



I. POLICY

Interim Actions

II. PURPOSE

This policy outlines the process for taking action to mitigate student behaviors that pose an actual or potential risk of harm to Old Dominion University (ODU), its employees, students, patients, and property, or when the student’s continued presence on campus pending the outcome of a Student Conduct Process or other administrative process would create a significant disruption to ODU operations, including that of its academic or research programs. This policy applies only to students in the SOM and SHP at the Virginia Health Sciences (VHS) at Old Dominion University.

III. RESPONSIBLE PARTY AND REVIEW CYCLE

SOM and SHP Student Affairs will review this document annually.

IV. ACCREDITATION REFERENCES

LCME 3.5 Learning Environment/Professionalism
SACSCOC 12.3 Student Rights
SACSCOC 12.4 Student Complaints

V. DEFINITION(S)

Good-faith: Made with honest belief or purpose.

Retaliation: Any adverse action, or credible threat of an adverse action, taken against an individual who has reported known or suspected misconduct, participated in an inquiry or investigation, or disclosed concerning behavior to institutional officials. Retaliation also includes action to discourage an individual from disclosing concerning behavior to institutional officials. Disciplinary action resulting from student performance concerns or as a result of student misconduct is not considered retaliation.

VI. DESCRIPTION

The SOM and the SHP may immediately, and without advance notice, remove a student from the academic or clinical learning environment to protect the safety and well-being of the ODU community (“Interim Actions”). Interim Actions may include, but are not limited to suspension from academic or clinical activities, assignment to virtual learning, or administrative leave of absence in accordance with the SOM and SHP Leave of Absence and Withdrawal policy.

The SOM and SHP Assistant Dean for Student Affairs may take Interim Actions when:

1. There is a confirmed observance or report from any source to a SOM and SHP Student Affairs representative, a Program Director, or a member of the threat assessment team about a single instance of egregious behavior or a pattern of behavior by a student that is negatively affecting the health or safety of the student or any of the VHS/ODU community, or that is disruptive to the learning environment.



2. A student has been charged with a violation of ODU or VHS policy, including violation of the Student Conduct Processes, related to an incident of disruptive or disorderly conduct.
3. A student has been charged with a violation of state or federal law involving violence or other serious criminal behavior.

The student will be provided with written notice of the Interim Action. If the circumstances permit, the SOM and SHP Assistant Dean for Student Affairs or designee will meet with the student subject to an Interim Action to explain the alleged violations and to give the student an opportunity to respond. The student's emergency contact may also be notified of the decision to implement an Interim Action as permitted under the Family Educational Rights and Privacy Act.

A student subject to an Interim Action has a right to appeal within five (5) calendar days of the written notice to the SOM and SHP Assistant Vice Dean for Student Affairs or designee. While the SOM and SHP Assistant Vice Dean for Student Affairs or designee is reviewing the appeal, the student shall remain subject to the Interim Action.

In order for an Interim Action to be modified upon appeal, the student must show that there was a procedural error or that there is substantial new information mitigating the situation. The SOM and SHP Assistant Vice Dean for Student Affairs or designee will review whether or not the conduct and surrounding circumstances reasonably indicate that the continued presence of the student poses a substantial threat to others, to property, or to the stability and continuance of normal SOM, SHP, or ODU functions; and/or whether or not the student has complied with the directives of the administrator placing the student on interim restriction. The decision of the SOM and SHP Assistant Vice Dean for Student Affairs or designee shall be final.

Students placed on Interim Actions for harm or threats of harm to self or others, harassment or other disruptive behavior may also be referred to the threat assessment team for review. If the threat assessment team decides to further limit a student's access to ODU academic buildings, activities, and resources, the student will be notified accordingly. Such additional restrictions are not subject to appeal.

All Interim Actions will remain in effect until the student has been cleared to return. In some instances, the student may be required to undergo an evaluation by a health care professional to determine whether the student can meet the Technical Standards of their program, with or without an accommodation. In such event, the SOM and SHP Assistant Vice Dean for Student Affairs or designee will oversee the evaluation, as well as plan the return to academic, clinical, or research activities and the following process will apply:

- The student may be placed on leave of absence, virtual learning, or another appropriate disposition, pending completion of the evaluation.



- An evaluator, who has no role in the teaching or assessment of the student, and who has not had mental health contact (including in the primary care center) with the student will be selected. The cost(s) of the evaluation will be the responsibility of the program.
- The SOM and SHP Assistant Vice Dean for Student Affairs or designee will provide the pertinent information to the evaluator including a history of relevant events and the Technical Standards for the student's program.
- The evaluator will conduct the evaluation and generate a written report that addresses the student's ability to perform the Technical Standards of their program with or without an accommodation, and, if applicable, any requirements or recommendations to ensure that the student will be able to meet the Technical Standards moving forward.
- The student will meet with the SOM and SHP Assistant Vice Dean for Student Affairs or designee to discuss the Technical Standards evaluation report:
 - If the student is deemed able to meet the Technical Standards, the student shall remain or be reintegrated into, as applicable, their program curriculum and shall be responsible for complying with any recommendations by the evaluator.
 - If the evaluator determines that the student is able to meet the Technical Standards with an accommodation, the student will be referred to SOM and SHP Student Disability Services (SDS). It is the student's responsibility to complete the SDS process.
 - If the evaluator determines that the student is currently unable to meet the Technical Standards, but could do so if further conditions were met, the student may take a voluntary leave of absence in accordance with the SOM and SHP Leave of Absence and Withdrawal Policy and must be re-evaluated prior to their return from leave. A student who has exhausted all leave time may withdraw from the Program.

A student must comply with all evaluator requirements before they are permitted to return to their program. Students are also strongly encouraged to follow post-evaluation recommendations outlined by the evaluator. The student is responsible for all costs associated with such requirements/recommendations (e.g., treatment, additional provider visits, etc.).

Participation in post-evaluation recommendations does not guarantee continued enrollment and may not prevent disciplinary action for violation of any institutional or program policies that have occurred.

A student will be subject to disciplinary action, up to and including dismissal, if they:

1. Refuse to meet or cooperate with the evaluator;
2. Fail to take a voluntary leave of absence if the evaluator determines that they are currently unable to meet the Technical Standards, but could do so if further conditions were met;



3. Fail to contact SOM and SHP SDS within two weeks of the meeting with SOM and SHP Student Affairs to start the request for accommodations; and/or
4. Continue to be unable to meet the Technical Standards of the program, with or without a reasonable accommodation, after an evaluation.

Students who are dismissed have the right to appeal the decision of dismissal in accordance with their program handbooks.

Students' Protection Against Retaliation

The SOM and SHP value integrity and honesty and endeavor to integrate these values into students' experiences in the learning environment. The SOM and SHP encourages all students to make good-faith disclosures about actual or suspected violations of federal and commonwealth laws, regulations, and ODU and program policies. The SOM and SHP prohibits acts or threats of retaliation against any student who desires to make a good-faith report, has made a good-faith report, or is a witness and/or participant in any ensuing investigation or review. Retaliation is prohibited even when the underlying complaint is made in good faith but is determined to be without merit or substantiation.

Students who feel that they have been the subject of retaliation have the right to file a complaint. Students should consider SOM and SHP Student Affairs their primary point of contact for retaliation complaints, but a student may make a complaint using one of the following methods:

- a) Personal contact with a member of SOM and SHP Student Affairs. If the individual receiving the complaint is not the SOM and SHP Director of Student Rights and Responsibilities, the complaint shall be forwarded to the SOM and SHP Director of Student Rights and Responsibilities within one (1) business day.
- b) [SOM and SHP Student Affairs Incident Reporting Form](#). The reporting form is sent automatically to SOM and SHP Student Affairs.
- c) [SOM and SHP Ethics and Compliance Hotline](#). The SOM and SHP Ethics and Compliance Hotline is a third party reporting system that is accessible 24 hours a day via the web through the above link or via phone at 800-461-9330. Reports may be made anonymously, if desired; however, the SOM and the SHP may be limited in its ability to resolve the matter if the reporter is not identified.

Students who believe they have been assigned a lower than appropriate score or grade as a form of retaliation should utilize the appeal and complaint procedures in their program handbooks in addition to reporting the concern to SOM and SHP Student Affairs.

Upon receipt of a report of alleged retaliation, the SOM and SHP Director of Student Rights and Responsibilities will initiate complaint procedures as outlined in the [SOM and SHP Student Non-Academic Complaint and Formal Grievance Policy](#). If the SOM and SHP Director of Student Rights and Responsibilities determines that retaliation did occur, documentation of the



investigation will be provided to relevant institutional entities, including, but not limited to, SOM and SHP or ODU Human Resources, Faculty Affairs, and/or the individual's supervisor for further action.

VII. RELATED DOCUMENTS

[ODU University Policy #1005 - Discrimination Policy](#)

[ODU University Policy #1008 - Policy on Title IX and Sexual Misconduct](#)

[ODU University Policy #3020 - Whistleblower Retaliation Policy](#)

SOM and SHP Appeal and Complaint Procedures Policy

SOM and SHP Expectations for Student Conduct Policy

SOM and SHP Leave of Absence and Withdrawal Policy

SOM and SHP Student Complaint Processes (per individual programs' handbooks)

SOM and SHP Student Non-Academic Complaint and Formal Grievance Policy

SOM and SHP Student Progress Procedures (per individual programs' handbooks)

ODU Code of Student Conduct

VIII. HISTORY OF APPROVALS AND UPDATES

The following list documents policy approvals and updates by oversight authority, date, and summary of changes. This policy is housed on the Institutional Student Handbook webpage.

- On September 19, 2023, the Eastern Virginia Medical School Board of Visitors approved this policy.
- On July 1, 2024, this policy was transitioned to a SOM and SHP policy as part of the integration with Old Dominion University.