does not relate to my OHSU work. Will that be assigned to OHSU?

   **Answer:** If you use OHSU resources, yes. But if it has no relationship to OHSU and was developed without using OHSU resources, no.