Termination of Appointment and the Imposition of Other Sanctions for Cause

577-041-0010

Definitions

In accordance with OAR 580-041-0325 of the Administrative Rules of the Oregon State Board of Higher Education, the appointment of academic staff members, whether on indefinite tenure or not on indefinite tenure, may be terminated for cause, or other sanctions may be imposed for cause:

(1) The term "academic staff member" as used in this division 41 shall include all staff members of the University having academic rank (graduate rank or faculty rank) as defined in OAR 580-040-0040 of the Administrative Rules, e.g., graduate teaching assistant, graduate research assistant, graduate fellow, instructor, senior instructor, research assistant, research associate, lecturer, senior lecturer, assistant professor, associate professor, and professor, whether the type of service be teaching, research, administration, or other service; provided, however, that the procedures of this division 41 for the imposition of sanctions shall not be applicable to the president of the University. Complaints alleging that the President of the University has engaged in conduct such as to warrant the imposition of sanctions for cause as set forth in this 577-041-0010 shall be forwarded to the Chancellor of the Department of Higher Education.

(2) Cause is defined by the Administrative Rules (OAR chapter 580) as follows:

(a) Failure to perform the responsibilities of an academic staff member, arising out of his particular assignment, toward his students, toward his academic discipline, toward his colleagues, or toward the institution in its primary educational and scholarly functions and secondary administrative functions of maintaining property, disbursing funds, keeping records, providing living accommodations and other services, sponsoring activities, and protecting the health and safety of persons in the institutional community. Evidence to demonstrate cause under the standard set forth in this subsection may include, but is not limited to, evidence of incompetence, gross inefficiency, default of academic integrity in teaching, research, or scholarship, and intentional or habitual neglect of duty;

(b) Conviction of a felony or of a crime involving moral turpitude during period of employment by the Department of Higher Education (or prior thereto if the conviction was willfully concealed in applying to the Department for employment);

(c) Engaging in conduct proscribed by OAR 580-022-0045 of the Administrative Rules (the proscriptions in the following list apply to all persons in the University, not just academic staff members):
(A) Obstruction or disruption of teaching, research, administration, disciplinary procedures or other institutional activities, including the institution's public service functions or other authorized activities on institutionally owned or controlled property;

(B) Obstruction or disruption which interferes with the freedom of movement, both pedestrian and vehicular, on institutionally owned or controlled property;

(C) Possession or use of fire arms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on institutionally owned or controlled property, in contravention of law or without University authorization;

(D) Detention or physical abuse of any person or conduct which is intended to threaten imminent bodily harm or endanger the health of any person on any institutionally owned or controlled property;

(E) Malicious damage or 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;

(F) Refusal by any person, while on institutional property, to comply with an order of the institutional executive or appropriate authorized official or officials, to leave such premises because of conduct proscribed by the Administrative Rules (OAR chapter 580) when such conduct constitutes a danger to personal safety, property or educational or other appropriate institutional activities on such premises;

(G) Unauthorized entry to or use of institutional facilities, including buildings and grounds;

(H) Illegal use, possession, or distribution of drugs on institutionally owned or controlled property;

(I) 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 which calls upon the person or persons addressed for imminent action, and is coupled with a reasonable apprehension of imminent danger to the functions and purposes of the institution, including the safety of its students, faculty, and officials, and the protection of its property.

(3) Sanctions for cause include oral or written warning or reprimand, written censure, removal from an assigned post and reassignment, suspension for a period not to exceed one year, and termination.

Stat. Auth.: ORS 351
Stats. Implemented:
Hist.: PSU 1, f. 12-14-71