

6. Doing homework
7. Use during examinations

*Pacific College faculty consider inappropriate in-class uses of laptops and electronic devices equivalent to non-participation in class and reserve the right to lower student grades accordingly.

Alcohol and Drug Use Policy

Pacific College is dedicated not only to teaching and to the advancement of knowledge but also to the development of ethical and responsible individuals. The college seeks to achieve these goals through a sound educational program and policies that encourage maturity and independence. The regulations that govern student and employee conduct have been formulated with those objectives in mind. The U.S. Department of Education has issued regulations implementing the provisions of the Drug-Free Schools and Communities Act Amendments of 1989. These regulations require that a college distribute information annually about the possession, use, and distribution of alcohol and illicit drugs at that college. Members of the Pacific College community are bound by federal, state, and municipal laws as well as by the regulations of the Board of Trustees of Pacific College of Oriental Medicine.

The unlawful manufacture, distribution, possession, or use of illegal drugs or other controlled substances and the unauthorized use of alcohol by students on campus and by college employees at work is prohibited.

Student clubs and organizations may petition the campus director in advance of a planned event for the use of alcohol at duly authorized functions. Organizations must adhere to stringent guidelines that comply with state beverage control laws prohibiting the sale, delivery, or providing of alcoholic beverages to people under the age of 21. In addition, organizations granted permission to serve alcoholic beverages must provide adequate supervision for distribution and consumption.

Any person found to have violated the college policy on alcohol and drug use is subject to discipline by and may be cause for disqualification from federal student aid. The legal age for drinking alcohol in California, New York and Illinois is 21, and state laws deal harshly with underage drinking. As stated earlier, it is also against the law in California, New York and Illinois to sell or give away alcohol to anyone under the age of 21.

Anyone found in possession of or using illegal drugs on college property will be dealt with severely and may be suspended, in addition to facing criminal charges and arrest.

DISCRIMINATION AND HARASSMENT

Policy Statements

General Philosophy

Pacific College has created a policy to foster equitable treatment of all members of the College community and to create an environment conducive to learning.

- Students should feel safe and comfortable at their school. It is first and foremost a supportive place for learning and growing.
- Staff and faculty members should also expect to have a safe work environment where all may function effectively.

Statement of Non-Discrimination

The college prohibits discrimination of one person by another for any reason including, but not limited to: veteran status, race, color, religion, sex, national origin, ancestry, age, physical or mental disability, medical condition including genetic characteristics, pregnancy status, marital status, sexual orientation and gender identity.

College Policy on Consensual and Therapeutic Relationships

There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions, and parties in such a relationship assume those risks, even if affirmative consent exists. At a college, the role of the teacher is multifaceted including serving as intellectual guide, mentor, role model and advisor. However, in the educational context, such positions can include (but are not limited to) teacher and student, teaching assistant and student, staff member and student, and supervisor and employee.

Because of the potential for conflict of interest, exploitation, favoritism and bias, such relationships may undermine the real or perceived integrity of the supervision and evaluation provided. Further, these relationships are often less consensual than the individual whose position confers power or authority believes. In addition, circumstances may change, and the conduct that was previously welcome may become unwelcome.

Such relationships may also have unintended, adverse effects on the climate of an academic program or work group, thereby impairing the learning or working environment for others-both within or outside of the duration of the relationship. Relationships in which one party is in a position to evaluate the work or influence the career of the other may provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities or simply creates a perception of these problems.

For all of these reasons, romantic or sexual relationships- whether regarded as consensual or otherwise-- between individuals in inherently unequal positions should in general be avoided while an instructional or professional relationship exists. Additionally, the college discourages students, staff and faculty from having a therapeutic relationship anywhere other than in a professional, medical office setting.

Because of the relative youth of undergraduates and their particular vulnerability in such relationships, sexual or romantic relationships between teachers and undergraduate students are even more strongly discouraged.

Individuals in inherently unequal positions must disclose to the administration if a dating or sexual relationship does develop within seven to ten days of any sexual or romantic involvement. Doing so will not only help the administration protect the student(s) but the faculty/staff member(s) as well. Consensual relationships will be reported to the supervisor, campus director and human resource director, preserving as much confidentiality as possible.

Where such a relationship develops, individuals in the position of greater authority or power must recuse themselves to ensure that they do not exercise any supervisory or evaluative function over the other person in the relationship. In the case of a faculty member, the administration will make arrangements to adjust the faculty's teaching schedule. This may result in a reduction in the faculty's teaching responsibilities for an indefinite period until such time as the student graduates or is no longer attending.

Failure of faculty/staff members to report consensual relationships to the administration in a timely fashion and recuse themselves from the position of authority obligates the supervisor, campus director and human resource director to conduct a prompt and thorough investigation. Where it is concluded that there was failure to report the relationship to the administration and/or a position of authority and a consensual relationship exists, the position of authority will be terminated, and the faculty or staff member will be subject to disciplinary action, up to and including dismissal.

If there is any doubt whether a relationship falls within this policy, individuals should disclose the facts and seek guidance from the administration rather than fail to disclose. Questions may be addressed to the appropriate supervisor, campus director, or human resource director.

Definitions

Affirmative consent – Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

Discrimination - While it is not easy to define precisely all instances that may be discriminatory, they include: slurs, epithets, threats, derogatory comments, visual depictions, unwelcome jokes, and teasing.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward individuals because of their veteran status, race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, physical or mental disability, marital status, citizenship, medical condition including genetic characteristics, pregnancy status, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work or school environment, b) has the purpose or effect of unreasonably interfering with an individual's work or study performance, or c) otherwise adversely affects an individual's employment or education opportunities.

Hostile environment harassment occurs when unwelcome conduct, particularly of a sexual nature, is so severe, persistent, or pervasive that it affects a student's or an employee's ability to participate in or benefit from an educational program or activity or work, or creates an intimidating, threatening or abusive educational or working environment. Hostile environments can be created by one or multiple persons and can have one or more intended and unintended targets.

An offended observer is a person who is not the direct target of the offensive conduct, rather is a witness to the harassing behavior and to whom the conduct is offensive. For example, a student may make offensive comments about sexual orientation to a fellow student while in a group of peers. The targeted student is the intended victim of the bullying student, but any of the peers who heard the comments are potentially the unintended victims of the behavior. Both targeted individuals and offended observers can initiate the anti-discrimination/harassment process. Offended observers are generally people who are able to speak for the targeted individual when that person is unable to speak for themselves.

Sexual Harassment - While it is not easy to define precisely what sexual harassment is, it includes: unwelcome sexual advances, requests for sexual favors and/or verbal or physical conduct of a sexual nature including, but not limited to: sexually-related drawings, pictures, jokes, teasing, uninvited touching, or other sexually-related comments. In addition to creation of a hostile environment, sexual harassment can also occur as *quid pro quo*.

Quid pro quo harassment occurs when a school employee causes a student or colleague to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program, activity, or as a condition of employment. It can also occur when an employee causes a student to believe that the employee will make an educational decision based on whether or not the student submits to unwelcome sexual conduct. For example, when a teacher threatens to fail a student unless the student agrees to date the teacher, it is *quid pro quo* harassment. It does not matter whether the student refuses to submit to the teacher's demands and suffers the threatened harm, or does what the teacher wants and thus avoids the harm. In both cases, this act of harassment by the school employee is unlawful.

Retaliation

Pacific College encourages reporting of all incidents of harassment and discrimination regardless of whom the offender may be, or the offender's relationship to the college.

It is extremely important to note that Pacific College will make certain, to the best of its ability, that no harm comes to a student or staff member for reporting incidents of harassment or discrimination. The school will take steps to prevent any retaliation by the alleged harasser or person who has displayed discrimination against another or anyone else at the school. Students and staff members can be sure that the school will take strong responsive actions, should any act of retaliation occur.

Malicious or Frivolous Allegations

Pacific recognizes that allegations of harassment or discrimination can cause serious damage to the accused's personal reputation and career. If it is determined that a harassment or discrimination allegation is malicious or frivolous in nature, the complainant may be subject to disciplinary action.

Confidentiality

The college recognizes that confidentiality is important. Anyone who suspects that he or she has been a victim of harassment or discrimination is encouraged to report the matter. The college will make every effort to respect the confidentiality and privacy of all parties involved. When looking into the matter, particularly when a grievance is filed, the school will pay attention to any due process or other rights the accused student or teacher might have. However, the school will make sure that doing so does not interfere with the protections provided to the complainant that are protected by law.

Sometimes, a student complaining of harassment or discrimination may ask that the school, in its investigation, not use the student's name. Similarly, a student may even ask that the school take no action. In these situations, the school's ability to deal with the alleged harassment or discrimination may be limited. However, the school may still be able to take some steps to address the matter. For example, the school will, at its minimum, report a sexual assault or other possible criminal activities to the police, even without a complaint from the student. In less severe cases, the school will at least keep track of the incident so that it can identify and take action against repeat offenders. However, when faced with a request for confidentiality or to take no action, the school must consider whether the alleged harassment or discrimination may affect other students. If so, the school may need to take action to prevent those students from being harassed or discriminated against.

Sanctions

If the school discovers an incident of harassment or discrimination, it has an obligation to stop it and make sure that it does not happen again. Sanctions may include appropriate disciplinary and/or remedial action, warning, censure, suspension, or dismissal from employment or from the program.

Complaint Procedure: Sexual Harassment and/or Discrimination

Any student, staff member, faculty member, or other person who believes he or she has been unlawfully harassed or discriminated against should immediately report it to a responsible school official. These include the campus director, academic deans, or directors of clinical services, or in the case of an employee, his or her immediate supervisor. Generally, in compliance with state laws, an incident should be reported within 180 days (within six months) from the date of occurrence. It is noted that there are some circumstances in which the reporting timeframe extends to 300 days from the date of occurrence, per federal law. However, differences in the definitions of protected classes in federal and state laws governing harassment and discrimination make an exhaustive list impractical here. Complainants are advised to consider the deadline for filing as 180 days. The school will move quickly to determine what happened. When a student reports sexual harassment or an act of discrimination, the school will explain how its grievance and investigation procedures work and offer the student the opportunity to use them.

Campus Director: Teri Powers
619-574-6909 ext. 142
7445 Mission Valley Rd. Suite 105
San Diego, CA 92108

Campus Director: Malcolm Youngren
212-982-3456 ext. 201
110 William St. 19th Floor
New York, NY 10038

Campus Director: Elaine Gates-Miliner
773-477-4822 ext. 301
65 E. Wacker Place 21st Floor

Levels of Resolution

Consultation

A student or staff member may consult with the campus director, academic deans, or directors of clinical services to discuss issues related to sexual or other harassment, whether or not harassment actually occurred, and whether the person seeking information is a complainant, a person who believes his or her own actions may be the subject of criticism (even if unwarranted), or a third party. Often there is a desire that a consultation be confidential or off the record. This can usually be achieved when individuals discuss concerns about harassment without identifying the other person(s) involved, and sometimes even without identifying themselves. The level of confidentiality depends on what legal protections are necessary for the safety of the campus community.

Direct

If the student or staff member feels comfortable doing so, he or she should confront the harasser directly and communicate to him or her that the conduct is unwelcome and must stop.

Informal Resolution

- A complaint of discrimination/harassment form will be completed by the school official first hearing the complaint.
- The complaint form will then be submitted to the campus director who will act as facilitator to attempt to mediate and resolve complaints.
- Activities undertaken toward this end include fact gathering through fact-finding interviews and discussions with the complainant and respondent as well as with other school officials.
- Informal resolution may be attained through mutual consent, clarification of perceptions, insuring both parties are comfortable with future interaction, and may include remedial measures or disciplinary sanctions.
- Complaints following the informal resolution format will be attempted to be resolved within a two-week period.

Formal Resolution

- A complaint of discrimination/harassment form will be completed by the school official first hearing the complaint.
- The complaint form will then be submitted to the campus director who will assign an impartial investigator to assist in investigating the complaint.
- The parties involved will have the opportunity to present witnesses and other evidence.
- The investigators may independently seek out witnesses or other information.
- The investigation will be treated seriously, afforded high priority and will be completed in a timely fashion. Involved parties will be apprised of the ongoing process.
- Upon completion, all parties will be given notification of the outcome of the complaint including determinations of credibility and findings of facts based on credible evidence.
- Information will be released to any other parties on a "need to know" basis only.
- If harassment has been deemed as such, the school will take steps to prevent its recurrence and will correct its discriminatory effects on the complainant and others, where and when appropriate.
- Any party dissatisfied with the process or decisions resulting from the investigation will have an opportunity to appeal the findings.
- An attempt will be made to complete the formal resolution within a four-week period.

Additional Enforcement Information

In addition to PCOM's internal complaint procedure, the U.S. Equal Employment Opportunity Commission (EEOC), the Office for Civil Rights, U.S. Department of Education and the California Department of Fair Employment and Housing (DFEH) and the Illinois Department of Human Rights (IDHR) investigate and prosecute complaints of sexual harassment.

Prevention of Harassment

Pacific is committed to provide awareness of the complaint procedure, to ensure immediate and appropriate action, and to do its best so that each student/staff member is comfortable bringing any issue to the school's attention.

Consumer Information

The Campus Security Report and the School Performance Fact Sheets are available online at <http://www.pacificcollege.edu>.

DISCIPLINARY AND COMPLAINT PROCEDURES

Any person may file a written complaint with the campus director or other administrator regarding the actions of a specific student, faculty, or staff member. A concern or complaint form may be obtained from the campus director or other administrative staff. The campus director is informed of all complaints, and works with the academic dean or dean of students to determine course of action and resolution. In some cases a Grievance Committee may be convened. In such cases the Grievance Committee may reject the complaint or it may expel, disqualify, suspend, place on probation, or warn the student, faculty, or staff.

The individual in question will be notified in writing by the campus director, deans or the Grievance Committee regarding disciplinary procedures and the length, amount, or conditions of any disciplinary action.

During a period of suspension, interim suspension, or after expulsion or disqualification, the student shall not, without prior written permission of the campus director or his designated representative, enter the premises other than to attend a disciplinary hearing. Violation of any condition of suspension or interim suspension shall be grounds for expulsion.

Fees and disciplinary actions: For any of the above disciplinary actions, no fees or tuition paid by a student for the term in which they are suspended, expelled, or disqualified shall be refunded, unless required by statute, regulation, or financial aid policy.

Grievance Committee

Members of the institution with legitimate grievances should attempt to resolve them by meeting with involved parties and appropriate academic or administration employees. If a member of the institution is unable to resolve a grievance through such channels, the involved parties may request that the campus director convene a Grievance Committee. The campus director shall notify the president of the complaint. If the complaint involved the campus director, the president will decide if convening a Grievance Committee is appropriate. If the complaint involves the president, the Board of Trustees will decide. To request a hearing by a Grievance Committee, a written request must be submitted to the office of the campus director and/or the president. Grievance Committee members typically include student, faculty, and administrative representatives uninvolved in the related issue. The Grievance Committee examines associated documents and may conduct interviews with involved parties. The Committee will report its findings and recommendations to the campus director and president. They will make a decision and notify the involved parties within a reasonable period.

The existence of the grievance policy and procedure does not require the institution to convene a Grievance Committee prior to any disciplinary or academic decision unless it is requested and the cause for the request is determined to be reasonable by the president.

It is extremely important to note that Pacific will make certain, to the best of its ability, that no harm comes to a student or staff member for reporting any grievance.

If a complaint is still unresolved after the Grievance Committee's decision a student or any member of the public may file a complaint about this institution by contacting:

San Diego Campus:

The Bureau for Private Postsecondary Education by calling 888-370-7589 or by completing a complaint form, which can be obtained on the bureau's website <http://www.bppve.ca.gov>

New York Campus:

New York State Education Department, Office of Professions, Albany, NY 12230, Phone Number: (518) 474-3817; Fax Number: (518) 474-1449, www.op.nysed.gov

Chicago Campus:

Illinois Board of Higher Education, 1 N. Old State Capitol Plaza, Suite 333, Springfield, IL 62701-1377 (217) 782-2551, Fax: (217) 782-8548, TTY: (888) 261-2881, Institutional Complaint Hotline: (217) 557-7359, www.ibhe.state.il.us General Information: info@ibhe.org

Or the student may contact the Accreditation Commission of Acupuncture and Oriental Medicine (ACAOM) 8941 Aztec Drive, Eden Prairie, Minnesota 55347; phone (952) 212-2434; fax (301) 313-0912. ACAOM addresses issues that involve students in the doctoral and master's degree programs only.

CAMPUS GUIDELINES

Emergency Procedures

During periods of campus emergency, as determined by the campus director of the school, the campus director may, after consultation with the president and such members of the Board of Trustees as are immediately available, place into immediate effect any emergency regulations or procedures necessary to meet the emergency, safeguard persons and property, and maintain educational activities.

The campus director may immediately impose an interim suspension in cases where there is reasonable cause to believe that such action is required in order to protect lives or property, and/or to ensure the maintenance of order.

Any clinical faculty member or clinic director may immediately impose an interim suspension upon a clinical trainee in cases where there is reasonable cause to believe that such action is required in order to protect the health and welfare of persons and/or the professional reputation of the school.

Campus and Classroom Safety

Classrooms are often used for multiple teaching purposes. Therefore, please adhere to the designated "Healthcare Training Area" signs, which state, "In classrooms where training is occurring do not eat, drink, smoke, apply cosmetics or lip balm, or handle contact lenses."

Shoes must be worn on campus at all times, except during designated practical classes when it is required or appropriate to remove them.

Minor Children on Campus

Minor children must not be brought by students to classrooms or to the clinic, nor left attended or unattended in any part of the college during periods when the student is engaged in classroom or clinical activities. In an emergency situation, permission may be granted by the academic dean for academic courses only; such permission must be received for each emergency occurrence.