



OREGON COLLEGE *of* ORIENTAL MEDICINE

**Entry-level Programs**  
**MAc, MACM, DACM/MACM**

**Student Handbook**

**2022-2023**

**ocom.edu**

*The science of medicine, the art of healing®*

# Dear OCOM Student,

*Welcome to the OCOM community! Your administration, staff, faculty, and fellow students look forward to getting to know you as you begin to participate in the academic, research, student life, and clinical programs of the college. You are entering an exciting, dynamic profession that has so much to offer individuals and a planet in need of balance and healing. We welcome your ideas, enthusiasm, and commitment as we all work towards creating an ever-better experience for you and the patients and community we serve.*

In health,  
Jessica Bineham, MA  
Director of Student and Alumni Affairs

**Oregon College of Oriental Medicine**, 75 NW Couch Street, Portland, OR 97209

**503-253-3443**  
**www.ocom.edu**

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OCOM Student Handbook – MAC, MACM, and DACM/MACM Programs, 2022-2023

# Entry-level Professional Degree Programs Student Handbook 2022-2023

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# Student Rights and Responsibilities

This ***Student Handbook*** serves as a statement of student rights and responsibilities. As such, students are responsible for the information contained herein. Students are also responsible for policies and procedures described in the college's *Academic Catalog*, in other official college publications, and those that are disseminated via other means such as emails and memos.

## A Guide to Publications

Several important publications provide essential information to guide students at Oregon College of Oriental Medicine (OCOM).

OCOM's ***Academic Catalog 2022-2023*** is the college's primary academic publication. Its contents include:

- Academic calendar
- College mission and values statement
- Educational competencies for the entry-level professional degree programs
- Description of curriculum including course descriptions
- Admissions requirements
- Tuition information
- Financial policies
- Financial Aid information
- Academic policies
- Grading policy
- Graduation requirements
- Faculty rosters
- List of college administration

The ***Clinical Studies Handbook*** and ***Clinic Policies and Procedures Handbook*** are a student's primary publications regarding clinical education at the college. They provide both a description of the clinical studies portion of the program, as well as an outline of clinic policies and procedures. Clinic related reference handbooks are posted on Populi in all clinic courses.

This ***Student Handbook*** — for the MAc, MACM, DACM/MACM programs and the DACM Completion track — emphasizes student services and related procedural details; student policies including student code of professional conduct and proscribed conduct; staff and department chair contact information; student activities; and student government information.

Updates and other notifications are sent by email, shared as Google docs, and posted to Populi, the college's student information system.

# Student Support Services

## Academic Advising / Enrollment Plan Changes

Contact: Director of Student and Alumni Affairs

- Change of enrollment status, information re: course content, academic probation

## Academic Learning Support

Contact: Director of Counseling, Director of Student and Alumni Affairs

- Learning and study strategies, managing test anxiety, time and stress management

## CARE Team

Contact: Vice President of Planning and Operations, Director of Counseling, Director of Student and Alumni Affairs, Interim Associate Dean of Clinical Education.

- Paper/online reporting form
- Process to offer support and resources to community members in distress

## Clinical Education Issues

Contact: Associate Dean of Clinical Education

- Patient or supervisor concerns, clinic petitions

## Disability Access Services

Contact: Academic Programs and Accessibility Coordinator

- Approval and coordination of accommodations.

## Faculty/Curriculum/Classroom Issues

Contact: Vice President of Academic Affairs, Director of Student and Alumni Affairs

- Faculty or curriculum concerns, academic petitions, course modification requests

## Financial Aid Counseling/Scholarships

Contact: Director of Financial Aid

- Budgeting tools, loan options, repayment options, federal work-study program, scholarship information

## Health and Wellness

Contact: Director of Student and Alumni Affairs

- Personal support/coaching, advocacy, academic support during emergencies referrals

Contact: Director of Counseling

- Professional counseling, crisis intervention, resources

Contact: OCOM Clinic / OCOM Herbal Medicinary

- Acupuncture, Chinese herbs, massage

## Registration Related

Contact: Registrar

- Class/Clinic scheduling, add/drop courses, etc.
- VA and International student issues

Contact: Vice President of Academic Affairs

- Transfer credit request

## Room Reservations

Contact: Academic Programs and Accessibility Coordinator

- Determine available rooms

## Student Accounts

Contact: Business Office/Bookstore

- Books/supplies, refund checks, tuition payment plan, pay fees

## Student Life and Activities

Contact: Director of Student and Alumni Affairs

- Student government (OSA), clubs, events

## Tutoring Support

Contact: Academic Programs and Accessibility Coordinator

- Tutor Subsidy for faculty required or recommended private tutoring, peer tutoring program
- Hands-on TAs/Tutors
- Private tutoring – student expense
- Drop-in tutoring sessions
- Free tutoring on campus

## Withdrawal or Leave of Absence

Contact: Director of Student and Alumni Affairs

- Support for problem solving, complete Leave/Withdrawal forms, exit interviews

# Contacting the Administration

For general information about OCOM, contact the college's Business Office at **503-253-3443 x101**. The Business Office stays well-informed about activities going on around the campus and can also help in contacting other OCOM staff or faculty. Following is a list of offices and personnel to help determine whom one should see for what. A comprehensive list of OCOM staff is found in the *OCOM Academic Catalog*.

To contact any OCOM administrator via email, use the *firstname.lastname@ocom.edu* convention (for example, Jessica Bineham's email address is [jessica.bineham@ocom.edu](mailto:jessica.bineham@ocom.edu)).

## Academic Leadership

Students are invited to speak with the college's academic leadership about their experience as a student, including curriculum, administration, and faculty-related feedback. To contact a specific faculty member, consult the course syllabus.

### **Valerie Hobbs, DAOM, Dipl OM**

Vice President of Academic Affairs

[valerie.hobbs@ocom.edu](mailto:valerie.hobbs@ocom.edu)

Room 507

503-253-3443 **x196**

### **Jaime Ralston-Wilson, DAOM, Dipl. OM, LAc**

Dean of Research and Postgraduate Studies

[jaime.ralstonwilson@ocom.edu](mailto:jaime.ralstonwilson@ocom.edu)

Room 301

503-253-3443 **x202**

### **Jessica Bineham, MA**

Director of Student and Alumni Affairs

[jessica.bineham@ocom.edu](mailto:jessica.bineham@ocom.edu)

Room 203

503-253-3443 **x103**

### **Zhaoxue Lu, DMed (China), PhD, LAc**

Associate Dean of Postgraduate Studies

[zhaoxue.lu@ocom.edu](mailto:zhaoxue.lu@ocom.edu)

Room 426

503-253-3443 **x212**

### **Katherine Annala, DAOM, LAc**

Associate Dean of Clinical Education

[katherine.annala@ocom.edu](mailto:katherine.annala@ocom.edu)

Room 427

503-253-3443 **x199**

## Graduate Program Department Chairs

Speak to faculty/department leaders about curriculum or faculty issues related to their departments.

(All: hours by appointment; Faculty Suite, Room 314)

### **Heidi Clark, ND, LAc**

Chair of Integrative Medicine

[heidi.clark@ocom.edu](mailto:heidi.clark@ocom.edu)

503-253-3443 **x200**

### **Wen Jiang, PhD (China), LAc**

Chair of Acupuncture, Qi Cultivation, and Bodywork

[wen.jiang@ocom.edu](mailto:wen.jiang@ocom.edu)

503-253-3443 **x156**

### **Michael Berletich, DAOM, LAc**

Chair of Chinese Medicine

[michael.berletich@ocom.edu](mailto:michael.berletich@ocom.edu)

503-253-3443 **x165**

# Student Services: Core and Auxiliary Services

OCOM Student Services guides and supports all students through their transformational journey in achieving their educational and professional goals. The offices (and personnel) listed alphabetically below provide a wide range of services to prospective students, enrolled students and graduates. Please take advantage of the many available services.

## Academic Affairs

### **Valerie Hobbs, DAOM, Dipl OM**

Vice President of Academic Affairs

[valerie.hobbs@ocom.edu](mailto:valerie.hobbs@ocom.edu)

Room 507

503-253-3443 **x103**

Hours: Monday-Friday, 9:00 AM-5:00 PM

Services:

- Available to meet with students regarding faculty, clinic, or curriculum concerns
- Determine and modify academic policies based on appropriate feedback
- Address student petitions related to didactic courses

## Office of Admissions

### **Anna Grace**

Director of Graduate Program Admissions

[anna.grace@ocom.edu](mailto:anna.grace@ocom.edu)

Room 429

503-253-3443 **x201**

### **Emma Reisch**

Admissions Counselor

[emma.reisch@ocom.edu](mailto:emma.reisch@ocom.edu)

Room 208A

503-253-3443 **x176**

Office of Admissions hours: Monday-Friday, 8:00 AM-5:00 PM

Services:

- Facilitates communication with prospective students, answering questions about the first professional programs, including general information about the college
- Coordinates campus tours and class visitations
- Evaluates transcripts and prerequisite completion
- Facilitates complimentary acupuncture treatments
- Advises students and fosters relationships throughout the application process
- Coordinates Admissions recruitment events for prospective students: Admissions Seminars, Doctoral Student for a Day, OCOM Socials, community college health fairs, career fairs, transfer fairs, and more
- Serves as primary contact to prospective students, advocating on- and off-campus resources to learn more about acupuncture and Chinese medicine
- Coordinates student mentor program and online Orientation for new students
- Coordinates Student Admission Ambassadors Representatives: current students volunteering to serve as on-campus host for prospective and admitted student visits

## Alumni Relations

### Jessica Bineham

Director of Student and Alumni Affairs

[jessica.bineham@ocom.edu](mailto:jessica.bineham@ocom.edu)

Room 203

503-253-3443 **x104**

Hours: Monday-Fridays, 9:00 AM-5:00 PM

Services:

- Provides continuing support to OCOM students after graduation through the alumni website, newsletter, Alumni Association-supported speakers and professional development activities
- Posts and maintains online resources (practice and job opportunities, the alumni practitioner directory, marketing tools and shared business development resources) at [alumni.ocom.edu](http://alumni.ocom.edu)

## Business Office and Bookstore

### Rachel Mower

Business Office and Bookstore Manager

[rachel.mower@ocom.edu](mailto:rachel.mower@ocom.edu)

503-253-3443 **x101**

Services:

- Provides textbooks, supplies, and special order items for students to purchase
- Records sales and distribution of textbooks to students at the beginning of each quarter
- Applies financial aid; processing and distribution of refund checks
- Monitors student financial accounts
- Manages locker rentals
- Answers questions and provides referrals to the proper person for student concerns
- Maintains OCOM's online bookstore
- Provides textbook list for quarter requirements

## Campus Security

### Phil Lundberg, PhD, MHSA

Vice President of Planning and Operations

[phil.lundberg@ocom.edu](mailto:phil.lundberg@ocom.edu)

503-253-3443 **x115**

### Security Desk

503-253-3443 **x119**

Hours: Monday-Saturday 7:00 AM-8:30 PM; Sunday, as needed

- Coordinates campus safety and emergency response programs and reports
- Ensures safety and security of the campus and other OCOM properties
- Contracts with Securitas to provide security guard services

## Clinical Services – OCOM's Clinics and OCOM Herbal Medicinary

### Katherine Annala, DAOM, LAc

Associate Dean of Clinical Education

Room 427

[katherine.annala@ocom.edu](mailto:katherine.annala@ocom.edu)

503-253-3443 **x199**

Contact Katherine for issues regarding patient care or interactions with students or clinical faculty.

Clinic Manager, OCOM Clinic – **OPEN POSITION**

Room 430

503-253-3443 **x170**

Contact regarding business functions and administration of the campus' **OCOM Clinic** operational staff. Scheduling patients or for clinic absences.

### Lisa Olson

Clinic Manager, OCOM Hollywood Clinic

[lisa.olson@ocom.edu](mailto:lisa.olson@ocom.edu)

503-253-3443 **x177**

Contact regarding business functions and administration of the **OCOM Hollywood Clinic** operational staff.

**Bonnie Sweetland, MAc, LAc**

Director of Medicinary Operations and Herbal Practicum Education  
Room 107

[bonnie.sweetland@ocom.edu](mailto:bonnie.sweetland@ocom.edu)

503-253-3443 x123

Contact regarding business functions and administration of the **OCOM Herbal Medicinary** and operational staff, as well as matters to do with the herbal practicum education.

**Jaime Ralston-Wilson, DAOM, Dipl. OM, LAc**

Chair of DAOM Clinic  
Room 301

[jaime.ralstonwilson@ocom.edu](mailto:jaime.ralstonwilson@ocom.edu)

503-253-3443 x202

Contact regarding the DAOM clinic educational programs.

## Clinic Locations

The college operates two student intern clinics: the campus' 4th Floor **OCOM Clinic** and northeast Portland's **OCOM Hollywood Clinic**.

### OCOM Clinic

75 NW Couch Street, Portland, OR 97209

**503-445-0951**; fax: 503-445-0949

Hours: Monday thru Saturday: 8:00 AM-6:30 PM

\*Weekend Specialty Clinic: one Sunday per month, coinciding with doctoral modules, 8:30 AM-6:00 PM

### OCOM Hollywood Clinic

2029 NE César E Chávez Blvd, Portland, OR 97212

**503-281-1917**; fax 503-295-0847

Hours: Monday thru Friday: 8:00 AM-6:30 PM

**Clinic services to OCOM students:**

- Provides low-cost student health services — acupuncture, moxibustion, herbal prescription, massage (tuina/shiatsu) and other traditional Asian medicine therapies through the intern teaching clinics
- Offers "Friends and Family" discount for two individuals. Students must register these people for clinic discounts through the clinic front desk

***Be assured that high standards of confidentiality always apply in OCOM's clinics.***

### OCOM Herbal Medicinary

75 NW Couch Street, Portland, OR 97209

Hours:

**503-445-0954**; fax: 503-445-0949

Monday, Wednesday, Thursday: 9:00 AM-7:00 PM

Tuesday and Friday: 2:00-7:00 PM

(Hours may vary by quarter; check with the medicinary for current hours of operation)

**Medicinary services to OCOM students:**

- Fills herbal formula prescriptions for the OCOM clinics, as well as external licensed practitioners
- Stocks many over-the-counter herbal products, such as patents, tinctures, liniments, etc. as well as many wellness products to support a healthy lifestyle
- Offers 15 percent discount on all medicinary products and prescriptions to OCOM students
- Offers "Friends and Family" discount on medicinary products and prescriptions (for the same two individuals registered for "Friends and Family" clinic benefits)

**Fee schedule for OCOM's clinics:**

	<u>Students, Staff, Friends, and Family</u>	<u>Public</u>
Acupuncture in Intern Teaching Clinic	\$20	\$35-45*
Acupuncture with Pre-Intern (Clinic trainee)	\$20	\$25
Clinical Rounds	\$20	\$45
Telehealth appointment	—	\$15**

Herbal consultation	\$5	\$15-25*
Discount on herbal preparations	15%	None
DAOM clinic	\$20	\$35-45*
Asian bodywork (shiatsu/tuina massage)	\$20	\$35-45*

\*Sliding scale based on income

\*\*For now, telehealth appointments are free to patients with payments to OCOM covered under a grant.

### Student health services accessed through other offices:

Counseling services can be accessed through the Office of Student Affairs. Contact Elizabeth Miles, Director of Counseling at 503-253-3443 **x153** for on-campus services and/or referrals to community resources/counseling. Health Insurance — Jessica Bineham, Director of Student and Alumni Affairs, at 503-253-3443 **x104** can provide information and resources regarding the Affordable Care Act and the Oregon Health Plan (OHP).

## Communications

### Marilyn Tycer

Social Media Manager and DEI Support

[marilyn.tycer@ocom.edu](mailto:marilyn.tycer@ocom.edu)

Services:

- Manages campus internal and external communication projects
- Works with the Director of Counseling and students to support and advertise campus Diversity, Equity, and Inclusion (DEI) efforts
- Interviews campus community members and takes pictures for use with internal and external communication efforts and social media posts related to campus events and activities and to other issues of concern

## Facilities

Email Facilities at [facilities@ocom.edu](mailto:facilities@ocom.edu)

### Monte Harris

Facilities Lead

503-317-4832 or 503-253-3443 **x160**

Room 106

Hours: Monday-Friday, 8:00 AM-5:00 PM; weekends, as needed

Services:

- Manages campus maintenance projects
- Works with students to improve campus sustainability goals and programs
- Sets up and maintains classrooms in accordance with staff, faculty, and student requests
- Provides support and assistance for campus events
- Manages college's audiovisual program and maintains its equipment
- Works with outside vendors
- Provides notification regarding campus closures

## Financial Aid

### Katrina Hitzeman

Director of Financial Aid

Room 210

[katrina.hitzeman@ocom.edu](mailto:katrina.hitzeman@ocom.edu)

503-253-3443 **x108**

Hours: Monday-Friday, 9:00 AM-5:00 PM

The Office of Financial Aid assists students and prospective students in the process of applying for and receiving Federal Student Aid and scholarships.

Services:

- Assists students with applying for financial aid and completing the FAFSA
- Creates and processes student aid awards. Provides student with a letter showing their financial aid eligibility

- Processes student loans. Assists students in applying for student loans or obtaining additional loans throughout the year
- Provides loan counseling at the beginning and end of enrollment. Explains to students the types and terms of their student loans
- Manages scholarship programs; provides students with outside scholarship opportunities as well as information on all OCOM scholarships
- Assists students and graduates with selecting loan repayment options, deferment options or loan consolidation information
- Maintains and manages Federal Work-Study Program by awarding Federal Work-Study to first professional students and providing a list of available on-campus jobs

## Information Systems and Technology

Room 108A

For technology support, email or call IT personnel at [helpdesk@ocom.edu](mailto:helpdesk@ocom.edu), or call x555 (**email is preferred**).

### Chris Langford

Director of Information Systems and Technology

[clangford@ocom.edu](mailto:clangford@ocom.edu)

503-253-3443 **x127**

Hours: Monday-Friday, 9:00 AM-5:00 PM

### Rico Criner

Systems Administrator

[rico.crinier@ocom.edu](mailto:rico.crinier@ocom.edu)

503-253-3443 **x125**

Hours: Monday-Friday, 6:00 AM-2:00 PM

Services:

- Supports college-wide computers, wireless networks, and photocopiers
- Provides assistance with technology used by students, staff, and faculty, including Populi and Google Docs/Gmail/Calendar support (Chris)
- Resets passwords
- Replaces lost/damaged Student ID badges

## OCOM Library

Online at [library.ocom.edu](http://library.ocom.edu)

### OCOM Library Circulation Desk

503-253-3443 **x132**

General Library email: [librarian@ocom.edu](mailto:librarian@ocom.edu)

### Katie Williams

Director of Library Services

[katie.j.williams@ocom.edu](mailto:katie.j.williams@ocom.edu)

503-253-3443 **x133**

Librarian

503-253-3443 **x134**

### Emily Parrish

Access Services Assistant

[emily.parrish@ocom.edu](mailto:emily.parrish@ocom.edu)

### Regular Hours:

Monday-Thursday, 7:45 AM-7:00 PM

Friday, 7:45 AM-6:00 PM

Saturday, 10:00 AM-2:00 PM

*\*Hours may be limited during the pandemic. Visit the library website for updated hours of operation.*

Services:

- Help finding and accessing books, videos, audio, and journal articles (both physical and digital materials)

- Interlibrary loan and document delivery scanning services
- Troubleshooting library access and technical issues
- One-on-one research consultations, including virtual reference services
- Assistance booking the Group Study Room
- Help with copyright/intellectual property questions and assistance in securing public viewing rights for films

## Postgraduate Studies (DAOM Program)

### **Jaime Ralston-Wilson**

Dean of Research and Postgraduate Studies

Room 301

503-253-3443 **x202**

[jaime.ralstonwilson@ocom.edu](mailto:jaime.ralstonwilson@ocom.edu)

### **Zhaoxue Lu**

Associate Dean of Postgraduate Studies

Room 426

503-253-3443 **x212**

[zhaoxue.lu@ocom.edu](mailto:zhaoxue.lu@ocom.edu)

Hours: By appointment

Services:

- Advises DAOM students on academic and clinical programs, clinical electives, and capstone projects
- Facilitates Clinical Theater class for DAOM and graduate students to gain observation experience
- Evaluates DAOM applicant transfer credit requests
- Provides general counseling to DAOM students regarding personal, financial, and academic concerns
- Coordinates DAOM orientation activities
- Registers students to access DAOM website and email list-serve
- Maintains DAOM alumni email mailing list-serve
- Oversees and facilitates DAOM student government process

## Office of the Registrar

### **Carol Acheson**

Registrar

[carol.acheson@ocom.edu](mailto:carol.acheson@ocom.edu)

503-253-3443 **x112**

Room 205

Hours: Monday-Friday, 8:30 AM-4:30 PM

### **Nick Mendonça**

Assistant Registrar and Academic Coordinator

[nick.mendonca@ocom.edu](mailto:nick.mendonca@ocom.edu)

503-253-3443 **x135**

Room 206

Hours: Monday-Friday, 8:30 AM-5:00 PM

Services:

- Maintains academic and clinical records — students can order transcripts, check on grade changes, and get a copy of their schedules
- Posts academic and clinic schedules online for easy access
- Registers and schedules all students into classes and clinical learning experiences
- Assists students with class and section changes
- Schedules clinic make-up shifts
- Maintains the yearly academic calendar and quarter Dates to Remember
- Offers free Notary Public services for students
- Verifies student enrollment upon request for deferment of loans, housing, etc.
- College liaison for International and Veteran Affairs, NCCAOM, CCAHM (CNT), state licensing boards
- Processes transcript requests for students and alumni to the NCCAOM, state licensing boards, other institutions, etc.
- Invoices all student tuition and fees
- Orders diplomas for all students

## Research Department

### **Jaime Ralston-Wilson**

Dean of Research and Postgraduate Studies

Room 301

Hours: By appointment

[jaime.ralstonwilson@ocom.edu](mailto:jaime.ralstonwilson@ocom.edu)

#### Services:

- Provides research support — students can contact via Zoom software or email to discuss latest trends in Chinese medicine and integrative medicine research
- Mentors students on potential research questions and projects
- Provides research career counseling — students can discuss potential career paths in acupuncture and Chinese medicine research
- Trains and assists students to utilize acupuncture and Chinese medicine research databases — students can inquire about how to refine searches for acupuncture and Chinese medicine-related research literature
- Maintains research reference lists — acupuncture and Chinese medicine research-related websites, books, journal material lists
- Provides review and mentorship to enable students to submit research projects to the College Research Committee (CRC) and Institutional Review Board (IRB) to engage in research studies
- Provides information about annual research conferences

## Student Affairs

### **Jessica Bineham**

Director of Student and Alumni Affairs

[jessica.bineham@ocom.edu](mailto:jessica.bineham@ocom.edu)

503-253-3443 **x104**

Room 204

Hours: Monday-Friday, 9:00 AM-5:00 PM

#### Services:

- Support or assistance with personal, family, or school issues.
- Advocacy for student issues and concerns
- Academic support during emergencies
- Listen, provide feedback and direction re: campus community, faculty, classroom, curriculum, or policy concerns
- Academic advising – Help with specific course study strategies, time/stress management, scheduling difficulties, learning support, etc.
- Discuss possible enrollment, academic plan, or program changes, Leave of Absence/Withdraw, etc.
- Offers general support/lifestyle coaching: students can sign up for appointment or stop by for support or assistance with personal, family, or school issues
- Advises and facilitates student government: OCOM Student Association (OSA)
- Provides oversight of student events and activities
- Coordinates student clubs and all aspects of student life

### **Nick Mendonça**

Academic Programs and Accessibility Coordinator

[nick.mendonca@ocom.edu](mailto:nick.mendonca@ocom.edu)

503-253-3443 **x135**

Room 204

Hours: Monday-Friday, 9:00 AM-5:00 PM

#### Services:

- Maintains tutor list: students can obtain assistance with finding a tutor for hire
- Manages the Tutor Subsidy Assistance Program: students can obtain forms to receive subsidy toward tutoring that is required or highly recommended by instructor
- Coordinates quarterly free “Drop-In Tutoring” program and the Peer Tutoring program
- Coordinates both ongoing and temporary accommodations and exemptions under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973: students eligible for

accommodations under the ADA and/or Section 504 can receive reasonable and appropriate support services

- Coordinates accommodations and exemptions under Title IX: students eligible for accommodations under Title IX can receive reasonable and appropriate support services
- Schedules and monitors written exams taken using approved accommodations
- Schedules classrooms for student study groups or tutor sessions
- Coordinates Teaching Assistants

**Elizabeth Miles, MEd, LPC, NCC**

Director of Counseling

[elizabeth.miles@ocom.edu](mailto:elizabeth.miles@ocom.edu)

503-253-3443 x153

Room 201

Hours: Monday-Friday, 9:00 AM-5:00 PM

Services:

- Offers individual counseling, crisis intervention and support with personal, mental health, family, or school issues
- Offers workshops and facilitates student groups on a variety of topics
- Provides individualized assistance with learning and other academic success strategies
- Provides referrals to community resources

# Student Life and Student Activities

## OCOM Student Association (OSA)

All students enrolled at OCOM are members of the OCOM Student Association. OSA student government is composed of student officers elected to represent the entire student body, including a Student Body President and Vice President, class representatives, multiple liaison positions and at-large representatives. Student elections are held in the Fall quarter of the academic year for all positions.

The student government acts as a liaison between the student body and the college administration. It operates according to its own constitution (below), and is empowered to develop and coordinate events and services to improve student life.

Additional voting members of the OSA, include the OCOM Student Trustee and the Academic Steering Committee (ASC) Liaison. Both positions are selected by a subcommittee of the OSA during the Spring quarter, for the following academic year. The Student Trustee is a non-voting member of the college's Board of Trustees, who attends all OSA officer meetings to stay informed of student issues and concerns. The ASC Liaison is a non-voting member of the Academic Steering Committee, a policy and curriculum planning group consisting of faculty department chairs and key academic administrators. The ASC Liaison attends all OSA officer meetings to stay informed of student academic concerns.

The efforts of the student government are funded by the Student Activity Fee of \$20 per quarter of student enrollment, including Summer. The OSA Constitution, first drafted during the 1990-1991 academic year and amended over time to address the changing needs of the body, is presented below:

### *The OCOM Student Association Constitution*

#### **Preamble**

We, the students of Oregon College of Oriental Medicine, gather together under this constitution in order to support our commonality, our diversity, our vision of an amenable student life, and an important and respected place for the profession of Chinese medicine amidst American society.

#### **Article I: Name**

We shall call ourselves the OCOM Student Association (OSA).

#### **Article II: Purpose**

We exist as an Association in order to better represent the interests of the students as stated in the preamble and to coordinate efforts and communication both among and between students, faculty, administration, trustees, health practitioners, the public, and other schools.

#### **Article III: Membership**

All currently enrolled students shall be members. Meetings are open to all enrolled students. Only OSA officers and the OCOM Student Trustee and ASC Liaison are eligible to vote at meetings.

#### **Article IV: Student Officers**

Student officers shall be elected from among the Association's members by majority vote. Elected positions include the following: one Student Body President, one Student Body Vice President, and Student Class Representatives for each class grouping (ie: first-year students, interns, and middle-year students), and At-large Student Representatives (one Student Life Liaison, one Clinic Liaison, one Tea Station Liaison, and additional students from any year as necessary).

Elections for all officers will be held in the Fall of the academic year. Officers shall serve for one year and may be recalled for any reason by a two-thirds vote of the Association.

Officers missing two scheduled meetings will be subject to recall, losing officer status for the remainder of the school year. Officers who miss more than two scheduled meetings will be docked one Community Outreach hour from their Community Outreach total for their service in the Association. Recalled officers may petition the OSA for reinstatement. Mid-term vacancies for all positions shall be filled as soon as possible by contacting the candidate with the next most votes for the specific position that is

open. If a replacement cannot be secured using this method, a call for volunteers from within the OSA representatives and liaisons will be implemented. Finally, a call for volunteers to the student body or the appropriate category (first years, middle years, intern representatives) will be made. Officers may resign by submitting a letter of resignation to a meeting of the officers.

Officers shall serve to represent the student community interest and serve as liaison between officers' meetings and other members of the Association.

OSA meetings are scheduled in advance and occur one time per month (October-August) except under special circumstances. Two-thirds of the active members of the OSA are required to hold a voting meeting. A simple majority of the members present at a voting is needed to pass any motion. Meetings shall be held in accordance with Robert's Rules of Order, Revised.

#### **Article V: Finances**

Monies collected by the college in the amount of twenty dollars (\$20) per member per quarter shall be accessed by a majority vote of the Student Officers for expenditures relating to the Association's activities in promoting an amenable student life, furthering the field of Oriental medicine, and in accordance with the non-profit status of the college. This may include expenditure of funds on planetary healing issues including social justice, the environment, and peace. The student officers and Student Affairs Administration are authorized to spend up to one hundred seventy five dollars (\$175) per expenditure and two hundred fifty dollars (\$250) per quarter on incidentals, without prior approval of the Association.

Monies are specifically allocated for educational purposes, including clubs, lectures, and other activities. Such expenditures are intended to improve student access to information and training. All such funds are available upon student request of such monies as detailed in a proposal form and requested in person at an OSA monthly meeting.

The OSA fiscal year runs from the first business meeting each year until the approval of a new budget at the following year's first business meeting. All approved budget items are valid during the fiscal year in which they were approved.

### **OCOM Student Non-Voting Advisory Trustee**

The Student Non-Voting Advisory Trustee holds a one-year term, which runs from September through the following August. The general role and responsibilities of the Student Trustee are (a) advising the OCOM Board of Trustees on matters related to student concerns, and (b) communicating information related to Board policy discussions and actions to the student body.

The Student Trustee attends six bi-monthly Board of Trustee meetings, along with monthly OSA meetings, and advocates on behalf of students on issues affecting a substantial portion of the student body. The Student Trustee is a voting member of the OSA.

The Student Trustee is chosen during Spring quarter for the following academic year and the application process is overseen by a subcommittee of the OSA.

### **Academic Steering Committee (ASC) Liaison**

The Academic Steering Committee (ASC) Liaison holds a one-year term, which runs from September through the following August. The ASC Liaison will communicate between the student body and the ASC about student ideas and concerns around academic programs, curriculum design, degree requirements, classroom policies, and other issues that relate to the curricular components of the students' educational experience.

The ASC Liaison attends monthly ASC meetings, along with monthly OSA meetings, and advocates on behalf of students on academic concerns involving a substantial portion of the student body. The ASC Liaison is a voting member of the OSA.

The ASC Liaison is chosen during Spring quarter for the following academic year and the application process is overseen by a subcommittee of the OSA.

## College Events

College events enrich the student experience and offer opportunities to build and sustain the OCOM community. Some events repeat annually and others vary from year to year. Watch for flyers, email announcements, and other online postings to not miss out on the fun. Families and friends are invited to many of the events. Examples of longstanding, traditional, OCOM community events include the Welcome Party, No Talent Show, and End of the Year Party.

## Student Clubs and Activities

Students form clubs around their own interests and those shared by classmates and faculty. Speak with the Director of Student and Alumni Affairs or an OSA representative for information about starting a club.

*Some examples of clubs and activities in recent years:*

**T-shirt Design Competition** – Students submit designs that are then voted on by their fellow classmates. The winning design is then produced and t-shirts are made available for purchase.

**Mentoring Panels** – These events provide opportunities for students to ask those “who have been there” about what to expect in the next phase of their OCOM experience or after graduation.

**OCOM Nutrition Club** – The group focuses on learning about nutrition from a Chinese perspective and how to incorporate it into real life practice.

**Condiments Club** meets to exchange recipes and talk about all things food.

**XX+ Club** works to help spread awareness on issues that affect female-bodied individuals in our health care system

**Chinese Language Club** encourages students to share their Chinese language skills and experiences.

**Pride and Allies Club** – This student-run club explores health concerns related to LGBTQIA (lesbian, gay, bisexual, transgender, questioning, intersex, asexual) people, as well as educating on LGBTQIA concerns and appropriateness. The group welcomes LGBTQIA students, staff, and faculty, as well as all straight allies.

**Society for Herbs and Cultivation Club** – For those interested in all things gardening. This club maintains the college’s rooftop garden, including watering, weeding, transplanting, and labeling to achieve a more lush and inviting gathering space.

**Channel Palpation Club** – This group’s goal is to teach others about channel palpation and provide a place for students to practice and discuss the technique.

**Student Alliance for Integrative Medicine (SAIM)** – A collaboration of five Portland-area medical schools working together to provide networking events, lecture opportunities, and information to students. (Visit <http://uwssaim.wordpress.com>)

## Student Support: Resources and Information

### **Academic Support** (in alpha order)

#### **Academic Advising**

See the Director of Student and Alumni Affairs for academic advising, including questions about changing enrollment status (academic plan change, leave of absence, withdrawal) and taking electives, as well as support and advocacy related to concerns about academic performance. See the Vice President of Academic Affairs for transfer credit requests, The Vice President of Academic Affairs also serves as back up to Director of Student and Alumni Affairs for changes to enrollment status and plan.

#### **Academic Learning Support**

See the Director of Counseling for learning strategies, including memory tips, managing test anxiety, matching learning styles/preferences to study strategies, stress management, time management and self-care. See the Director of Student and Alumni Affairs for course specific tips and study strategies, as well as time management assistance, and self care suggestions.

## **Accessing Grades**

Student grades are posted in Populi. Faculty lock course grades by the end of the following week after the quarter is over.

## **Bookstore/Business Services Office**

The Bookstore and Business Office exist in the same space, but fulfill two very distinct functions.

The Bookstore carries all available texts used in OCOM courses, as well as recent publications relevant to Chinese medicine and complementary healing modalities, a wide variety of accessible texts for the general public, all acupuncture and moxibustion supplies utilized in class and clinic, charts and models, gifts, basic food and beverages, college merchandise, and much more. Special orders for texts may be placed, and student suggestions for inventory additions are encouraged.

The Business Office handles all aspects of managing student accounts. All Financial Aid disbursements and refund determinations are processed through the Business Office, and all questions about applied funds and refund amounts can be directed here. Tuition, fees, and purchases placed on student accounts can be paid here. All questions pertaining to invoicing and billing are answered here as well. Questions pertaining to tuition and fees can be answered by the Registrar.

## **Recommendation for Academic Support**

Promotion to each successive phase of the master's and DACM program is based on students' continued satisfactory performance. All instructors evaluate students' progress by the sixth week of class (around mid-term). At that time or any time earlier in the term, if an instructor has serious concerns about a student's class performance, either because of academic progress, professionalism, attendance, or participation, the instructor will complete a "Recommendation for Academic Support" form, outlining the instructor's perception of the student's difficulty. This form is submitted to the Director of Student and Alumni Affairs who will contact both the student and the instructor to discuss a strategy to remedy academic problems and to outline steps that may help the student achieve a passing grade by the end of the term. Such a work plan might include recommendations for remedial work assignments or private tutoring in areas of weakness and is intended to help students focus their study and coursework.

## **Free Drop-in Tutoring**

Tutoring is provided free of charge on a drop-in basis, multiple days each week. Schedules are posted quarterly. For more information, see the Academic Programs and Accessibility Coordinator.

## **Peer Tutoring Program**

This program pairs a student with a "peer tutor" who has already passed and succeeded in any individual course. Peer tutors will assist the student with study strategies for courses, help with the material, and answer other questions the student may have. It is designed to be beneficial for both tutors and tutees. Students interested in either tutoring others as a work-study job or receiving free tutoring should contact the Academic Programs and Accessibility Coordinator.

## **Private Tutoring**

Tutoring is available at student expense from teaching assistants and other graduates or advanced students. A list of available tutors is updated quarterly and available from the Academic Programs and Accessibility Coordinator.

## **Tutor Subsidy Referral Program**

A limited amount of funding each year is available through the Tutor Subsidy Referral Program to subsidize the cost of private tutoring when such tutoring is required or highly recommended by a faculty member. Tutor Subsidy Referral Forms can be obtained from the Academic Programs and Accessibility Coordinator in the Student Services suite. The program provides a \$14 per hour subsidy paid directly to the tutor and will subsidize a student for a maximum of five hours per course per quarter and a maximum of 10 hours per student per quarter for required or highly recommended tutoring.

## **Supplemental Information** (in alpha order)

### **Campus Safety**

In accordance with the Crime Awareness and Campus Safety Security Act of 1990, the college records for and provides to the college community a detailed report of certain campus criminal activity. All members of the OCOM community are advised to carefully safeguard personal possessions, academic materials, automobiles, bicycles, etc. Anyone whose personal safety has been threatened or violated should report such instances directly to the Vice President of Planning and Operations ([phil.lundberg@ocom.edu](mailto:phil.lundberg@ocom.edu), or x115). Individuals found to have threatened or violated the personal safety of others are subject to disciplinary action including dismissal or suspension from the college.

### **CARE Team**

Campus Assessment and Response Team (CARE) is a process designed to offer support and resources to students who are experiencing distress. Community members may submit a report about a student in distress by following the CARE Team link online at <https://www.ocom.edu/current-students> or by contacting Phil Lundberg at [phil.lundberg@ocom.edu](mailto:phil.lundberg@ocom.edu) or Jessica Bineham at [jessica.bineham@ocom.edu](mailto:jessica.bineham@ocom.edu).

### **Change of Address**

Students are responsible for keeping the college informed of their most current phone number and mailing addresses. Change of addresses should be made on the student info tab in Populi. Student employees should also inform the Accounting office of any address change. Students can contact the Registrar ([carol.acheson@ocom.edu](mailto:carol.acheson@ocom.edu)) if they need help updating their current information in Populi.

### **Commuting By Bicycle**

Bike commuters will find bike racks located in the courtyard, as well as along First Avenue. Use of U-locks (best when combined with a cable lock) and the removal of lights and other accessories is highly recommended. Bike commuters who want to hang dry their wet bike clothes will find shelves, a rack, and hangers located next to the first-floor north entrance door (at the end of the back hallway). Note: there is no security here and items are left at the student's own risk.

### **Counseling Department Services**

Students wishing to access on-campus counseling services at no additional cost may contact the Director of Counseling for more information and to arrange services. Along with professional individual and group counseling, other services offered include community resource referrals, academic learning support, and informative workshops on a variety of topics of student interest.

### **Emergency Closure or Late Start of College (weather-related or other)**

Information on emergency OCOM closures will be communicated through the following channels:

- FlashAlert Newswire: [flashalert.net](http://flashalert.net)
- OCOM's public website ([ocom.edu](http://ocom.edu)) and the Populi newsfeed.
- Text and email notifications via emergency notification system in Populi
- A recorded message at the college's main phone number (503-253-3443)
- Local television and radio stations (only weather-related closures)

All closure or late start decisions will be made as early in the day as possible (typically before 6:00 AM) and are made on a day-to-day basis. If the determination is made that OCOM will remain open, under any and all circumstances individuals should use their best judgment when traveling to and from campus. Conditions may be fine in one area and poor in another — travel safely.

### **Food For Finals**

During the rigors of final exam week Fall through Spring quarter, the OCOM Student Association (OSA) generally provides a variety of simple foods for students to enjoy, typically an oatmeal or muesli bar with toppings, trail mix, and fruit.

### **Identification Cards/Security Badges**

New students will have photos taken and student identification ("ID") cards will be provided. These ID cards also serve as security passes for the campus and must be worn at all times for access to elevators and

stairwells. If an ID card is lost, **immediately** report it to IT staff at [helpdesk@ocom.edu](mailto:helpdesk@ocom.edu). The lost badge will be disabled to lower the risk of campus intrusion and a new ID card will be issued. Frequent or excessive loss of badges will incur fees to cover new badge costs. Temporary badges are available at the security desk if a badge is forgotten at home. They are intended for single day use only, and will be disabled if they are not returned the same day.

### **Lactation Room**

OCOM has a designated lactation room for students who need a private space in which to pump and store breast milk during the school day. The Lactation Room is located in the OCOM Clinic, Room 431. It is furnished with comfortable chairs, short-term storage space (during the school day) for pumping equipment, and a small refrigerator to store milk. Questions or concerns about the Lactation Room should be directed to the Clinic Manager.

### **Lockers**

Lockers are available on the 2nd and 3rd floors and can be rented through the Bookstore.

### **Lost and Found**

Lost or found items of high monetary value (e.g. wallet, cell phone, tablet, computer) should be turned in to the Bookstore, the Facilities personnel, or the Security Desk for safekeeping. All other lost or found items may be placed in one of two black cushioned bench storage units located in the 3rd floor Student Lounge area.

### **Lounges for Student Use**

The Student Lounge/Kitchen is located on the 2nd floor. The kitchen has a stove, microwave, refrigerator, sink, and adjacent eating tables. Limited dishware, pots and pans, and silverware have been provided by the OSA. General kitchen cleaning and washing of dishes is the responsibility of all students. Janitorial staff **do not** wash dishes. An additional student lounge area is located on the 3rd floor near the OCOM Library.

### **Parking**

There is no dedicated parking for the OCOM campus. Transportation and parking information is distributed at New Student Orientation.

### **Tea Station**

The OCOM Student Association (OSA) provides a variety of free bulk teas for the entire student community to enjoy. The Tea Station is located in a tall bookcase, just beyond the student mailboxes in the 2nd floor Student Lounge/Kitchen. Please leave the area as one would hope to find it.

# Technical Skills/Standards for the Practice of Acupuncture and Chinese Medicine

OCOM seeks to fulfill its mission by producing highly skilled and compassionate practitioners. For the safe and effective practice of acupuncture and Chinese medicine, students are expected to develop an extensive knowledge base and clinical skills, with the ability to apply their knowledge and skills, interpret information, and contribute to patient-centered care across a spectrum of health care settings. Students will be assessed not only on their scholastic accomplishments, but also on their physical and emotional capacities to meet the requirements of the school curricula and to graduate as skilled and effective practitioners of acupuncture and Chinese medicine. The following Technical Standards are academic requirements for admission, retention, promotion, and graduation.

OCOM, in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) has established the essential functions of its students and ultimately of practitioners. Prospective and enrolled students are encouraged to contact Disability Access Services early in the application process or during enrollment to begin a confidential conversation about what accommodations they may need to meet these standards. Please note that fulfillment of technical standards for graduation does not guarantee that a graduate will be able to meet the technical requirements of any specific offsite clinic or postgraduate employment.

For more information on the core job tasks and working environment of a licensed acupuncturist, see the Occupational Information Network provided by the US Department of Labor/Employment and Training at <http://www.onetonline.org/link/details/29-1199.01>

Students admitted to the college must be able to meet, with or without reasonable accommodation, the following abilities and expectations:

## **Observational Skills**

A candidate must acquire information as presented through demonstration and experiences in didactic and clinical coursework. Candidates must apply foundational knowledge to evaluate patients while they gather and assess the patient's relevant health, behavioral, and medical information.

## **Clinical Skills**

Candidates must perform routine examinations and diagnostic maneuvers. Candidates must be able to provide direct general care and respond to the need for emergency treatment in a timely manner. Candidates must meet applicable safety standards and follow Clean Needle Technique (CNT) and universal precautions.

## **Communication Skills**

A candidate must exhibit interpersonal skills to enable effective caregiving of patients, including the ability to communicate effectively and sensitively with all members of a multidisciplinary health care team, their patients, and the patient's support persons, in person and in writing. Candidates must be able to interpret accurately both verbal and nonverbal communication, and must be able to accurately record information.

## **Conceptual, Integrative, and Cognitive Skills**

In order to solve problems effectively, students must be able to measure, calculate, reason, analyze, integrate, and synthesize information in a timely fashion. Candidates must effectively interpret, assimilate, and understand the complex information required to function within the curriculum; including, but not limited to: the ability to comprehend and understand spatial perception; effectively participate in individual, small-group, and lecture learning experiences in multiple settings; learn, participate, collaborate, and contribute as a part of a team; synthesize information both in person and via remote technology; interpret causal connections and make accurate, fact-based conclusions based on available data and information; formulate a hypothesis and investigate potential answers and outcomes; and reach appropriate and accurate conclusions.

## **Behavioral and Social Skills and Professionalism**

A candidate must demonstrate good judgment, timely completion of responsibilities related to the diagnosis and care of patients, and the development of mature, sensitive, and effective relationships with patients. Candidates should be able to function effectively under stress, adapt to changing environments, display

flexibility, and learn to function in the face of uncertainties inherent in the clinical problems of many patients. Candidates are expected to exhibit professionalism, personal accountability, compassion, integrity, concern for others, and interpersonal skills including the ability to accept and apply feedback. Candidates must respect boundaries and care for all individuals in a respectful and effective manner regardless of gender identity, age, race, sexual orientation, religion, disability, or any other protected status. Candidates should understand, and function within, the legal and ethical aspects of the practice of acupuncture and Chinese medicine and maintain and display ethical and moral behaviors commensurate with the role of a health care provider in all interactions with patients, faculty, staff, students, and the public. Functioning within legal and ethical aspects of practice includes but is not limited to compliance with applicable federal, state and local public health law and universal precautions as well as professional ethics.

## **Policies, Procedures, and Guidelines**

### **Academic Policies** (in alpha order)

#### **Academic Petitions**

When, due to special or extenuating circumstances, a student wishes to request an exception to stated policy, the student can submit a [petition form](#) (academic or clinical). The petition will be considered by the Vice-President of Academic Affairs or appropriate program dean, who will consult with staff or faculty as needed, and respond in writing to the student.

If the petition is denied, and the student wishes to pursue the situation further, the student can request that the petition be reviewed (in writing and/or by personal appearance) by the full Academic Steering Committee. If the petition is again denied, the student can present it to the President for consideration. The President will gather and review all relevant information and then respond in writing to the student. The decision of the President is final.

#### **Academic Probation**

If a student fails a required course at OCOM, the student will be automatically placed on academic probation and may result in an academic plan change. Academic probation may also be sanctioned for students who receive two or more Incompletes, two or more interim grades of FR, or one Incomplete and one FR in any single quarter, or who do not meet OCOM's standards of professionalism.

Academic probation remains in effect for the following 12-month period. For example, if a student fails a Winter quarter course, the student is placed on probation for the following Spring, Summer, Fall, and Winter quarters. As long as the student passes all coursework during this probation, avoids recording two or more Incompletes, two or more interim grades of FR, or a combination of one Incomplete and one FR in any given quarter, and demonstrates OCOM's standards of professionalism, the student is automatically removed from probation after the 12-month period.

#### **Academic Records Review**

Both law and institutional policy afford student access to academic records and opportunities to modify them. Students may have access to their records by appointment with the Registrar. All students have a right to appeal grades (see Academic Grievance) or enter a written objection or explanatory statement into the student file. An appeal to enter a written objection or explanatory statement should be directed to the Vice President of Academic Affairs.

#### **Award of Posthumous Degree Policy**

OCOM seeks to extend sympathy and compassion to families of deceased students near completion of their degrees and to recognize the academic achievement of these students who would have fulfilled the requirements of the degree. These actions must also be balanced with attention to academic and institutional integrity.

Criteria to be eligible for the award of degree from OCOM posthumously, the student generally must have met the following criteria:

1. The student was in their final year of coursework or enrolled in courses, which upon successful completion would have culminated in the awarding of the degree; and
2. The student was in good academic standing and was successfully progressing toward completion of requirements for the degree to be conferred.

Cases that do not meet the above specified criteria may be considered when extraordinary circumstances prevail. In such cases, a request for award of the degree must be reviewed by the appropriate faculty, department chair, and Vice President of Academic Affairs (VPAA) and approved by the Faculty Senate.

### **Procedure**

The process for identifying and considering candidates for the award of degrees posthumously shall be as follows:

1. A formal request may be initiated by any of the following: a family member, a faculty member, or a fellow student. If the request is not made by a family member, the family should be contacted and found to be receptive of the possible award. The request should be made directly to the Vice President of Academic Affairs or the VPAA's designate.
2. The VPAA's Office is responsible for reviewing the student's academic record, confirming with the Registrar whether the specified criteria exist, and forwarding the request to the Faculty Senate.
3. The Faculty Senate shall have final responsibility for approving the award of a posthumous degree and communicating its approval to the Registrar. This duty may be delegated to a committee of the faculty or an administrative officer who is a member of the Faculty Senate.
4. Customarily, degrees awarded posthumously will be noted on the commencement program and a member of the deceased student's family will be permitted to participate. The student's diploma will be released or mailed to the person legally authorized to manage the deceased student's affairs. The posthumous nature of the award will be indicated on the diploma and in the student's official transcript. Any fees associated with the administration of the posthumous degree shall be waived.

### **Camera Policy for Online Learning**

For courses conducted using Zoom software, students should have their camera ON throughout the entire class as a general rule. We also recognize this can be difficult and not always possible. Students may have, in certain situations and at limited times, very good reasons for needing their camera off. However, as it is a requirement of the Department of Education, as well as all Accrediting Bodies who oversee the college as a whole, each department and each instructor must verify and certify the attendance of every student for the entire class period who is marked present. To this end, it is essential cameras remain on during the entire class time with the exception of breaks. Faculty have discretion to modify this policy within the context of each class meeting.

If students need to have their camera off, due to any number of legitimate reasons, it is important to notify the faculty member. Faculty understand that occasionally, for limited amounts of time, cameras may be off. We ask all students to have cameras turned on unless they have a specific need for them to be off and that need has been communicated to the faculty. Most faculty in our departments prefer to teach to actual faces and this helps insure the best education possible.

### **Classroom Materials Policy**

Classroom materials such as lecture notes, hand-outs, charts, manuals, and power-point presentations are owned by the college and/or the instructor for the course. When students are interested in re-formatting these materials to share with classmates or others, they must receive permission from the faculty member and/or the college to do so. Sale of such materials for profit is prohibited.

### **Instructor's Copyright Rights**

Students should be aware of the protections that exist over the work of their instructors, including lectures, charts, class notes, manuals, etc. The following is a legal rendering of this issue.

#### ***Copyright: The Legal Summary***

Copyright protection subsists in original works of authorship. Thus, OCOM professors, as authors of their lectures, own a copyright in the content. Copyright ownership grants certain specific exclusive use rights,

including, for example, the right to reproduce copies; another exclusive right is the right to prepare other works based on the copyrighted work (technically called a “derivative” work). The subsequent creation by another of a work which is substantially similar to the original or the derivative violates these exclusive rights and is thereby deemed an infringement. An infringement occurs regardless of whether the original has been registered with the Copyright Office. Infringement would include, for example, the sharing with others of: handwritten, photocopied, or computer reformatted faculty lecture notes; quizzes based on faculty lectures; and compilations of faculty lectures.

“Fair use” is the major exception to an infringement claim. Fair use is not an easily defined concept, depending on the specific facts of each situation. It may exist for purposes of criticism, comment, news reporting, teaching, scholarship or research. To determine whether a use is a fair one, the following are factors to be considered and weighed:

1. Purpose and character (commercial vs. nonprofit, transformative vs. republished);
2. Nature of copyrighted work (unpublished vs. published, factual vs. nonfactual);
3. Amount and substantiality of portion used; and
4. Effect of use upon potential market of copyrighted work.

Photocopying and selling class notes, not being a fair use, is an infringement, even if the material is sold at cost. For example, it does not fall within any one of the favored categories (the “teaching” milieu belongs to teachers). While the noncommercial aspect may favor the copying, the character is that of republication. Also, many of the lectures are not published and accordingly, the copying activity would have a substantial effect on the potential market for any publication by the professors. Finally, since the goal is to include the most important aspects of the lectures, the third factor would weigh against fairness.

### **Classroom Recording Policy**

OCOM prohibits the use of personal recording devices (e.g. video, camera phone, or other recording technology) to record public lectures, classroom lectures, patient treatments and student participation without the express permission of the instructor. In no case shall recording occur without notice to all students in the class that the lecture and discussions may be recorded. Any recording of a patient encounter in class or in clinic can only be done on an OCOM camera operated by an OCOM employee and with specific written consent from the patient. Students who record class lectures or discussions without express permission of the instructor, according to guidelines set forth in individual class syllabi, may be subject to disciplinary action under the OCOM Student Code of Conduct.

#### **Definitions**

**Classroom Lecture:** Class room lectures are lectures provided by a faculty member in their role as an instructor in a classroom or classroom setting as part of a course with enrolled students.

**Public Lecture:** Public lectures are typically open to the public and a speaker presents in their professional role as a scholar or expert, rather than as an instructor as part of a course.

**Student Participation:** Students will be deemed “participating” in a classroom lecture if their image or voice is captured in the recording.

Permission to record a classroom lecture that a faculty member grants to a student is limited to the student’s own personal use to achieve the educational goals of the course. The recording may not be replicated, accessed, utilized by, or made available to any other student or individual without the permission of the instructor. Unauthorized downloading, file sharing or distribution of all or any portion of a recorded classroom lecture may be deemed a violation of the Student Code of Conduct and other applicable policies and laws.

Students who request recording of class lectures or discussions due to a disability under the Americans with Disabilities Act must contact the Academic Programs and Accessibility Coordinator to obtain formal accommodations.

This policy remains subject to existing policies, procedures, and regulations of OCOM, such as the Intellectual Property Policy (See Appendix B for the Intellectual Property Policy), Protected Classroom Materials Policy and Instructor’s Copyright Rights all of which shall continue to apply. This policy is not intended to address recordings or videos taken by faculty or OCOM staff.

## **Needling Policy**

The only appropriate place for needling is in class, in a supervised needling lab or supervised college sponsored event, or in the clinic under supervision. It is a Class C felony for students to needle any person outside of a supervised classroom or clinical setting. As such, it is fully prohibited by OCOM policies and may result in dismissal from the college. Needle insertion and manipulation are the fundamentals of acupuncture therapy.

During the course of OCOM study, students are trained to develop the level of clinical skill that is the ideal of acupuncturists everywhere: efficient, pain free, needle insertion, performed with sensitivity, concentration, and clear intent. In the practical courses that have been structured specifically to develop these needle handling skills (e.g. Acupuncture Techniques, Acupuncture Microsystems), students work with, and depend upon, fellow students to provide the experience necessary to reach this objective. Working in pairs, students are both the giver and recipient of acupuncture, exchanging critiques and offering feedback. Each student's own experience of receiving needles at acupuncture points is at least as important as learning to place them in another. It is considered a vital component of acupuncture education here, and is a requirement for successful completion of practicum classes.

For most people, needling and being needled is an intense experience. Whether its objective is therapeutic or educational, a significant level of trust must be established for the experience to be as positive as it can be. We all share this responsibility. For our part, OCOM is committed to providing students with a supportive classroom environment in which to practice this art; students are asked to provide their focused participation.

## **Satisfactory Academic Progress Policy**

All students are required to demonstrate Satisfactory Academic Progress (SAP) toward their educational program. The "Maximum time frame" to complete a program is 200 percent of the length of the program. A student in Good Standing is an enrolled student who is following a matriculation sequence that meets the maximum time frame for degree completion and who is not on academic probation.

Academic Probation – If a student fails a required course at OCOM, the student will be automatically placed on academic probation and may result in an academic plan change. Academic probation may also be sanctioned for students who receive two or more Incompletes, two or more interim grades of FR, or one Incomplete and one FR in any single quarter, or who do not meet OCOM's standards of professionalism.

Academic probation remains in effect for the following 12-month period. For example, if a student fails a Winter quarter course, the student is placed on probation for the following Spring, Summer, Fall, and Winter quarters. As long as the student passes all coursework during this probation, avoids recording two or more Incompletes, two or more interim grades of FR or a combination of one Incomplete and one FR in any given quarter, and demonstrates OCOM's standards of professionalism, the student is automatically removed from probation after the 12-month period.

## **Satisfactory Progress for Financial Aid**

Failure to maintain SAP will result in disqualification from federal student aid programs.

Financial Aid Satisfactory Academic Progress (SAP) is measured in two ways: qualitatively and quantitatively. Students must complete both measures satisfactorily to remain in "Good Standing" status for financial aid eligibility.

### ***Qualitative component***

Students must be in good academic standing to remain in financial aid "Good Standing." If a student is placed on Academic Probation status, they will not be considered in Good Standing for their financial aid status.

### ***Quantitative component***

"Pace" of progression (cumulative earned credits divided by cumulative attempted credits): OCOM students must maintain a cumulative pace of 75 percent. That is, 75 percent of all attempted credits must be passed to maintain SAP.

### ***When is Financial Aid SAP Reviewed?***

For OCOM's entry-level graduate degree programs, Financial Aid SAP status is reviewed at the end of every

quarter. If a student does not meet the SAP requirements listed previously, they will be placed on Financial Aid Warning and notified of their status by the Office of Financial Aid. Students who are on Warning status must complete their next quarter successfully, otherwise two Warning quarters in a row will result in the student being placed on Financial Aid Suspension. Suspension status means students do not qualify for financial aid. Students may submit an appeal for reinstatement of financial aid eligibility to the Director of Financial Aid. If the appeal is approved, the student would be placed on Financial Aid Probation until their SAP has been resolved or they have successfully met the requirements of their academic plan.

## **Financial Aid SAP Statuses**

### ***Financial Aid Warning Status***

Financial Aid Warning is just a warning status. Students who are on warning may still receive financial aid. To resolve Warning status and get back into Good Standing a student must successfully complete their next enrolled quarter. Students who go on Warning status two quarters in a row will be placed on Financial Aid Suspension. If a student is on warning status because they are on academic probation, and they follow their academic probation plan, then even if they are on academic probation for 12 months they will not go on suspension unless they are unsuccessful in a quarter while on academic probation.

### ***Financial Aid Probation Status***

Students who have successfully appealed their Suspension status will be placed on Financial Aid Probation, similar to Warning status. Students who are on probation may still receive financial aid. To resolve Probation status, students need to complete their next quarter enrolled or follow their academic plan (if one quarter will not be sufficient to resolve the SAP issue). If a student is placed on Probation and then does not resolve their SAP status or does not meet the terms of their academic plan, they will go back on Suspension.

### ***Financial Aid Suspension Status***

Students placed on Financial Aid Suspension are not eligible to receive financial aid. Students have a right to appeal their status.

### ***Appealing Financial Aid Suspension Status***

To appeal, a student must submit a written appeal to the Director of Financial Aid. The appeal should include the following information:

- A statement in their own words explaining why they failed to maintain SAP
- The actions they will take or have taken to correct or prevent the situation from reoccurring; if the appeal is a medical reason, documentation from a doctor indicating that they are cleared to return to school and that the medical condition will not prevent them from being successful in the future

Students who successfully appeal their Suspension status will be placed on Financial Aid Probation.

## **Leave and Withdraw Policy**

### ***Class Section Add/Drop/Withdraw Policy and Procedures***

To add, drop, or change a section of a class, students must complete a Add/Drop/Section change form and submit it to the Office of the Registrar. The student must meet with the Director of Student and Alumni Affairs or the Vice President of Academic Affairs if a requested change will have an effect on the student's program of study. In addition, the Registrar will inform the Director of Financial Aid if the course load changes the student's enrollment status. Students on financial aid whose reduced course load changes their enrollment status must meet with the Director of Financial Aid.

Classes may be added no later than the end of the first week in the quarter and may be dropped no later than the end of the sixth week in a twelve week quarter. Students may withdraw from a class until the beginning of the tenth week of class. Specific Add/Drop dates and deadlines are distributed each quarter. Summer quarter is shorter in length and the add/drop/withdrawal dates are adjusted as appropriate. A Section/Add/Drop Change fee of \$10 is charged for all changes after the first week of the quarter.

It may not be possible to approve some section change requests if the resultant instructor/student ratio is educationally unsound. Section Change Request forms are available by email from the Office of the Registrar. Students can request a form from the Registrar to be sent to them. Students will submit the forms back to

the Registrar by email and the Registrar will notify the student of the change or changes. The guidelines for submitting a Section Change Request are as follows:

After submitting a Section Change Request form, the Registrar confirms the enrollment sizes of the sections involved. If the request is to move from a section of smaller enrollment to one with a larger or a full enrollment, the request may not be approved if the request would result in enrollment exceeding the cap on the number of students possible in each class, depending upon the type of instruction offered (i.e. hands-on, lecture, etc.).

Never assume that, once the request has been submitted, it will be granted. The student must attend the registered section unless and until confirmation of approval is received.

Faculty members are **not** authorized to make decisions regarding section changes. Do not place them in an awkward situation by asking them.

If submitting a Section Change Request form that requests to move from a section with a large enrollment to one with a smaller enrollment, the Registrar will approve the request and notify the student by email of the section change.

If submitting a Section Change Request indicating a change of sections with another student, both students need to email the Registrar with their form indicating who they are trading sections with. The Registrar will approve the requests once both forms are received and notify each student by email.

If submitting a Section Change Request form that requests to move from a smaller section to one with a larger or full enrollment, the Registrar will inform the student that the request cannot be approved as submitted. The student will then have a couple of options:

Upon request, the Office of the Registrar will send out an email on behalf of the student to the desired class section to inquire if another student is willing to make a section change. If another student is willing to make a section change, both students will fill out the Section Change Request form and submit it to the Registrar. Both students will be informed of the change for the class section.

Class sections with fewer than 15 students enrolled in hands-on classes or electives may be canceled, or sections may be combined.

### ***Interim Emergency Leave***

#### *1. Consideration for Interim Emergency Leave*

If a college faculty or staff member reports a student's behavior to the Director of Student and Alumni Affairs, CARE Team, or a designee, and the Director of Student and Alumni Affairs, CARE Team, or designee determines that the student's behavior poses an immediate risk of substantial disruption to the educational and other activities of the college or an immediate risk to the health and safety of others or to the student, the Director of Student and Alumni Affairs or designee may request that the Vice President of Academic Affairs issue require an immediate Interim Emergency Leave pending completion of the Involuntary Medical Leave process.

The Vice President of Academic Affairs or designee will make an effort to meet with the student before requiring Interim Emergency Leave. Pending evaluation for Involuntary Medical Leave. The Vice President of Academic Affairs or designee will provide the student written notice of Interim Emergency Leave, although such notice may, when necessary, be provided after verbal notice of required Interim Emergency Leave.

The Vice President of Academic Affairs or designee may restrict the student's access to any or all of the college's programs, services, and facilities, pending a final decision concerning Involuntary Medical Leave, including academic programs, and other nonacademic activities. Any such restrictions will be in the written notice. The Vice President of Academic Affairs or designee may provide the student a verbal notice of restriction that takes effect immediately. In this case, the student will receive a written notice as soon as possible after receiving the verbal notice.

#### *2. Appeal of Interim Emergency Leave*

A student may appeal the college's decision to require Interim Emergency Leave by writing to the President. The President may take any steps deemed appropriate to decide the appeal and will issue a decision to the student in writing promptly following the President's receipt of the appeal.

### ***Involuntary Leave of Absence for Medical Reasons***

The college strives to ensure that all students can fully participate as members of the college community. When a student's participation and/or presence on campus: poses a health or safety risk to themselves or others the college may require that the student take a leave of absence to ensure the health and safety of the student or others, or to ensure the proper operation of the college. This policy sets forth the circumstances under which the college will require a medical leave of absence. This policy is independent and separate from the Code of Professional Conduct and Proscribed Conduct, and nothing in this policy precludes the college from taking appropriate disciplinary action under these Codes for violations of college expectations.

#### *Protocol*

1. Consideration for Involuntary Medical Leave: The college may start the process for possible Involuntary Medical Leave if the Vice President of Academic Affairs in coordination with the Director of Student and Alumni Affairs, OSHA Taskforce, CARE Team, or a designee determines that there is evidence that a student's participation and/or presence on campus: poses a health or safety risk to themselves or others;
2. Process to Determine Whether Involuntary Medical Leave is Required:
  - a. If a college faculty or staff member believes that a student may have a medical illness that creates a health and/or safety risk to themselves or others, or the apparent medical illness substantially disrupts the educational and other activities of the college, the faculty or staff member must report their concern to the Vice President of Academic Affairs, OSHA Taskforce, CARE Team, or designee.
  - b. If there is an indication that the risk to the student or others could be an immediate threat, the Vice President of Academic Affairs or designee may suspend a student's participation or presence on campus immediately to ensure the safety of the student and/or others, pending guidance from an appropriate licensed professional.
  - c. The student may then be requested to obtain a medical exam and clearance from a licensed professional within the appropriate scope of practice. If the student is unable to obtain a medical approval for continued participation in college activities then the student may be asked to take an Involuntary Medical Leave.
    - A. The health professional performing the evaluation of the student must evaluate the following factors using reasonable medical judgment, based on the most current medical knowledge and the best available objective evidence:
    - B. the nature, duration, and severity of any risk posed by the student to the health and safety of the student or others as well as any reasonable modifications of policies, practices, or procedures that may sufficiently mitigate any risk.
    - C. The health professional performing the evaluation of the student must be performing the evaluation under their scope of practice.

The health professional performing the evaluation will be requested to provide a written diagnosis (which will be kept confidential) and recommendations addressing the information included above. The health professional performing the assessment and the Director of Student and Alumni Affairs or designee, may consult with one another concerning potential reasonable modifications. The student may also be referred to the Academic Programs and Accessibility Coordinator for consideration for ADA accommodations.
  - d. The process will move forward as expeditiously as possible and appropriately based on the diagnosis and recommendations from the health professional performing the medical evaluation and the college administration.
  - e. The Vice President of Academic Affairs or designee will notify the student in writing of the decision and, if Involuntary Medical Leave is required, any conditions for readmission. Conditions will be reasonable and based on the documentation provided by the health care professional of the actual risk posed to or by the student. The college may also require other neutral, nondiscriminatory readmission requirements that are the same as they would be for any other student on a leave of absence. If the college requires Involuntary Medical Leave, the Vice President of Academic Affairs or designee will notify the appropriate

staff members and/or administrators..

### 3. Effect of Involuntary Medical Leave and Conditions of Re-enrollment

To re-enroll, the student must apply in writing to the Vice President of Academic Affairs and provide medical documentation clearing the student for re-enrollment.

The Vice President of Academic Affairs or designee will notify the student in writing of the decision regarding re-enrollment. If re-enrollment is permitted, the Vice President of Academic Affairs or designee will advise the appropriate staff members and/or administrators.

### 4. Appeal From a Decision to Require Involuntary Medical Leave

A student may appeal the college's decision to require Involuntary Medical Leave or to deny re-enrollment if the student believes the factual information on which the college relied was not accurate or does not support the decision. An appeal must be in writing, addressed to the President and be submitted within ten calendar days of the decision. The President may take any steps that they deem appropriate to decide the appeal and will issue a decision to the student in writing within ten calendar days of receiving the appeal.

The college may implement or enforce its decision even where an appeal is pending.

### **Confidentiality**

The college will comply with laws and college policies concerning the confidentiality of information related to this policy.

### **Leave of Absence and Withdrawal**

Any student may apply for a formal leave of absence for up to four quarters, during which time the student is entitled to readmission without reapplying.

A student who re-applies after more than four quarters must meet the admissions policies that are in effect at the time of their re-application. The student may also be asked to complete a required audit of courses already completed at OCOM.

A student with incomplete coursework may request a leave of absence. The student will have until the date specified on the Request for Incomplete Grade form to complete any outstanding coursework and convert the grade of Incomplete to a Pass. After this time frame, an Incomplete would convert to a Fail grade and the student would be required to repeat the course.

Students may initiate the leave of absence or formal withdrawal from OCOM by meeting with the Director of Student and Alumni Affairs who will provide the student with the appropriate form. Any leave of absence or withdrawal from the college must be approved by the Dean of Graduate Studies. Unresolved financial or disciplinary issues may delay or impact the conditions of the approval. Students who take a leave of absence while on academic probation will return to the program on academic probation. Any approved leave of absence may specify requirements for returning to the program.

Any tuition refunds or remaining financial obligations to the college will be determined on the basis of the date of application for leave of absence.

In addition, any student who fails to attend class or clinic for ten consecutive course or clinic days or fails to register for any quarter will be considered by the college to have withdrawn. Students who have withdrawn from the program must apply for readmission.

## **Accommodation Policy**

### **Disability Access Services Policy and Procedures**

OCOM will not, because of disability, deny qualified persons access to, participation in, or the benefits of any program or activity operated by OCOM. Academically and technically qualified persons shall receive reasonable accommodations to ensure access to educational opportunities, programs and activities of the college.

The Academic Programs and Accessibility Coordinator is responsible for coordination of services for qualified students with both temporary and ongoing disabilities. For OCOM to provide reasonable accommodations for students with disabilities, follow this procedure:

1. Pick up and complete a Disability Accommodation Request procedure checklist and forms packet. These forms are stapled together and can be found in the rack of forms located just outside the 2nd Floor Student Services Suite. Packets are also available via email from the Academic Programs and Accessibility Coordinator
2. Submit the following to the Academic Programs and Accessibility Coordinator:
  - A. Request for Disability Accommodation
  - B. FERPA Release form
  - C. Authorization to Disclose Protected Health Information form
  - D. Documentation of your medical condition/reason for requesting an accommodation.
    - i. Documentation must include:
      - Student's name
      - A diagnostic statement identifying the condition
      - A description of the specific and current functional limitations due to the condition
      - Expected duration, progression, or stability of the condition
      - The qualified professional's licensure to diagnose the condition
      - The qualified professional's signature and contact information
3. Documentation may include results of professional evaluations (e.g. psychological or learning disability assessments) and previous use of accommodations.
4. Make an appointment with the Academic Programs and Accessibility Coordinator to discuss the request for disability accommodations. Accommodations will be determined by an interactive process, taking into account the functional limitations of the student and the essential requirements of each course. The Vice President of Academic Affairs and/or faculty members may be consulted as part of the interactive process. In every instance, a range of options and solutions will be considered to meet the student's needs and ensure that the student is meeting the essential requirements and expectations of the program.
5. The Academic Programs and Accessibility Coordinator will communicate approved accommodations directly to 1) the student and 2) the appropriate faculty.
6. Students will communicate with Academic Programs and Accessibility Coordinator prior to the beginning of each quarter to review/update the accommodations plan.

*\*Documentation of medical condition/disability cannot be provided by current OCOM faculty, staff, TAs, and/or students.*

Proceeding through the program, be aware that:

- Arrangements made directly between students and faculty are not allowed unless first approved by Disability Access Services (DAS) Staff to ensure that they do not constitute a fundamental alteration of the student's program standards and essential requirements.
- Information will remain confidential except as permitted by the student expressly for providing support services to that student.
- Requests must be made in a timely manner. Untimely requests may result in delay, substitution, or denial of accommodation.
- Accommodations cannot be granted retroactively.
- Students requesting accommodations are required to contact the Academic Programs and Accessibility Coordinator and/or other appropriate college staff prior to each quarter to review accommodation requests as applicable to upcoming courses.
- Students with specific learning disabilities may obtain tutoring assistance, at their expense and at current rates, for individual classes. Tutor subsidies are available for tutoring that is recommended or required by an instructor. The subsidies are sponsored by the Office of Student Affairs.
- Complaints concerning the provision of accommodations to disabled students will be handled through the Student Grievance process, as specified in the *Academic Catalog* and in the *Student Handbook*. Students may also contact the Office of Civil Rights via their complaint form at: <http://www.ed.gov/ocr/complaintintro.html>.

## **Temporary Health Issue/Disability Accommodation Request Policy**

Temporary modifications to coursework may be requested in cases when the health condition is expected to last fewer than six months. Students requesting temporary modifications to participation in coursework at OCOM due to health reasons should follow the procedure outlined below:

1. Pick up and complete a Disability Accommodation Request Procedure Checklist and Forms packet. These forms are stapled together and can be found in the rack of forms located just outside the door to the second floor Student Services suite. Packets are also available via email from the Academic Programs and Accessibility Coordinator
2. Submit the following to the Academic Programs and Accessibility Coordinator:
  - A. Request for Disability Accommodation
  - B. FERPA Release Form
  - C. Authorization to Disclose Protected Health Information Form
  - D. Documentation of the medical condition/reason for requesting a modification
    - i. Documentation must include:
      - Student's name
      - A diagnostic statement identifying the condition
      - A description of the specific, current functional limitations due to the condition
      - Expected duration, progression, or stability of the condition
      - The qualified professional's licensure to diagnose the condition
      - The qualified professional's signature and contact information
3. Make an appointment with the Academic Programs and Accessibility Coordinator to discuss the request for temporary health issue/disability course modification(s).
4. Make an appointment with the Academic Programs and Accessibility Coordinator to discuss the request for accommodations. Accommodations will be determined by an interactive process, taking into account the functional limitations of the student and the essential requirements of each course. The Vice President of Academic Affairs and/or faculty members may be consulted as part of the interactive process. In every instance, a range of options and solutions will be considered to meet the student's needs and ensure that the student is meeting the essential requirements and expectations of the program.
5. The Academic Programs and Accessibility Coordinator will communicate any approved course modifications directly to 1) the student, and 2) the appropriate faculty or staff.

Information will remain confidential except as permitted by the student expressly for providing support services to that student.

Note that any arrangements made directly between students and faculty are not allowed unless first approved by DAS staff in consultation with the Vice President of Academic Affairs to ensure that they do not constitute a fundamental alteration of OCOM's program standards and essential requirements.

As these requests for course modification or accommodation are, by definition, temporary (less than six months in duration), the student will be required to provide updated documentation of their health status at intervals requested by the DAS staff.

If the duration of the condition is longer than six months, the student may be reviewed for ongoing accommodations by DAS staff.

## **Attendance Policy**

### **Classroom Attendance Policy for Entry-level Programs**

In a professional medical program such as OCOM's, attendance is essential for acquiring knowledge and skills needed for safe and effective practice. As such, students are expected to attend all their classes and clinic shifts.

Faculty may require students who miss instructional time, either due to absenteeism, tardiness, or early departure from class, to do additional work. This may involve additional projects, examinations, meeting with tutors, teaching assistants, or the faculty themselves. Students are responsible for any additional costs

associated with these requirements.

Any student who misses more than 25 percent of a class will receive a failing grade for the course ("F"). While faculty have the discretion to consider exceptions to this policy, any student requesting an exception must submit a written petition to the faculty member who will review the petition in consultation with the Vice-President of Academic Affairs. The student may be required to submit additional documentation to process the petition, the nature of which will be determined by the faculty member and Dean.

Students missing more than 25 percent of the attendance due to a medical condition that will continue to create functional limitations should seek accommodations through Disability Access Services. Disability accommodations cannot be given retroactively.

Students who fail a class because of excessive absences will need to repeat the class or clinic shift. In certain circumstances, this may require adding an additional year to the program of study.

### **Clinic Attendance Policy**

In a professional medical program such as OCOM's, attendance is essential for acquiring knowledge and skills needed for safe and effective practice. As such, students are expected to attend all their classes and clinic shifts.

Contact the Patient Service Team and the clinical supervisor as soon as one knows of an absence. This will enable them to reschedule patients in a timely manner. A student who does not contact the clinic front desk and alert their supervisor when they will be absent prior to a regularly scheduled or make-up shift will receive an unexcused absence. A second unexcused absence at any point during the program will result in sanctions, up to and including possible suspension from the clinic or the program. This includes absences from scheduled break week shifts.

Working partial shifts is not permitted. Arriving late (more than 15 minutes) or leaving early, or any combination of the two, twice in one quarter, constitutes one absence. More frequent tardiness or leaving early may result in failure of the course.

While religious absences will not count against attendance requirements, students are required to notify their scheduled patients, the clinic front desk, and their supervisor of an impending absence due to a religious observance a minimum of one week in advance.

Holidays, supervisor absences, and emergency closures of OCOM clinic shifts do not factor into the total quarter attendance. Excused and unexcused absences, absences caused by supervisor absences and emergency closures of OCOM clinic shifts are to be made up during the quarter they occur. Students do not need to make up absences due to holidays, or absence due to religious observance, except when the combined absences in any quarter exceeds 25% of the time in a single clinic shift. In such a case, students must make up the number of shifts to bring them over 75% attendance. In all cases, when a student is not able to achieve the required number of treatments or required number of herbal formulas for a clinic shift because of absence, the student must make up enough missed shifts to comply with minimum required numbers.

Any absences from a previous quarter, must be made up by the mid-point of the following quarter or the student will receive a failing grade for the shift and lose all accumulated patient contacts and hours for that shift, and the entire shift must be taken again in a subsequent quarter.

Any student who misses more than 25 percent of a clinical section (3 shifts) will receive a failing grade for the course ("F"). While faculty have the discretion to consider exceptions to this policy, any student requesting an exception must submit a written petition to the faculty member who will review the petition in consultation with the Associate Dean of Clinical Education. The student may be required to submit additional documentation to process the petition, the nature of which will be determined by the faculty member and the Associate Dean of Clinical Education.

While disability accommodations cannot be given retroactively, any student who has missed more than 25% of the attendance requirement due to a medical condition that will continue to create functional limitations will be referred to the Disability Access Services and Tutoring Programs Coordinator to engage in the interactive process for requesting accommodations under the ADA and Section 504 of the 1973 Rehabilitation Act.

Students who fail a class because of excessive absences will need to repeat the clinic shift. In certain circumstances, this may require adding an additional year to the program of study.

## **Make-Up Policies**

### *Making Up a One-day Course: Policy and Procedures*

Students who are absent for any one-day course (e.g., Biochemistry) are required to make up the course by watching a video recording or listening to an audio recording of the presentation. Students are required to take detailed notes that will be submitted to the college as verification that the student has reviewed the entire course presentation. Students will also need to submit a one-page typed commentary on the video or audio presentation; this can include summary, critique, relevance, quality of presentation, etc. In addition, students must complete any assignment, quiz, or test required by the instructor of the one-day course as outlined on the syllabus. Quizzes and tests for these courses are generally open-book but are to be completed independently (i.e., not in collaboration with other students).

### *Making Up a Pre-Internship Clinic Shift: Policy and Procedures*

Note: For the complete make-up shift policy, see the *OCOM Clinical Studies Handbook*. This listing below is a condensed version.

Anytime a student misses a Pre-Internship Clinical Studies (PICS) shift or the shift is canceled, students must make up the hours by scheduling a make-up shift through the Office of the Registrar. Students will also have the opportunity to make up shifts during break weeks. The Office of the Registrar will send an email communication to all students for Break Week schedule sign-ups in advance.

DACM PICS courses are: Introduction to Clinic Observation (12 hrs), Clinical Theater I and II (96 hrs), Clinical Rounds I and II (72 hrs), Herbal Rounds I and II or Asian Bodywork Clinic I and II (72 hrs), Herbal Medicinary Practicum (48 hrs), Clinic Trainee I, II, and III (144 hrs), and Integrative Clinical Theater I (36 hrs). Students are required to have completed 480 pre-internship clinical hours before they can begin their internship.

MACM PICS courses are: Introduction to Clinic Observation (12 hrs), Clinical Theater I and II (96 hrs), Clinical Rounds I and II (72 hrs), Herbal Rounds I and II or Asian Bodywork Clinic I and II (72 hrs), Herbal Medicinary Practicum (48 hrs), and Clinic Trainee I, II, and III (144 hrs). Students are required to have completed 444 pre-internship clinical hours before they can begin their internship.

MAc PICS courses are: Introduction to Clinic Observation (12 hrs), MAc Clinical Theater I and II (48 hrs), MAc Clinical Rounds I and II (96 hrs). Students are required to have completed 156 pre-internship clinical hours before they can begin internship

### *Make-up/Retake Exam: Policy and Procedures*

Students are expected to take quizzes, tests, and exams at the time that they are given. Being prepared for an exam is the responsibility of the student; being unprepared is not an acceptable reason for missing an exam. It is the student's responsibility to contact their instructors the day of an exam or quiz in the event of illness or emergency. In these cases, students should also contact their instructors to request an arrangement for exam make-ups. Most written exams or quizzes are done through Populi. Extensions and retakes are arranged with the faculty member. Making-up and/or re-taking of written exams, midterms, finals, and comprehensive exams (not administered through Populi) are arranged with the Academic Programs and Accessibility Coordinator and with the approval of the faculty. Such exams are administered and monitored at specified times and places on campus. Students should make an appointment at least three days in advance of their desired test date.

Make-up of practical exams that require faculty, live models, etc., will be arranged by the faculty member for the course. The faculty member will inform the students of the time and place of such make-up exams.

There is a \$50 fee for each make-up practical exam, comprehensive exam, challenge exam, or re-take exam.

Students may not take a test in a class section other than the one they are enrolled in without prior permission of the faculty.

## **Code of Professional Conduct**

All members of OCOM are expected to act in ways that foster the college's primary functions of teaching, research, patient care, and public service. OCOM encourages mature and independent student conduct. OCOM has the right and duty to protect its members from conduct which interferes with its primary educational responsibility to insure all its members the opportunity to attain their educational objectives and to maintain professional standards among all its members. All OCOM students are expected to observe national, state and local laws and ordinances, and to refrain from conduct proscribed below. Conduct which violates the provisions of the Code of Professional Conduct and/or Proscribed Conduct constitutes a failure to meet the Technical Skills/Standards for Acupuncture and Chinese Medicine. The Technical Skills/Standards are academic requirements in all course and clinic activities, including interactions with staff, faculty, students and patients while on any OCOM clinic floor. Unprofessional conduct in nonacademic activities may result in sanctions and will be dealt with as described in the Disciplinary Procedures.

Among the characteristics that differentiate "professional" graduate degree programs from more traditional mainstream "academic" graduate degrees (e.g., a traditional "Master of Arts") is that professional training requires students to demonstrate not only mastery of a wide range of relevant knowledge, skills, and abilities relevant to work in the field, but also mastery of an array of characteristic behaviors and attitudes that are considered normatively appropriate to their chosen profession.

These characteristic behaviors and attitudes are often referred to in general terms as aspects of professionalism. Although the norms of professionalism can vary from one field to another, many desired traits are common to all the professions (e.g., honesty and integrity).

Most professions explicitly define codes of conduct and principles that define exactly what is and is not normatively acceptable behavior. Some of these standards and expectations may also be reflected in the standards and expectations established by national educational accrediting or credentialing agencies, or by state regulatory bodies. Still others are promulgated by the educational institutions that train the professionals in question.

We believe that fostering professionalism in our graduates is a literally essential component of the educational process, and we feel it is important to publish a Code of Professional Conduct, so that expectations are clear on the part of all our communities of interest.

Students should be aware that high standards of professionalism are considered to fall within the academic domain at OCOM. As such, serious lapses in professionalism may result in academic disciplinary actions, e.g. academic probationary status that could impact a student's academic progress.

### **OCOM's Definition of Professionalism**

Four primary domains contribute especially significantly to the definition of professionalism at OCOM.

These domains are:

1. High Ethical Standards
2. Appropriate Demeanor and Styles of Interpersonal Interaction
3. Appropriate Levels of Engagement
4. Appropriate Deportment and Appearance

Each domain is described in more detail below. We ask that all members of our community exhibit professional behavior at all times. Ongoing collective attention to the task of maintaining high standards of professionalism will ensure that OCOM's leading role as a center of excellence in acupuncture and Chinese medical education will continue into the future.

## **1. HIGH ETHICAL STANDARDS**

All professions attach great significance to ethics and integrity, and the health care fields pay particularly close attention to these matters for various reasons. OCOM has identified the following distinct elements of ethical behavior, which we expect all members of our learning community to attend to at all times.

## 1.A – Ethical Aspects of Patient Care

### 1.A.1 Patient confidentiality

In any clinical setting, patient confidentiality concerns invariably arise. OCOM is committed to maintaining patient confidentiality, in keeping with the guidelines set out in the Health Information Portability and Accountability Act (HIPAA) of 1996, and any other federal, state, and local regulations that apply. Any member of the OCOM community who has regular contact with patients or their medical records must bear these confidentiality-related concerns in mind at all times and act accordingly. Patient personal health information (PHI) is protected, and confidentiality should be maintained at all times. Patient PHI should never be shared by email or on any social media site. HIPAA violations are a serious matter and may result in sanctions, up to and including expulsion from the program. All OCOM students are required to attend OCOM's annual Patient Privacy training. For more information regarding patient confidentiality, consult the Patient Privacy Training Manual.

### 1.A.2 Patient safety

Although the evidence suggests that traditional healing practices such as acupuncture are in general very safe, patient safety issues remain important considerations in our work. Any member of the OCOM community who has regular contact with patients, or who works with needles or other devices, or with Chinese herbs, must attend closely and at all times to safety-related concerns, including clean needle technique (CNT) and the appropriate disposal of medical waste. See the *Clinic Policies and Procedures Handbook* for more details.

### 1.A.3 Accuracy and completeness in medical record keeping

Accurate and complete medical record keeping represents a vital element of documenting the patient care process in a health care setting. As such, medical records are important legal documents. Ethical integrity in patient care requires that OCOM interns, supervisors, and all staff working in clinical settings always carefully attend to the accuracy and completeness of the medical records they are responsible for at all times.

### 1.A.4 Legal “scope of practice” limitations

Maintaining a constant awareness of scope of practice limitations is another important component of ethical patient care — particularly in “alternative” medical settings such as OCOM's clinics. It is never ethical or appropriate to treat patients using modalities, recommendations, or practices that fall outside the defined legal scope of practice for the profession. Students, faculty, and staff at OCOM should always keep in mind these limitations, and act accordingly. Details on the scope of practice in the state of Oregon are provided in the *Clinical Studies Handbook*.

### 1.A.5 Compliance with other applicable laws, rules, and regulations

In addition to core scope of practice concerns, laws and rules often establish various legally binding requirements that interns and practitioners must be aware of, and which must guide their actions as they do their work. Professional standards of ethical practice require a knowledge of these restrictions and definitions, and a willingness to abide by them at all times when caring for patients.

### 1.A.6 Maintenance of appropriate patient-practitioner (intern) relationships

As is true for all health care professions, the maintenance of appropriate boundaries with patients is essential for the integrity of the treatment process, and represents another important element of ethical patient care. It is seldom if ever appropriate for practitioners to treat close friends or family members. Practitioners should not have any non-platonic or sexual relationships with patients. Patient-practitioner boundaries must be clearly established and maintained at all times when working in the treatment room.

## 1.B – Educational Ethics

### 1.B.1 Plagiarism and academic cheating (see Appendix A for further information)

As an educational institution, OCOM requires scrupulously high standards of honesty and integrity in all educational settings on the part of its students, graduates, faculty and staff. Violations of this standard in any educational domain are treated as extremely serious matters.

### **1.B.1.a Definitions**

“Plagiarism, as defined in the 1995 Random House Compact Unabridged Dictionary, is the ‘use or close imitation of the language and thoughts of another author and the representation of them as one’s own original work.’ Within academia, plagiarism by students, professors, or researchers is considered academic dishonesty or academic fraud and offenders are subject to academic censure, up to and including expulsion. . . . Some individuals caught plagiarizing in academic or journalistic contexts claim that they plagiarized unintentionally, by failing to include quotations or give the appropriate citation. While plagiarism in scholarship and journalism has a centuries-old history, the development of the Internet, where articles appear as electronic text, has made the physical act of copying the work of others much easier, simply by copying and pasting text from one web page to another. . . . Plagiarism is not copyright infringement. While both terms may apply to a particular act, they are different transgressions. Copyright infringement is a violation of the rights of a copyright holder, when material protected by copyright is used without consent. On the other hand, plagiarism is concerned with the unearned increment to the plagiarizing author’s reputation that is achieved through false claims of authorship.”

Source: <http://en.wikipedia.org/wiki/plagiarism> (Retrieved on 5/9/2009)

In addition, “In an instructional setting, plagiarism occurs when a writer deliberately uses someone else’s language, ideas, or other original (not common-knowledge) material without acknowledging its source.”

Source: Defining and Avoiding Plagiarism: The WPA Statement on Best Practices. Council of Writing Program Administrators 2003. Statement available in full at: <http://wpacouncil.org/node/9>.

### **1.B.1.b OCOM’s Definition of “Academic Honesty”**

At OCOM, we subscribe to Charles Lipson’s view that there are three fundamental “Principles of Academic Honesty”:

1. When you say you did the work yourself, you actually did it.
2. When you rely on others’ work, you cite it. When you use their words, you quote them openly and accurately, and you cite them, too.
3. When you present research materials, you present them fairly and truthfully. That’s true whether the research involves data, documents, or the writings of other scholars.

*See: Charles Lipson (2004): Doing Honest Work in College: How to Prepare Citations, Avoid Plagiarism, and Achieve Real Academic Success. University of Chicago Press.*

Cheating is the attempt to obtain or aid another to obtain credit for work or improvement in an evaluation by dishonest or deceptive means. This includes lying, copying from another’s test, discussion or distributing test questions or answers without authorization, use of notes, information devices or other aids during tests and the misrepresentation of work.

The ethical requirements in educational contexts at OCOM, including both the classroom and the clinic, are:

- Never plagiarize the work of others
- Never share original work (e.g., homework assignments or term papers) via hardcopy or electronically with any classmates without the instructor’s express prior written permission
- Never collaborate with classmates or other OCOM students (e.g., students in other years) on homework or other assignments, unless the assignment details specifically mention that this is acceptable; if unsure, you must check first with the instructor
- Never copy original work done by classmates, or former OCOM students, in any form
- Never share any aspects of examinations or test questions, either verbally or in writing, with any other OCOM student
- Never cut and paste material from the Internet or other electronic sources (e.g., CD’s) into an assignment, with the goal of presenting the resulting pasted text as one’s own original work
- Never cheat on any examination or test

### **1.B.2 Maintenance of appropriate faculty-student relationships**

The maintenance of appropriate boundaries between students and teachers is crucial to the integrity of the educational process. (Note that the category of “faculty” is defined broadly at OCOM to include those who oversee and administer the college’s educational programs, in addition to classroom teachers, clinical supervisors and teaching assistants.) If a student seeks medical care from a faculty member, a duality of interest is created and both parties are responsible for approaching and working with each other without bias and without favoritism. Students should recognize that the appearance of a duality of interest may interfere with the learning environment for both the involved parties as well as the students’ peers and must be considered regardless of whether a conflict of interest is truly present.

With these principles and concepts in mind, OCOM’s policy on faculty/student relationships is as follows:

- No faculty member shall have a romantic/sexual relationship with any OCOM student while the student is enrolled at OCOM, regardless of whether the relationship is consensual. This policy applies to all enrolled OCOM students and is not limited to students who are currently enrolled in a faculty member’s class or section, or under the supervision of a faculty member. It also applies to students who are on a leave of absence.
- Faculty who currently provide health, psychiatric or psychological care to current OCOM students may not provide documentation of medical necessity for a student who is seeking temporary medical accommodations, disability access or other forms of medical record that affect a student’s access to education or satisfactory academic progress.
- Faculty and students who enter into a dual instructor/health provider relationship should document the discussion of conflict of interest.

### **1.B.3 Guidance on appropriate student/student medical treatment relationships**

Many OCOM students have long-standing interests in various forms of health promotion, health care, medicine, and may be lay providers or licensed providers of health services. However, it is generally discouraged for students to treat other students outside of the context of the classroom, OCOM clinics, or other educational experiences specific to the degree programs in which those supervised interns/students are enrolled.

While OCOM cannot limit any student’s choice in health care provider, the college does encourage students to assess the legal and professional qualifications of their providers for their own safety.

When a student seeks care from a fellow student, a duality of interest is created. This guidance is presented in the interests of:

- Maintaining the rights of the student to confidentiality with treating providers
- Minimizing concerns about favoritism related to special relationships between students
- Avoiding the potential that assignments, assessments, grading and academic progress could be impacted by a fellow student’s knowledge of that student’s illness or disability status
- Importance of maintaining appropriate boundaries, including respectful touch

Should a student choose to engage in a dual professional relationship outside of recommendations of the College, consider these guiding principles:

- The student providing care or professional service, for most professions, has a primacy of duty to their patient or client and is ethically obligated to act in the best interests of their patient or client.
- The student has the right to strict confidentiality of their health and medical conditions, inclusive of both physical and mental health or learning disability. The student may waive their right to confidentiality if the student believes it is in their best interest. Further, limits to strict confidentiality may be necessary to ensure patient safety.
- Both parties are responsible for approaching and working with each other without bias and without favoritism.
- The dual relationship should not be such that it interferes with the education of either student or their peers.

Students seeking care from other students should understand their rights as a patient to have their physical and emotional boundaries respected, and their rights to refuse treatment and unwelcome touch. Students must recognize that the appearance of a duality of interest may interfere with the learning environment for both the involved students as well as the students' peers and must be considered regardless of whether a conflict of interest is truly present.

With these principles and concepts in mind, OCOM's policy on student/student medical relationships is as follows:

- Students who currently provide health, psychiatric or psychological care to fellow OCOM students may not provide documentation of medical necessity for a student who is seeking temporary medical accommodations, disability access or other forms of medical record that affect a student's access to education or satisfactory academic progress.

These guidelines and policies for educational ethics may be subject to other existing policies, procedures and regulations of the college described elsewhere in this handbook such as the Needling Policy, Proscribed Conduct, Discriminatory Harassment, Sexual Misconduct and Retaliation Policies.

## 1.C – General Ethical Concerns

### 1.C.1 Discriminatory behavior

Discriminatory behavior of any kind is never appropriate for acupuncture and Chinese medical professionals, or for any member of the OCOM community. Discrimination includes not only overt actions, but also speech that functions to devalue or denigrate the status or legitimate beliefs of other individuals. Students should be aware that discriminatory behavior can manifest in a range of subtle ways, and great care should be taken to avoid it. See the OCOM Discriminatory Harassment, Sexual Misconduct and Retaliation Policy for further information.

## 2. GENERAL EXPECTATIONS FOR PROFESSIONAL BEHAVIOR

OCOM's professionalism standards place significant emphasis on individual demeanor and styles of interaction on the part of members of the college community. This domain is described in more detail below, and includes the following elements.

### 2.A – General Interactions

#### 2.A.1 Courtesy and respect/Civility

We expect and encourage all members of the OCOM community to speak and act courteously and respectfully whenever interacting with other members of our community — including clinic patients, students, faculty members, administrative and clinic staff, trustees, and members of the public. Discourteous or disrespectful actions or speech directed towards any member of the OCOM community is always considered to be a breach of professional conduct. This applies to all forms of speech whether it is spoken or written.

Examples of civility, courtesy, and respect include:

- Listening politely to other community members who may hold opinions that are different from one's own and accepting these differences in opinions with those community members. I.e., the ability to agree to disagree.
- If and when there is disagreement with a community member, respectfully communicate the differences with that individual person. It is not appropriate to involve others in these disagreements by gossiping, globalizing the disagreement, or forming coalitions or factions within the community.
- When a disagreement takes place with another individual, assume the best intentions of that person.
- Maintaining a positive regard for others despite disagreements and differences.
- Approaching situations with a sense of empathy for others and their experiences
- Refraining from libeling or slandering other community members in all forms of communication
- Treat others as one would like to be treated.

## **2.A.2. Bullying**

OCOM has a no tolerance policy against all types of bullying. Bullying is defined as an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behavior that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening.

Bullying can happen in person or online, via various digital platforms and devices and it can be obvious (overt) or hidden (covert). Bullying behavior is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records).

Bullying of any form or for any reason can have immediate, medium and long-term effects on those involved, including bystanders.

Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.

**Types of Bullying** include:

Verbal bullying is saying or writing mean things. Verbal bullying includes:

- Teasing
- Name-calling
- Inappropriate sexual comments
- Taunting
- Threatening to cause harm

Social bullying, sometimes referred to as relational bullying, involves hurting someone's reputation or relationships. Social bullying includes:

- Leaving someone out on purpose
- Telling other individuals not to be friends with someone
- Spreading rumors about someone
- Embarrassing someone in public

Spiritual bullying

- Pressuring someone to adhere to a specific belief system
- Excluding or criticizing someone for not accepting spiritual leadership or for not being part of a particular spiritual community
- Pressuring someone to contribute money or services to a spiritual leader or group
- Stereotyping a belief system outside of one's own

Physical bullying involves hurting a person's body or possessions. Physical bullying includes:

- Hitting/kicking/pinching
- Spitting
- Tripping/pushing
- Taking or breaking someone's things
- Making mean or rude hand gestures

Patterns of bullying will be considered a violation of professionalism and proscribed conduct at OCOM and will be subject to possible sanctions or disciplinary actions.

## **2.A.2 Intrapersonal and interpersonal communication skills**

OCOM values and expects all OCOM community members to demonstrate the various kinds of intra- and inter-personal skills that comprise what has come to be known as "emotional intelligence." These skills include:

- The ability to demonstrate appropriate levels of self-awareness
- The ability to apply this awareness in managing and regulating one's behavior, so that interactions remain courteous and respectful, even in difficult or stressful situations
- The ability to pay attention to group and interpersonal dynamics in social settings

- The ability to appropriately manage these dynamics, even in situations where disagreements or disputes among group members may arise

### **2.A.3 Problem resolution skills**

One important communication skill is the ability to grapple with difficulties and problems when they arise, and approach their resolution skillfully, i.e., in appropriate, realistic, and constructive ways.

Members of the OCOM community should be aware that problem resolution in any educational institution often involves competing interests; and that not all problems can be resolved quickly, or to the satisfaction of everyone involved. New students at OCOM, in particular, should be reminded of the fact that their collective voice represents only one of various interest groups at the college. Moreover, while OCOM is certainly a community of diverse views and interests, and while these diverse views and interests are taken into account when problems or challenges arise, OCOM (like most colleges) is not “a democracy” in which each member of the community has a single, equally-weighted vote.

College trustees, for example, are ultimately responsible for oversight of the college’s general mission and goals, and also, crucially, its finances. As such, their views and opinions on these vital matters always receive the most weight. Another example is that the OCOM faculty is ultimately responsible for the college’s academic programs and clinical related policies. Any significant changes in either of these domains must ultimately be approved by the faculty as a whole, and their opinions in these matters are usually definitive.

Students must understand that problem resolution in an institution such as OCOM usually involves multiple interests, which sometimes compete in subtle and unexpected ways, and that sometimes student interests will represent only one voice among a range of competing voices. This kind of approach to problem resolution facilitates constructive communication and minimizes the potential for conflict arising at the college.

## *2.B – Interactions in Patient Care Settings*

### **2.B.1 Respectful compliance with clinical supervisor instructions**

Clinic supervisors assume primary responsibility for patient care in the clinic under the scope of practice for acupuncturists. Clinical students are practicing under the supervision of their supervisor under the auspices of the college. Patients seen by the clinical students are under the direct care of clinic supervisors. Quality patient care should follow from this general rule. Clinical students may only make suggestions to patients regarding a diagnosis or treatment with prior approval from their supervisor. Clinical students must discuss their diagnosis and treatment plan in private with their supervisor before speaking with the patient. The supervisor must approve all treatments, including acupuncture, herbal treatments, massage, and patient recommendations. It is also important that clinical students never contradict a supervisor in the presence of a patient. Instead, they should talk to the supervisor about their questions or reservations outside the treatment room.

At no time may a student intern commence patient treatment without the approval of their assigned supervisor. Incidents of such behavior may result in immediate removal from the clinic until the student intern is brought before the CAPP (Committee for Academic Progress and Professionalism). Further incidents may result in expulsion from the program for practicing acupuncture without a license.

### **2.B.2 Ability to respond appropriately to supervisor suggestions and feedback**

All students being trained in OCOM’s clinics, either on-site or off-site, and either as interns or clinical observers, must be able to demonstrate the ability to listen actively to feedback and suggestions from supervisors, and respond appropriately and constructively.

### **2.B.3 Respectful compliance with clinic administration instructions**

Non-clinical aspects of the patient care process are overseen by administrators in OCOM’s clinic, and their views and decisions in these matters must be treated with respect and deference. Other members of the OCOM community, including clinical faculty, interns, or observers, must be willing to comply with administrative instructions relating to the actual administration of the clinic.

#### **2.B.4 Willingness to follow OCOM clinical policies and procedures**

Clinical administrators and supervisors are held responsible at OCOM for overseeing the implementation of clinical policies and procedures. Professionalism again dictates that willing compliance with published OCOM clinical policies and procedures, as developed and implemented by clinical administrators and supervisors, is required of all those involved in the patient care process at the college.

### *2.C – Interactions in Educational Settings*

As an institution of higher education, OCOM has many educational policies and procedures. Our professionalism code requires that all OCOM students, faculty, and staff learn these policies and procedures, and comply with them as they apply to their particular situations.

#### **2.C.1 Respectful compliance with faculty instructions**

Faculty members are responsible for the educational process in the classroom at OCOM. Their expectations will usually be outlined clearly in course syllabi, and faculty members' decisions, policies and requests must always be treated with respect and deference by students.

It is never appropriate for a student in a classroom setting at OCOM to ignore or refuse to comply with a teacher's reasonable request. Students should be aware that OCOM gives its faculty members great leeway to establish individualized guidelines and policies within their own classrooms, should they choose to do so. These guidelines or policies may differ from published institutional policies. In such cases, the faculty members' decisions receive priority. These guidelines are set out in the course syllabus, and they may also be communicated verbally by faculty members to students. Examples include establishing individualized policies regarding attendance, or policies relating to eating in class.

At OCOM, we believe that our faculty members represent a great treasure for the college, and that they must be empowered to shape the process by which learning occurs in their classrooms. OCOM usually defers to faculty members' authority and decisions in these situations, and our professionalism code requires that students at OCOM be willing to do the same.

Students who find that they have issues or difficulties with how individual faculty members approach the process of instruction in the classroom should always rely on the appropriate channels to communicate their concerns — specifically, the formal faculty and course evaluation process.

#### **2.C.2 Ability to accept criticism in a mature and appropriate way**

The virtue of humility is repeatedly and approvingly noted by many traditional Taoist and Confucian sources. And the ability to acknowledge one's "novice" status is a great asset for a beginning student entering a theoretically and technically complex profession like acupuncture and Chinese medicine. This is particularly true given that most beginning students do, in fact, enter their training at OCOM with minimal pre-existing knowledge or skills in the field.

Thus, an important aspect of learning the "professional ropes" at OCOM is being able to acknowledge that one is a beginner, and willingly accept feedback and constructive criticism from others, including faculty, supervisors, and staff.

#### **2.C.3 Appropriate input into OCOM programmatic feedback systems**

OCOM believes that thoughtful, regular attention to feedback and evaluation represents an essential aspect of professionalism for all members of the college community, not least students. Specifically, we believe that participating appropriately in these systems represents appropriate behavior. This is true because the quality of education, and therefore the quality of the patient care that is ultimately provided by OCOM students and graduates, is optimized through this kind of engaged participation.

This emphasis represents a more demanding approach to the process of evaluation and assessment than is true for most post-secondary educational settings, and it may appear surprisingly "strict" to incoming students. Nevertheless, we believe that engaged participation by students, faculty, staff, and other stakeholders in the college's feedback systems is crucial to achieving the college's mission, and in particular to achieving our goal of providing quality patient care. Conversely, failure to participate in these evaluation systems hinders the process of quality improvement.

#### **2.C.4 Avoidance of smoking and substance abuse**

As an institution committed to the transformation of health care, OCOM believes that “setting a good example” is characteristic of professionals with high ethical integrity. Consequently, OCOM strongly discourages all members of the college community from smoking and using drugs of abuse. Use of marijuana in any form is prohibited on campus and alcohol consumption is also prohibited on campus unless specifically approved by OCOM administration for a special event.

#### **2.C.5 An attitude of conscientious engagement**

Students who enroll at OCOM have made the conscious, voluntary choice to pursue a professional career, and therefore, indirectly, the norms of professionalism associated with the field in general and OCOM in particular. Among the most important expectations we have of all students in this regard is that they demonstrate their professionalism by showing a high level of conscientious and enthusiastic engagement with their studies. This means not only “showing up” for class regularly and completing assignments in a timely fashion, but also the demonstration of appropriate levels of participation in class and clinic settings, when working with faculty and peers.

#### **2.C.6 Ability to be punctual, adhere to attendance policies, and show appropriate time management skills**

Punctuality and time management skills are essential aspects of professionalism. We expect all OCOM students to demonstrate these qualities throughout their training. Faculty pay close attention to attendance and timeliness in classroom and clinical situations.

#### **2.C.7 Appropriate articulation of complaints**

At OCOM, we provide numerous avenues for students and other members of the community to provide feedback on our educational systems, policies, and procedures. An important aspect of professionalism is demonstrating the ability to “work appropriately within the system” to deal with challenging situations. With this in mind, our expectation is that any complaints will always be articulated in respectful and courteous ways, and that they will be directed through appropriate channels, using established policies and procedures.

### **2.D Appropriate deportment and appearance**

Professionalism in the health care world implies careful attention to appearance, and also to how one behaves and “carries oneself” (deportment). This is also true in educational settings that train health care professionals, particularly in settings where patients will be regularly encountered. This section outlines OCOM’s expectations in this regard.

#### **2.D.1 Professional deportment**

We expect all members of the OCOM learning community to behave with professional demeanor and deportment at all times. This includes paying careful attention to one’s general “attitude” — including developing an awareness of the effect one’s attitude has on peers, colleagues, patients, and teachers. Gestures and styles of physical expression also need to be monitored, as do styles of interaction and communication. OCOM also expects all members of the college community to carefully regulate the content of speech to ensure that it remains appropriate to a professional health care context at all times. When representing OCOM at any off-campus location or event (e.g., a student participating in a community outreach experience, or a faculty member giving a guest lecture), participants should always remain aware that they are acting as representatives of the college, and in this role they are to a greater or lesser extent reflecting OCOM’s level of professionalism to the wider world. In such situations, professional attire is usually appropriate.

#### **2.D.2 Appearance**

The college does not maintain a dress code for students outside of clinic. (See “Clinic Dress Code” in the *Clinical Studies Handbook* for required dress code in clinic.) However, casual professional dress is usually

preferable for students when on campus, simply because clinic patients are often encountered in the vicinity (and well-groomed students create a good impression!). Even if professional dress is not worn on campus, our professionalism guidelines do require that students pay attention to personal grooming and appearance at all times. Attention to prevailing hygiene standards is expected of all students in classroom, clinical, and other professional settings.

## **Proscribed Conduct**

The following actions constitute conduct in non-academic activities for which students will be subject to disciplinary sanctions:

- Intentional or reckless obstruction or disruption of teaching, research, administration, clinics, disciplinary procedures or other college activities, including the college's public service functions or other authorized activities at the college
- Theft or malicious damage to college property, or the property of any other person when such property is located at the college
- Unauthorized entry into or use of the college's facilities, including buildings, desks, files, equipment, etc.
- Illegal use, possession or distribution of drugs or alcohol on college premises, and attending class or clinic while under the influence of illicit drugs or alcohol. The consumption, possession, or distribution of alcoholic beverages or illicit drugs or the possession of weapons/firearms at OCOM is prohibited. Note: Illicit drugs in this context include marijuana. Note OCOM's program concerning substance use disorder for students, faculty, and employees. Alcohol may be provided at certain college functions; prior approval by the President or their designee is required.
- Academic cheating, including plagiarism in any form; copyright infringement; knowingly providing false or misleading material information to the college; or forgery, alteration or unauthorized use of college documents, records or identification
- Unauthorized possession of keys to college facilities including buildings, desks, files, equipment, etc;
- Failure to comply with published clinic and academic policies and regulations
- Failure to comply with dress, appearance, and professional standards of behavior as may be set by the college
- Unlawful conduct involving moral turpitude or the illegal practice of any of the healing arts. Students should note that it is a felony in Oregon to practice acupuncture without a license, and that this prohibition is extended to any acupuncture needling outside of the formal, supervised educational format
- Physical, sexual or verbal abuse, intimidation, discriminatory harassment, or personal harassment. This includes discriminatory, harassing, bullying or threatening statements or information posted on social media
- Deliberate or careless endangerment of others
- Deliberate incitement of other students to commit serious rule violations or to commit grievous acts
- Tampering with the building alarm system or any other safety equipment
- Failure to comply with the lawful directions of college officials

## **Disciplinary Procedures for a Conduct Violation**

The following procedures will be followed when an allegation of misconduct in nonacademic activities is received. A violation of the OCOM Code of Conduct in an academic setting will fall under an academic review process and may constitute failure in a course. The alleged violation, if it endangers the safety or well-being of any member(s) of the campus, may also be referred for Disciplinary Procedures for a Conduct Violation.

Allegations of Misconduct Any student, faculty, or staff members of OCOM may present an allegation to the Vice President of Academic Affairs that a student has engaged in proscribed conduct and/or has violated the Code of Professional Conduct.

If, in the judgment of the Vice President of Academic Affairs, the safety or well-being of any member(s)

of the campus community may be jeopardized by the on-campus presence of the responding party or the ongoing activity of a student and/or student organization whose behavior is in question, the College may interim suspend a student or student organization pending the completion of an investigation and resolution. In all cases in which an interim suspension is imposed, the student or student organization will be given the opportunity to meet with the Vice President of Academic Affairs prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented. During an interim suspension, a student or student organization may be denied access to College campus/facilities/events. This restriction can include classes and/or all other College activities or privileges for which the student or student organization might otherwise be eligible. Violation of an interim suspension under this policy is grounds for expulsion or termination.

Alternative coursework options may be pursued to ensure as minimal an impact as possible on the student or student organization. The College will maintain as confidential any accommodations or protective measures, provided confidentiality does not impair the College's ability to provide the accommodations or protective measures.

If there appears to be no immediate threat to the campus community, the Vice President of Academic Affairs will proceed to the informal investigation process.

### **Informal Investigation Process**

The informal process indicates that no formal investigation occurs and disciplinary action is not required to remedy the situation. An informal investigation and collection of information will be conducted by the Vice President of Academic Affairs and other relevant staff members for initial findings. If the Vice President of Academic Affairs does not find reasonable cause to believe that conduct constituting a violation of the Code of Professional Conduct has occurred, no further action shall be taken. During the informal investigation, every reasonable effort should be made to constructively resolve conflict with students, faculty, staff, or administrators. Whenever possible and safe, the problematic behavior, conflict or misconduct should first be discussed by the impacted person and the person engaged in the problematic behavior, conflict, or misconduct. The Vice President of Academic Affairs will address the issue with the student and/or students and will determine the level of intervention that is appropriate, which could include:

- Communication and/or behavior coaching
- Mediation session(s)
- Referrals for on and/or off-campus counseling
- Referrals for mental health and/or drug/alcohol evaluations
- Offering adjustments to academic deadlines, course schedules, etc.
- Implementing contact limitations between the parties
- Advancement to more formal conduct processes

The Vice President of Academic Affairs may institute a formal process at any time if they determine that the conduct that is described in the complaint is severe, part of a pattern of persistent misconduct, is likely to result in sanctions, and/or presents a safety concern to the broader college community.

### **Formal Conduct Violation Process**

The college will formally investigate conduct violations that cannot be resolved through the informal process or to address a conduct violation that is severe enough to warrant a formal conduct process. Formal conduct process would involve:

- Documentation of the alleged conduct violation
- A formal investigation into the facts alleged in the complaint
- The possibility of disciplinary action on the student in question

#### *Documentation of the alleged violation*

The following are recommended elements of documentation of an alleged violation:

- Clear and concise description of the alleged incident(s) (e.g., when and where it occurred);

- Any supporting documentation and evidence;
- Clear demonstration of all informal efforts, to address the alleged conduct violation with the person involved;
  - This includes names, dates, and times of attempted or actual contact along with a description of the discussion and the manner of communication made in the course of each effort;
  - If contacting the person involved is impracticable, the reporting party should state the reasons why;
- The desired remedy sought;
- Name and all contact information for the reporting party (if available or applicable)

### *Investigation Process*

The Vice President of Academic Affairs or their designee will notify the student of the nature of the allegation and that a formal investigation is being conducted. Investigations will be completed as expeditiously as possible.

The college's resolution will not typically be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced, if applicable. However, the college may undertake a short delay (several days to weeks) in its investigation or resolution process, to comply with a law enforcement request for cooperation (e.g., to allow for criminal evidence collection) when criminal charges on the basis of the same behaviors that invoke this process are being investigated. The college will promptly resume its investigation and processes once notified by law enforcement that the initial evidence collection process is complete.

All investigations will be thorough, reliable, and impartial, and will entail interviews with all relevant parties and witnesses as appropriate, obtaining available evidence and identifying sources of expert information, if necessary.

The investigation will be conducted with the following steps (not necessarily in order):

- Document the identity and contact information of the reporting party if available or applicable;
- Identify the exact policies allegedly violated;
- Conduct a review of the initial inquiry to verify, that there is reasonable cause that a conduct violation occurred; – If there is insufficient evidence to support reasonable cause, the report will be closed with no further action;
- Communicate with the reporting party to document alleged policy violation, if necessary;
- Prepare the notice of conduct violation on the basis of the formal inquiry;
- Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list if applicable, evidence list, intended timeframe;
- Complete the investigation without unreasonable deviation from the intended timeline;
- Provide regular updates to parties, as appropriate, throughout the investigation;
- Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not) and prepare a draft report of finding
- Share the final report of findings with the responding party
- If applicable, share resolution with reporting party

All relevant records of formal investigations and outcomes will be stored securely in the Vice President of Academic Affairs office.

### **Process for Determining Sanctions**

If the investigation concludes that a violation of this code has occurred, an appropriate sanction will be recommended. Permissible Disciplinary Sanctions

One or more of the following sanctions may be imposed upon any student or student organization for any single violation of the Code of Professional Conduct or engaging in any Proscribed Conduct. Sanctions may be imposed separately or in conjunction with any other sanction(s). After sanctions are determined,

a Notice of Conduct Violation will be written and presented to the student or student organization. Students or student organizations must adhere to the stipulations of the Notice of Conduct Violation as a condition of retaining their status as a student at the college.

**Reprimand/Warning:** A reprimand/warning will be a written sanction warning that future conduct, which violates the proscriptions of the Code of Conduct or Code of Professional Conduct, may result in consideration of increasingly severe sanctions. The official copy of this reprimand shall be kept by the Vice President of Academic Affairs in the student's official file throughout a student's tenure, and until one year after the student has graduated from, or otherwise permanently left OCOM. This sanction does not affect the status of the student and will not appear on the student's transcript.

**Restitution:** Restitution may be sanctioned in cases involving damaged, stolen or misappropriated property (including money). This could include situations such as failure to return a reserved space in proper condition. This is not a fee/fine but, rather, a repayment for labor costs and/or value of property destroyed, damaged, consumed or stolen.

**Community Service:** A student may be required to complete a specific supervised college or community service. Community Outreach hours will not be issued for any sanctioned community service.

**Restorative Justice:** Project that makes amends to the community-writing a letter of apology or reflection on how actions impacted campus community or others,

**Confiscation of Prohibited Property:** Items whose presence is in violation of OCOM policy will be confiscated and will become property of the college. Prohibited items may be returned to the owner at the discretion of the Vice President of Academic Affairs.

**Loss of Privileges:** A student will be denied specified privileges for a designated period of time.

**Referrals:** Professional development advising, mental health and/or substance use disorder assessment, etc.

**Educational Program:** Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student was found responsible. Audience may be restricted and reason for participation will not be advertised.

**Eligibility Restriction:** During this time, the student has specific limitations or exceptions in place that restricts the ability to represent the college. This conduct sanction may include, but is not limited to, the following: ineligibility to hold any office in any student organization recognized by the college or hold an elected or appointed office at the college; or ineligibility to represent OCOM to anyone outside the college community in any way including: presenting community outreach opportunities, attending non-required conferences, representing the college in official capacity at a function or gathering, etc.

**Exclusion from Campus:** A written notice issued as a means of intervention to direct disruptive persons away from parts of or the entire campus, and to provide protection, safety, and security for the welfare of the students, faculty, staff, and guests of OCOM.

**Disciplinary Probation:** This sanction permits the student to remain at OCOM only upon condition that the student avoids further conduct that violates the Code of Professional Conduct and/or the Proscribed Conduct. In appropriate cases, additional conditions of probation may be imposed when the circumstances of the student's misconduct do not warrant suspension. A probationary period will be delineated. If a student is found to violate the Code of Professional Conduct and/or the Proscribed Conduct while on probation, the student may face suspension or expulsion. A Disciplinary Probation will be recorded as a student status. Should the student withdraw or graduate during the period of probation, the status will appear on a student's transcript.

**Interim Suspension:** This sanction imposes actions that can include separation from the institution or restriction on participation in the community for no more than 10 business days.

**Suspension:** Suspension is an involuntary leave of absence from OCOM and terminates the student's rights and privilege at the college. Suspensions take effect immediately and may include the current

quarter of enrollment. During the suspension period, the student is banned from college property, OCOM clinics, functions, events and activities. This sanction may be enforced with a trespass action as necessary. Suspension will be recorded as a student status. Should the student withdraw or graduate during the period of probation, the status will appear on a student's transcript.

**Conduct Dismissal:** Conduct Dismissal terminates the individual's rights and privileges as a student of OCOM permanently. The individual may not apply for re-admittance to OCOM. The student is banned from college property, functions, events and activities. This sanction will be noted as a Conduct Dismissal on the student's official academic transcript.

### **Appeals**

The Vice President of Academic Affairs will deliver to the student in writing the findings of the investigation and the sanction(s). If a violation was found and a sanction imposed by the Vice President of Academic Affairs, the student will be informed that they have a period of 10 calendar days in which to submit a written appeal of the findings and sanction directly to the President. The President will form a Hearing Board of no less than three faculty, administrative, or college conduct hearing professionals who have not been a party to the complaint or its initial investigation as soon as is practical following the receipt of the written appeal and within 15 calendar days. Students have the right to be accompanied by an advocate of their choosing to serve as a silent support during the presentation of this appeal. The Hearing Board will review the documentation of the investigation, and the grounds for appeal by the student. Within five calendar days of the Hearing, The Hearing Board will submit to the President a recommended action to uphold, alter, or rescind the imposed sanctions. The President may accept the recommendation, or alter the Hearing Board recommendation for cause. The decision of the President regarding the appeal is final. All sanctions imposed by the Vice President of Academic Affairs will be in effect during the appeal. In cases where the appeal results in reinstatement to the College or resumption of privileges, all reasonable attempts will be made to restore the student to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

Appeals may lead to modification of discipline only if based upon one or more of the following criteria:

- Failure of the Investigators or Vice President of Academic Affairs to follow the procedures set forth in this handbook
- Lack of substantial evidence to support a finding of a violation of the conduct code
- The imposition of a sanction that is out of proportion to the proven misconduct

A written decision of the appeal will be hand-delivered to the student or mailed by certified mail within 10 working days following the presentation of any appeal.

Upon finding a lack of evidence to support a finding of a violation of the conduct code, the appeal authority (President) will dismiss the charge and revoke the original sanction. They may also adjust the original sanction, which may include the imposition of a lesser or greater sanction. In all cases, the outcome of the appeal will be retained in the student's academic records file.

When students are exonerated from charges related to alleged violations of the student conduct code, all case materials are expunged from student records within ten working days of case closure.

### **Provision for Conflicts of Interest**

If the Vice President of Academic Affairs was directly involved in the incident that initiated the investigation of a Conduct Violation, the President will designate an alternate investigator, including the possible hiring of appropriate consultants in college governance, to conduct the informal or formal investigation. If the President is directly involved, an impartial vice-president or dean will be designated to hear a possible appeal. In the case of such an appointment, the designee will not engage in the investigative process until and unless the matter is appealed by the student.

### **Return from Suspension**

Eligibility to return from a suspension or re-apply to OCOM may be contingent upon satisfaction of specific conditions noted at the time of suspension. If the suspension is for one (1) calendar year or more, reapplication for admission is required. Re-admittance is considered by OCOM, based upon consideration

of the nature of the underlying incident and the circumstances of the student's actions since suspension, relevant to the ability for re-admittance to contribute to the OCOM community without detrimental behavior. The student, in addition, will need to comply with all admissions procedures and requirements established by OCOM, including applying for admission. If sanctions are imposed as a condition of readmittance, the student must also comply with any stipulations of that sanction before re-applying to OCOM. Re-admission to OCOM is not guaranteed. If a student is readmitted to the college, the student is placed on disciplinary probation for the remainder of his/her OCOM career. Upon suspension, fees will be refunded in accordance with the refund schedule.

Students who believe that due process has not been followed in a matter of policy or discipline may contact:

Oregon Office of Degree Authorization  
Higher Education Coordinating Commission  
775 Court St. NE  
Salem, Oregon 97301

**OR**

Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM)  
8941 Aztec Drive  
Eden Prairie, MN 55347  
Phone 952-212-2434; fax 952-657-7068

*NOTE: Discriminatory harassment, sexual misconduct, and retaliation issues will be investigated and adjudicated according to OCOM's Discriminatory Harassment, Sexual Misconduct, and Retaliation policy.*

## **Student Grievance Policy**

### ***Academic Grievances***

An academic grievance is a complaint by a student specifically related to alleged capricious and arbitrary grading in a course or evaluation in clinic.

This policy does not apply to an appeal of Conduct Discipline, non-academic grievance, nor is it an appeal or process to supersede the policy on sexual harassment, sexual assault, or sexual discrimination. Refer to those policies for appropriate procedures.

OCOM has both informal and formal mechanisms in place to resolve student concerns about faculty and staff.

#### ***Informal Process***

The informal process includes three steps:

1. Students with an academic grievance should discuss their concern with the faculty member responsible.
2. In the case that the student and the faculty involved are unable to resolve their differences, the students should then discuss the complaint with the corresponding department chair. The department chair, faculty member, and the student may meet if all parties agree.
3. If a student believes that their grievance was not resolved satisfactorily by Steps 1 and 2, the student may submit the grievance in writing to the Vice President of Academic Affairs. The Vice President of Academic Affairs will meet with the student in question, gather any additional information needed, and if possible, attempt to resolve the situation informally.

#### ***Formal Process***

If, at the conclusion of an informal process the student still believes that the grievance has not been satisfactorily resolved, the student can submit a written request to the Vice President of Academic Affairs to formally review the matter.. To initiate a formal grievance, the student should, within 30 days of conclusion of the informal process, submit the following documentation to the Vice President of Academic Affairs:

- The grievant's name, address, email address, and phone number
- A full description of the situation
- A description of the efforts that have been made to resolve the issue informally, if any
- A statement of the requested remedy
- Documentation that demonstrates that the grade was miscalculated, was biased, or was applied inconsistent with the grading scale of the course.

The Vice President of Academic Affairs will:

- Conduct an inquiry in a timely manner to determine if there is reasonable cause that the grade was miscalculated or otherwise in error
- If there is insufficient evidence to support reasonable cause, the inquiry should be closed with no further action;
- May meet with the student who filed the grievance to finalize their statement;
- May meet with the faculty member assigning the grade; Provide a summary report to the faculty and the student at the completion of the investigatory process;
- If the academic grievance demonstrates need for any disciplinary action for faculty or staff, prepare a statement of findings for the Vice President of Academic Affairs.

All proceedings of a formal investigation shall be kept confidential and not noted in the student's permanent record.

***Participation of Advocate in the Grievance Process***

All parties are entitled to an advocate of their choosing to serve as a silent support during any proceedings. For academic grievances, students must pay for any costs associated with using an advocate. People who will be called as witnesses may not serve as advocates.

***Appeal***

Within 10 calendar days of receiving the determination from the Vice President of Academic Affairs, the grievant or the party against whom the grievance is directed may appeal the determination. To appeal, the student must file a written request for review with the President. The written request for appeal must be based on the grounds of improper procedure, or new evidence that was unavailable at the time of the grievance investigation. The President may reopen, revise, or uphold the decision, depending upon the presentation of new evidence or determination of improper procedure.

Students who believe that due process has not been followed in a matter of policy or discipline may contact:

Oregon Office of Degree Authorization  
 Higher Education Coordinating Commission  
 775 Court St. NE  
 Salem, Oregon 97301

**OR**

Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM)  
 8941 Aztec Drive  
 Eden Prairie, MN 55347  
 Phone 952-212-2434; fax 952-657-7068

## ***Non-Academic Grievances***

This policy does not apply to academic grievances, Code of Conduct violations, nor is it an appeal or process to supersede policy on sexual harassment, sexual assault, or sexual discrimination. Please refer to those policies for appropriate procedures.

OCOM has both informal and formal mechanisms in place to resolve student concerns about faculty and staff.

### ***Informal Process***

The informal process includes three steps:

1. Students who have a non-academic grievance about a specific faculty or staff member discuss their complaint with that faculty or staff member.
2. In the case that the student and the faculty or staff member involved are unable to resolve their differences, students should then discuss the complaint with the corresponding department chair or the immediate supervisor of the faculty or staff member. After the initial meeting, the faculty or staff member, the appropriate supervisor, and the student may meet if all parties agree.
3. If a student believes that their grievance was not resolved satisfactorily by Steps 1 and 2, the student is encouraged to submit the grievance in writing to the Vice President of Academic Affairs or Human Resources as appropriate. The individual receiving the complaint will meet with the student in question, gather any additional information needed, and if possible, attempt to resolve the situation informally.

### ***Formal Process***

If, at the conclusion of an informal process the student still believes that the grievance has not been satisfactorily resolved, the student can request that the grievance be formally investigated by the Vice President of Academic Affairs or Human Resources.

To initiate a formal grievance, the student should, within 30 days of conclusion of the informal process, submit the following documentation to the Vice President of Academic Affairs or Human Resources:

- The grievant's name, address, email address and phone number
- A full description of the situation
- A description of the efforts that have been made to resolve the issue informally, if any
- A statement of the requested remedy

Once convened upon the basis of a formal request, the Vice President of Academic Affairs or Human Resources will take the following steps:

- Conduct an immediate inquiry to determine if there is reasonable cause to call a full investigation of all parties involved;
- If there is insufficient evidence to support reasonable cause, the inquiry should be closed with no further action;
- May meet with the student who filed a grievance to finalize their statement;
- Commence an investigation plan, which may include calling witnesses, reviewing evidence, and interviewing the responding faculty or staff member and the student who filed the grievance. Complete the investigation within a reasonable timeframe;
- Provide a summary report at the completion of the investigatory process;
- If the academic grievance demonstrates need for any disciplinary action for faculty or staff, prepare a statement of findings for the immediate supervisor of the faculty or staff named in the grievance on the basis of the initial inquiry.

All proceedings of a formal investigation shall be kept confidential and not noted in the student's permanent record.

### ***Participation of Advocate in the Grievance Process***

All parties are entitled to an advocate of their choosing to serve as a silent support during any Hearing Board proceedings. For non-academic grievances, students must pay for any costs associated with using

an advocate. People who will be called as witnesses may not serve as advocates.

**Appeal**

Within 10 calendar days of receiving the determination from the Vice President of Academic Affairs or Human Resources, the grievant or the party against whom the grievance is directed may appeal the determination. To appeal, the student must file a written request for review with the President. The written request for appeal must be based on the grounds of improper procedure, or new evidence that was unavailable at the time of the grievance investigation. The President may reopen, revise, or uphold the decision, depending upon the presentation of new evidence or determination of improper procedure.

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Phone 952-212-2434; fax 952-657-7068

## **Financial Policies**

### **Cost of Attendance Adjustments Policy**

The cost of attendance is the cornerstone of determining each student's financial aid package. The amount that a student may receive in financial aid funding is limited by their cost of attendance. The intent of this policy is to provide guidance to those students who wish to document unusual, non-discretionary expenses that are directly related to their education. If approved, an adjustment to cost of attendance will generally result in the eligibility to borrow additional Graduate PLUS Loan.

In compliance with federal regulations, the Office of Financial Aid determines a cost of attendance that includes tuition and fees, books and supplies, housing, transportation, miscellaneous personal expenses and loan fees. A student's total financial aid package, including loans, work-study, scholarships, and external resources cannot exceed the cost of attendance. Each student is provided with a copy of their cost of attendance with their financial aid award letter.

Financial aid administrators have the authority to use professional judgment to make reasonable adjustments to allowable expenses for special circumstances on an individual basis. Cost of attendance adjustments are intended for special and unusual expenses that differentiates a student from other students enrolled in the same program. Even when a cost of attendance adjustment is approved it may be limited at the discretion of the Director of Financial Aid and/or senior college administration.

Cost of attendance components that may be added or adjusted upon review of a written request and supporting documentation include: the one-time purchase of a computer (\$1,800 program limit), expenses related to a disability, major car repair (\$2,000 annual limit) and child care expenses for children up to age 12 incurred while engaged in educationally related activities. Medical and dental expenses for procedures and treatments prescribed by a medical/dental professional and deemed medically necessary and not already covered by insurance will be considered on a case-by-case basis (\$10,000 annual limit). Discretionary medical and dental procedures as well as non-prescribed medicines, supplements, and treatments will not be considered. Complementary therapies can be considered if they meet the above criteria. Other expenses may be considered on a case-by-case basis.

### **Direct Loan Promissory Note (MPN)**

OCOM chooses to use the multi-year feature of the Direct Loan MPN. Students generally sign the MPN their first year of borrowing at OCOM and the MPN is valid for 10 years. Students may cancel authorization for subsequent loans to be made under an MPN by notifying OCOM or the loan servicer in writing.

### **Outstanding Balances (Payment in full)**

Students with outstanding balances from a prior quarter may not register for classes for a subsequent quarter. For students to continue their education each quarter at OCOM, all student debts — including, but not limited to tuition and book fees, library fines and clinic bills (including clinic bills for dependents of OCOM students) — must be paid in full.

### **Review of Unusual Circumstances**

Students have the right to request a review of any unusual circumstances which could impact their eligibility to receive federal financial aid.

### **Satisfactory Academic Progress (SAP) Policy**

Federal regulations require all students receiving federal student aid to make Satisfactory Academic Progress (SAP) toward their degree to retain eligibility for financial aid. Failure to maintain SAP will result in the disqualification from federal student aid programs at OCOM. See full Satisfactory Academic Progress Policy under Academic Policies.

## **General Policies** (in alpha order)

### **Campus Communication Policy**

There are multiple venues for communication on the OCOM campus, including Populi, Google docs, bulletin boards, electronic boards, items placed in student mailboxes, and email communication. To ensure efficient communication, students are required to maintain an assigned ocom.edu email address and calendar, and check it daily. Students are responsible for information disseminated to them via email and in their student mailboxes by administrators and faculty members.

Upon receipt of their ocom.edu email address, students are required to sign and follow the OCOM Technology Use Policy and Agreement Statement, which outlines expectations and acceptable use of campus technology systems.

### **Campus Posting Policy and Procedures**

We welcome the posting of job opportunities, rentals, health related conferences and events, and other relevant community announcements. However, please note that it is inappropriate to use OCOM resources, including student mailboxes and campus cork boards and lockers, to advocate or promote any political causes. Below is the procedure for posting information on campus.

#### **Posting Job or Housing Opportunities and Items for Sale**

To advertise a job or housing opportunity or items for sale, affix them to the labeled bulletin boards in the Student Lounge on the 2nd Floor. When posting items for sale or for rent, date the item with the day posted. Once the item is sold or the property is rented, remove the posting. If posting events or items of student interest, ensure they are removed after the completion of the event.

#### **Procedure for Digital Flyers and Posters**

Submit flyers or posters for the electronic reader boards or Populi to the Director of Student and Alumni Affairs, Jessica Bineham at [jessica.bineham@ocom.edu](mailto:jessica.bineham@ocom.edu). Include event description, time, date, location, and contact information for each flyer or poster.

The electronic reader board displays are reviewed once a week. Flyers, posters, and graphics will be removed once the relevant date has passed.

#### **Procedure for advertising activities and events on campus**

We welcome activities and events initiated by students and student interest! Posting community event flyers is welcome on the 2nd and 3rd floor lockers, using the magnets provided.

Flyers can also be posted in bathroom stalls or the back of the doors in the bathroom if the plastic flyer holders are already in use. If taping to the walls of the stalls or on the back of restroom doors, please roll the tape and stick it to the back of the flyer, rather than applying tape to the front corners. This helps to keep surfaces clean. Additionally, flyers can be posted on the bulletin boards above the drinking fountains on the 1st, 2nd, and 3rd floors to advertise officially OCOM sponsored events and/or communications. Only post one-time events on these boards and not ongoing activities such as general club meeting times. Ongoing activity flyers should only be posted on the 2nd and 3rd floor lockers.

Non-OCOM affiliated events and activities should only be posted on the 2nd and 3rd floor lockers or on the "Student Interest" board located in the 2nd floor Student Lounge.

### **Children on Campus**

OCOM students may bring children on to campus to accompany them for business/appointments or if the child is a model patient for a class. OCOM does not provide child care services and children are not permitted in classes unless they are a "model patient" for a particular class. Children visiting OCOM must be supervised by an adult while on campus and in our clinics. Children may not be left unattended in lounge areas, the clinic, reception areas or outdoors.

# Discriminatory Harassment, Sexual Misconduct, and Retaliation Policy

Updated June 2021

## I. INTRODUCTION

Oregon College of Oriental Medicine (OCOM or “the College”) is committed to maintaining environments that enable a free and diverse community in which students, faculty (including teaching assistants), and staff can learn, work, and express themselves. Membership in the OCOM community imposes obligations on students, faculty, and staff to respect the dignity and autonomy of others and to treat one another civilly and without regard to factors irrelevant to participation in the life of the College.

This policy details and explicitly prohibits specific forms of harassment and encourages the reporting of these prohibited behaviors. OCOM will work to prevent them and their recurrence, and to correct any discriminatory effects on a complainant or others.

Except as otherwise specified herein, this policy applies to faculty, staff, students, and agents of the College while in their representative role. It also applies to patients, visitors, contractors and subcontractors, as well as to any other person who participates in or benefits from OCOM programs and activities, including academic, educational, extracurricular, and workplace programs and activities, and to any person using OCOM premises. This policy applies to any activities that occur at OCOM facilities, sponsored events, remote clinic facilities and other partner facilities.

OCOM acknowledges and intends to comply with its legal responsibilities in all its programs and activities. This policy is required by, and is as a whole intended to be consistent with, Title IX of the Education Amendments of 1972, 34 CFR Part 106 and Oregon HB 3415. OCOM also acknowledges and intends to comply with its legal responsibilities under federal or Oregon law, including the reporting responsibilities of the Clery Act, 34 CFR 668.46. If any provisions of this policy are contrary to or interfere with any applicable law, that law will supersede the inconsistent policy provisions. Behavior violating this policy may also separately violate federal, state, or other law; it may also violate other policies of the College.

## II. USE OF A REASONABLE PERSON STANDARD

The College will use a “reasonable person” standard when applying the definitions herein and in investigating reports and complaints of violations of this policy, both in determining facts and in assessing culpability.

A “reasonable person” is a hypothetical person who is level-headed and rational, aware of community norms, and not under the influence of a judgment-impairing substance. For example, since the standard is referred to in the definition of prohibited discriminatory harassment, parties investigating a report or formal complaint of discriminatory harassment will use the reasonable person standard by assessing the situation from the perspective of a reasonable person as defined above to decide if the behavior constitutes a violation of this policy. As another example, parties may use the reasonable person standard when assessing whether a reasonable person in the same context as the respondent would believe that they had consent in that context.

## III. GENERAL DEFINITIONS USED IN THIS POLICY

For purposes of this policy, certain terms are defined in a specific way. The following definitions apply where the defined terms are used in this policy, regardless of whether the terms have a different meaning in other contexts.

**Agents of the College:** Individuals serving as official representatives for the College in any unpaid or paid capacity.

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Faculty/Faculty Member:** A member of the teaching or research staff who holds an academic appointment, including teaching assistants (TAs), those on visiting appointments, and those on sabbatical or leave. It also

includes visiting scholars and emeriti faculty who are teaching or who have an office on campus.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Staff:** Individuals employed by OCOM who are not members of the faculty.

**Student:** An individual who is currently enrolled, registered, on leave of absence, or has made arrangements with the Business Office to pay tuition and fees.

**Responsible Employee:** All employees, faculty, staff, teaching assistants and others employed by the College in an official capacity are considered responsible employees. Responsible employees are required to inform the Title IX Coordinator (or their designee) of any potential violation of this policy. NOTE: OCOM's Counselor and any clinical supervisor who is actively treating an individual when the potential violation is mentioned, is not considered a responsible employee. The patient-practitioner relationship takes precedent.

#### IV. CONSENT AND SEXUAL MISCONDUCT

Sexual misconduct is defined as any non-consensual sexual contact or act that violates the rights of another. Sexual misconduct typically involves acts that are severe, persistent and pervasive, but also may be a one-time occurrence. Examples of sexual misconduct include non-consensual sexual contact, non-consensual sexual intercourse, sexual assault, domestic violence, dating violence, intimate partner or relationship violence, sexual exploitation, bullying, stalking, cyberbullying, and sexual harassment. The following definitions will apply to this policy.

#### V. CONSENT

Consent is defined here as conscious, relevantly informed, and fully voluntary agreement to, or permission for, an act. The following points should be emphasized:

- To consent is to actively agree to, or actively give permission for, something. Though this may require explicit verbal discussion, especially in unfamiliar situations, consent can be communicated nonverbally, especially in the space of mutual recognition created by a stable, ongoing relationship. To consent is not to be in a passive state.
- Silence or inaction do not, in and of themselves, communicate consent. The absence of an explicit denial of consent does not constitute consent.
- Consent to one form of sexual activity does not by itself constitute consent to any further sexual activity.
- A person's consent to an ongoing activity can be removed by that person at any time.
- Previous or ongoing sexual relationships or encounters do not in themselves constitute consent to any current sexual acts.
- Consent cannot be forced or coerced; agreement or permission due to threat, implied threat, or intimidation does not constitute consent.
- A person who is incapacitated — whose judgment is seriously impaired by alcohol, other drugs, or other factors, such as lack of sleep — cannot give consent.

Oregon State law considers persons under the age of 18 to be "incapable of consenting to a sexual act" (ORS §163.315) and states that if lack of consent is solely a result of the age of the victim, it is a defense to certain crimes that the actor was less than three years older than the victim at the time of the alleged offense (ORS § 163.345).

#### VI. PROHIBITED CONDUCT

##### ***Sexual Harassment***

Federal Title IX has three types of sexual misconduct that make up the definition of sexual harassment.

1. Any instance of quid pro quo by an employee of the College. This includes an employee conditioning education benefits on the participation of unwelcome sexual conduct.
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and

objectively offensive that it effectively denies a person equal access to the school's education program or activity.

3. Sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA). These definitions are listed below.

Oregon State law defines sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature where such conduct is sufficiently severe or pervasive that it has the effect, intended or unintended, of unreasonably interfering with an individual's work or academic performance or it has created an intimidating, hostile or offensive environment and would have such an effect on a reasonable person.

### **Sexual Assault**

Federal Title IX defines sexual assault as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. It includes:

- Rape: Penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling: Touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or temporary or permanent mental capacity.
- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: Sexual intercourse with a person who is under the age of consent (18 years old).

Oregon State law defines sexual assault as any unwanted sexual contact. Sexual contact means any touching of the sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the actor for the purpose of arousing or gratifying the sexual desire of either party.

### **Sexual Exploitation**

Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another person for their own advantage or benefit, or for the benefit or advantage of anyone else. Sexual exploitation includes but is not limited to:

- Non-consensual video or audio-recording of sexual activity, or allowing a third party to observe consensual sex without all parties' knowledge of and consent to that observation.
- Prostituting another member of the College community.
- Sharing, without consent, sexually explicit images of another member of the College community (including sharing images obtained consensually but shared without consent of the person(s) in the image).
- Obtaining, owning, or sharing sexually explicit images of a minor.
- Engaging in watching or otherwise recording a person for one's own sexual gratification when that person is in a place where they would have a reasonable expectation of privacy.
- Knowingly endangering the health of another person by exposing them to a sexually transmitted infection (STI) or HIV/AIDS without notifying that person in advance.
- Non-consensual exposure of one's genitals or inducing another to engage in such exposure, or other acts of nudity, when these acts interfere with or limit a person's ability to participate in or benefit from the College's programs and activities.

### **Dating Violence**

Dating violence is the use of violence and abuse to exert power and control over a current or former partner. Actions covered include physical, physiological, emotional, sexual, and digital abuse. The actions often escalate over time. Digital abuse is the use of technology to intimidate, harass, or isolate a victim.

### **Domestic Violence**

Domestic violence as defined by the Violence Against Women Reauthorization Act of 2019 "means a pattern of behavior involving the use or attempted use of physical, sexual, verbal, emotional, economic, or

technological abuse or any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, by a person who is a current or former spouse or dating partner of the victim." This also includes those currently or previously cohabitating, who share a child, who is an adult relation to or paid or unpaid caregiver for a victim 50 and older or one with disabilities, and those who commit acts against a youth or adult who is protected under applicable family or domestic violence laws.

Oregon State law defines domestic violence (which includes teen dating violence) as abuse between family or household members. Family or household members means spouses, former spouses, adult persons related by blood or marriage, persons cohabiting with each other, persons who have cohabited with each other or who have been involved in a sexually intimate relationship, unmarried parents of a minor child. Teen dating violence means a pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 12 to 19 years of age.

### ***Stalking***

Federal Title IX defines stalking as involving a pattern of repeated and unwanted attention, harassment, and contact that could be reasonably regarded as likely to cause fear. This includes cyber-stalking through the use of the internet, cell phones, social media, or other similar communications.

Oregon State law defines stalking is when a person knowingly alarms or coerces another person or a member of that person's immediate family or household by engaging in repeated and unwanted contact with the other person; it is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the contact; and the repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim's immediate family or household.

## **VII. RETALIATION**

Retaliation is prohibited by federal and state law and by this policy. No one at the College may reprimand, retaliate, take any adverse action, or discriminate against an individual for having opposed unlawful conduct, initiated a report or complaint, provided information as a witness, or participated in the resolution of a report or complaint regarding potential violations of this policy.

Acts may be retaliatory if they reasonably act as, or could act as, a deterrent to further protected activity, for example, by

- disadvantaging or restricting a person in that person's status as a student, employee, patient, or visitor or in the ability to gain benefits or opportunities available at the College;
- precluding a person from pursuing discrimination claims;
- ostracizing a person who has complained or participated as a witness or otherwise;
- pressuring someone to drop or not support a complaint or to provide false or misleading information; or
- adversely altering the educational or work environment of someone who has complained or participated in the complaint process.

## **VIII. REPORTING**

Reporting to the Portland Police is NOT required of any victim of sexual assault, or domestic or interpersonal violence — with the exception of child or elder abuse. However, reporting to the Portland Police is always an option.

**Any reports of sexual misconduct towards or of a minor MUST BE REPORTED directly to the Title IX office and/or the Portland Police Bureau immediately. There are no exceptions to this policy. The Portland Police Bureau's non-emergency phone number is: 503-823-0000.**

### ***On-Campus Reporting Options:***

Any OCOM community member who believes that they are being or may be subjected to sexual

harassment, discrimination, or misconduct in violation of this policy should immediately report it to any one of the following: Title IX Coordinator or Deputy Coordinators, their immediate supervisor or a member of campus administration. Reports can also be filed online at <http://www.ocom.edu/titleix>.

The following are recommended elements of a report:

- Clear and concise description of the alleged incident(s) (e.g., when and where it occurred);
- Any supporting documentation and evidence;
- Clear demonstration of all informal efforts, if any, to resolve the issue(s) with the person involved and the person's supervisor;
  - This includes names, dates, and times of attempted or actual contact along with a description of the discussion and the manner of communication made in the course of each effort;
- If contacting the person involved and/or the supervisor is impracticable, the reporting party should state the reasons why;
- The desired remedy sought;
- Name and all contact information for the reporting party;
- Signed (or submitted online) by the reporting party.

Information should not be shared with ANY department, faculty, or administrator unless requested by the student or determined by the Title IX Coordinator. Upon receipt of the report, the Title IX Coordinator will determine if there is a campus safety issue and act accordingly, as well as determine next steps of action.

Reporting is not the same as filing a formal complaint (though, for some purposes, a formal complaint may function both as a report and a formal complaint). This and the following three sections give additional information on reporting an incident, how to proceed with informal or formal complaints, and considerations of amnesty and confidentiality.

All reports will receive prompt attention. In response to the nature of the report, the Title IX Coordinator (or designee thereof) will determine the type of investigation to follow. Investigations will not in themselves result in disciplinary action; disciplinary action may arise only through the resolution of formal complaints. Investigations may yield the initiation of a formal complaint by the Title IX Coordinator (or designee). During the investigation of a report, non-disciplinary steps may be taken to protect individuals from harassment, such as separating an alleged harasser from someone alleged to have been harassed. Investigations of reports may yield a response by the College that is non-disciplinary in nature, but designed to remedy or to prevent prohibited harassment.

In addition to assessing individual reports, the Title IX Coordinator (or designee) will review reports in the aggregate to discover and address patterns of behavior that create or threaten to create a hostile environment.

### ***Off-Campus Resources***

Portland Police Bureau: 911 or 503-823-3333

Portland Women's Crisis Line: 888-235-5333

Sexual Assault resource Center: 503-640-5311

Multnomah County Crisis Line: 503-988-4888

Oregon Health and Science University (OHSU) Emergency Room: 503-494-7551

Multnomah County Victim Assistance: 503-988-3222

## **IX. AMNESTY**

Amnesty is intended to support the practice of students reporting incidents of sexual misconduct and other violations of this policy, and to protect student safety. Individuals experiencing or witnessing violations of this policy while themselves violating another College policy (for example, policy concerning drug use)

are encouraged to report the violations of this policy that they experienced or witnessed. Normally, the College will not impose disciplinary sanctions for the other policy violation(s), provided those violations did not put the health and safety of any other person at risk. (In appropriate circumstances, the College may even grant amnesty for other violations that did put the health and safety of another person at risk.) The Title IX Coordinator (or designee) is responsible for determining whether amnesty applies in any given circumstance.

## **X. CONFIDENTIALITY**

OCOM recognizes its obligations to adopt, implement, and enforce policies and protocols to address sexual misconduct, but also understands that its responsibilities are at times inconsistent with the desires of complainants, witnesses, or others to maintain confidentiality and individual privacy. Anonymous reports are accepted.

Members of the community should understand that there can be circumstances in which acts that constitute policy violations are handled externally (in addition to or separate from internal handling) and, as a result, the College may not always have control over confidentiality. For example, acts that constitute policy violations may also lead to criminal proceedings or civil lawsuits, in which affected or knowledgeable individuals may be required to provide information or testimony.

In all cases, OCOM will comply with applicable law if that law imposes obligations that are different from this policy.

### **A. General inquiries**

Any individual may make a confidential, nonspecific inquiry about policies or procedures to a College official. Inquiries about the application of Title IX may be referred to the Title IX Coordinator or designee thereof.

## **XI. PROCEDURES FOR THE RESOLUTION OF COMPLAINTS**

### ***Interim Remedies/Actions***

The Title IX Coordinator (or designee thereof) may provide interim remedies intended to address the short-term effects of harassment, discrimination and/or retaliation, i.e., to redress harm to the alleged victim and the community and to prevent further violations. The College will keep interim remedies and actions as private as possible.

These remedies may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Offering adjustments to academic deadlines, course schedules, etc. Note: Due to our size, academic adjustments may be limited in nature.
- Altering work arrangements for employees
- Implementing contact limitations between the parties
- Education to the community

The College may place a student on an interim suspension or place an employee on administrative leave pending the completion of an investigation and resolution, particularly when, in the judgment of the Title IX Coordinator in consultation with others, the safety or well-being of any member(s) of the campus community may be jeopardized by the on-campus presence of the responding party whose behavior is in question. In all cases the impacted party will be given the opportunity to meet with the Title IX Coordinator prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented. The Title IX Coordinator will work with the appropriate administrator(s) to implement or stay an interim suspension and to determine its conditions and duration. Violation of an interim suspension under this policy is grounds for expulsion or termination.

During an interim suspension or administrative leave, a student or employee may be denied access to College campus/facilities/events. This restriction can include classes and/or all other College activities

or privileges for which the student might otherwise be eligible. Alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding party.

The College will maintain as confidential any accommodations or protective measures, provided confidentiality does not impair the College's ability to provide the accommodations or protective measures.

### ***Informal Resolution***

Before pursuing the Formal Resolution Process, every reasonable effort should be made to constructively resolve conflict with students, faculty, staff, or administrators. Informal resolution means that no formal investigation occurs and disciplinary action is not required to remedy the situation. The College does not require an impacted party to contact the person involved or that person's supervisor if doing so is impracticable, or if the impacted party believes that the conduct cannot be effectively addressed through informal means. Both parties must agree to an informal resolution. Either party may withdraw from an informal resolution at any time and resume the formal process.

If informal efforts are unsuccessful, the formal resolution process may be initiated. An individual may opt to pursue the formal process at any time. However, the Title IX Coordinator may institute a formal process at any time if they determine that the conduct that is described in the complaint is severe, part of a pattern of persistent misconduct, and/or presents a safety concern to the broader College community. An informal process is not allowed for allegations where an employee harassed a student.

### ***Formal Resolution Process***

Formal resolution involves the submission of a written complaint, a formal investigation into the facts alleged in the complaint, and the possibility of the imposition of disciplinary action on the respondent.

The Title IX Coordinator (or designee thereof) is designated to formally investigate reports or notice of discrimination and/or harassment by employees, to address inquiries and coordinate the College's compliance efforts regarding employee-related reports.

If the complainant party wishes to pursue a formal resolution or if the College, based on the alleged policy violation, wishes to pursue a formal resolution, then the Title IX Coordinator appoints trained investigators (typically using a team of two investigators), to conduct the investigation, usually within two business days of determining that a resolution should proceed. Deputy Title IX Coordinators may be an investigator. Investigations are completed expeditiously.

At any point during the investigation, if it is determined there is no reasonable cause to believe that College policy has been violated, the Title IX Coordinator has authority to terminate the investigation and end resolution proceedings.

All investigations will be thorough, reliable, and impartial, and will entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, if necessary.

Before any initial interview the responding party will receive written notice, sufficiently in advance of any interview, including the identities of parties involved, the conduct allegedly constituting sexual harassment, sexual misconduct, or assault and the date of the alleged incident. Additionally, the written notice will include a statement that the responding party is presumed not responsible, may have an advisor, and may inspect and review evidence. The College will update this written notice as needed.

The College does not restrict either party from discussing the allegations under investigation or gathering and presenting any relevant evidence. Both parties are given equal access to inspect evidence directly related at least 10 days in advance of the completion of the report or any hearing. Inculpatory and exculpatory evidence are included, whether provided by an involved party or alternate source.

The investigator/s will take the following steps (not necessarily in order):

- Conduct an immediate initial inquiry to determine if there is reasonable cause to charge the responding party, and what policy violations should be alleged as part of the charge;
- Meet with the complainant to finalize their statement, and
- Prepare the notice of charges on the basis of the initial inquiry;

- Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the responding party, who may be given notice prior to or at the time of the interview;
- Complete the investigation in a timely manner, and without unreasonable delay;
- Provide regular updates to both the complainant and responding parties, as appropriate, throughout the investigation;
- Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not) and prepare a draft report of finding
- Share draft report of finding with all parties, allowing for a period of comment before the report is finalized;
- Share the final report of findings with the responding and reporting parties.

### **Hearing** (Under Federal Title IX Only)

Unless an informal resolution is agreed upon a live hearing is required. The Title IX Coordinator is not the decision maker or appellate officer though the Deputy Title IX Coordinator may be an investigator. Hearings can be held in one location, virtually, or held in real time at the request of a party or the College's discretion. The hearing must be recorded or transcribed with the recording or transcription available to either party for review.

Cross examination is allowed for witnesses. Cross examinations must be conducted by an advisor, who can be an attorney, and never by a party. The College will provide an advisor, free of charge, if a party does not have one. If an individual does not submit to cross examination the decision-maker may not rely on any statement given by that individual to determine responsibility. NOTE: Even if one party obtains a lawyer as an advisor, OCOM is not obligated under federal regulations to provide an advisor with similar legal training.

Where the responding party is found not responsible for the alleged violation(s), the investigation will be closed. Where a violation is found, the College will act to end the discrimination, prevent its recurrence, and remedy its effects on the victim and the College community. All parties will receive written notification of the outcome, to the extent permitted by or mandated by law. In cases involving sexual misconduct, sexual harassment, stalking, and/or intimate partner violence, the written notification includes the finding, any resulting responsive actions, and the rationale for the decision. This written notification of final decision is delivered to the parties without undue delay between the notifications and explains appeals options.

### **Requesting an Appeal**

In the event that the responding party accepts the findings of the investigation, those findings cannot be appealed. Post-investigation, sanctions imposed by the appropriate administrator can be appealed by any party whether or not the responding party accepts the findings of the investigation. Post-hearing, any party may appeal the findings and/or sanctions ONLY under the grounds described below.

All sanctions imposed by the original administrator will be in effect during the appeal. A request may be made to the appropriate administrator to delay implementation of the sanctions until the appeal is decided, but the presumptive stance of the College is that the sanctions will go into effect immediately. Graduation, study abroad, internships/externships, etc. do NOT in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during their appeal. In cases where the appeal results in reinstatement to the College or resumption of privileges, all reasonable attempts will be made to restore the student to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

The decision of the hearing panel may be appealed by petitioning the Vice President of Operations (VPO). Any party who files an appeal request must do so in writing to the VPO within three business days of receiving the written decision, for a review of the decision or the sanctions imposed. The written decision will be provided 1) in person and/or mailed to the local mailing address of the respective party as indicated in College records and emailed to the parties' College-issued email accounts. If there is no local address on file, mail will be sent to the parties' permanent address. Once received in person, mailed or emailed, the

notice of decision will be deemed presumptively delivered.

The appropriate administrator will share the appeal request with the other party (e.g., if the complainant party files an appeal, the appeal is shared with the reporting party, who may also wish to file a response and/or bring their own appeal on separate grounds; this response or appeal will be shared with the initial appealing party). Based on the written requests/responses or on interviews as necessary, the VPO will send a letter of outcome for the appeal to all parties. The VPO can take one of three possible actions. The VPO may dismiss an appeal request as untimely or ineligible, may grant an appeal and remand the finding and/or sanction for further investigation or reconsideration, or may modify a sanction.

The original finding and sanction will stand if the appeal request is not timely or substantively eligible, and that decision is final. The party requesting appeal must show clear error as the original finding and/or a compelling justification to modify a sanction, as both finding and sanction are presumed to have been decided reasonably and appropriately during the original process.

The ONLY grounds for appeal are as follows:

1. A procedural error occurred that significantly impacted the outcome of the process (e.g. substantiated bias, material deviation from established procedures, etc.);
2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;
3. The sanctions imposed fall outside the range of sanctions designated for this offense and the cumulative conduct history of the complainant party.

If remanded to re-open the investigation, the results of a revised investigation can be subsequently forwarded for reconsideration at the hearing level. If the appeal remands to the original hearing body for review, the reconsideration of the hearing body is not appealable.

In rare cases where a procedural error cannot be resolved by the original hearing body (as in cases of bias), the VPO may order a new hearing with a new body of hearing officers. The results of a reconvened hearing cannot be appealed. The results of a new hearing can be appealed, once, on any of the three applicable grounds for appeals outlined above.

The procedures governing the hearing of appeals include the following:

- All parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
- Every opportunity to return the appeal to the original hearing body for reconsideration (remand) should be pursued;
- Appeals are not intended to be full re-hearings of the allegation (de novo). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal;
- Appeals decisions are to be deferential to the original hearing body, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so;
- An appeal is not an opportunity for the VPO to substitute their judgment for that of the original hearing body merely because they disagree with its finding and/or sanctions;
- Sanctions imposed are implemented immediately unless the VPO stays their implementation in extraordinary circumstances, pending the outcome of the appeal;
- The VPO will typically render a written decision on the appeal to all parties within five business days from hearing of the appeal. The VPO's decision to deny an appeal request is final.

### ***External Remedies***

The above procedures supplement, and do not replace, other remedies for acts which constitute violations of this policy. Students and employees have the option at all times to file a criminal complaint with law enforcement or to seek a civil remedy, in addition to or in place of using the College's procedures.

Individuals also always have the right to file a formal complaint with the United States Department of

Education (for violations of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, and the Age Discrimination Act of 1975):

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481  
FAX: 202-453-6012  
TDD: 800-877-8339  
Email: OCR@ed.gov  
Website: <http://www.ed.gov/ocr>

**OR**

Seattle Office for Civil Rights  
U.S. Department of Education  
915 Second Avenue  
Room 3310  
Seattle, WA 98174-1099  
Telephone: 206-607-1600  
FAX: 206-607-1601  
TDD: 800-877-8339  
Email: OCR.Seattle@ed.gov

Individuals with complaints of a violation of this policy in the context of employment (Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Age Discrimination in Employment Act, or the Equal Pay Act) may also file a complaint with the Equal Employment Opportunity Commission (EEOC):

Equal Employment Opportunity Commission  
Seattle Field Office  
Federal Office Building  
909 First Avenue  
Suite 400  
Seattle, WA 98104-1061  
Telephone: (800) 669-4000  
TTY: (800) 669-6820

## **Fragrance-free Campus**

The ingredients in many fragrances and scented oils (including single essential oils and essential oil blends) are known to irritate the respiratory tract, nervous system, and eyes; and trigger allergies and other severe health reactions such as migraines. In the case of asthma and epilepsy, reactions triggered by exposure to scented products can be life-threatening.

OCOM supports sustaining healthy indoor air quality. In the interest of promoting the health and safety of students, faculty, staff, and patients, the campus community is expected to maintain a fragrance-free environment. Refrain from using scented personal care, laundry, cleaning products. This includes the use of essential oils or essential oil blends for any purpose. This is including but not limited to hand creams, body sprays, and perfume blends used for therapeutic or other purposes. Consideration of others in providing an environment in which every person on campus can feel safe and comfortable is appreciated.

We understand that some OCOM courses involve the use of scented products such as massage oils and Moxa. Classroom air filters, opening windows and treatment room ventilation systems are designed to reduce the impact of these scents on community members with sensitivities. If one needs to remove one's

self from an office, classroom, or clinic due to scented products required for a class, speak directly with the instructor or supervisor about the concerns.

Anyone required by medical necessity to use medicinal lotions or skin creams that contain odors perceptible to others may request a reasonable accommodation from Human Resources or the Academic Programs and Accessibility Coordinator in Disability Access Services.

## **Pet-free Campus**

OCOM is a pet-free campus. Keep pets at home where they can be comfortable. Only working, service dogs are permitted on campus.

## **Service Animal Policy**

In accordance with the Americans with Disabilities Act (ADA), service animals are permitted in campus facilities for persons with a disability (including but not limited to psychiatric, cognitive, mental, communication, physical and sensory disabilities). The disability must limit one or more daily life activities and the person must be regarded by a health care practitioner as having such a disability that requires the use of a service animal. The ADA recognizes only dogs (no weight, size or breed limitations), and miniature horses, as service animals. The service animal must be individually trained to do work or perform tasks for the benefit of an individual with a disability. The service the animal is providing must be directly related to the person's disability (i.e., retrieve medicine, offer stability, alert to seizures, etc.). Dogs that meet this definition are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

Under Oregon law, OCOM and its members are not allowed to ask the individual about the nature/extent of the disability; require documentation proving that the animal is an assistance animal, or; require that the individual pay any fee for the assistance animal. However, to ascertain if the animal presented on campus is a service animal, the college may ask:

*Is the animal required due to a disability?*

*What work or task is the animal trained to perform?*

Contact the Academic Programs and Accessibility Coordinator if you have questions about service animals on campus.

Responsibilities for the owner/handler of a Service Animal:

1. The student handler must be in full control of the service animal at all times.
2. The student handler must keep the service animal on a harness, leash or other tether unless this would interfere with the animal's ability to safely and effectively perform its duties. In such cases, the service animal must still be under the handler's control through voice control, signals or other effective means.
3. The student handler must assure the service animal does not display any behaviors or noises that are unduly disruptive to others in classrooms or on campus.
4. The service animal may not fundamentally alter the nature of the college's operations or pose an undue financial or administrative burden to the college.
5. The student handler must immediately remove and properly dispose of any animal waste.
6. All service animals must be in compliance with county licensing laws and have up-to-date vaccinations and have a record from a veterinarian of a clean bill of health. The owner is responsible for providing documentation of licensing and vaccination information.
7. The student handler, not the college, is responsible for the actions of their animal, including bodily injury or property damage or cleaning costs that exceed regular campus maintenance. Any damage caused by a service animal that necessitates replacement or repair of damaged furniture (beyond the regular wear and tear), carpet, extra cleaning due to poor animal hygiene will be charged to the owner/student handler.

### **Conflicting Disabilities**

If a third-party requests that a service animal be removed due to a medical condition, such as a respiratory disease, asthma, or severe allergy, that is affected by the service animal, the college will engage in an individualized assessment of the situation and consider the needs of all parties in meeting its obligation to provide reasonable accommodations.

### **Denial or Exclusion of Service Animal(s)**

OCOM may deny or exclude a service animal if:

- The animal is not housebroken
- The animal is not under the owner's control (e.g. on a leash, continuous barking, whining, growling during class, clinic shifts, etc.)
- The animal is a direct threat (e.g., biting, nipping, attacking)
- The animal is ill or in poor health

An animal that provides emotional support, comfort, or companionship (therapy or comfort animals) is not included as a protected service animal under Oregon laws.

## **Social Media Policy and Guidelines**

Social media is a powerful communications tool that has a significant impact on learning environments.

### **Definition**

Social media is defined as any media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques online. Examples of social media channels include but are not limited to: LinkedIn, Facebook, Twitter, YouTube, Vimeo, Instagram, and Tiktok.

### **Best Practices**

These guidelines apply to anyone posting on social media.

- Think twice before posting. Privacy does not exist in the world of social media. Consider what could happen if a post becomes widely known and how that may reflect both on the poster and the college. Search engines can turn up posts years after they are created (even if "deleted" by the poster), and comments can be forwarded or copied.
- Strive for accuracy. Check all facts before posting them on social media. Review content for grammatical and spelling errors.
- Be respectful. Content contributed to a social media site could encourage comments or discussion of opposing ideas. Responses should be considered carefully in light of how they would reflect on the poster.
- Be active. Social media presences require diligent care and attention. An effective social media site requires regular updates and fresh or engaging content.
- Consider the audience and its potential reaction to the content. Be aware that a presence in the social media world is or easily can be made publicly available. This includes prospective students, current students, patients, current employers and colleagues, and peers. Consider this before publishing to ensure the post will not alienate, harm, or provoke any of these groups.
- On personal sites, identify one's views as one's own. If identifying one's self as an OCOM student online, it should be made clear that the views expressed are not necessarily those of the institution.

### **Policies for All Social Media Sites**

Do not post discriminatory, harassing, bullying or threatening statements or information. Do not post confidential information about the college, its students, employees, patients, or alumni.

See the following policies for additional information: FERPA, HIPAA, Title IX, ADA.

Students who share confidential information, or post discriminatory, harassing, bullying or threatening statements or information do so at the risk of disciplinary action. Use social media in a manner that complies with all college regulations, policies, and procedures.

### ***Adhere to copyright and fair use law***

When posting, be aware of the copyright and intellectual property rights of others and of OCOM. Questions about fair use or copyrighted material should be guided by the OCOM copyright guidelines as found on the OCOM Library website, [library.ocom.edu](http://library.ocom.edu).

### ***Do not use college logos or trademarks without permission***

Any use of OCOM logos, trademarks, or other brand assets must have prior approval. Do not use official logos, trademarks, or any other college-owned or commissioned images or iconography to brand personal social media sites. Do not use OCOM's name to promote a product, cause, or political party or candidate.

Questions should be directed to the Publications Coordinator, who manages the college's brand assets (e.g. logos, images).

Non-compliance with this policy may result in disciplinary action and sanctions, as defined in the Student Code of Professional Conduct, Proscribed Conduct, and Disciplinary Procedures.

## **Tobacco-Free Campus**

In 2007, OCOM became Oregon's first educational institution to declare its entire campus tobacco-free. By adopting this tobacco-free policy, the college has chosen to not permit the use of any tobacco products — including cigarettes, cigars, chewing tobacco, vaping, and e-cigarettes — on campus or clinic properties.

### **Weapons on College Property**

## **Weapons on College Property**

Weapons, including but not limited to guns and knives larger than three inches long, are prohibited everywhere on OCOM campus and in OCOM clinics. The possession of personal safety equipment such as pepper spray, mace, or Taser devices is restricted to concealed possession within a personal item such as a purse or a backpack.

## **Compliance with Federal Laws**

Oregon College of Oriental Medicine adheres to federal laws relevant to institutions of higher education. Annual notifications of these federal acts occur electronically each fall. Students are also informed how to obtain printed copies of materials and of the administrative office where they can receive further information or help.

## **Notice of Nondiscrimination**

OCOM recognizes the individual dignity of each employee, student, patient, volunteer, and job applicant. OCOM does not discriminate on the basis of race, color, religion, sex, national origin, age, disability, marital or familial status, sexual orientation, gender identity, veteran status or any other basis prohibited by local, state or federal law.

In accordance with the requirement of 504 of the Rehabilitation Act of 1973 and Title III of the American With Disabilities Act of 1990 (ADA) OCOM will not discriminate against qualified individuals with disabilities on the basis of a disability in its services, programs, or activities. OCOM does not discriminate on the basis of disability in its hiring or employment policies and complies with all regulations promulgated by the U.S. Department of Education, the U.S. Department of Justice and the U.S. Equal Employment Opportunity Commission OCOM has a designated accessibility coordinator for students to whom questions or concerns about this notice should be addressed: Jessica Bineham, 75 NW Couch Street, Portland OR 97209. For all other accessibility questions or concerns, contact Amber Appleton, 75 NW Couch Street, Portland OR 97209.

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in educational programs, including areas such as admissions, financial aid, scholarships, course offerings and access, employment, and other services. Title IX protects students and employees, from unlawful sexual harassment, including sexual violence, in college programs and activities. OCOM has designated a Title IX Coordinator to whom questions or concerns about this notice should be addressed: Amber Appleton, 75 NW Couch Street, Portland OR 97209.

These policies comply with the spirit and the letter of applicable federal and local laws, including Title

IX of the Education Amendments of 1972 and its implementing regulations, Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

### **Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when they reach the age of 18 or attend a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest
- Other schools to which a student is transferring
- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with financial aid to a student
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations
- To comply with a judicial order or lawfully issued subpoena
- Appropriate officials in cases of health and safety emergencies
- State and local authorities, within a juvenile justice system, pursuant to specific State law

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information or technical assistance, call 1-800-872-5327 (voice). Individuals who use TTY may call the Federal Information Relay Service at 1-800-877-8339. Or contact the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-8520

Opt-out forms are available at the Office of the Registrar for students wishing to be omitted from directory information.

## **OCOM Drug and Alcohol Policy**

### ***Drug Free Workplace Policy, Drug Free Schools and Campuses***

In compliance with the Drug-Free Workplace Act of 1988, OCOM will not tolerate the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance. Students found to be in violation of this policy are subject to immediate disciplinary action that may include dismissal or suspension from the college.

The Drug-Free Schools and Communities Act of 1989 (Public Law 101-226) requires institutions receiving federal financial assistance to implement and enforce drug prevention programs and policies.

OCOM prohibits the manufacture, unlawful possession, use or distribution of illicit drugs (including marijuana/cannabis) or alcohol by students on college property or at any off-campus school activity. Any violation of this policy will result in appropriate disciplinary actions, up to and including expulsion, even for a first offense. Where it is apparent that a violation of the law has occurred, the appropriate law enforcement authorities will be notified.

OCOM is likewise committed to an ongoing drug-free awareness program for all students and provides the details of this program commitment in writing each year. Individuals seeking advice regarding substance use counseling, rehabilitation, and further information about treatment options are encouraged to contact the Director of Counseling or the Director of Student and Alumni Services for such assistance.

As an institution committed to the principles of Chinese medicine and to community health promotion and maintenance, we take drug and alcohol abuse seriously. We want to ensure that all members of the college community are well informed as to the risks of drug and alcohol abuse, the sanctions involved in illegal use of drugs and alcohol, and also to the treatments available to those who may have a problem. Most importantly, however, is the invitation to any student, staff, or faculty member to come forward confidentially and seek help if they think they may have an alcohol or other drug problem.

Students are prohibited from attending class or clinic while under the influence of illicit drugs including marijuana/cannabis and marijuana/cannabis based products (including edibles and topical oils) or alcohol. Furthermore, students may not use any such substances, including marijuana/cannabis based products on patients nor make recommendations for the use of such products while treating patients during pre internship or Internship at OCOM. Violation of this policy by a student will result in sanctions up to, and including suspension from OCOM. Students found to be under the influence of illicit drugs (including marijuana/cannabis) or alcohol will be immediately required to leave the campus.

Although Oregon Measure 91 allows people over the age of 21 to possess small amounts of marijuana/cannabis for personal use and Oregon Measure 110 decriminalizes the personal possession of other federally illegal drugs, it is in conflict with federal law. Because OCOM is required to comply with federal laws relevant to institutions of higher education, marijuana/cannabis continues to be considered an illicit drug for purposes of this policy.

### **Legal Prescription and Over-the-Counter Drugs**

It is the student's responsibility to determine the potential effects of legal prescription or over-the-counter drugs on their ability to safely perform in the classroom and the clinic. Legal prescription pharmaceuticals may be brought onto OCOM property or premises only by the person for whom they were prescribed and may be used only in the manner, combination, and quantity prescribed or directed. In appropriate circumstances, OCOM reserves the right to require a student to provide verification from their physician or another medical doctor, about the possible effects that a prescription pharmaceutical or over-the-counter drug the student is taking may have on the student's performance.

### **Campus Alcohol Possession or Use**

The possession or use of alcohol in the college and workplace is prohibited except for its use at college sanctioned events where the serving of alcohol has been approved by the President, or their designee. Impairment in the institution due to the use of alcohol is prohibited. This policy applies to all students and employees, including employed students.

## **Federal Student Financial Aid Penalties**

OCOM is obligated to provide notice of Federal student financial aid penalties for drug law violations.

Each student shall be provided, upon enrollment, a separate, clear, and conspicuous written notice that advises the student that if during a period of enrollment for which the student was receiving Title IV, HEA program funds, a student is convicted under any federal or state law involving the possession or sale of illegal drugs, they will lose eligibility for any Title IV, HEA grant, loan, or work-study assistance (HEA Sec. 484(r)(1)); (20 U.S.C. 1091(r)(1)).

OCOM must provide a notice in a timely manner to each student who has lost eligibility for Title IV, HEA assistance as a result of the penalties under HEA Sec. 484(r)(1). The notice must be a separate, clear, and conspicuous written notification of the loss of eligibility and must advise the student of the ways in which the student can regain eligibility under HEA Sec. 484(r)(2); (20 U.S.C. 1091(r)(2)).

For a more detailed description of the penalty system for drug offenses, see “Federal Student Financial Aid Penalties for Drug Law Violation” section below.

## **Annual Notification**

Annually, each Fall, the college will inform its students, staff, and faculty via email of:

1. The legal sanctions under local, state and federal law for the unlawful possession or distribution of illicit drugs and alcohol
2. The effects of drug and alcohol abuse
3. Substance abuse treatment centers located in the Portland area

## **Policy Review**

OCOM’s Drug and Alcohol Abuse Program will be reviewed biennially to determine its effectiveness. Changes will be made as appropriate.

## **Substance Use Disorder Prevention and Treatment**

In certain cases, students may be referred to treatment resources and/or recovery groups for substance use disorder. College officials may consider participation in and successful completion of such a program as appropriate sanctions for violations of drug/alcohol policies.

Note: The use of alcohol and illegal drugs poses considerable health risks. They include impeded motor skills; memory loss; impaired speech, brain, heart and liver damage; inappropriate, harmful or violent behavior; fetal damage and death.

## **Sanctions for Violations**

In addition to any penalties under federal and state law, employees or students found to be in violation of this policy may be subject to disciplinary sanctions consistent with applicable provisions of state and federal laws, regulations and policies (including applicable employee agreements, and applicable college policies). Any student found in violation of this policy may also be subject to sanctions as set forth in the Student Code of Professional Conduct, Proscribed Conduct and Disciplinary Procedures.

## **Legal Sanctions for Possession and/or Distribution**

### ***Oregon Statutes***

In Oregon, penalties for possession and distribution of illicit drugs are determined by the Controlled Substance Schedule upon which the drugs appear. Examples from the drug schedules appear below. Note: Most drugs appear on the same federal and state schedule. Alcohol is treated separately. Although Oregon Measure 91 allows people over the age of 21 to possess small amounts of marijuana/cannabis for personal use and Oregon Measure 110 decriminalizes the personal possession of other federally illegal drugs, it is in conflict with federal law. Because OCOM is required to comply with federal laws relevant to institutions of higher education, marijuana continues to be considered an illicit drug for purposes of OCOM’s policies.

Note: there are separate sanctions in Oregon under state and federal law. Review the following document for more information about state sanctions.

[https://www.oregonlegislature.gov/lpro/Publications/Background-Brief-Measure-110-\(2020\).pdf](https://www.oregonlegislature.gov/lpro/Publications/Background-Brief-Measure-110-(2020).pdf)

**Marijuana – Federal Law** (Marijuana is on Schedule I, but is treated separately under the law.)

Delivery for consideration: Class B felony (up to 10 years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

Delivery not for consideration:

- ♦ Less than 1 oz: Class A misdemeanor (up to one year and up to \$2500)
- ♦ Less than 5 gm: Violation and fine of at least \$500 but not more than \$1000.

Unlawful possession of (less than one ounce): Violation (fine of \$500 to \$1000 plus twice the value of any resulting gain of property or money)

Unlawful possession of (more than one ounce): Class B felony (up to 10 years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

**Schedule I Drugs except for Marijuana** (e.g., heroin, LSD, peyote, mescaline, psilocybin)

Manufacture or distribution: Class A felony (up to 20 years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

Unlawful possession: Class B felony (up to 10 years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

**Schedule II drugs** (e.g., opium, cocaine, methamphetamine)

Manufacture or distribution: Class B felony (up to 10 years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

Unlawful possession: Class C felony (up to five years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

**Schedule III drugs** (e.g., amphetamine, depressants, PCP)

Manufacture or distribution: Class C felony (up to five years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

Unlawful possession: Class A misdemeanor (up to one year and up to \$2,500 plus twice the value of any resulting gain of property or money).

**Schedule IV drugs** (e.g., Xanax, Valium, Ambien)

Manufacture or distribution: Class B misdemeanor (up to six months and up to \$1,000 plus twice the value of any resulting gain of property or money).

Unlawful possession: Class C misdemeanor (up to 30 days and up to \$500 plus twice the value of any resulting gain of property or money).

**Schedule V drugs** (e.g., Motofen, Robitussen)

Manufacture or distribution: Class C misdemeanor (30 days and up to \$500 plus twice the value of any resulting gain of property or money).

Unlawful possession: Violation (\$250 plus twice the value of any resulting gain of property or money).

It is unlawful for a person to manufacture or deliver a Schedule I, II, or III controlled substance within 1,000 feet of the real property comprising a public or private elementary, vocational or secondary school attended by minors (Class A felony, penalty of up to 20 years in prison and \$100,000 fine).

In addition to the penalties set out above, the court may order the defendant to pay the cost of prosecution, and the defendant's vehicle used in the crime may be forfeited to the state. Finally, the defendant may forfeit any property used in the crime to the county in which the crime occurred.

## **Alcohol**

Minor in possession: Under Oregon law, any attempt to purchase alcohol by a person under 21 years of age is a violation and may carry a fine of up to \$250.

Providing liquor to minor (under 21 years of age): Class A misdemeanor (up to one year in prison and a fine, plus restitution and community service)

Mandatory minimums: First conviction: \$350: Second conviction: \$1,000: Third or subsequent conviction: \$1,000 and 30 days.

For the purposes of the Oregon driving while under the influence of intoxicants (DUII) statutes, for a person under 21 years of age, any amount of alcohol in the blood constitutes being under the influence of intoxicating liquor, which is a Class A misdemeanor with a penalty of up to one year in prison and a \$2,500 fine and suspension or revocation of driving privileges.

The law opens the door on the possibility of a social host being liable for damages incurred or caused by intoxicated guests. A critical element in this statute is service of an alcoholic beverage to a person while he or she is visibly intoxicated.

## **Federal Statutes**

The federal system establishes sanctions for possession and distribution of controlled substances, based on the schedule of the drug and the amount involved. However, in addition, the statutory sanctions for possession and distribution are subject to the "Sentencing Guidelines for U.S. Courts." Imposition of the guidelines may lead to higher offense levels and, thus, stricter penalties than otherwise indicated. Courts must make adjustments in the offense level for victim-related considerations, defendant's role in the offense, multiple counts, obstruction and acceptance of responsibility. Finally, the guidelines establish sentences for each offense based on the defendant's criminal history. Federal penal sanctions range from: Manufacture, distribution or trafficking of large amounts of heroin, cocaine, PCP, methamphetamine, Schedule I and II hallucinogens, marijuana, hashish, or any of their derivatives (30 years to life, regardless of the defendant's criminal history) to Possession of any Schedule III-V drug if defendant has lowest level or criminal history (0-4 months). Further, if serious injury or death results from the crime, minimums of up to 10 years (serious injury) and 20 years (death), plus fines of up to \$4,000,000 may be added. These penalties may be doubled for defendants with past felony drug convictions. Finally, penal sanctions in the federal system are "real time", with reductions in sentences only for good behavior.

Persons convicted of drug possession under state or federal law may be ineligible for federal student grants and loans for up to one year after the first conviction and five years after the second; the penalty for distributing drugs is loss of benefits for five years after the first, 10 years after the second and permanently after the third conviction.

Under Federal law, distribution of drugs to persons under age 21 is punishable by twice the normal penalty with a mandatory one year in prison; a third conviction is punishable by mandatory life imprisonment. These penalties apply to distribution of drugs in or within 1,000 feet of a college or school. Federal law sets greatly heightened prison sentences for the manufacture and distribution of drugs if death or serious injury results from use of the substance.

## **Health Risks Associated with Use or Substance Use Disorder**

Tobacco and Nicotine – Smokers are more likely than nonsmokers to contract heart disease. Lung, larynx, esophageal, bladder, pancreatic, and kidney cancers also strike smokers at increased rates. Thirty percent of cancer deaths are linked to smoking. Chronic obstructive lung diseases, such as emphysema and chronic bronchitis, are 10 times more likely to occur among smokers than among nonsmokers. Smoking during pregnancy also poses risks, such as spontaneous abortion, pre-term birth, and low birth weights. Fetal and infant deaths are more likely to occur when the pregnant woman is a smoker. Nicotine is both psychologically and physically addictive.

Alcohol – Low doses significantly impair the judgment and coordination needed to operate vehicles. Small amounts can also lower inhibitions. Moderate to high doses cause marked impairments in higher mental functions, and loss of memory and the ability to learn and remember information. High doses cause

respiratory depression and death. Long-term consumption, particularly when combined with poor nutrition, can also lead to substance use disorders and permanent damage to vital organs such as the brain and the liver. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation.

Cannabis (Marijuana, Hashish, Hashish Oil, Tetrahydrocannabinol) – Physical effects of cannabis include increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time, reduce ability to perform tasks requiring concentration and coordination, and impair driving ability. Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana, hashish, THC, etc., can also produce paranoia and psychosis, as well as cannabinoid hyperemesis syndrome. Long-term use may result in possible lung damage, reduced sperm count and sperm motility, and may affect ovulation cycles. Cannabis can also be psychologically addictive.

Inhalants (Nitrous Oxide, Amyl Nitrite, Butyl Nitrite, Chlorohydrocarbons, Hydrocarbons) – Immediate effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite cause rapid pulse, headaches, and involuntary passing of urine and feces. Long-term use may result in hepatitis or brain damage. Deeply inhaling vapors, or using large amounts over a short time, may result in disorientation, violent behavior, unconsciousness, or death. High concentrations of inhalants can cause suffocation by displacing oxygen in lungs. Long-term use can cause weight loss, fatigue, electrolyte imbalance, muscle fatigue, and permanent damage to the nervous system.

Cocaine (Crack) – Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature. Occasional use can cause nasal irritation; chronic use can ulcerate the mucous membrane of the nose. Crack or freebase rock is extremely addictive. Physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures. The use of cocaine can cause death by cardiac arrest or respiratory failure.

Stimulants (Amphetamines, Methamphetamines, Crank, Ice) – Stimulants cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. Users may experience sweating, headache, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause rapid or irregular heartbeat, tremors, loss of coordination, and physical collapse. Amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure. In addition to physical effects, feelings of restlessness, anxiety, and moodiness can result. Use of large amounts over a long period of time can cause amphetamine psychosis that includes hallucinations, delusions, and paranoia. The use of amphetamines can cause physical and psychological dependence.

Depressants (Barbiturates, Methaqualone, Tranquilizers) – Small amounts can produce calmness and relaxed muscles, but somewhat larger doses can cause slurred speech, staggering gait, and altered perception. Large doses can cause respiratory depression, coma, and death. Combination of depressants and alcohol can potentiate the effects of the drugs, thereby multiplying risks. Babies born to mothers who abuse depressants during pregnancy may be physically dependent on the drugs and show withdrawal symptoms shortly after birth. Birth defects and behavioral problems may also result. The use of depressants can cause both physical and psychological dependence.

Hallucinogens (PCP, LSD, Mescaline, Peyote, Psilocybin) – Phencyclidine (PCP) interrupts the functions of the neocortex, the section of the brain that controls cognitive functioning. PCP blocks pain receptors, and users can have violent PCP episodes resulting in self-inflicted injuries. Lysergic acid diethylamide (LSD), mescaline, and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness, and tremors.

Narcotics (Heroin, Methadone, Codeine, Morphine, Meperidine, Opium) – Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea, and vomiting. Users may experience

constricted pupils, watery eyes and itching. Overdoses may produce respiratory depression, clammy skin, convulsions, coma and death. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who experience severe withdrawal symptoms. Use of narcotics can cause physical and psychological dependence.

Designer Drugs (Analogues of Fentanyl, Analogues of Meperidine, MDMA, Ecstasy Analogues of PCP) – Many “designer drugs” are related to amphetamines and depressants and have mild stimulant and depressant properties. Use can produce severe neurochemical damage to the brain. Narcotic analogues can cause symptoms such as those seen in Parkinson’s disease: uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage. Analogues of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating, and faintness. Psychological effects include anxiety, depression, and paranoia. Analogues of PCP cause illusions, hallucinations, and impaired perception.

Anabolic Steroids – Steroid users subject themselves to more than 70 side effects, ranging in severity from acne to liver cancer, including psychological as well as physical reactions. The liver and cardio-vascular and reproductive systems are most seriously affected by use. In males, use can cause withered testicles, sterility, and impotence. In females, irreversible masculine traits can develop along with breast reduction and sterility. Psychological effects in both sexes include very aggressive behavior, known as “roid rage”, and depression. While some side effects appear quickly, others, such as heart attacks and strokes, may not show up for years.

#### *References*

U.S. Dept. of Education (1989). *What Works: Schools Without Drugs*. (Rockville, MD: National Clearinghouse for Alcohol and Drug Information, 1989), pp 61-72. National Institute on Drug Abuse, NIDA Capsules, (Rockville, MD: Press Office of the National Institute on Drug Abuse, 1986).

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## *Resources for Substance Use Disorders and Other Mental Health Services*

### **Student Resources**

Individual students seeking support and/or treatment referrals for problems involving substance use are encouraged to contact the Director of Counseling. Individuals may be referred to treatment resources and/or substance use disorder treatment centers.

### **Treatment Programs**

A comprehensive list of treatment programs and providers is maintained by the State of Oregon and can be found at the following link: <https://www.oregon.gov/OHA/HSD/AMH/publications/provider-directory.pdf>

A searchable database for behavioral health educational resources, treatment options, and recovery organizations can be found at <https://www.oregon.gov/OHA/HSD/AMH/Pages/Client-Services.aspx>

### **Recovery Groups**

A comprehensive list of recovery groups, including 12-step meetings, SMART recovery, Refuge Recovery can be found at <https://www.portlandalano.org>. In addition, most recovery organizations have individual websites for meeting locations outside the Portland area.

## **Federal Student Financial Aid Penalties for Drug Law Violation**

Students who are currently enrolled and are completing the FAFSA will be asked: "Have you been convicted for the possession or sale of illegal drugs for an offense that occurred while you were receiving federal student aid?"

Students who answer "Yes" will be asked an additional series of questions to determine if the conviction affects their eligibility for federal student aid.

Students convicted of a federal or state offense of selling or possessing illegal drugs that occurred while they were receiving federal student aid should still complete and submit the FAFSA to determine if there is aid for which they are still eligible. Students who leave question 23 blank cannot receive federal financial aid until they respond by making a correction to their FAFSA

A student who has been convicted of possession or sale of illegal drugs loses Title IV eligibility for a period of time specified in law. The period of ineligibility depends on whether the conviction was for possession or sale of (including conspiring to sell) illegal drugs.

For convictions involving possession, the periods of ineligibility are as follows:

- One conviction: one year after the date of conviction.
- Two convictions: two years after the date of the second conviction.
- Three or more convictions: indefinite from the date of the third conviction

For convictions involving sale, the periods of ineligibility are as follows:

- One conviction: two years after the date of conviction.
- Two or more convictions: indefinite from the date of the second conviction.

A federal or state drug conviction can disqualify a student for federal financial aid.

Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV aid — they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when the student was a juvenile, unless the student was tried as an adult.

### **Regaining Eligibility**

A student regains eligibility the day after the period of ineligibility ends or when the student successfully completes a qualified drug rehabilitation program. Further drug convictions will make the student ineligible again.

A student whose Title IV eligibility has been suspended indefinitely may regain eligibility only by successfully completing a drug rehabilitation program. A student who is under a one- or two-year penalty may regain eligibility before the expiration of the period of ineligibility by successfully completing a drug rehabilitation program. If the student successfully completes an approved drug rehabilitation program, eligibility is regained on the date the student successfully completes the program. It is the student's responsibility to certify to the school that they have successfully completed the rehabilitation program.

To qualify the student for eligibility, the drug rehabilitation program must include at least two unannounced drug tests, and:

- have received or be qualified to receive funds directly or indirectly under a Federal, State, or local government program; or
- be administered or recognized by a Federal, State, or local government agency or court; or
- have received or be qualified to receive payment directly or indirectly from a Federally- or State-licensed insurance company; or
- be administered or recognized by a Federally- or State-licensed hospital, health clinic or medical doctor.

# Appendices

We provide the following resources to supplement understanding of the issues discussed in this handbook and assist students in meeting the expectations for professional conduct at OCOM.

## APPENDIX A

### Intellectual Property Policy

#### *Overview*

The mission of Oregon College of Oriental Medicine (“OCOM” or “the College”) is to “transform health care by educating highly skilled and compassionate practitioners, providing exemplary patient care, and engaging in innovative research within a community of service and healing.” As a graduate institution of higher education, OCOM values and supports academic freedom, the free exchange of ideas and opinions. Changes in information technology and copyright law require clarification of the rights and responsibilities that accrue from the creation of works of authorship (hereinafter “works”) at the College so that individuals can create, use, and disseminate intellectual property to fulfill their respective functions in and outside the College.

Copyright includes a bundle of rights — including rights to ownership, reproduction or copying, preparation of derivative works, distribution, public display, and public performance. General principles regarding this bundle of rights in works created at the College are set forth below. In particular instances, written agreements may be necessary to modify the rights outlined below, or to clarify the rights and responsibilities of interested parties to a greater level of specificity.

This policy applies to works produced by College faculty, staff, students, other members of the College community, and contractors. This policy generally provides that faculty members and students own the copyrights to works they produce during their academic careers at OCOM, subject to limited contractual exceptions, and in certain circumstances, limited use rights.

The content of OCOM Intellectual/Copyright Policy includes:

Section I: Ownership principles and other interests applicable to general categories of works (based on the context of the creation of works and the identity of their creators); Section II: Use of the College’s name, seal, or marks; Section III: Policy administration and implementation; Section IV: Policy interpretation and dispute resolution; and Section V: Related policies and publications.

## I. CATEGORIES OF WORKS

### A. Faculty Works

#### 1. Ownership Principles

- a. Consistent with copyright law and academic freedom and tradition, all faculty (including full-time, part-time, adjunct, and emeritus faculty, and for the purposes of this policy only, Teaching Assistants (TAs)) own and control works created at their own initiative with usual College resources.
- b. “Usual College resources” are those resources commonly provided or made available to similarly situated faculty. They include, for example, ordinary use of resources such as the libraries; one’s office, computer and College computer facilities; secretarial and administrative support staff; and supplies. For any given department, unit, or individual, what constitutes a usual resource will depend upon the functions and responsibilities of that department, unit, or individual. For purposes of this policy, funds provided to faculty as part of OCOM’s faculty development grant and faculty scholarship grant funds are considered “usual resources” and do not give rise to a College copyright ownership claim for the work products created by faculty as a result of receiving those grant funds.
- c. “Unusual College resources” are covered under Section I.C., below.
- d. Examples of works created at faculty members’ own initiative with usual College resources may include, but are not limited to: lecture notes, transparencies, case examples, textbooks, interactive textbooks,

other works of nonfiction or novels, software, CD-ROMs, articles, books, literary works, poems, musical compositions, visual works of art, and other artistic creations regardless of the media in which the works are produced or the forms of dissemination (e.g., print or electronic).

## 2. College Community Interests

Even though individual faculty own the works described in (I)(A)(1) above, the College community as a whole has interests in being able to use such works for educational and administrative purposes, consistent with the College's educational mission and academic norms. Faculty members should keep these purposes in mind in creating and disseminating instructional materials and scholarly works.

a. The College retains the non-transferable, perpetual, non-exclusive right to use works created by faculty with usual College resources for ordinary teaching use in the classroom and in department programs on a royalty-free basis solely for the College's education, teaching and research activities as follows:

i. The College shall be permitted to use syllabi, assignments, and tests for administrative and educational purposes, including satisfying requests of accreditation agencies for faculty-authored syllabi and course descriptions, with no time limits;

ii. The College shall be permitted to use works created by faculty with usual College resources in the form of lecture notes and class handouts for a period of two years for all classes, except those classes that are designated as "core courses." For purposes of this policy Core Courses, especially sequential courses, are originally developed by one faculty member or may be developed collaboratively. Over time, as new faculty teach these Core Courses, or portions of a course sequence, they utilize the previously developed course materials (including hand-outs, note packets and power-point slides). Each teacher certainly modifies the materials over time, adding and deleting, but not replacing the originals. The next teacher who teaches then starts with the modified materials, and proceeds to make their own modifications. This process results in rich, ever-evolving composites of materials where "ownership," even of portions of materials, would be very difficult to ascertain. The two-year limitation for OCOM rights of use does not apply to Core Courses, and thus the College's right to use Core Courses is perpetual.

b. Faculty members are encouraged to share their instructional materials and courseware with their College colleagues for internal instructional, educational, and administrative purposes. When publishing scholarly works, faculty creators are encouraged to provide rights for use for the College community.

c. The College also has an interest in ensuring that works created by faculty are not used to compete with or undermine the College's educational mission or activities. Consistent with conflict of interest and commitment principles, faculty with full-time appointments at the College should not use (or permit others to use) their works in ways that compete with the College's courses, or its educational programs or activities unless prior written permission is obtained from the appropriate dean or executive officer, or their designee(s). This provision applies to works developed by faculty for compensation at other educational institutions, including for-profit and online institutions. It does not apply to works created in conjunction with professional activities in conformance with College norms such as, but not limited to: sharing syllabi or other course materials with colleagues at other non-profit educational institutions; ordinary outside consulting; participation in professional or scholarly organizations; scholarly presentations and publications; pursuit of future employment opportunities; and public service.

## *B. Staff Works*

### 1. Ownership Principles

Although the College owns works created by staff within the scope of their employment duties or with unusual College resources (as discussed in section I(C) below), the College does not claim ownership of works created by staff members at their own initiative, outside the scope of their employment, and without unusual College resources (e.g., scholarly or artistic works). Staff are strongly encouraged to seek special permission from the College for retention of copyright on special works in advance to avoid conflict or confusion at the time of completion of the creative work(s).

## C. College Works

### 1. Ownership Principles

Consistent with its legal and fiduciary responsibilities, the College owns particular works that are created:

- a. In whole or in part by faculty members, when creation of those works is dependent upon the provision of unusual College resources as specially authorized by College administrators such as deans, department chairs, unit directors, or their designees. "Unusual College resources" are resources such as financial, technical, personnel, or other forms of support beyond the type or level of resources commonly provided to similarly situated faculty. Unusual College resources may include, for example, an extraordinary quantity or quality of media development, significant research assistance, or access to or use of other special, limited College facilities or resources. Pursuant to agreements with the creators, the College may decide to forego or modify its rights to such works;
- b. As a specific requirement of employment or pursuant to an assigned institutional duty that may, for example, be included in a written job description or an employment agreement so as to qualify as works made for hire. Such works may include those whose creation is instigated or facilitated by a unit of the College for the express purpose of making such works available to individuals or entities other than, or in addition to, the creator(s) for use in teaching, research, patient care, public information, or other College activities. The College does not, however, claim ownership of faculty-created instructional materials or courseware merely because it requires faculty members to teach courses as part of their regular responsibilities; however, the College retains rights to the use of faculty developed educational materials pursuant to Section I.A.2.i, above. The College may claim ownership of certain instructional materials or courseware, including online course materials, when the College has specifically requested such materials and either invested unusual College resources in them as described in (a) above, or specifically compensated faculty-creators (e.g., with additional financial compensation, release time, etc.) for the development of the materials. Similarly, the College does not claim ownership of faculty-initiated scholarly works based merely on general expectations that faculty members will publish such works;
- c. In the course of an administrative assignment (e.g., a report for a College committee); and
- d. As part of sponsored projects, pursuant to the terms of the governing contracts (see I.F). The College retains the rights to commercialize such works, as well as all other rights under copyright law.

### 2. Faculty and Staff Interests

- a. Even though the College owns the works described in Section I.C.1 above, individual faculty and staff may have interests in using them or receiving credit for their participation in such works, particularly works which they created or to which they contributed.
- b. In the absence of contractual or other legal restrictions to the contrary, the College grants faculty non-exclusive rights to use and distribute College-owned works the faculty member created for non-commercial purposes. Accordingly, faculty members who leave the College may continue to use at another nonprofit institution or organization for teaching, research, and other non-commercial purposes, all College-owned works they created.
- c. Faculty creators of College-owned works who are still employed by the College have the right of "first refusal" in making new versions. The creators of College-owned instructional materials who have left the College have the right to be consulted in good faith on reuse and revisions (e.g., for online instructional materials or courseware). In order to protect academic integrity, the creators may request that such works be withdrawn from use in College activities if they become obsolete or are otherwise deemed inappropriate for further educational use. Creators also have the right to have their names removed from such works if they so desire.
- d. In accordance with academic tradition and any applicable legal considerations, the College will acknowledge creators and developers (including faculty, staff, and students) who have made a substantial contribution to College-owned works, unless those individuals request otherwise. For example, members of a College committee would ordinarily be acknowledged in a committee report.

e. Creators and developers of College-owned works shall not undermine the College's efforts to commercialize those works.

f. Creators and developers of College-owned works may, however, share in the revenues in appropriate circumstances pursuant to written agreements with the College.

## *D. Student Works*

### 1. Ownership Principles

Students who create academic works while at the College (e.g., dissertations, theses, student projects) own the copyright to such works, unless: (1) the works qualify as works made for hire in the course of employment at the College as "works made for hire" is defined under the federal Copyright Act; or (2) a written transfer of copyright is obtained. The College retains the non-transferable, perpetual, non-exclusive right to use materials created by students in the ordinary course of study for on a royalty-free basis solely for the College's education, teaching and research activities, and shall be permitted to use them for administrative and educational purposes, including satisfying requests of accreditation agencies for faculty-authored syllabi and course descriptions.

### 2. College Community Interests

Students are frequently involved in the creation of works in consultation with, or under the supervision of, College faculty and staff. Such works may be related to coursework, research, extracurricular activities, or other College projects. In some circumstances, it is difficult to determine whether and to what extent students are acting as agents or employees of the institution. Accordingly, written agreements with students regarding copyright should be executed whenever the College or its representatives have any doubt about copyright ownership of student-created works in which the College believes it has ownership or other interests.

## *E. Collaborative Works*

1. Works created collaboratively by students, staff, faculty, and/or others present special challenges with regard to copyright. Such works may be owned in whole or in part by the College if they fall within one of the categories described in (I)(B) above. When works are created collaboratively with other entities or institutions, the College's interests and rights in such works shall be recognized and protected as consistent with this policy. If the parties intend for a work to be jointly owned for purposes of copyright, such intent should be set forth clearly in writing at the beginning stages of such a project. All requests for shared copyright ownership agreements should be submitted for consideration by the Chief Financial Officer (CFO).

2. Even if ownership is held by a single entity (such as the College), the rights to use such works can often be divided and shared so as to meet the needs of each party. For example, multiple parties may have non-exclusive rights to copy, display, or distribute a particular work.

3. In the case of some collaborative works, especially those involving members of different categories within the College community (e.g., faculty and students; staff and students), the parties involved may decide to assign copyright to the College in order to coordinate distribution, use, and (when appropriate) revenue sharing.

## *F. Research Data and Other Sponsored Works*

The College owns the data generated through College-sponsored research projects, including those supported by outside grant funding, but allows the principal investigator (PI) on the research project to be the steward of the data. The PI takes responsibility for the collection, recording, storage, retention, and disposal of data. The people in a laboratory or on a research project are essentially working for the academic institution, which assigns the rights of the data to the PI. When the PI publishes any work that refers to, analyzes, or references the data, the copyright for the published work is retained by the PI, who then assigns it to the publisher of the journal.

If a faculty member undertakes a research project on behalf of the College, OCOM owns the data. Any

faculty members who perform research on their own (not on behalf of the College), owns their research data. Data and data books collected by graduate students and postdoctoral fellows on a research project belong to the College, and students should not take their data—although retaining copies of data is allowed, with permission. Works created in the course of sponsored projects, including industry-funded research, are governed by the terms of the sponsor agreements, when applicable.

There is no copyright in data of any kind. Copyrights to published works that refer to or explain data, are covered by the sections of this policy related to published works.

### *G. Works by Non-Employees/Contractors*

Generally, the College requires copyright as well as physical ownership of works prepared expressly for the College by non-employees, such as consultants or contractors retained by the College, or students who are compensated for such work. In order to claim copyright ownership, a written agreement should be executed in which the non-employee and the College both acknowledge College copyright ownership.

## **II. USE OF THE COLLEGE'S NAME, LOGO, OR TRADEMARKS**

Use of the College's name, logo, trademarks, or other visual identity assets in connection with works, other than by way of identification of the creators as faculty members, researchers, other employees or students at the College, is itself use of a significant College resource, thus triggering an interest on the part of the College. Additionally, use of the College's name, logo, or marks can affect the reputation and academic standing of the institution. Faculty members, researchers, other employees, and students (as well as their respective departments) may not participate in the creation or use of works that might give the impression of College sponsorship when there is none. Any use of the College name, logo, marks, or commissioned audio or visual assets (other than to identify creators by their titles or affiliations with the College) in connection with works created by faculty members, researchers, other employees, or students must be approved in advance by the College in accordance with College policies.

Similarly, the College must approve in advance the use of its name, logo, marks, or commissioned audio or visual assets in connection with any works created under collaborative agreements with outside entities (other than to identify creators by their titles or affiliations with the College).

Appropriate use of the College's logo or other authorized visual elements is to be approved by the College's Publications Coordinator.

## **III. ADMINISTRATION AND IMPLEMENTATION**

Copyright to all College-owned works shall be held (and registered, when appropriate) in the name of the Board of Trustees of Oregon College of Oriental Medicine.

Within the College, the individual departments or units in which works are created will ordinarily have primary responsibilities for the administration of copyright rights and permissions. Any commercial sale or licensing of College-owned, copyrightable works shall follow normal College procedures. Copyrights may also be held separately by entities that are affiliated with the College, but legally independent or autonomous.

The College will maintain a Copyright Fair Use Policy that provides guidance to faculty, students, staff and others regarding the fair use of others' copyrighted works in their own course and other materials. OCOM expects all faculty, students, staff and others to follow guidelines related to fair use and to ensure that they are using copyrighted materials from other sources according to copyright law. (See OCOM Copyright Fair Use Guidelines.)

## **IV. POLICY INTERPRETATION AND DISPUTE RESOLUTION**

This Intellectual Property/Copyright Policy and its implementation may require interpretation and review. Every attempt should be made to resolve disputes informally, with the assistance of one or more of the support services provided by the College as discussed below.

### **A. Policy Information**

Information about this Policy and its application is available from the following sources: the Vice President of Planning and Operations (for Policy and legal clarification), and the Office of the Chief Financial Officer (CFO) (for matters regarding patents and commercialization of intellectual property).

B. Informal Resolution: If an issue arises with regard to the interpretation of this Policy that cannot be resolved by the parties themselves, one or more of the parties may go to the appropriate supervisor, department chair or unit head (or his or her designee(s)). If the matter cannot be resolved at the departmental or unit level, or if the parties involved are from different departments or units, it may be necessary to bring the matter to the attention of a dean or senior executive. At any time during this process, informal consultation regarding interpretation of this Policy is available from the offices listed above under "Policy Information."

C. Formal Resolution: If informal procedures and consultation do not provide resolution of a dispute or policy issue, it may be necessary to resort to formal procedures for policy interpretation and dispute resolution. Any member of the College community may file a request for formal dispute resolution or policy interpretation with the Vice President of Planning and Operations. Oregon College of Oriental Medicine's current Intellectual Property Policy Working Group will continue to serve the College as it becomes a standing committee of the College named "Copyright Policy Resolution Committee." This committee will come into being at the time of the adoption of this policy by the OCOM Board of Trustees. Membership on the Copyright Policy Resolution Committee will consist of the Vice President of Planning and Operations, the Chief Financial Officer, the Vice President for Communication and Academic Services, the Director of Library Services, the Interim Director of Research, and two faculty representatives designated by the Faculty Senate. If a copyright issue involves a student copyright claim, the OCOM Student Association (OSA) will be asked to designate two student representatives to serve on the committee for purposes of consideration and resolution of any student copyright claim. If a claim involves a doctoral student's work, two doctoral students will be designated by the Dean of Postgraduate Studies to serve on the committee for purposes of consideration and resolution of any doctoral student copyright claim. Any request for formal resolution of a copyright issue will be referred for consideration and action by the OCOM Copyright Policy Resolution Committee. The decisions of the committee may be appealed to the President (or their designee). The decisions of the President (or designee) shall be final. This Formal Resolution process is the sole avenue for dispute resolution related to intellectual property and copyright issues at the College.

## **V. RELATED POLICIES AND PUBLICATION**

### **A. Related Policies and Documents**

This policy is to be read and considered in conjunction with other related College policies, including but not limited to:

1. Conflict of Interest;
2. Conflict of Commitment Policy (to be adopted);
3. IT Use Policy;
4. OCOM Copyright Fair Use Policy;
5. Grant Administration Policies; and
6. Any other applicable OCOM policies.

### **B. Policy Publication**

This Policy shall be published and included in OCOM college publications and documents as needed to ensure that all college communities of interest are advised of the contents of this Policy. These publications include, but are not limited to, the *Faculty Handbook*, academic program-specific student handbooks, OCOM staff employment policies, *OCOM Academic Catalog*, and other college publications as needed.