



OREGON COLLEGE *of* ORIENTAL MEDICINE

Employee Handbook

ocom.edu

The science of medicine, the art of healing®

Oregon College of Oriental Medicine

75 NW Couch Street, Portland, OR 97209

503-253-3443

www.ocom.edu



facebook.com/ocompdx



twitter.com/ocompdx



youtube.com/ocompdx



instagram.com/ocompdx

OCOM Employee Handbook

Introduction	4	Time Off and Leaves of Absence	19
Welcome to Oregon College of Oriental Medicine (OCOM)	4	Holidays	19
At-will Employment	4	Paid Time Off (PTO)	19
General Information	5	Family Medical Leave (FMLA) and Oregon Family Medical Leave	20
About OCOM	5	<i>How does OCOM define the leave year?</i>	20
Mission Statement and Values	5	<i>What can FMLA/OFLA do for me?</i>	21
General Policies	6	<i>What is a qualifying absence under FMLA and OFLA?</i>	21
Ethical Conduct	6	<i>Who is eligible to take FMLA and OFLA?</i>	22
Confidentiality	6	<i>Who is an eligible family member under FMLA and OFLA?</i>	23
Conflict of Interest	6	<i>What is considered a serious health condition?</i>	23
Equal Opportunity	6	Leave Availability	23
Americans with Disabilities Act (ADA) and Reasonable Accommodation	6	Leave for Victims of Domestic Violence, Harassment, Sexual Assault, or Stalking	23
Harassment and Discrimination	6	Jury Duty/Court Appearance	24
Workplace Conduct and Safety	9	Donation of Hours	24
Standards of Conduct	9	Employee Benefits	25
Attendance Policy	9	Medical and Dental Insurance	25
Dress Code	9	Group Life Insurance	25
Fragrance-free Campus	9	Short-Term Disability	25
Workplace Violence	10	Long-Term Disability	25
Weapons-free Campus	10	401(k) Plan	25
Smoking and Tobacco Use	10	Clinic Benefit	25
Drug-free Workplace	11	Employee Assistance Program	25
Solicitation	12	Workers' Compensation	26
Employee Off-Duty Conduct	12	Volunteer Time Off	26
Technology	12	Compensation	27
Loaner Badge Policy	14	Working Hours/Work Week	27
FERPA	15	Overtime Pay	27
HIPAA	15	Recording Time Worked	27
Safety Committee	15	Meal and Rest Breaks	27
Travel and Expense Reimbursement	15	Inclement Weather and Unplanned Closures	27
Release of Employee Information	16	Separation	28
On-campus Political Activity	17	Resignation	28
Employee Grievances	17	Exit Interviews	28
Employment	17	Return of Company Property	28
Employment Classifications	17	Employee Handbook Acknowledgement and Receipt	29
Employment of Relatives	17	Appendix I – Technology Services Policy	30
Employee/Student and Employee/Employee Relationships	18	Appendix II – Privacy Policy	33
Performance Evaluations	18	Appendix III – Identify Theft Policy	37
Disciplinary Actions	18		
Access to Personnel Files	18		

Welcome and Introduction

Welcome to Oregon College of Oriental Medicine (OCOM).

We are delighted to welcome you as a staff member. You are joining a remarkable community of esteemed colleagues whose collective efforts over the years have transformed Oregon College of Oriental Medicine (OCOM) into a national leader in the field of acupuncture and Chinese medical education.

We have built a strong set of values that guide us in helping student success: educational integrity, high ethical standards, and respect for each other and the important work we do.

This handbook will be an important reference material for you as you begin your work at the college. We suggest that you read it in its entirety, to familiarize yourself with the college and its policies and procedures. This Handbook serves many purposes, including providing useful information about OCOM and its people, defining the scope of work at the college, and describing the expectations of employees of OCOM.

Congratulations on joining OCOM. It's great to have you with us.

This Employee Handbook applies to all staff members of Oregon College of Oriental Medicine (OCOM), and is provided as a ready reference and as a summary of the OCOM policies and procedures.

This handbook supersedes all prior handbooks.

The goal of this handbook is to help staff understand:

1. OCOM's philosophy
2. What to expect from OCOM
3. What is expected from OCOM's staff

It is not possible to anticipate every situation that may arise in the workplace. As such, it is difficult to provide advance information that will answer every possible question. Circumstances will occasionally require a change in policies, practices, and/or benefits. OCOM reserves the right, at its sole discretion, to add, change, or terminate any of its policies or practices in an individual case or generally, with or without notice.

At-will Employment

In distributing this handbook, OCOM does not intend to create a contract of any kind, to promise to act in any way or alter the at-will status of any employee. Employment is at the mutual consent of the employee and OCOM. Accordingly, both OCOM and the employee have the right to sever the employment relationship at will, with or without cause or advance notice, and OCOM can modify any term or condition of employment at any time, with or without case, or advance notice.

General Information

About Oregon College of Oriental Medicine

Oregon College of Oriental Medicine (OCOM) is a nonprofit educational institution founded in 1983 by Satya Ambrose, ND, LAc, and Eric Stephens, DAOM, LAc. The college has been a leader in graduate education in acupuncture and Chinese medicine in the United States. The college offers several degree programs:

- Master of Acupuncture (MAc)
- Master of Acupuncture and Chinese Medicine (MACM)
- Doctor of Acupuncture and Chinese Medicine (DACM)
- Doctor of Acupuncture and Oriental Medicine (DAOM)

A highly regarded research department oversees a range of research activities, including ongoing data collection and outcomes research in the college's busy internship clinic. Our two clinics typically provide approximately 20,000 patient visits annually, and serve as the teaching clinics for OCOM students.

Mission Statement and Values

The mission of Oregon College of Oriental Medicine:

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.

In support of this mission, the college values:

Excellence – OCOM staff, faculty, and students strive to set standards for and perform at the highest professional levels academically, clinically, and in the research program.

Leadership – OCOM leads Chinese medicine education in the United States by developing outstanding programs of education, clinic, research, outreach, and collaboration. OCOM leads by working to enhance social justice through its commitment to inclusive and diverse access to education and health care.

Healing – OCOM staff, faculty, and students, consistent with the principles of Chinese medicine, understand health to be harmony and balance in Body, Mind, and Spirit, and attempt to live these principles by embodying compassion, humility, passion, and synergy in their daily lives and work.

Innovation – OCOM staff, faculty, and students use inquiry and discovery to support their individual creativity and inventiveness in the continuous improvement of the college and its clinical, academic, and research programs.

Community – OCOM staff, faculty, and students work together in a learning community that maintains traditions built upon supportive relationships, trust, heart, humor, and a commitment to lifelong learning.

Service – OCOM provides the highest levels of effective, efficient, and practical service to its students and the public.

General Policies

Ethical Conduct

It is the policy of Oregon College of Oriental Medicine (OCOM) to conduct all its activities in an ethical manner. Therefore, all staff must act ethically, beyond mere compliance with applicable laws and regulations, in all professional and business activities.

OCOM recognizes that situations may arise for which no existing law, regulation, or internal policy statement exists. In those situations, OCOM expects all staff to use good judgment and common sense consistent with the mission, goals, and other policies of the college in determining the appropriate course of action. All employees and staff are strongly encouraged to consult with their supervisors when these situations arise. Supervisors must consider these guidelines in determining the appropriate course of action.

Confidentiality

Some staff are given access to confidential business information and proprietary information belonging to OCOM (including, but not limited to, budgets, curriculum, contacts, and manuals for the college) by reason of their employment relationship. Because such information constitutes valuable and unique assets of the college, staff may not disclose any confidential business information of OCOM at any time during or after employment for any purpose other than the proper conduct of the business and affairs of OCOM. In the event of termination of employment, staff must return to OCOM all documents that contain or relate in any way to any such confidential information. This handbook provision merely summarizes and restates the Confidentiality Agreement that you were asked to sign at the time you were hired.

Conflict of Interest

This Conflict of Interest Policy is designed to protect the interests of Oregon College of Oriental Medicine. This policy is intended to supplement, but not replace, any applicable laws of the United States of America or the state of Oregon governing conflicts of interest applicable to nonprofit organizations.

The standard of behavior at OCOM is that all governing board members, administrators, faculty, staff, and volunteers scrupulously avoid any conflict of interest between the interests of the college on one hand, and personal, professional, or business interests on the other. This includes avoiding actual conflicts of interest as well as perceived conflicts of interest.

Equal Opportunity

OCOM provides equal employment opportunities to all employees and applicants for employment without regard to race, color, ancestry, national origin, gender, sexual orientation, marital status, religion, age, disability, gender identity, physical or mental disability, veteran status, or any other classification protected by law. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, and compensation.

OCOM expressly prohibits any form of unlawful harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties will not be tolerated.

Americans with Disabilities Act (ADA) and Reasonable Accommodation

To ensure equal employment opportunities to qualified individuals with a disability, OCOM will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of OCOM would result.

Employees who may require a reasonable accommodation should contact the Director of Human Resources.

Harassment and Discrimination

I. INTRODUCTION

Oregon College of Oriental Medicine (OCOM) is committed to maintaining environments that enable a 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 with respect, regardless of an individual's protected characteristic or status.

This policy describes and explicitly prohibits specific forms of discrimination and harassment and encourages the reporting of these prohibited behaviors. OCOM will work to prevent harassing and discriminatory acts and their recurrence, and to correct any discriminatory effects.

Except as otherwise specified herein, this policy applies to staff of the college while in their representative role. This policy covers behavior that occurs outside of OCOM-sanctioned events or OCOM properties when it impacts an individual's ability to access or benefit from OCOM programs and activities.

OCOM acknowledges and intends to comply with its legal responsibilities in all its programs and activities. This policy is required by, and is intended to be consistent with, Title IX of the Education Amendments of 1972, 34 CFR Part 106, and any other applicable law or regulation that prohibits discrimination on the basis of any legally protected category in the educational programs or activities of colleges and universities, in employment, or in any other relationship that is governed by law. 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. NOTICE OF NONDISCRIMINATION

OCOM recognizes the individual dignity of each employee, student, patient, volunteer, and job applicant. OCOM prohibits discrimination and harassment on the basis of race, color, religion, sex, national origin, age, disability, marital status, sexual orientation, gender identity, veteran status, or any other basis prohibited by local, state, or federal law. OCOM does not consider any of the above attributes in administration of its employment policies, educational policies, admissions policies, scholarship and loan program, and other school-administered programs. In its policies and actions, OCOM will comply with its obligations under state and federal law, including Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the 1972 Education Amendments Act, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the Uniformed Services Employment and Reemployment Rights Act (USERRA), Oregon Revised Statutes, and any other applicable law.

III. DISCRIMINATORY HARASSMENT

Discriminatory harassment is unwelcome and offensive verbal, written, visual, or physical conduct based on or motivated by an individual's or group's actual or perceived affiliation with a protected class or category. See Section II of this policy for a list of protected classes or categories.

Discriminatory harassment is prohibited and violates OCOM's harassment and discrimination policy. Whether conduct constitutes prohibited discriminatory harassment depends upon the context of the conduct. Discriminatory harassment can be carried out by various means, from the use of offensive or intimidating references to a protected class (such as with slurs, epithets, jokes, offhand comments, or asserting offensive stereotypes) to outright threats, and by way of various mechanisms or media, whether verbal, non-verbal, written, visual, electronic or other.

Harassment in which submission to conduct of a sexual nature is made either explicitly or implicitly a term or condition of an individual's education, employment, or participation in any program (quid pro quo harassment) is unlawful and is a violation of this policy.

IV. OTHER PROHIBITED CONDUCT

OCOM also prohibits harassing conduct that is not based on a protected characteristic listed in Section II. Such harassment may include:

- violence or threat of violence, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of a member of the OCOM community, regardless of the relationship status of the parties;
- bullying, defined as repeated or aggressive behavior likely to intimidate, discomfort, or hurt another

member of the OCOM community, physically or mentally;

- stalking, defined as repetitive, alarming, or menacing pursuit, harassment, or interference with the peace of mind or perceived safety of members of the community, or the perceived safety of their immediate family members or pets.

Furthermore, the use of college facilities, resources, and/or technology to engage in any behavior that violates this policy is prohibited.

In addition to the explicit prohibitions in this policy, attempts to commit an explicitly prohibited act that take a substantial step towards the commission of the act also constitute misconduct in violation of this policy.

V. RETALIATION

OCOM prohibits retaliation in accordance with federal and state law. 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 complaints about harassment, discrimination, or unlawful behavior. Some examples of potential retaliatory acts are:

- 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 supported a complaint;
- 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.

VI. REPORTING

Overview of Reports Concerning Discrimination, Harassment, or Retaliation – The college does not permit retaliation, discrimination, or harassment in employment on the basis of race, color, religion, sex, national origin, age, disability, marital status, sexual orientation, gender identity, veteran status, or any other basis prohibited by local, state, or federal law. Anyone who believes they have been subjected to retaliation, discrimination, or harassment in violation of this policy should report their concerns to Human Resources, the college president, a department supervisor, or OCOM's Title IX coordinator. If a supervisor or manager observes or receives a report, they should share that information with the Director of Human Resources.

VII. CONFIDENTIALITY

OCOM recognizes its obligations to adopt, implement, and enforce policies and protocols to address retaliation, discrimination, and discriminatory harassment, but also understands that its responsibilities are at times inconsistent with the desires of complainants, witnesses, or others to maintain confidentiality and individual privacy. Therefore, OCOM cannot guarantee the confidentiality of any complaint. However, anonymous reports are accepted.

Members of the community should also 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.

Workplace Conduct and Safety

Standards of Conduct

Because the proper working relationship between all employees depends on all of us, OCOM has established certain minimum standards of personal conduct. Examples of impermissible conduct that may lead to disciplinary action up to and including termination are: excessive or unexcused absenteeism or tardiness (where no bona fide family/medical leave or other approved leave exists), theft/unauthorized possession of OCOM property, use or possession of illegal drugs or other violations of OCOM's Drug-free Workplace Policy, intoxication, unsafe acts, carelessness or neglect, intimidation, sabotage, or violence. The preceding list is not meant to be exhaustive, but is only a representative sample of prohibited behavior.

Attendance Policy

Attendance is an essential function of most OCOM jobs, and OCOM employees are expected to report to work regularly and on time. However, OCOM understands that the occasional illness or unforeseen circumstances may impede an employee's ability to be at work or report to work on time. Employees who are unable to report to work because of illness must inform their supervisor at least one hour before the start of their shift, unless circumstances make this impossible, otherwise as soon as practicable.

Excessive, unauthorized or unprotected absences can submit the employee to discipline. OCOM will consider an employee to have voluntarily resigned their position after the employee fails to provide notice or report to work ("no call-no show") for three consecutive days.

Dress Code

OCOM's dress code policy outlines how we expect our employees to dress while at work. Employees should note that their appearance matters when representing OCOM, and an employee's appearance can create a positive or negative impression that reflects on our culture.

The following dress code rules apply:

1. All employees must be clean and well-groomed.
2. All clothes must be work appropriate; clothes worn during typical workout activities are not allowed.
3. All clothes must project professionalism; clothes that are too revealing are not allowed.
4. All clothes must be in good shape; discernable rips, holes or tears are not allowed.
5. Employees may not wear clothes with logos that are offensive or inappropriate.

Fragrance-free Policy

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**. Please 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. Thank you for your consideration of others in providing an environment in which every person on campus can feel safe and comfortable.

We understand that some OCOM courses involve the use of scented products such as massage oils and moxa (mugwort). 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 you need to remove yourself from the office, classroom, or clinic due to scented products required for a class, please speak directly with your instructor or supervisor about your 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 Student Services Manager in Disability Access Services.

Workplace Violence

OCOM is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at company-sponsored functions.

All OCOM employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor and the Director of Human Resources. All reports will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this policy.

Weapons-free Campus

To help maintain the safety of the workplace, OCOM prohibits the possession or use of all dangerous weapons — concealed or unconcealed — on OCOM property or premises. A license to carry a weapon does not supersede this policy. Any employee in violation of this policy will be subject to immediate disciplinary action, up to and including termination of employment. All employees, students, and visitors are subject to this provision, including contract and temporary employees.

OCOM reserves the right at any time and at its discretion to search all OCOM property or premises, including all vehicles, packages, containers, briefcases, purses, lockers, desks, enclosures, and persons for the purpose of determining whether any weapon has been brought onto OCOM property or premises in violation of this policy. Any employees who refuses to promptly permit a search under this policy may be subject to prompt disciplinary action, up to and including a termination.

Members of law enforcement agencies of municipal, county, state, and federal governments on official visits or business are exempt from the provisions of this policy while on OCOM property or premises.

Definitions

For purposes of OCOM's weapons-free workplace policy, the following definitions apply:

"OCOM property or premises" includes without limitation all college buildings, off-site facilities, grounds, parking lots, vehicles, and equipment.

"Dangerous weapons" include, but are not limited to, firearms, explosives, incendiary devices, knives with lockable blades and/or blades in excess of four inches in length, and other weapons that might be considered dangerous or that could cause harm.

Smoking and Tobacco Use

OCOM has a commitment to provide students, employees, and visitors with an environment that optimizes their health and well-being. In accordance with this philosophy, as well as with the convincing evidence of the negative effects of tobacco use and second-hand smoke, OCOM prohibits tobacco use while on OCOM property or premises. For purposes of this policy, the following acts are also prohibited: the act of inhaling or exhaling smoke, lighting, or carrying smoking paraphernalia. Public areas directly adjacent to OCOM's property or premises should also be considered tobacco-free.

It is the responsibility of each OCOM employee and student to ensure that visitors also comply with the provisions of this policy.

Definitions

For purposes of this policy, the following definitions apply:

"OCOM property or premises" includes without limitation all college buildings, off-site facilities, grounds, parking lots, vehicles, and equipment.

"Smoking paraphernalia" includes cigarettes, cigars, pipes, or electronic cigarettes (commonly known as e-cigarettes).

Drug-free Workplace

OCOM has a long-standing commitment to a safe and healthy work environment. In compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, OCOM has established the following alcohol and drug-free campus policy that prohibits the possession of alcohol and illegal drugs on campus.

Definitions

For purposes of this policy, the following definitions apply:

“OCOM property or premises” includes without limitation all college buildings, off-site facilities, grounds, parking lots, vehicles, and equipment.

“Illegal drug” means any drug or other substance the sale, consumption, or possession of which is prohibited or restricted by local, state, or federal law.

“Under the influence” means impairment of the employee’s mental or physical faculties because of alcohol or illegal drugs.

Alcohol and Illegal Drugs

OCOM prohibits its employees from (i) using, possessing, buying, selling, manufacturing, or dispensing illegal drugs or marijuana (to include possession of drug paraphernalia) or (ii) being under the influence of alcohol, any illegal drug, or marijuana at any time while on duty or while on or in OCOM property or premises.

Marijuana

As a condition of receiving federal financial aid funds, OCOM is required by the federal Drug-Free Schools and Communities Act to certify it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illegal drugs and alcohol by students and employees on campus and as part of its activities and programs. At the federal level, this law includes any amount of marijuana.

Although Oregon Measure 91 allows people over the age of 21 to possess small amounts of marijuana for personal use, it is in conflict with federal law and continues to be considered an illegal drug for purposes of this policy.

Legal Prescription and Over-the-Counter Drugs

It is the employee’s responsibility to determine the potential effects of legal prescription or over-the-counter drugs on their ability to safely perform their job functions. 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. OCOM reserves the right to require information in appropriate circumstances from an employee’s physician, or another medical doctor, about the possible effects that a prescription pharmaceutical or over-the-counter drug the employee is taking may have on the employee’s job performance.

Inspections

To ensure the safety of all community members, OCOM reserves the right to inspect all OCOM property or premises, and any employee’s personal property that is on OCOM property or premises for alcohol, illegal drugs, or any related paraphernalia. Any employee who refuses to submit to an inspection or search, as described in this policy, may be subject to disciplinary action, up to and including termination of employment.

Notification of Convictions

Any employee who is convicted of a criminal drug statute violation must report that conviction to the Director of Human Resources within five calendar days of the conviction.

Alcohol abuse and use of illegal drugs have a number of adverse health and safety consequences. Individuals seeking support, drug-abuse counseling, rehabilitation, or information about treatment options are encouraged to contact the Director of Human Resources. OCOM will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be required to participate in and successfully complete a prescribed substance abuse treatment program and may be allowed to use accrued paid time off or be placed on a leave of absence.

Any employee or student found to be in violation of this policy is subject to immediate disciplinary action,

up to and including immediate termination of employment or expulsion from OCOM. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution. A complete list of federal trafficking penalties can be found on the Drug Enforcement Administration's web page (<https://www.dea.gov>).

Solicitation

Solicitation of any type by staff during working time is prohibited.

- Solicitation includes, but is not limited to, approaching someone in person or through OCOM-owned property (such as computers, smart phones, email systems, and Intranets) for any of the following purposes: offering anything for sale; asking for donations; collecting funds or pledges; seeking to promote, encourage, or discourage participation in or support for any organization, activity, or event, or membership in any organization; and distributing or delivering membership cards or applications for any organization.
- "Working time" includes any time in which either the person doing the solicitation (or distribution) or the person being solicited (or to whom non-business literature is being distributed) is engaged in or required to be performing work tasks. Working time excludes times when staff are properly not engaged in performing work tasks, including break periods and meal times.

Distribution of literature of any type or description in working areas is prohibited.

- Working areas include physical areas controlled by OCOM where staff are performing work, excluding for example, cafeterias, break rooms, and parking lots.

Staff may not solicit OCOM students or patients at any time. Persons not affiliated with the college are prohibited from soliciting staff, students, faculty, and patients on OCOM property at any time.

Employee Off-duty Conduct

In general, how employees decide to lead their lives when they are off-duty is a private matter. However, the way in which employees conduct and present themselves off-duty can also have an impact on OCOM, its business, reputation, public relations, and workplace environment. This includes off-duty interactions with OCOM partners, patients, students, and staff.

Accordingly, while OCOM respects your personal freedoms, it also has a legitimate interest in establishing standards of off-duty conduct and holding employees accountable to following those standards, including the use of discipline if necessary.

Off-duty conduct will be considered a work-related matter subject to discipline if OCOM believes it does or may:

1. Harm OCOM's reputation, employees, students, or patients; or
2. Have consequences that OCOM determines interfere with an aspect of OCOM's mission or work.

Technology

OCOM expects its employees to use technology in accordance with OCOM's **Technology Services Use Policy and Agreement**.

Email

All OCOM employees are issued a college email address and it is expected that they will check this account at least once per work day.

The college email system may not be used to solicit for commercial ventures, religious or political causes, outside organizations, or other non-job related purposes. In addition, the email system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization. The email system may not be used in any way that would infringe upon the civil rights of any other person or violate other college policies, including OCOM's policy against discrimination, harassment, and retaliation. OCOM also prohibits use of the email system that disrupts or interferes with work performance and college operations.

Password Protocol

OCOM employees are responsible for safeguarding their passwords for access to computer and voicemail

systems, and are required to lock their computers when away. Employees are responsible for all transactions made using their password and are not allowed to access the computer or network systems with another user's password or account. Employees using shared computers are required to log off at the end of each session.

Internet Use

Internet access at OCOM may not be used for any purpose that would violate the civil rights of another person or any other college policy, or to access offensive Internet sites or content. Sites that may be considered offensive could contain sexual or pornographic implications or imagery, racial or ethnic bias or language, or any other content that addresses gender, gender identity, age, sexual orientation, religious or political beliefs, national origin, or disability in a derogatory or offensive way. In addition, employees shall not express an affiliation with OCOM in the posting of personal opinions to public forums including, but not limited to, electronic bulletin boards, discussion lists, or blogs. Because bandwidth resources are limited, users should not download music or video files for personal use. Due to space considerations, personal files — including digital photographs and music — should not be stored on any OCOM network.

Viruses

Internal and email viruses can cause serious damage to computer and network systems. To help curb the transmission of computer viruses, OCOM uses software that scans all network and email files. Employees are not to disable the anti-virus software or open email attachments from unknown sources. If a questionable email message or attachment is received, employees should contact their supervisor or the System Administrator immediately.

Social Media

Social media can take many different forms, including Internet forums, blogs and microblogs, online profiles, wikis, podcasts, pictures and video, email, instant messaging, and social media applications, to name just a few. Examples of social media applications are LinkedIn, Facebook, Twitter, YouTube, Vimeo, Instagram, and Pinterest; the list is endless and constantly evolving.

OCOM recognizes that social networking and other online forums are an important form of communication and that relationships among individuals in society are affected by such communication. Communication over the Internet is becoming more common and is an appropriate form of discourse. You are entirely responsible for what you post online. It is very difficult, if not impossible, to completely control whether what one communicates through a social networking or similar Internet site might reach a coworker, patient, the public, or an OCOM partner. Before creating online content, consider some of the risks and rewards that are involved.

Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees, or otherwise adversely affects clients, customers, vendors, suppliers, or people who work on behalf of the company's legitimate business interests, may result in disciplinary action up to and including termination.

Carefully read these guidelines, as well as OCOM's harassment, discrimination, retaliation, patient confidentiality, student confidentiality, off-duty conduct, and other policies and ensure that your postings are consistent with OCOM's policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

This policy applies to all staff.

Policies for All Social Media Sites:

- If you post on behalf of an official OCOM department, you must seek pre-approval from the Vice President of Communications and Academic Services.
- On personal sites, identify your views as your own. If you identify yourself as an OCOM faculty or staff employee online, **it should be made clear that the views expressed are not necessarily those of OCOM.**
- Protect institutional confidential and proprietary information.
 - ◆ Do not post confidential or proprietary information about OCOM, its students, employees, patients, or alumni. Employees must follow applicable federal requirements, including but not limited to:

- FERPA
- HIPAA
- Title IX
- ♦ Do not be the first to announce OCOM news on a social media site unless pre-approved by the Director of Communications. The Director of Communications [*currently, also known as the Vice President of Communications and Academic Services*] is the official spokesperson for the college. Only the college's president is authorized to announce college news without prior approval from the Director of Communications.

Employees who share confidential information do so at the risk of disciplinary action or termination.

- Adhere to all applicable college regulations, policies, and procedures. Use social media in a manner that complies with college regulations, policies, and procedures, including but not limited to:
 - ♦ Governing regulations
 - ♦ Administrative regulations
 - ♦ Human Resources policies and procedures
 - ♦ Ethical principles and code of conduct
 - ♦ Policy governing access to and use of college information technology resources
 - ♦ Policy on discrimination, harassment, and retaliation
 - ♦ Policy on off-duty conduct
 - ♦ OCOM Professionalism Guidelines
 - ♦ Clinical Standards for Patient Care and Privacy
 - ♦ OCOM policy on photography of students, patients, and employees

- Do not use college logos, trademarks, or other brand assets without permission.

Any use of OCOM logos, trademarks, or other images 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 without permission. Do not use OCOM's name or brand assets to promote a product, cause, action, or political party or candidate, or to imply any affiliation with groups or businesses without prior approval.

Use of college logos and brand assets may be permissible where already published or displayed in an officially approved manner, such as use of college signage in personal posts to social media sites.

Questions should be directed to the Director of Communications. Access to the college's approved brand assets is provided by the Publications Coordinator under supervision of the Director of Communications.

- Respect OCOM time and property.

Computers and time on the job are reserved for OCOM-related business as approved by supervisors and in accordance with the OCOM **Technology Services Use Policy and Agreement**.

Non-compliance with this policy may result in any or all of the following:

- Limitation or revocation of individual or unit rights to use or participate in college-related social media;
- Removal of posts or social media accounts; or
- Corrective or disciplinary actions, up to and including termination of employment.

For questions, contact: Vice President of Communications and Academic Services or the Human Resources Department.

OCOM Loaner Badge Policy

In the event that you arrive on campus without an access badge, a temporary loaner badge can be signed out from the security desk. These badges are for daily use only and must be returned to the security desk prior to leaving campus for the day.

To reduce the number of temporary badges that are being issued on a daily basis, the following policies apply:

- Staff members will be allowed to sign out **two** temporary access badges per term. The third time a badge is signed out from the security desk, the borrower will be charged a \$20 loaner fee. Issuance of additional

loaner badges will result in a \$40 borrower fee for each sign out.

- If you need a loaner due to a lost badge you will not be penalized nor will it count toward your per term limit. Employees who abuse the loaner badge program may be subject to disciplinary action but to and including termination.

FERPA

The **Family Educational Rights and Privacy Act**, commonly known as **FERPA**, is a federal privacy law that applies certain protections to a student's educational records and contact information. Specifically, as pertains to colleges and universities, the law generally requires that written consent be obtained before disclosing a student's educational records or personally identifiable information — even to that student's parent(s). Information from a student's educational record should be released to parents only when the student has signed a written release or when the institution accepts proof from the parent that the student is a legal dependent. Similarly, information from a student's educational record should be released to any external party (e.g. a potential employer) only when the student has signed a written release.

In an emergency, FERPA permits the disclosure of educational records, including personally identifiable information from those records, without consent, to protect the health and/or safety of the student or others. Records and information may be released to appropriate law enforcement or public health officials, or trained medical personnel. This exception to FERPA's general consent rule is limited to the period of the emergency and does not allow for a blanket release of information from a student's records.

All OCOM employees are required to abide by FERPA's requirements. Questions regarding FERPA should be directed to the Registrar's office.

HIPAA

The **Health Insurance Portability and Accountability Act**, commonly known as **HIPAA**, is a federal privacy law which applies certain protections to a patient's protected health information. OCOM employees and students are responsible for adhering to HIPAA regulations and may not release any patient information in violation of HIPAA regulations (see: <http://www.hhs.gov/ocr/privacy>) and without the consent of OCOM clinic administration.

Any employee and/or student who violates the HIPAA policy or uses college technology for improper or unauthorized purposes may be subject to discipline, up to and including termination.

All OCOM employees are required to abide by HIPAA's requirements and OCOM's related policies. Questions regarding HIPAA should be directed to the Assistant Dean of Clinical Education.

Safety Committee

OCOM strives to keep the workplace as safe as possible for everyone. Our safety committee meets quarterly to review potential safety concerns on campus, and minutes of those meetings are available for all employees to review.

Should you become aware of a safety concern, injury, or accident — no matter how small — you are required to report it to the Director of Human Resources and the Director of Facilities and Security, and the on-duty security guard.

Travel and Expense Reimbursement

General Policy: OCOM recognizes that its employees may engage in business travel from time to time in connection with their duties or on behalf of the college in a professional capacity. It is OCOM's policy to reimburse necessary and reasonable travel expenses for these purposes.

Budgetary approval: Travel and entertainment expenses must be approved by the appropriate department head and must not exceed budgetary limits without prior authorization of the Vice President of Finance.

Business lunches: OCOM's policy on business lunches is to leave the budgetary authority to pay for meals to the departmental head. Directors and others who do not hold primary budgetary authority must coordinate with the department head so that overall spending stays within budget. General guidelines are:

- There must be a business reason for the meal, and it must be specified on the reimbursement or credit card reconciliation form.
- All attendees must have a reasonable connection to the business reason and be listed on the reimbursement report or credit card reconciliation.
- “Business reason” includes normal business topic discussion, celebrating team accomplishments at the end of a project, entertaining visiting faculty/speakers, and developing external professional/business linkages of benefit to the college (e.g., IT Director takes a professional acquaintance who is a Linux expert to lunch to get ideas on troubleshooting Linux network issues.)
- Business lunches must not occur regularly and with the same staff.
- Business lunch amounts must not be excessive.
- Normal business lunches must not include alcohol, even if it is permitted for dinners. Meals paid for with grant monies can never include alcohol.

Reimbursement amounts: Business mileage will be reimbursed at the rate currently in effect as set forth by the IRS. Other travel and entertainment expenses must be reasonable for the purposes and circumstances. The Vice President of Finance will use comparison costs and other information to ascertain whether amounts submitted for reimbursement are reasonable under the circumstances.

Reasonable amounts: As a general guideline, moderation is the key and OCOM appreciates employees’ efforts to economize where practicable. OCOM wishes its employees to be safe and comfortable during business travel, and employees are encouraged to use their best judgment in choosing mode of travel, accommodations, and other expenses. Examples of things OCOM will not reimburse for: first class airfare, excessive alcohol purchases, in-room entertainment (Internet access is permissible), personal laundry (unless trip is longer than one week), car washes or other expenditures, which are clearly excessive or inappropriate.

Documentation: OCOM employees submitting expense reports for reimbursement must provide receipts and/or other substantial documentation to support the request, including but not limited to mileage logs, charge receipts copies of personal checks, etc. Lack of documentation may result in denial of a reimbursement request.

Timely submission: Requests for reimbursement must be made within 60 days of the last date of travel or entertainment expense, *unless* that date falls in the last month of the fiscal year (June). **In no case will a reimbursement request be accepted after 30 days after the end of the fiscal year (June 30).**

Use of OCOM credit card: When incurring travel or entertainment expenses using an OCOM credit card, the monthly credit card reconciliation report must include the appropriate reporting form with adequate explanations and documentation in lieu of a separate reimbursement request. In conformity with OCOM’s policy for credit card use, you should not charge personal items to the OCOM card during the course of travel or entertainment.

Release of Employee Information

In consideration of privacy and confidentiality concerns, information about employees of OCOM will only be released as follows:

Contact information directly pertaining to an employee’s position at the college (i.e. phone extension, fax number, mailing address, etc) is considered part of the college directory and will be made publicly available unless an employee submits a formal “opt out” request. All requests for removal of employment-related contact information must be submitted by the employee to their direct supervisor. Once approved by the supervisor, requests should be forwarded to the Director of Human Resources.

All requests for an employee’s personal contact information (including home phone number, cell phone number, home address, etc) must be referred to the Director of Human Resources. Personal contact information will only be released to direct-line supervisors. OCOM’s Development department may periodically send communications regarding fundraisers and other college-affiliated events to an employee’s home address, employees who wish to opt out of this can do so by sending a request in writing to the Director of Human Resources.

On-Campus Political Activity

OCOM is a 501(c)(3) federally tax-exempt organization and, as such, must limit its political and legislative activity, even if such activity would contribute directly and substantially to the achievement of the college's mission and goals. Therefore, OCOM strictly prohibits employees from lobbying either in favor or against any measure, legislation, candidate, or cause on OCOM property or premises. This includes the use of college equipment and technology. Employees should use good judgment when referring to their status at OCOM in any personal political or legislative activity, including personal Internet web-logs ("blogs"), forums, or other communications.

Employee Grievances

OCOM recognizes that some disputes and employment issues can be settled informally between employees, or between an employee and their supervisor. If an employee has a complaint about another employee or member of the college community, that employee is encouraged to attempt to resolve the issue directly with the other person. Either party may also request that the Director of Human Resources facilitate the discussion. If the complaint is regarding harassment, discrimination, or retaliation in violation of OCOM policy or applicable state or federal law, employees should bring the matter directly to the Director of Human Resources, their supervisor, or another college administrator.

Employment

Employment Classifications

To determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, OCOM classifies its employees as shown below. OCOM may review or change employee classifications at any time, and may make any designation it deems appropriate under the circumstances, regardless whether that designation is listed below.

Exempt: Exempt employees are paid on a salary basis and meet the criteria for exclusion from overtime pay under federal and state wage laws. An exempt employee is not eligible for overtime.

Non-exempt: Non-exempt employees are employees who are paid on an hourly basis and are eligible to receive overtime pay under state and federal law.

Full-time: Full-time staff members are those employees who regularly work at least 37.5 hours per week.

Three-quarter-time: Three-quarter-time staff members are those employees who regularly work at least 28 hours a week but less than 37.5 hours.

Half-time: Half-time staff members are those employees who regularly work at least 20 hours but less than 28 per week.

Part-time: Part-time staff members are those employees who regularly work less than 20 hours a week.

If the number of weekly hours an employee works changes significantly, the employee's supervisor should submit a change of status form to the Director of Human Resources.

**Faculty members should consult the Faculty Handbook for faculty employment classifications.*

Employment of Relatives

Relatives and domestic partners may be hired by OCOM if (1) the persons concerned will not work in a direct supervisory relationship, and (2) the employment will not pose difficulties for supervisors, security, safety, or morale. For the purposes of this policy, "relatives" are defined as spouses, children, siblings, parents, or grandparents. A "domestic partnership" is generally defined as a committed relationship between two individuals who are sharing a home or living arrangements.

Exceptions to this policy may be approved by the President and Board of Trustees.

Employee/Student and Employee/Employee Relationships

Employees of OCOM are encouraged to develop congenial relationships with students to promote community-wide communication and a positive academic environment. OCOM expects that staff will use good judgment and maintain professional boundaries in all communications and interactions with students. Intimate relationships, or close friendships between staff and students, may be inappropriate and are strongly discouraged. An intimate relationship between an employee and a student could jeopardize that employee's ability to maintain objectivity in decisions affecting all students. OCOM expects that staff interactions and communications with students will be professional and comply with OCOM's policies, including those regarding harassment, discrimination, retaliation, off-duty conduct, and social media.

Any employee who forms or maintains an intimate relationship with a student must immediately inform their direct supervisor, in writing, of the relationship. The supervisor will work with the Director of Human Resources to develop a plan of action that will outline measures to safeguard the best interests of all parties — the student, the employee, and the college.

In the situation of an intimate relationship forming between consenting college employees where a direct reporting or supervisory association exists between them, OCOM will attempt to reassign one of the employees to another position for which they are qualified, if such a position is available. If no such position is available, one of the employees may be required to resign their position with OCOM.

Performance Evaluations

OCOM's Personal Performance and Review (PP&R) process has been established to provide for the overall assessment of individual employees in the execution of their job duties and functions.

While OCOM strives to complete one formal evaluation each spring, OCOM encourages employees and their supervisors to engage in ongoing conversations, goal setting, and reevaluation during the year.

Disciplinary Actions

OCOM employs its employees at-will and reserves the right to impose any form of discipline or performance management it believes is appropriate under the circumstances. Such discipline may include written or verbal reprimands, suspensions, or any other action, up to and including termination. Examples of generally applicable disciplinary actions are as follows:

Verbal Warning — Employees who commit minor infractions will be subject to a verbal warning. Although this is not a formal corrective action, it will still be documented in the employee's personnel file.

Written Warning — Some infractions will warrant a written warning without a previous verbal warning. A Performance Improvement Plan (PIP) may also be issued in lieu of or in addition to a written warning. This is considered formal corrective action and will be documented in an employee's personnel file.

Suspension and Termination — Suspension and/or termination may occur after any combination of warnings, or no warnings at all, depending on the circumstances.

Access to Personnel Files

Employee files are maintained by the Director of Human Resources and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis for employees they directly supervise.

Employees may request to view their personnel file at any time by submitting a request to the Director of Human Resources. Access by current employees and former employees upon request will generally be permitted within 45 business days of the request. Personnel files are to be reviewed in the office of the Director of Human Resources, and may not be removed from the office. While personnel files are generally maintained confidentially, there are occasional business needs to disclose personnel files; for example, when requested by representatives of government or law enforcement agencies in the course of their duties, or other legal or necessary business proceedings.

Time Off and Leaves of Absence

Holidays

OCOM observes eight paid holidays: New Year’s Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving, and Christmas Day. If any of these holidays fall on a Saturday, they will be observed on the preceding Friday; if any of these holidays fall on a Sunday, they will be observed on the following Monday. Staff are given one additional “floating holiday” per year to be used however they wish.

Additional approved paid closure days (e.g. additional days around the Christmas holiday, Staff Development Day) may be granted at the discretion of the President and/or the Board of Trustees.

Full- and half-time employees will be paid at their standard base rate for the number of hours the employee would normally be scheduled to work on that day if the college were open. *Non-exempt* employees who are required to work on an observed holiday will be paid at one and one-half (1.5) times their regular rate for all actual hours worked. *Exempt* employees who are required to work on an observed holiday will be allowed an equivalent number of paid hours off at their regular rate at a later date (to be arranged with the employee’s supervisor). All hours worked on a holiday must be pre-approved by their supervisor.

Employees NOT regularly scheduled to work on any given holiday will NOT be paid for that day. If an observed holiday or approved closure day falls on an exempt employee’s regularly scheduled day off, that employee shall be entitled to take an equivalent day with pay as approved by their supervisor. For instance, if the college observes a Monday holiday, a full-time exempt employee whose regular work-week is Tuesday through Saturday would be entitled to a day off at a later date.

Paid Time Off (PTO)

OCOM offers a Paid Time Off (PTO) program to eligible employees. The PTO program consists of **Personal Hours** and the accrual of a variable number of **Vacation Hours**. To be eligible to accrue and/or take vacation, employees must work at least 20 hours per week, averaged over the three consecutive pay periods prior to the requested time-off period. Part-time employees (less than 27 hour per week) are not eligible to earn vacation hours.

New eligible employees begin accruing vacation and personal hours on their date of hire; however, they are not eligible to use either until the first of the month following their 30th day of employment.

Vacation Hours

Eligible employees accrue Vacation Hours in accordance with their years of continuous service (a break in employment of three months or more constitutes a break in continuous service). Total PTO (Vacation Hours + Personal Hours) may not exceed the annual maximum for which an employee is eligible under this policy (see chart below).

Staff PTO Schedule (full-time):

Years of Continuous Service	PTO (Paid Time-Off)		Maximum Vacation Hours Accrued per Year	Maximum PTO Hours per Year
	Maximum Personal Hours Awarded per Calendar Year	Vacation Hours Accrued per Month		
Up to one year	48 hours	06.67 hours	80 hours	128 hours
1-5 years	48 hours	10.00 hours	120 hours	168 hours
6-9 years	48 hours	13.33 hours	160 hours	208 hours
10+ years	48 hours	16.67 hours	200 hours	248 hours
Accrued Vacation Hours				

Employees who are less than full-time, accrue vacation hours on a prorated basis. Three-quarter time employees receive vacation at 75 percent of the full-time hours shown above. For example: a second-year employee who works 33 hours per week will be awarded 90 vacation hours annually. Half-time employees receive 50 percent of the full-time hours, and would receive 60 vacation hours annually.

Personal Hours

OCOM offers all employees, with the exception of work-study, Personal Hours each calendar year that are in compliance under the Oregon Paid Sick Leave law.

Employees who work an average of 30 hours a week or more will have their Personal Hours front loaded up to the maximum of 48 hours. Employees who work less than 30 hours a week will be awarded Personal Hours on an accrual basis of one hour for every 30 hours worked.

Employees may roll up to 48 hours of accrued, unused Personal hours, into the subsequent year. However, the use of hours in excess of 48 hours in a year will not be permitted. An employee's Personal Hours balance is capped at a maximum of 96 hours, at which point the employee will cease accruing Personal Hours until their balance falls below the 96-hour maximum.

Personal Hours must be taken in one-hour increments.

All PTO must be approved in advance by an employee's supervisor and may only be taken if employment has not been terminated (by either the college or the employee) prior to the proposed period.

PTO may only be used to cover hours that employees were regularly scheduled for but were unable to work for any reason. Employees may not use PTO to cover hours/shifts that they were not normally scheduled to complete.

Upon separation from the college, employees who have had 12 full months of continuous employment will be paid out for **any unused Vacation Hours they have earned up to a maximum of 80 hours.**

There is no compensation for unused Personal Hours under any circumstances.

Family Medical Leave (FMLA) and Oregon Family Medical Leave (OFLA)

This section provides general information regarding OCOM's administration of the **Family Medical Leave Act (FMLA)** and the **Oregon Family Leave Act (OFLA)** and is not intended to be the sole source of information regarding FMLA or OFLA. In all cases, applicable state and federal laws, rules, and policies govern the employee's rights and OCOM's rights, responsibilities, and obligations.

Due to the complexities of FMLA and OFLA, and their interrelationship with OCOM's other leave policies, employees are encouraged to contact the Director of Human Resources regarding employee rights and responsibilities under FMLA or OFLA leave or to request protected leave.

FMLA and OFLA were enacted to assist employees and employers in balancing the demands of the workplace with the needs of employees and their families when leave is needed for a serious health condition.

When a serious health condition — either of the employee or a family member — requires an employee to take time off work, the employee may be eligible for unpaid, job-protected leave. Leave may be taken intermittently or all at once as the medical condition requires. The law defines who is eligible, what absences qualify, and how much time employees are allowed.

FMLA and OFLA provide employees up to 12 weeks of job-protected time off from work for a qualifying reason. The time employees take off under FMLA/OFLA may not be held against employees in employment actions such as hiring, termination, promotion, or discipline. Employer-sponsored medical insurance will also be continued while employees are on leave, and employees will be required to continue to pay their portion of the premiums.

How does OCOM define the leave year?

OCOM has designated the rolling backward method to determine the leave year for college employees. The rolling backward method means that OCOM will look back on the calendar one year from the first date of the leave to determine eligibility under FMLA and OFLA, and how much leave is available to use.

What can FMLA/OFLA do for me?

FMLA and OFLA provide employees up to 12 weeks of job-protected time off from work for a qualifying reason. The time employees take off under FMLA/OFLA may not be held against employees in employment actions such as hiring, termination, promotion, or discipline. Employer-sponsored medical insurance will also be continued while employees are on leave, and employees will be required to continue to pay their portion of the premiums.

FMLA and OFLA are unpaid leaves; however, OCOM encourages employees to use any accrued paid leave they may have earned before using FMLA or OFLA leave.

Employees may take time off as either a single block of time (continuous) or in multiple, smaller blocks of time (intermittently) if medically necessary. Employees can also take leave on a part-time basis (reduced work schedule) if medically necessary.

As a general rule, employees who return from FMLA/OFLA leave are entitled to return to the same or equivalent position they held before their leave began, as long as that position still exists.

What is a qualifying absence under FMLA and OFLA?

Serious Health Condition – FMLA and OFLA provide up to 12 weeks of unpaid protected leave when an eligible employee is unable to work because of their own serious health condition or to care for a covered family member with a serious health condition. A qualifying health condition may include an illness, injury, impairment, or physical or mental condition.

Parental Leave – FMLA and OFLA provide an eligible employee to take leave for the birth of a child and to bond with a newborn child, or for the placement of a child for adoption or foster care and to bond with that child. Men and women have the same right to take leave to bond with a child. The leave must be taken within one year of birth or placement of the child and must be taken as one continuous leave unless OCOM agrees to provide intermittent leave or a reduced work schedule.

Sick Child Leave - Non-serious Health Condition – OFLA leave provides up to 12 weeks of protected unpaid leave to care for a sick child of an eligible employee who is suffering from an illness, injury, or condition that is not a serious health condition.

Bereavement Leave – Beginning January 1, 2014, the Oregon Family Leave Act (OFLA) provides up to two weeks of leave with job protections, to attend the funeral or alternative to a funeral of a family member, to make arrangements necessitated by the death of a family member, or to grieve the death of a family member. OFLA protected family members include spouse, same gender-domestic partner, custodial parent, non-custodial parent, adoptive parent, foster parent, biological parent, children, foster or step children and children of an employee's same-gender domestic partner.

An eligible employee taking leave to deal with the death of a family member is entitled to a total of two weeks of OFLA leave. An eligible employee is entitled to this period of leave upon the death of each family member of the employee. A covered employer may not require an eligible employee to take multiple leave periods concurrently if more than one family member of the employee dies.

All bereavement leave taken shall be counted towards the total period of OFLA leave allowed (generally 12 weeks), within a 12-month period. All leave taken for the death of a family member must be completed within 60 days of the date on which the eligible employee receives notice of the death of the family member.

If possible, employees should provide their supervisors with as much advance notice as possible. When advanced notice is not possible, employees must give verbal or written notice within 24 hours after commencement of the leave. This notice may be given by any other person on behalf of an employee taking unforeseeable OFLA leave. A supervisor may require written notice by the employee within three days of the employee's return to work.

OFLA provides job and benefit protections. This means that an employee cannot be disciplined for taking OFLA protected time off work; and OCOM will continue to pay its portion of health insurance premiums. The employee will continue to be responsible for their portion of the premiums. OFLA bereavement leave is unpaid; employees may use vacation or personal hours to provide income during bereavement leave. If leave

accruals are not available, leave may be taken without pay.

Military Family Leave – FMLA provides a special leave entitlement that permits eligible employees to take up to 26 weeks of protected unpaid leave to care for a covered service member or veteran with a serious illness or injury.

A *covered service member* is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty for which they are undergoing medical treatment, recuperation, or therapy, which may cause them to be medically unfit to perform the duties of their office, grade, rank, or rating. A covered veteran is a veteran of the Armed Forces, including a member of the National Guard or Reserves who was discharged or released under conditions other than dishonorable and was discharged within the five-year period before the eligible employee first requests FMLA Military Family Leave.

Qualifying Exigency Leave – FMLA provides unpaid protected time off for qualifying exigencies when a covered employee's spouse, child, or parent is a member of the Armed Forces, National Guard or Reserves and is deployed for a foreign country. A qualifying exigency includes: short notice deployment, military events and related activities, care of the military member's parent, financial and legal arraignments, counseling, rest and recuperation (limited to 15 days), post-retirement activities (within 90 days), and any other event that both the employee and employer agree is a qualifying exigency.

Oregon Military Family Leave Act (OMFLA) – OFLA provides a special leave entitlement of up to 14 days of unpaid leave per deployment under OMFLA. OMFLA allows eligible employees to spend time with a spouse or registered same-sex domestic partner who is in the Armed Forces, National Guard, or Reserves, and has been notified of an impending call to order to active duty or who has been deployed during a period of military conflict.

Who is eligible to take FMLA and OFLA?

To be eligible to take leave under FMLA, the employee must meet all of the following criteria.

1. Been employed with OCOM at least 12 months
2. Worked at least 1,250 hours in the last 12 months.

To be eligible to take leave under OFLA the employee must meet all of the following criteria.

1. Been employed with OCOM at least 180 days
 - a. Oregon Military Leave does not have an employment requirement
2. Average 25 hours a week
 - a. Parental leave has no hours requirement
 - b. Oregon Military Leave average hours requirement is 20 hours.

Who is an eligible family member under FMLA and OFLA?

Under FMLA an eligible family member is:

- Spouse
- Child under the age of 18
- Child over the age of 18 and incapable of self-care due to mental or physical disability
- Parent or *in loco parentis* ("one who assumes parental rights and responsibilities")

Under OFLA an eligible family member is:

- Spouse
- Domestic partner
- Same sex registered partner
- Child or child of domestic/same sex partner
- Parent or *in loco parentis*
- Parent of domestic/same sex partner
- Parent-in-law
- Grandparent
- Grandchild

What is considered a serious health condition?

A serious health condition is an illness, injury, impairment, physical or mental condition that incapacitates the employee or a family member for three consecutive days or longer, and involves at least one of the following:

- Hospital Care – Inpatient care in a hospital, hospice, or residential medical care facility.
- Illness – A period of incapacity of more than three consecutive calendar days including any subsequent treatment or period of incapacity relating to the same condition, that also involved:
- Two or more treatments by a health care provider; or
- One treatment by a health care provider that results in a regimen of continuing treatment under the supervisor of the health care provider.
- Pregnancy – Any period of incapacity due to pregnancy related disabilities, or for prenatal care.
- Chronic conditions – requires periodic visits for treatment by a health care provider. May cause episodic rather than a continuing period of incapacity (e.g. epilepsy, diabetes)
- Permanent/Long-term conditions – A permanent or long-term condition requiring supervision is defined as a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. (e.g. stroke, Alzheimer's).
- Multiple treatments (non-chronic conditions) – To receive multiple treatments by a health care provider for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment (e.g. dialysis, physical therapy).

Generally the common cold, flu, and routine medical or dental visits would not be considered a serious health condition.

Leave Availability

An eligible employee has up to 12 weeks or 480 hours of unpaid leave available during the 12-month rolling backward leave year. Leaves that qualify under both FMLA and OFLA will run concurrently.

Part-time employees will have their leave amount pro-rated. For example, if an employee normally works 30 hours per week, they will be entitled to 12 weeks of leave at 30 hours a week or 360 hours total hours of leave.

Employees may be entitled to additional leave under OFLA for the following:

- A female employee who used pregnancy disability leave may take an additional 12 weeks of OFLA leave during the leave year for any qualifying OFLA purpose.
- An employee used a full 12 weeks of parental leave under OFLA. An additional 12 weeks of OFLA leave may be available in the same year for sick child leave.

Leave for victims of Domestic Violence, Harassment, Sexual Assault, or Stalking

OCOM is required to provide reasonable leave and reasonable safety accommodations for victims of domestic violence, harassment, sexual assault, or stalking (DVHSAS).

A reasonable safety accommodation may include, but is not limited to, a transfer, reassignment, modified schedule, unpaid leave from employment, changed work telephone number, changed workstation, installed lock, implemented safety procedure or any other adjustment to a job structure, workplace facility or work requirement in response to actual or threatened domestic violence, harassment, sexual assault, or stalking.

Any employee who is the victim of DVHSAS, or is the parent or guardian of a minor child or dependent who is the victim of DVHSAS, regardless of how long or how many hours they have worked for the employer.

Employees may take leave for the following purposes:

- To seek legal or law enforcement assistance to ensure the health and safety of the employee or the employee's minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to DVHSAS.
- To seek medical treatment for or to recover from injuries caused by DVHSAS to the eligible employee or the employee's minor child or dependent.

- To obtain or assist a minor child or dependent in obtaining counseling from a licensed mental health professional related to DVHSAS.
- To obtain services from a victims services provider for the eligible employee or the employee's minor child or dependent.
- To relocate or take steps to secure an existing home to ensure the health and safety of the eligible employee or the employee's minor child or dependent.

OCOM may require employees to give reasonable advance notice of the employee's intention to take leave, unless giving advance notice is not practicable. OCOM may also require the employee to provide certification that the employee or the employee's minor child or dependent is a victim of DVHSAS. Any documents or evidence provided of the victim's status, or information obtained by the employer regarding the need for accommodation or leave, will be kept confidential and will not be released without the express permission of the employee.

Leave under this law is unpaid; however, employees are allowed to use any vacation or personal hours that are available to the employee.

Jury Duty/Court Appearance

OCOM recognizes the occasional civic obligation of our employees to serve on juries. OCOM will continue to pay the wages of employees on jury duty for up to 40 total hours or five consecutive standard work days. Employees are required to provide remuneration to the college, however, equal to the total compensation they receive for their court service on those days.

Employees must inform their direct supervisor and the Director of Human Resources immediately upon receipt of notification of an obligation to serve on a jury or act as a court witness. The employee may be asked to provide copies of the court summons or subpoena.

Veterans Day

For employees who are veterans, OCOM will provide time off for Veterans Day in response to the employee's request if the employee: (a) would otherwise be required to work on that day; (b) provides at least three weeks' notice that they intend to take time off for Veterans Day, and (c) provides documents showing that the employee is a veteran as defined by Oregon statute.

To take leave under the law, the veteran must have served on active duty in the Armed Forces for at least six months and received an honorable discharge. If the individual served in a Reserve or National Guard unit, the employee is not qualified for leave unless they were deployed or served on active duty for at least six months.

OCOM will notify the employee at least 14 days before Veterans Day, whether they will receive time off for Veterans Day and whether this time off will be paid or unpaid.

If a veteran does not receive time off on Veterans Day, OCOM must allow the worker, with approval, to take a single day off within one year of that holiday to honor the employee's military service.

Donation of Hours

OCOM employees may donate vacation or personal hours to eligible co-workers who have taken or will take an extended, unpaid leave of absence. Eligibility for receipt of donated hours will be determined by the Director Human Resources. Donated hours will be applied to the employee's absence hour for hour. Only the hours needed to cover the absence will be used. Any unused donated hours will be restored to the original, donating employee.

Employee Benefits

OCOM recognizes the value of benefits to employees and their families. We support our employees by offering a comprehensive and competitive benefits program. For more information regarding benefit programs, refer to the Summary Plan Descriptions (SPD), which can be obtained by contacting the Director of Human Resources.

Medical and Dental Insurance

Staff who work a minimum of 27 hours per week are eligible for college benefits on the first day of the month following 30 days of continuous employment. To maintain benefits eligibility, employees must continue to work an average of 27 hours per week. The cost of this coverage is shared between OCOM and the employee, and the amount of cost-sharing may vary year to year.

Group Life Insurance

OCOM provides group life insurance for employees who work a minimum of 27 hours per week. Employees are eligible for this benefit on the first of the month following 30 days of continuous employment. The life benefit is equal to an employee's annualized base rate. The cost of this coverage is paid for in full by OCOM.

Short-Term Disability

Short-term disability benefits are offered to employees who work a minimum of 27 hours per week. Employees are eligible for this benefit on the first of the month following 30 days of continuous employment. Short-term disability is meant to bridge the 90-day period until long term disability can cover an employee. If an employee becomes disabled and cannot work for a short period of time, this coverage pays 60 percent of the employee's weekly salary, up to policy limits. The cost of this coverage is paid for in full by OCOM.

Short-term disability benefits may run concurrently with FMLA and OFLA leave where an employee is eligible for short-term disability.

Long-Term Disability

Long-term disability benefits are offered to employees who work a minimum of 27 hours a week. Employees are eligible for this benefit on the first of the month following 30 days of continuous employment. If an employee becomes totally disabled and cannot work for an extended period of time, this coverage pays 60 percent of an employee's monthly salary, up to the policy limits. The cost of this coverage is paid for in full by OCOM.

Long-term disability benefits will run concurrently with FMLA and OFLA leave where an employee is eligible for long-term disability.

401(k) Plan

OCOM recognizes the importance of saving for retirement and offers eligible employees access to a 401(k) plan.

Eligibility, vesting, and all other matters relating to this plan are explained in the Summary Plan Description (SPD) or can be obtained through the Director of Human Resources.

Clinic Benefit

All OCOM employees are eligible for discounted treatments in our Intern Teaching Clinic, discounted herbal consults, and a 15 percent discount in our OCOM Herbal Medicinary. Employees can also sign up for a same-day appointment list to receive same-day \$5 clinic appointments.

OCOM employees are also eligible to enroll in our *Friends-and-Family* program. The Friends-and-Family benefit includes \$15 treatments in our clinic, including massage treatments, and a 15 percent discount in the OCOM Herbal Medicinary. Employees are allowed to have up to two individuals at a time enrolled in this program. For more information on this program and enrollment information, contact the Director of Clinic Operations.

Employee Assistance Program

Employees who work a minimum of 27 hours per week and their immediate household family members are eligible to access EAP services.

The Employee Assistance Program (EAP) is a resource designed to provide highly confidential and experienced help for employees in dealing with issues that affect their lives and the quality of their job performance.

Eligible employees and their immediate household family have 24/7 phone and online access to family and personal convenience information and referrals for topics such as child or elder care, kennels and pet care, vacation planning, relocation, car buying, and colleges. Legal information and referrals for situations requiring expertise in family law, estate planning, landlord/tenant relations, consumer and civil law, financial information and referrals to assist with concerns such as household budgeting, as well as short- and long-term planning.

Eligible employees and their immediate household family can receive in-person help for short-term issues, up to four sessions with a counselor, per person, per year. In-person consultations with network lawyers, including one free 30-minute in-person consultation per legal issue, and subsequent meetings at reduce rate.

For additional questions or information about this program please contact the Director of Human Resources.

Workers' Compensation

OCOM carries workers' compensation insurance, which provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of an accident or illness deemed compensable under workers' compensation law. Please contact the Director of Human Resources for more information.

Volunteer Time Off

The purpose of OCOM's volunteer program is to support volunteer activities that enhance and serve the communities in which we live and work and create community engagement opportunities for OCOM employees that are meaningful, purposeful and help those in need. We also recognize that participating in these activities will enrich and inspire the lives of our employees. "Community" is not defined as just the local community, but may encompass a global perspective.

Employees who work more than 20 hours per week are eligible to use volunteer time to volunteer with a 501(c)(3) nonprofit or 501(c)(4). If the status of the organization is unclear, contact the Director of Human Resources.

Employees who work 30 or more hours per week can use eight hours per calendar year. Part-time employees who work at least 20 hours per week will be eligible to use four hours per calendar year. Employees who work less than 20 hours per week are not eligible to use hours under this policy. Employees will be paid at their regular rate of pay for the volunteer hours taken.

Volunteer time is refreshed at the beginning of each calendar year and cannot be accrued or carried-over into the following year. Usage of this time does not affect vacation or personal leave accrual or usage.

All volunteer hours must be approved in advance by an employee's supervisor and the Director of Human Resources and may only be taken if employment has not been terminated (by either the college or the employee) prior to the proposed period.

Any volunteer time off used must be recorded on manual or electronic time sheets.

Compensation

OCOM values high quality work from its employees and is committed to compensating employees for their efforts and results. It is our intent to provide a competitive total compensation package that will attract, retain, and motivate employees. It is also our intent that policies and pay practices be administered consistently throughout the organization and in compliance with Oregon's Pay Equity Law.

Employees are typically paid twice per month, the 16th and last working day of the month. Payroll deductions will be made as authorized by an employee and/or as permitted by law. Direct deposit of payroll checks is available through the ADP Self Service Portal or through the Accounting and Human Resources departments.

Working Hours/Work Week

Normal hours of operation are 8:30am to 5:30pm, Monday through Friday, which constitutes OCOM's regular work week. Clinic hours may differ from college hours, depending on the clinic schedule for any given academic quarter. Staggered work hours and varied hours of operation may be implemented and/or required.

Overtime pay

Overtime pay will be paid to non-exempt employees for all hours worked in excess of 40 hours per week. Holiday, vacation, and personal hours do not count towards "hours worked," and are not applicable when calculating overtime. All overtime will be paid at one and one-half (1.5) times the regular rate of pay.

Recording Time Worked

All non-exempt employees are responsible for accurately reporting all time worked on a time record each pay period. Both the employee and the supervisor must approve and verify the hours being paid, including hours worked and any overtime payments. Proper completion of time records is a vital step to ensure that employees are paid correctly.

Exempt employees are not required to keep track of their time worked each pay period. They are required to submit any exception time (vacation or personal hours) either through manual or electronic time sheets for accurate payment and tracking.

It is a violation of OCOM's policy to falsify a time record, or to alter another employee's time record. It is also a violation of state law and OCOM policy for any employee or supervisor to instruct another employee to incorrectly or falsely report hours worked or alter another's record to under- or over-report hours worked. Anyone who becomes aware of this occurring should immediately report it to the Director of Human Resources.

Meal and Rest Breaks

Oregon Law requires that OCOM provide meal and rest breaks to all of its non-exempt employees.

Meal periods of no less than 30 minutes must be provided to non-exempt employees who work six or more hours in one work period. No meal period is required if employees work less than six hours. Employees must be relieved of all work activities during this period. Under exceptional circumstances, the law allows for employees to perform work during their lunch period, in this instance OCOM will pay the employee for the entire length of their meal period.

Oregon law requires an employer-paid rest break of not less than 10 minutes for every segment of four hours worked or major part thereof (two hours and one minute through four hours) worked in one period. This time must be taken in addition to and separately from required meal breaks. The rest periods should be taken as nearly as possible to the middle of a work segment.

Inclement Weather and Unplanned Closures

The campus will make every effort to remain open for normal working hours during inclement weather. However, the safety of our employees and students is a priority for OCOM. When an emergency situation occurs for which OCOM must close, all full and part-time employees will be paid for their regularly scheduled hours and rate. Employees who have previously requested and been approved for vacation and/or personal time that day **will** have those hours deducted from their Paid Time Off (PTO) total.

Should inclement weather occur during the work day, the President will make the determination regarding what time OCOM will close. All employees will be paid for their scheduled hours for the remainder of the day. During all closures, any exempt employee who can work remotely is required to do so. It may happen that one or more departments will be closed to patients while the rest of the college is open. In those situations, employees are still expected to appear for work and do non-patient facing tasks.

Upon determination that OCOM will be closed due to an emergency situation, all efforts will be made to notify employees through the college's public website (ocom.edu), local news outlets, outgoing email, and text messages.

Should OCOM remain open during a weather situation all employees are expected to make reasonable efforts to report to work. Employees who are unable to report for their scheduled shift will be required to use vacation or personal time. If no vacation or personal time is available, non-exempt employees will not be paid for the day.

Separation

Resignation

If an employee finds it necessary to resign, OCOM expects that the resignation will be submitted in writing to the employee's supervisor as soon as possible, specifying the last day of work, with a copy directed to the Director of Human Resources.

Exit Interviews

OCOM endeavors to conduct exit interviews with separating employees to discuss the employee's experience, provide employees the opportunity to provide feedback on OCOM process, and to discuss the transition steps. This meeting is voluntary and information provided by the employee will be kept confidential.

Return of Company Property

All documents and materials pertaining to the business or operations of OCOM that were prepared by employees or that came into employees' possession during employment are the property of OCOM. Upon termination of employment, or upon earlier request, employees must return to OCOM all such documents, materials, records, equipment, keys, and all other property in their possession or control, including all forms and confidential information.

Employee Handbook Acknowledgement and Receipt

I acknowledge receipt of the **OCOM Employee Handbook**. I understand that it is my responsibility to read and comply with the policies in the handbook.

I understand that the handbook and all other written and oral materials provided to me are intended for informational purposes only. Neither the handbook, company practices, nor other communications create an employment contract or term. I understand that the policies and benefits, both in the handbook and those communicated to me in any other fashion, are subject to interpretation, review, and change by management at any time without notice.

I further agree that neither this document nor any other communication shall bind OCOM to employ me now or hereafter and that my employment may be terminated by me or by OCOM without reason at any time. I understand that no representative of OCOM has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms of conditions of employment, or make any agreement contrary to the foregoing.

Employee Name (Print) _____

Employee Signature _____

Date _____

To be placed in employee's personnel file.

Appendix I- Technology Services Policy

Technology Services Use

All Users are required to acknowledge online their awareness of and willingness to abide by the terms of this Technology Use Policy and Agreement that provides:

By accessing and using any part of Oregon College of Oriental Medicine (OCOM) Technology Services (as those terms are defined in OCOM's Technology Services Use Policies), you acknowledge that you have read these terms and expressly agree to and consent to be bound by and comply with the Terms of Service. If you do not agree to all of the terms, you may not access or use any part of the service. OCOM reserves the right to modify these terms at any time and you agree to be bound by such modifications or revisions upon receipt of notice of the revisions. OCOM Technology Services are made available for your OCOM-related, non-commercial use only (except as necessary for students to complete professional development study requirements). All staff, faculty, and students are required to complete an online acknowledgement of their agreement to abide by all OCOM information technology policies and practices.

I. PURPOSE

OCOM's mission 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" and values *Excellence, Leadership, Healing, Innovation, Community, and Service* in all college-related activities. With the avowed intention of disseminating knowledge, fostering the free exchange of ideas, and providing effective support for its teaching, research, and public service functions, it is the policy of Oregon College of Oriental Medicine to afford broad access to information technology services for college students, faculty, and staff for use in fulfilling the college's mission and values.

II. TERMS OF SERVICE

Use of OCOM Technology Services is governed by the Terms of Service included in this Policy, including any future amendments to the Terms of Service. In addition, when using OCOM Technology Services, Users shall be subject to any posted guidelines or rules applicable to use of OCOM Technology Services that may be posted from time to time. All such guidelines or rules are hereby incorporated by reference into this Policy and related Technology Use Agreement. Throughout this Policy, OCOM may be referred to as "we" or "us" and Users may be referred to as "you," "they," or "their."

A. Definition of Terms

Terms related to the use of OCOM Technology Services are specifically defined as:

"Users" consists of OCOM Employees (Staff and Faculty), enrolled students, alumni and trustees, and any occasional user that is permitted by OCOM to use OCOM Technology Services OCOM Technology Services.

"OCOM Technology Services" include: computer and network access, wifi and other wide area network connectivity and all web and phone services, including Google Apps, Populi and OCOM websites.

"Third-party services" (Populi, Google Apps, etc.) carry their own terms of service in addition to the OCOM Terms of Service and all Users are expected to adhere to all third party terms of service.

"OCOM Content" is defined as any electronic text, image, or audio or video material used in OCOM Technology Services.

"User Content" – In some areas of OCOM Technology Services such as forums, Users may create their own electronic "User Content" so long as the content is not illegal.

"Intellectual Property" – OCOM Technology Services are intended for use by OCOM Users to conduct college-related activities. All information created and/or stored on OCOM's network, web services, computer hardware, and voicemail system is considered the intellectual property of the college, except as otherwise exempted in a separate OCOM intellectual property policy or is the copyrighted material of faculty, students, staff, staff, alumni, or trustees.

B. No Expectation of Privacy

Users should have no expectation of privacy when using OCOM technology, including, but not limited to computers, the network, email, and voicemail. The college reserves the right to examine material stored on or transmitted through OCOM Technology Services. Members of the OCOM community should be aware that privacy cannot be guaranteed in electronic communications,

even for information or communications that have been deleted. The scope of OCOM's Technology Use privacy policies is detailed in Section II, Privacy Policy, below.

OCOM takes reasonable precautions to protect electronic documents containing private and confidential information. OCOM generally will access messages and data only to: Meet the requirements of all applicable statutes, laws, or regulations; Protect the integrity of the college's Information Technology resources, and the rights and other property of the college; Allow system administrators to perform routine maintenance and operations, respond to emergency situations, and conduct necessary investigations of the use of OCOM Technology Services if OCOM has reason to suspect abuse of a college policy; and/or Protect the rights of individuals working in collaborative situations where information and files are shared.

When OCOM determines it is necessary, OCOM may inspect the contents of and information on all of its computers, voicemail and email programs, and systems. OCOM reserves the right at all times to correct errors and omissions related to OCOM Content and User Content without prior notice and to remove or refuse to distribute any content on OCOM Technology Services, such as content which violates the terms of this Policy and related User Agreement.

C. Dissemination of Information and Official Documents

Information technology resources are a dynamic mechanism for the free exchange of knowledge, and it is desirable for the college to foster the robust dialogue that results from the use of the resource, and to encourage students, faculty, and staff to participate in that dialogue. Those exchanges that reflect the ideas, comments, and opinions of individual members of the college community must, however, be distinguished from those that represent the official positions, programs and activities of OCOM. Students, faculty and staff using information technology resources for purposes of exchanging, publishing, or circulating official college documents must follow institutional requirements concerning appropriate content and style.

The college is not responsible for the content of documents, exchanges or messages, including links to other information locations on the Internet, or "World Wide Web," that reflect only the personal ideas, comments, and opinions of individual members of the college community, even where they are published or otherwise circulated to the public at large by means of college information technology resources.

D. Termination of Services

Upon termination of employment or student status with OCOM or access to OCOM Technology Services by OCOM for any reason, a User must provide all computer-related passwords and processes to OCOM at the time of notification of termination or on the last day OCOM Technology Services are provided. Additionally, the User must leave all files intact on the network and provide OCOM with the location of all stored computer files. Upon termination of services, access to OCOM Technology Services will no longer be available to the person whose services have been terminated.

E. No Endorsement and Assumption of Risk

1. OCOM and User Content. OCOM does not represent or endorse the accuracy or reliability of any posted OCOM or User Content. Users acknowledge that any reliance upon such OCOM Content and/or User Content shall be at their sole risk. Any User Content posted or sent by Users are the views of the User posting the information, and do not represent the views of OCOM.

By use of OCOM Technology Services, all Users acknowledge and agree that use of the OCOM and/or User Content contained in or made available through OCOM Technology Services is at their own risk. Users understand and agree that the information contained in or provided through OCOM Technology Services is intended for general understanding and information only and nothing contained in or provided through OCOM Technology Services is intended to be or is to be used for medical diagnosis or treatment. The information contained in or made available through OCOM Technology Services cannot replace or substitute the services of trained professionals in any field, including, but not limited to, financial, medical, or legal matters. Any information provided via OCOM Technology Services is not intended to constitute, and Users agree that it does not constitute, the practice of or furnishing of medical or professional health care advice, diagnosis, consultation, treatment or services in any jurisdiction. In particular, Users should regularly consult a doctor or other trained and licensed medical professional in all matters relating to physical or mental health, particularly concerning any symptoms that may require diagnosis or medical attention. OCOM makes no representations or warranties concerning any treatment, action, or application of medication or preparation by any person following the information offered or provided within OCOM Technology Services. OCOM is not liable for any direct, indirect, consequential, special, exemplary

or other damages that may result, including but not limited to economic loss, injury, illness, or death.

2. Other Websites and Web Services. OCOM may provide links to third-party websites and web services. OCOM does not recommend and does not endorse the content on any third-party websites. OCOM is not responsible for the content of linked third-party websites, websites framed within OCOM's websites, third-party websites provided as search results, or third-party advertisements, and does not make any representations regarding their content or accuracy. Users' use of third-party websites is at their own risk and is subject to the terms and conditions of use for such websites.

F. Jurisdiction and Liability

When using OCOM Technology Services, information may be transmitted over a medium beyond the control and jurisdiction of OCOM. Accordingly, OCOM assumes no liability for or relating to the delay, failure, interruption, or corruption of any data or other information transmitted in connection with use of OCOM Technology Services and OCOM Content and/or User Content.

G. Modifications, Warranties, and Indemnification

OCOM reserves the right at all times and from time to time to modify or discontinue, temporarily or permanently, OCOM Technology Services with or without notice. Users agree that OCOM shall not be liable to them or to any third party for any modification, suspension or discontinuance of OCOM Technology Services.

OCOM Technology Services are provided on an "as is" and "as available" basis. Populi, Dreamhost web services, Google apps, and any other program not administered by OCOM have no uptime guarantees or promises for these services. OCOM, to the fullest extent permitted by law, disclaims all warranties, either express or implied, statutory or otherwise, including but not limited to the implied warranties of merchantability, non-infringement of third parties' rights, and fitness for particular purpose. In no event shall OCOM be liable for any damages (including, without limitation, incidental, indirect, punitive, special and consequential damages, whether foreseeable or unforeseeable, personal injury/wrongful death, lost profits, or damages resulting from loss of data, errors, defamation or interruption in availability of data) resulting from Users' (or any third party's) use or inability to use OCOM Technology Services or Users' reliance on information obtained from or through the service or whether based on warranty, contract, tort, statutory or other law, and whether or not OCOM is advised of the possibility of such damages.

Users agree to defend, indemnify, and hold OCOM, its officers, directors, trustees, employees, and agents harmless from and against any claims, actions or demands, liabilities, losses and damages, and settlements including, reasonable legal, accounting, or other fees, resulting from any claim or demand, including reasonable attorneys' fees, made by any third party due to or arising out of content User submits, posts, transmits, or makes available through OCOM Technology Services, Users' use of the OCOM Technology Services, Users' connection to the OCOM Technology Services, Users' use of the Content, Users' violation of this Agreement, or Users' violation of any rights of another.

Users expressly agree that exclusive jurisdiction for any dispute with OCOM, or in any way relating to your use of OCOM Technology Services, resides in the federal or state courts of Multnomah County, State of Oregon, without regard to its conflict of law provisions. Users further agree and expressly consent to the exercise of personal jurisdiction in the courts of Multnomah County, State of Oregon, in connection with any such dispute including any claim involving OCOM or its affiliates, subsidiaries, employees, contractors, officers, directors, trustees, telecommunication providers, and content providers.

If any provision of this Agreement is found to be invalid by any court having competent jurisdiction, the invalidity of such provision shall not affect the validity of the remaining provisions of this Policy and Agreement, which shall remain in full force and effect. No waiver of any of these terms and conditions shall be deemed a further or continuing waiver of such term or condition or any other term or condition.

Appendix II - Privacy Policy

A. Privacy Policy Generally

OCOM takes privacy and data protection issues seriously. The information OCOM obtains through Users' use of OCOM Technology Services is subject to the Technology Privacy Policy as outlined in this User Agreement and any other Privacy Policy maintained by OCOM. This Technology Privacy Policy contains terms and conditions that govern OCOM's collection and use of information provided by Users and respective rights related to that information. Users' use of OCOM Technology Services constitutes agreement to be governed by OCOM's Technology Privacy Policy.

As noted in Section I.B., above, OCOM does not unreasonably review information stored in or on its systems, and when faced with evidence of violations of college policies or standards, of contractual obligations, or of federal, state, or local laws, or when OCOM determines it is necessary to do so, the college may consider such software, files, and materials stored on or transmitted by college computer equipment to be property of the college and may inspect the contents of or information on any of OCOM Technology Services equipment without notice. The college also has the right to deny, limit, or terminate access to material posted on or transmitted by its computers. In addition, the college reserves the right to limit, restrict, or deny computing privileges and access to its information resources for those who violate university policies and/or laws.

Although OCOM strives to protect Users' privacy, the college cannot guarantee the security of information Users post in public forums, chat groups or message boards. OCOM has no control over use of such information and all Users should exercise caution when deciding to disclose personal information.

B. Scope of Technology Privacy Policy

This Technology Privacy Policy covers OCOM's treatment of personally identifiable information collected from Users who use and access OCOM's websites and OCOM Technology Services. If Users access a third-party website from a link inside of OCOM Technology Services, any information Users reveal on that website is not subject to this Privacy Policy. Users should consult the privacy policies of each website they visit. OCOM is not responsible for the privacy practices or the content of third party websites.

C. Use of Personally Identifiable Information

OCOM will use personally identifiable information, such as Users' first and last name, a username and a password to create accounts in connection with User access to OCOM Technology Services. In addition, Users' account information and academic records are linked to personally identifiable information in the Student Information System (SIS) web service administered by Populi. The SIS is a secure cloud-based database, providing staff, faculty, and students with varying levels of access to student information based on security group settings. Staff, faculty, and students are responsible for updating their personal data in Populi and in Human Resources directories, as necessary.

D. Use of Non-Personally Identifiable Information

OCOM also collects non-personally identifiable information including but not limited to Users' (i) IP address; (ii) domain server, (iii) type of computer, and (iv) type of web browser. Non-personally identifiable information is anonymous information that does not personally identify the individual User but is helpful for marketing purposes or for improving Users' OCOM Technology Services experience.

OCOM's systems may also automatically gather information about the areas Users visit and search terms Users utilize, and links Users may select from within OCOM Technology Services to other areas of the World Wide Web (Internet) or elsewhere online. OCOM uses such information in the aggregate, to understand which areas of OCOM's websites are favorites of our Users, which areas need improvement, and what technologies are being used so that we may continually improve OCOM Technology Services. OCOM may share this aggregate statistical information with partners and other third parties, but will not share any individual names, email addresses, personal navigational, or other personal information.

E. Use of Cookie

OCOM uses cookie technology to enhance User experience, including "remembering" User preferences, to customize the content that Users see, and to authenticate User access. Most browsers are set to accept cookies. Some web browsers permit you to refuse cookies, or to alert you when cookies are being sent. Users who disable cookies may not be able to access some features of OCOM Technology Services.

F. Information Sharing and Disclosure

OCOM may release personal information to third parties: (1) to comply with valid legal requirements such as a law, regulation, search warrant, subpoena or court order; (2) in special cases, such as a physical threat to you or others; or (3) to enforce the Terms of Service Agreement and this Privacy Policy. In the event that OCOM is legally compelled to disclose a User's personally identifiable information to a third party, OCOM will notify that User unless doing so would violate the law or court order. No User is authorized to take any OCOM provided equipment that contains sensitive data covered by HIPAA and/or FERPA off campus. Violation of this policy is grounds for possible disciplinary action including termination.

G. FERPA.

In addition to privacy restrictions outlined in this Agreement, OCOM employees are responsible for adhering to FERPA regulations and may not release any student information: In violation of FERPA regulations (see: <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>); and Without the consent of the Office of the Registrar.

Exception: It is OCOM policy not to release directory-related student information to the public. However, directory-related student information (as defined by FERPA regulations) of students who have not exercised "opt-out" rights may be released to the OCOM community with the consent of the college Registrar.

Any employee who violates the FERPA policy or uses college technology for improper or unauthorized purposes may be subject to discipline, up to and including termination.

H. HIPAA

In addition to privacy restrictions outlined in this Agreement, OCOM employees and students are responsible for adhering to HIPAA regulations and may not release any patient information: In violation of HIPAA regulations (see: <http://www.hhs.gov/ocr/privacy>); and without the consent of OCOM clinic administration.

Any employee and/or student who violates the HIPAA policy or uses college technology for improper or unauthorized purposes may be subject to discipline, up to and including termination.

I. Group Email

When sending group email messages with recipients outside the OCOM community (email addresses not containing "@ocom.edu"), Users are required to use the "bcc" (blind carbon copy) option. Addressing external group email messages using the "bcc" field will help protect the privacy of all message recipients. When sending a group email to internal OCOM lists it is also best practice to use "bcc" to avoid sending replies to unintended recipients.

TECHNOLOGY USE

A. Use of OCOM and User Content.

All rights, titles and interest, including all copyright, trademark, patent and any other intellectual property rights, in and to OCOM Content, as defined above, is owned by and remains with OCOM. OCOM authorizes Users to view or download a single copy of any OCOM Content contained in or made available through OCOM Technology Services solely for OCOM-related, noncommercial use. OCOM Content is protected by copyright under both United States and foreign laws. OCOM Content may not otherwise be copied, reproduced, retransmitted, distributed, published, commercially exploited, or otherwise transferred in any way. Any use of OCOM Content not expressly permitted is a breach of this Policy and related Technology Use Agreement and may violate copyright, trademark, and other laws. OCOM Content is subject to change or termination without notice at the editorial discretion of OCOM. All rights not expressly granted herein are reserved to OCOM.

If a User creates their own User Content, unless OCOM indicates otherwise, Users grant OCOM and its affiliates a non-exclusive? Really? Wouldn't we want exclusive rights? royalty-free, perpetual, irrevocable, and fully sub-licensable right to use, reproduce, modify, adapt, publish, translate, create derivative works from, distribute, and display such User Content throughout the world in any media except as exempted in a separate OCOM intellectual property policy. Users grant OCOM and its affiliates and sub-licensees the right to use the name that Users submit in connection with such User Content, if they choose. Users represent and warrant that they own or otherwise control all of the rights to the User Content that they post; that the User Content is accurate; that use of the User Content does not violate this Agreement and will not cause injury to any other person or entity; and that

they indemnify OCOM or its affiliates for all claims resulting from the User Content they supply. Users are not entitled to any compensation for any materials, information, or User Content they may post via OCOM Technology Services.

B. User Responsibility and Conduct

1. **User Responsibility and Conduct Generally.** OCOM reserves the right but assumes no obligation to review, monitor, edit, or remove any activity or content within OCOM Technology Services. OCOM takes no responsibility and assumes no liability for any content posted by Users or any third party. We may, at our discretion, suspend or terminate a User's account and refuse any and all current or future use of OCOM Technology Services by any User who violates any terms of this Agreement, any other applicable policies.

2. **Participation and Training.** To ensure effective communication among all students, faculty and staff and to carry out the business of the college, all students, faculty and staff are provided with individual accounts granting access to the following OCOM Technology Services: Student Information System (SIS); ocom.edu email account and associated Google Drive; and shared campus calendar system (Additional campus calendar usage policies may be detailed in a separate policy).

All users are required to access and check their accounts on these Technology Systems at least once per applicable business day. All Users are required to attain proficiency in the use of OCOM Technology Systems by attending OCOM offered technology usage trainings and/or requesting to attend outside technology training as available and approved within OCOM budget resources.

3. **Reporting of Inappropriate Use/Risk.** Users are responsible for promptly reporting to college administration any behavior that violates any of the terms of service stated herein. To report violations, contact the Director of Information Systems and Technology. Content that is deemed inappropriate by the college administration will be immediately removed, and a review process of the material will commence to determine if further action is required. All decisions by OCOM related to inappropriate material are final. If a questionable email message or attachment is received or if a virus or malware attack is suspected, Users are required to contact the Director of Information Services and Technology immediately.

4. **Passwords and Account Security.** Users are responsible for maintaining the confidentiality of their account and password and taking all reasonable steps to ensure that no unauthorized person shall have access to their account or password. It is the User's sole responsibility to: (1) control the dissemination and use of their account; (2) authorize, monitor, and control access to and use of their account; and (3) promptly inform OCOM of any need to deactivate a username, password, or account. Users are responsible for all transactions made using their password and are not allowed to access the computer or network systems with another User's password or account. Users grant OCOM and all other persons or entities involved in the operation of OCOM Technology Services the right to transmit, monitor, retrieve, store, and use User information in connection with the operation of OCOM Technology Services. OCOM cannot and does not assume any responsibility or liability for any information you submit, or your or third parties' use or misuse of information transmitted or received using OCOM tools and services.

Employees with network access are required to lock their computers when they are away. Employees using shared computers are required to log off at the end of each session.

5. **Inappropriate Use and Conduct.** Users agree NOT to use OCOM Technology Services to: upload or transmit unsolicited or unauthorized messages or advertisements, promotional materials, "chain letters," "spam," or any other commercial communication; upload, transmit, post or view files, graphics, software, or other material that may be abusive, harmful, tortuous, obscene, pornographic, defamatory, harassing, grossly offensive, vulgar, threatening, libelous, malicious, invasive of another's privacy, injurious to third parties, or otherwise objectionable as determined by OCOM; upload, transmit, or post information that is discriminatory, bigoted, hateful or racially, ethnically or sexually offensive, or that demonstrates bias based on gender, gender identity, age, sexual orientation, religious or political beliefs, national origin, or disability; upload, transmit, or otherwise distribute material that actually or potentially infringes any copyright, trademark, patent, trade secret, or other intellectual property rights or violates other proprietary, contractual, or fiduciary rights or obligations of another party; misrepresent or attempt to mislead any person as to the identity or origin of any communication; send unsolicited messages to groups of people outside the course of normal and expected OCOM business; post, email, transmit, permit the upload of or make available any message or content in violation of any applicable local, state, national, or international law, regulation or restriction of the United States and its agencies or authorities, or any regulations having the force of law; attempt to gain

unauthorized access to other accounts on OCOM Technology Services or any other computer network; upload, transmit or otherwise make available any material that contains software viruses or any other malicious code, files or program; pursue fraudulent or inappropriate purpose that could give rise to any civil or criminal liability under the law; engage in organized partisan political activities; engage in any other activity or behavior that is prohibited by any other OCOM policy or code of conduct; solicit for or further religious causes; disrupt or interfere with work performance and college operations; suggest affiliation with OCOM in the posting of personal opinions to public venues including, but not limited to, electronic bulletin boards, discussion lists, or web blogs; download music or video files for personal use (due to bandwidth resource limitations); store personal files on the OCOM network — including digital photographs and music (due to resource limitations); disable anti-virus software or open email attachments from unknown sources; install any software or alter any computer settings without the prior approval of the Office of Information Systems and Technology; (xix) illegally duplicate any software owned and provided by OCOM; and permanently save files on common use computer (library and/or classroom) desktops.

6. Digital Millennium Copyright Act Policy. OCOM complies with the provisions of the Digital Millennium Copyright Act (“DMCA”). Some of the specific areas addressed by the DMCA are: Limitation on Infringement Liability for “Service Providers”; Limitations on exclusive rights; Distance Education; Copyright Exemptions for Libraries and Archives; and Limitations on exclusive rights; Computer Programs.

If you have a concern about the use of copyrighted material on OCOM’s network or domain, contact the agent designated to respond to reports alleging copyright infringement.

It is illegal under Federal law (Title 17 of the US Code, and more recently the Digital Millennium Copyright Act, 105 PL 304), to download, upload, or distribute in any fashion, copyrighted material in any form without permission or a license to do so from the copyright holder. OCOM neither condones nor supports the use of copyrighted material in ways not intended for such materials.

The designated agent for OCOM to receive notification of claimed infringement under the DMCA is the Vice President of Planning and Operations.

The DMCA specifies that all infringement claims must be in writing (either email or hard-copy letter) and must include the following: A physical or electronic signature of the copyright holder or a person authorized to act on their behalf; a description of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site; a description of the material that is claimed to be infringing or to be the subject of infringing activity, and information reasonably sufficient to permit the service provider to locate the material; Information reasonably sufficient to permit the service provider to contact the complainant, such as an address, telephone number, and (if available) an email address; a statement that the complainant has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law; and a statement that the information in the notification is accurate, and under penalty of perjury, that the complainant is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Anyone informed about a copyright infringement must send the entire complaint to the designated agent for OCOM. OCOM may disclose any or all information about the accused to third parties in its sole discretion. The designated agent will follow the requirements of federal law concerning notices to the complainant and the accused and retention of a record of the complaint and resolution. OCOM reserves all right, at its sole discretion and without notice if it deems appropriate or necessary, to terminate the privileges of any system user who is accused of infringing the copyright of a third party, to disable access to material subject to a claim of infringing a copyrighted work as defined under the DMCA and to terminate the privileges of any User suspected of violating the law or this policy.

Appendix III – Identity Theft Policy

Identity Theft Prevention Program

I. PROGRAM ADOPTION

Oregon College of Oriental Medicine (OCOM, or “College”) developed this Identity Theft Prevention Program (“Program”) pursuant to the Federal Trade Commission’s (“FTC”) Red Flags Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. After consideration of the size and complexity of the College’s operations and account systems, and the nature and scope of the College’s activities, this Program was developed with the oversight and approval of OCOM’s President.

II. DEFINITIONS AND PROGRAM

A. Red Flags Rule Definitions Used in this Program

“**Identity Theft**” is a “fraud committed or attempted using the identifying information of another person without authority.”

A “**Red Flag**” is a “pattern, practice, or specific activity that indicates the possible existence of Identity Theft.”

A “**Covered Account**” includes all student accounts or loans, including financial aid, and employee records that are administered by the College.

“**Program Administrator**” is the individual designated with primary responsibility for oversight of the program. See Section VI below.

“**Identifying information**” is “any name or number that may be used, alone or in conjunction with any other information, to identify a specific person,” including: name, address, telephone number, Social Security number, date of birth, government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number, student identification number, computer’s Internet Protocol address, or routing code.

The “College” is Oregon College of Oriental Medicine, or OCOM, and its administrative bodies.

B. Fulfilling Requirements of the Red Flags Rule

Under the Red Flags Rule, the College is required to establish an Identity Theft Prevention Program tailored to its size, complexity and the nature of its operation. Each program must contain reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;
2. Detect Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
4. Ensure the Program is updated periodically to reflect changes in risks to students or to the safety and soundness of the student from Identity Theft

III. IDENTIFICATION OF RED FLAGS

To identify relevant Red Flags, the College considers the types of accounts that it offers and maintains, methods it provides to open its accounts, methods it provides to access its accounts, and its previous experiences with Identity Theft. The College identifies the following Red Flags in each of the listed categories:

A. Notifications and Warnings from Credit Reporting Agencies

Red Flags

1. Report of fraud accompanying a credit report;
2. Notice or report from a credit agency of a credit freeze on an applicant;
3. Notice or report from a credit agency of an active duty alert for an applicant;
4. Receipt of a notice of address discrepancy in response to a credit report request; and
5. Indication from a credit report of activity that is inconsistent with an applicant’s usual pattern or activity.

B. Suspicious Documents

Red Flags

1. Identification document or card that appears to be forged, altered or inauthentic;
2. Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
3. Other document with information that is not consistent with existing student information; and
4. Application for service that appears to have been altered or forged.

C. Suspicious Personal Identifying Information

Red Flags

1. Identifying information presented that is inconsistent with other information the student provides (example: inconsistent birth dates);
2. Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on an application);
3. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
4. Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious address);
5. Social Security number presented that is the same as one given by another student;
6. An address or phone number presented that is the same as that of another unrelated person;
7. A person fails to provide complete personal identifying information on an application when reminded to do so; and
8. A person's identifying information is not consistent with the information that is on file for the student.

D. Suspicious Covered Account/Record Activity or Unusual Use of Account/Record

Red Flags

1. Change of address for an account followed by a request to change the student's/employee's name;
2. Payments stop on an otherwise consistently up-to-date account;
3. Account used in a way that is not consistent with prior use;
4. Mail sent to the student is repeatedly returned as undeliverable;
5. Notice to the College that a student is not receiving mail sent by the College;
6. Notice to the College that an account has unauthorized activity;
7. Breach in the College's computer system security; and
8. Unauthorized access to or use of student account information.

E. Alerts from Others

Red Flags

1. Notice to the College from a student, Identity Theft victim, law enforcement or other person that the College has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

IV. DETECTING RED FLAGS

A. Student Enrollment

To detect any of the Red Flags identified above associated with the enrollment of a student, College personnel will take the following steps to obtain and verify the identity of the person opening the account:

Detect

1. Require certain identifying information such as name, date of birth, academic records, home address, or other identification; and
2. Verify the student's identity at time of issuance of student identification card (review of driver's license or other government-issued photo identification).

B. Existing Accounts

To detect any of the Red Flags identified above for an existing Covered Account, College personnel will take the following steps to monitor transactions on an account:

Detect

1. Verify the identification of students if they request information (in person, via telephone, via facsimile, via email);
2. Verify the validity of requests to change billing addresses by mail or email and provide the student a reasonable means of promptly reporting incorrect billing address changes; and
3. Verify changes in banking information given for billing and payment purposes.

C. Consumer ("Credit") Report Requests

To detect any of the Red Flags identified above for an employment or volunteer position for which a credit or background report is sought, College personnel will take the following steps to assist in identifying address discrepancies:

1. Require written verification from any applicant that the address provided by the applicant is accurate at the time the request for the credit report is made to the consumer reporting agency; and
2. In the event that notice of an address discrepancy is received, verify that the credit report pertains to the applicant for whom the requested report was made and report to the consumer reporting agency an address for the applicant that the College has reasonably confirmed is accurate.

V. PREVENTING AND MITIGATING IDENTITY THEFT

In the event College personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

Prevent and Mitigate

1. Continue to monitor a Covered Account for evidence of Identity Theft;
2. Contact the student, staff, faculty or applicant (for which a credit report was run);
3. Change any passwords or other security devices that permit access to Covered Accounts;
4. Not open a new Covered Account;
5. Provide the student with a new student identification number;
6. Notify the Program Administrator for determination of the appropriate step(s) to take;
7. Notify law enforcement;
8. File or assist in filing a Suspicious Activities Report ("SAR"); or
9. Determine that no response is warranted under the particular circumstances.

Protect Student, Staff and Faculty Identifying Information

To further prevent the likelihood of Identity Theft occurring with respect to Covered Accounts/Records, the College will take the following steps with respect to its internal operating procedures to protect student identifying information:

1. Ensure that its website is secure or provide clear notice that the website is not secure;
2. Ensure complete and secure destruction of paper documents and computer files containing student account information when a decision has been made to no longer maintain such information;
3. Ensure that office computers with access to Covered Account information are password protected;
4. Avoid use of Social Security numbers (See [OCOM Student Data and Information Guidelines](#));
5. Ensure computer virus protection is up to date; and
6. Require and keep only the kinds of information that are necessary for College purposes.

VI. PROGRAM ADMINISTRATION

A. Oversight

Responsibility for developing, implementing, and updating this Program lies with the Regulatory Compliance Committee (“Committee”) for the College. The Committee is headed by the Vice President of Planning and Operations. The Committee shall be responsible for program oversight. The Program Administrator, Director of IT, is a member of the Committee and will be responsible for ensuring appropriate training of College staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

B. Staff Training and Reports

College staff responsible for implementing the Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags and the responsive steps to be taken when a Red Flag is detected. College staff shall be trained, as necessary, to effectively implement the Program. College employees are expected to notify the Program Administrator once they become aware of an incident of Identity Theft or of the College’s failure to comply with this Program. At least annually or as otherwise requested by the Program Administrator, College staff responsible for development, implementation, and administration of the Program shall report to the Program Administrator on compliance with this Program. The report should address such issues as effectiveness of the policies and procedures in addressing the risk of identity theft in connection with the opening and maintenance of Covered Accounts, service provider arrangements, significant incidents involving identity theft and management’s response, and recommendations for changes to the Program.

C. Service Provider Arrangements

In the event the College engages a service provider to perform an activity in connection with one or more Covered Accounts, the College will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft.

1. Require, by contract, that service providers have such policies and procedures in place; and
2. Require, by contract, that service providers review the College’s Program and report any Red Flags to the Program Administrator or the College employee with primary oversight of the service provider relationship.

D. Non-disclosure of Specific Practices

For the effectiveness of this Identity Theft Prevention Program, knowledge about specific Red Flag identification, detection, mitigation and prevention practices may need to be limited to the Committee who developed this Program and to those employees with a need to know them. Any documents that may have been produced or are produced to develop or implement this Program that list or describe such specific practices and the information those documents contain are considered “confidential” and should not be shared with other OCOM employees or the public. The Program Administrator shall inform the Committee and those employees with a need to know the information of those documents or specific practices which should be maintained in a confidential manner.

E. Program Updates

The Committee will periodically review and update this Program to reflect changes in risks to students and the soundness of the College from Identity Theft. In doing so, the Committee will consider the College’s experiences with Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, and changes in the College’s business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Committee will update the Program.

