

The Trusted Leader in Chiropractic Education®

New Student Compliance Training

THIS COMPLIANCE TRAINING COVERS THE FOLLOWING TOPICS:



- 1. Campus Safety
 - Safety Awareness
 - Alcohol and Drug Use Information
 - Sexual Misconduct Awareness and Prevention
- 2. Family Educational Rights and Privacy Act (FERPA)
- 3. Health Insurance Portability and Accountability Act (HIPAA)
- 4. Student Code of Ethics
- 5. Copyright and Peer 2 Peer File Sharing

WHY IS THIS TRAINING REQUIRED?

- We all share the responsibility for ensuring compliance with applicable laws, regulations and policies.
- To this end, all students are required to complete compliance training at the start and throughout their time as students at Palmer College of Chiropractic (the College).
- Completion of all sections is required and will take approximately 1 1 ¹/₂ hours to completely read each slide and complete all quizzes.



IMPORTANT TO REMEMBER

✓ Registration

This mandatory training and quiz must be completed prior to completion of the registration process.

✓ Quiz

Find the quiz by clicking on the link at the end of this module. A score of 80% or better electronically verifies completion of the training module.

For your records, keep a copy of the certificate and/or confirmation e-mail to verify completion of the training.

Time Allotment

Be sure to set aside at least an hour to complete this training.





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SAFETY AWARENESS

SAFETY AWARENESS

The College's objectives are to provide you with the following information so you will:

- Integrate crime prevention practices into your everyday routine.
- Know which College contacts can assist if you have safety/security related questions or concerns.





ASSIST TO ELIMINATE CAMPUS CRIME

If leaving your valuables:

- Mark your property (laptops, smartphones and anything else of value) with some form of identification.
- Secure valuables with a lock when leaving them in a locker.
- Make sure nothing of value is in plain view in your car.

At night or when going out:

- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- Report all incidents and/or suspicious activities.



SAFETY AWARENESS TIPS - WALKING TO AND FROM CAMPUS

- Stay on populated, well-lighted streets.
- Walk to your car with key ready.
- Make sure to keep your car in good condition.



 Keep purses or book bags close to your body.

- Always be alert and conscious of your surroundings.
- Don't walk alone after dark.
- Call Campus Security to request escorts to all parking lots.
- Park in well-lighted areas.



IMPORTANT COLLEGE CONTACTS

Report Emergencies to Campus Security

Palmer Main campus

Florida campus

Campus Security (563) 884-5555

Office of Compliance (563) 884-5246

Student Academic Support (563) 884-5655

Human Resources (563) 884-5276

Student Services (563) 884-5643

Campus Security (386) 763–2608

Human Resources (386) 763-2665

Student Services (386) 763-2781

PALMER College of Chiropractic



One way to eliminate campus crime is to always be _____ and conscious of your surroundings.

If your friend is going to leave their iPad in the back of your car, tell them to make sure it is out of plain _____.

The College's objectives include providing you with safety awareness information so you integrate safety practices into your daily _____.



QUICK SELF-TEST ANSWERS

One way to eliminate campus crime is to always be alert and conscious of your surroundings.

If your friend is going to leave their iPad in the back of your car, tell them to make sure it is out of plain view or sight.

The College's objectives include providing you with safety awareness information so you integrate safety practices into your daily routine.





For more information regarding campus safety/security information visit:

www.palmer.edu/security





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ALCOHOL AND DRUG USE INFORMATION

ALCOHOL AND DRUG USE INFORMATION

The College's objectives are to provide you with the following information so you will:

- Understand what constitutes a violation of College policy regarding alcohol and drug use.
- Differentiate between health risks and health myths associated with the use of illicit drugs and the abuse of alcohol.
- Be aware of and know where to find more information regarding:
 - Local, state and/or federal sanctions;
 - College disciplinary actions; and
 - Available counseling and treatment programs.



VIOLATIONS OF THE COLLEGE'S DRUG AND ALCOHOL USE POLICY INCLUDE:

- Unlawful use, possession, manufacturing or distribution of drugs and/ or alcohol¹.
- Providing alcoholic beverages, in any circumstance, to any person under twentyone (21) years of age¹.
- Driving while under the influence of alcohol or any illegal substances¹.
- The complete Drug and Alcohol Use Policy can be found at: <u>http://www.palmer.edu/students/resources-offices/handbook-policies/</u>



EXAMPLES OF DRUG AND ALCOHOL USE POLICY VIOLATIONS

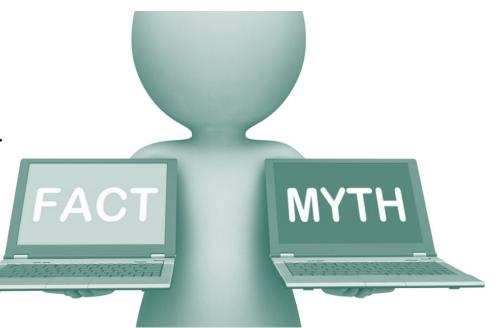
- Coming to class high or drunk.
- Providing alcoholic beverages at an event advertised with the College's name/logo without appropriate approval.
- Using someone else's prescription drugs.





MYTH OR FACT?

- Prescription drugs aren't dangerous.
- Drinking alcohol is a healthy way to relax and reduce stress.
- Drug addiction is not a choice.
- Addicts are bad people.





PRESCRIPTION DRUGS AREN'T DANGEROUS. MYTH

• Prescription drugs can be very dangerous.

This Photo by Unknown Author is licensed under <u>CC BY</u>



• For several years now, there have been more deaths from prescription pain reliever overdoses than from heroin and cocaine combined.

 Prescription drugs can be especially hazardous if the user exceeds the prescribed dosage and/or takes a combination of drugs.



DRINKING ALCOHOL IS A HEALTHY WAY TO RELAX AND REDUCE STRESS.

MYTH

- Using alcohol to relax and reduce stress can lead to other health issues or make existing problems worse.¹
- Individuals may feel more relaxed when drinking alcohol, but adrenaline levels and the level of stress that is placed on the body increases with every drink.¹
- Exercise, listening to music, meditation and even smiling are a few of the many medically proven methods of relieving stress – not alcohol consumption.²





1 - McKimmie, M. (2013) *20 Myths About Alcohol*. 2 - (2013) Relaxation Techniques. Mayo Clinic.

DRUG ADDICTION IS NOT A CHOICE.

FACT

 Drug use is a choice, and prolonged use changes your body and brain chemistry. When that happens, the user no longer appears to have a choice—this is when use and misuse become addiction.¹



 Scientific research has shown the value of behavioral counseling or counseling combined with medication to treat addiction.²

1 - Carise, D. (2010) *Ten Popular Myths About Drugs, Addiction, and Recovery.* 2 - (2013) National Institute on Drug Abuse.



ADDICTS ARE BAD PEOPLE.

MYTH

 Addicts aren't "bad" people trying to get "good," they're sick people trying to get well.



 Addicts don't belong to a particular race or exist only in certain parts of the country. They are lawyers, farmers, soldiers, mothers and grandfathers who struggle with drug dependence on a daily basis. They are proof that addiction doesn't discriminate—and, thankfully, neither does recovery.

Carise, D. (2010) Ten Popular Myths About Drugs, Addiction, and Recovery.



AVAILABLE COUNSELING AND TREATMENT PROGRAMS

- Student Resource and Assistance Programs (SRAP) is a free confidential community based counseling service available for all College students and immediate family.
- Find more information regarding support services for students at: <u>https://www.palmer.edu/studentlife/academic-success/studentassistance-program/</u>





QUICK SELF-TEST

- For several years now, there have been more deaths from ______drug overdoses than from heroin and cocaine combined.
- Individuals may feel more relaxed when drinking but adrenaline levels and the level of stress that is placed on the body increases with each drink.

Scientific research has shown the value of ______
 combined with medication to treat addiction.



QUICK SELF-TEST ANSWERS

• For several years now, there have been more deaths from prescription drug overdoses than from heroin and cocaine combined.

- Individuals may feel more relaxed when drinking alcohol, but adrenaline levels and the level of stress that is placed on the body increases with each drink.
- Scientific research has shown the value of counseling combined with medication to treat addiction.





For more information regarding alcohol and other drug abuse prevention refer to: Institutional Policy: Alcohol and Drug Use;

- Annual Security and Fire Safety Report
- www.palmer.edu/security





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SEXUAL MISCONDUCT : PREVENTION AND REPORTING

SEXUAL MISCONDUCT PREVENTION, RESPONSE AND REPORTING LEARNING OBJECTIVES

- Understand what behaviors/actions constitute sexual misconduct.
- Prevent sexual misconduct.
- Know what DOES and DOES NOT constitute "consent."
- Know how to respond to and report sexual misconduct.
- Know and comply with the College's policy and procedures regarding sexual misconduct.



WHAT IS TITLE IX?

- Title IX of the Education Amendments of 1972 ("Title IX") is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded education programs and activities.
- All public and private elementary and secondary schools, school districts, colleges, and universities receiving any federal financial assistance must comply with Title IX.
- No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.
 20 U.S.C. § 1681, June 23, 1972



WHAT IS SEXUAL MISCONDUCT?

• Sexual Misconduct is a broad term that includes, but is not limited to:

Sexual Harassment;

- Sexual Assault;
- Dating Violence;
- Domestic Violence;
- Stalking/Cyber-Stalking
- Sexual violence;
- •Sexual exploitation;
- •Bullying and cyber-bullying;
- Facilitating the commission of sexual misconduct;
- Other misconductwhen sex or gender based; and
 Dataliation
- •Retaliation.





DEFINITIONS OF SEXUAL MISCONDUCT

Sexual Harassment – An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct.

Sexual Harassment – Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person's equal access to the College's education program or activity.

Sexual Assault – any type of sexual contact or behavior that occurs without consent of the recipient. Includes sexual activity such as forced sexual intercourse, sodomy, molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity.

Domestic Violence – A pattern of abusive behavior in a relationship that is used by one partner to maintain power and control over another current or former intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behavior that intimidates, manipulates, humiliates, isolates, frightens, terrorizes, coerces, threatens, hurts, injures, or wounds someone.

Dating Violence – violence and abuse committed by a person to exert power and control over a current or former dating partner. Dating violence often involves a pattern of escalating violence and abuse over a period of time. Dating violence covers a variety of actions, and can include physical abuse, psychological and emotional abuse, and sexual abuse. It can also include "digital abuse", the use of technology, such as smartphones, the internet, or social media, to intimidate, harass, threaten, or isolate a victim.

DEFINITIONS OF SEXUAL MISCONDUCT (CONT.)

Stalking – a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking is dangerous and can often cause severe and long-lasting emotional and psychological harm to victims. Stalking often escalates over time and can lead to domestic violence, sexual assault, and even homicide. Stalking can include frightening communications, direct or indirect threats, and harassing a victim through the internet.

Non-consensual Sexual Contact - Any intentional sexual touching, however slight, with any part of the body or any object, by a person upon another person, that is without consent and/or by force.

Non-consensual Sexual Intercourse - Any sexual intercourse, however slight, with any part of the body or any object, by a person upon another person, that is without consent and/or by force.Sexual intercourse includes vaginal or anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

Sexual Exploitation - Sexual exploitation refers to an act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage or any other non-legitimate purpose.

Bullying/Cyberbullying - The term "bullying" refers to extreme or repeated verbal, physical, social or psychological behavior that is harmful and involves the misuse of power by an individual or group towards one or more persons.

EXAMPLES OF SEXUAL MISCONDUCT

Unwanted or inappropriate sexual innuendos, propositions, sexual attention or suggestive comments and gestures;

> Humor and jokes about sex or genderspecific traits;

Oral, written or electronic communications degrading to an individual or gender group;

Use of a position of power or authority to promise rewards in return for sexual favors

Inappropriate or unwelcome physical contact or suggestive body language, such as touching, patting, pinching, hugging, kissing, or brushing against an individual's body; Physical coercion or pressure placed upon an individual to engage in sexual activity or punishment for a refusal to respond or comply with sexual advances;

Change of academic or employment responsibilities (increase in difficulty or decrease of responsibility) based on gender identity, or sexual orientation;

Undue and unwanted attention, such as repeated inappropriate flirting, inappropriate or repetitive compliments about clothing, accessories or physical attributes



AFFIRMATIVE CONSENT

"Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity.

- It is the responsibility of each person involved in the sexual activity to ensure that the person has the affirmative consent of the other or others to engage in the sexual activity.
- Lack of protest or resistance does not mean consent, nor does silence mean consent.
- Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time.
- The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.



CONSENT – WHAT IS IT EXACTLY?

In order to consent effectively to sexual activity, you must be able to understand Who, What, Where, Why and How with respect to that sexual activity.



For more information regarding Consent, review the <u>"A Culture of Consent" brochure.</u>



ALCOHOL, DRUGS AND SEXUAL MISCONDUCT

- Use of drugs and alcohol can increase risk of sexual misconduct.
- ALCOHOL USE is most commonly associated with sexual assault on campus, according to a number of studies.¹
- Use of drugs and alcohol can result in *diminished capacity*, i.e. sleeping, drugged, passed out, unconscious, mentally incapacitated, etc. <u>THIS MAKES AN INDIVIDUAL INCAPABLE OF CONSENTING TO SEXUAL ACTIVITY.</u>²

- (2008). Office of Justice Programs. National Institute of Justice. Factors that increase Sexual Assault Risk. Retrieved from: <u>http://nij.gov/topics/crime/sex-related/Pages/welcome.aspx</u>

- (2009). Drug Facilitated Sexual Assault. RAINN. Retrieved from: https://rainn.org/get-information



BLACKOUT VS. PASSING OUT

BLACKOUTS

Periods of amnesia while intoxicated in which a person actively engages in behaviors like walking and talking but does not create memories for these events.

Blackouts are distinguished by the severity of the amnesia:

- Fragmentary Blackout (brownout)
 - Most common form involving spotty memories for events. Results in missing periods of time in the person's autobiographical record.
- En Bloc Blackout Full and complete amnesia spanning hours or more.With this severe form of blackout, trying to fill in the missing pieces typically is fruitless. The memories were never formed. They simply don't exist.

*Outside observers typically are unaware that an individual is in a blackout. The person could appear incredibly drunk—or not overly intoxicated at all.

PASSING OUT

The person is asleep or unconscious from consuming too much alcohol.

https://www.spectrum.niaaa.nih.gov/archives/V6I2Jun2014/features/light.html



SIGNS OF INCAPACITY

Life Threatening

- Loss of consciousness
- Danger of lifethreatening alcohol poisoning
- Significant risk of death in most drinkers due to suppression of vital life functions

IncreasedImpairment

- Perceived beneficial effects of alcohol, such as relaxation, give way to increasing intoxication
- Increased risk of aggression in some people
- Speech, memory, attention, coordination, balance further impaired
- Significant impairments in all drivingskills
- Increased risk of injury to self and others
- Moderate memory impairments

ent

- Severe ImpairmentSpeech, memory,
- coordination, attention, reaction time, balance significantly impaired
- All driving-relatedskills dangerously impaired
- Judgment and decisionmaking
- dangerouslyimpaired
- Blackouts (amnesia)
- Vomiting and other signs of alcohol poisoning common
 Loss of consciousness

D. C. L.

- Mild Impairment
- Mild speech, memory, attention, coordination, balance impairments
- Perceived beneficial effects, such as relaxation
 Sleepiness can begin

- slurred speech
- bloodshot eyes
- the smell of alcohol on the breath
- shaky equilibrium; vomiting
- outrageous or unusual behavior
- unconsciousness (including Blackout).

INDIVIDUALS THAT ARE INCAPACITATED ARE UNABLE TO PROVIDE CONSENT



ONE WAY OF PREVENTING VIOLENCE ... IS TO PROMOTE ATTITUDES AND BEHAVIORS THAT ARE INCOMPATIBLE WITH VIOLENCE AND ABUSE, AND THAT ENCOURAGE THE FORMATION OF HEALTHY, NONVIOLENT RELATIONSHIPS." (WOLFE ET AL, 2005).

http://news.streetroots.org/2009/05/01/sending-out-sos





Sexual Misconduct Prevention & Awareness Program

DEDICATED TO OUR CAMPUS

Visit our website at http://www.palmer.edu/about-us/office-of-compliance/sexualmisconduct-prevention-and-response/



PREVENT SEXUAL MISCONDUCT

- Refrain from and discourage sexuallyoriented teasing, joking.
- Speak up and be assertive. Set limits and communicate boundaries clearly and consistently.
- Listen to and respect the limits/ boundaries of others.
- Trust your feelings and follow your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place.

- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- Manage and protect your personal information online and use safe browsing procedures.



RECOGNIZE WARNING SIGNS AND REPORT THEM

- Stalking, including cyber stalking
- An actual or threatened physical attack
- Routine attacks on another's selfesteem and/or self-worth
- Forbidding another from going out and/or seeing friends and family
- Theft and/or destruction of another's property
- Intimidation, bullying



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Bystanders Can Prevent Sexual Misconduct Too

• Say something or leave the group when derogatory, degrading, abusive and/or violent attitudes or behaviors are being displayed.

Offer your presence.

Refuse to Join in.

• Simply stand near the individual being targeted. He/she will know they are not alone, and the harasser may be less likely to continue or escalate the violence.

Ask questions! • Give control to the person who is the target by speaking directly to him/her and ask, "Is there any way I can help?", or "Is that person bothering you?" or something as simple as "Are you okay?". This takes the power award from the perpetrator. If the targeted individual needs help, do what you can to be of assistance. If not, respect this and move on.



VICTIMS NEED SUPPORT

BE ABLE TO IDENTIFY THE EFFECTS OF SEXUAL MISCONDUCT/ASSAULT WHICH INCLUDE BUT ARE NOT LIMITED TO:

- Anxiety, stress or fear, known as Post Traumatic Stress Disorder (PTSD)
- SubstanceAbuse
- Self-Harm / Self-Injury
- Stockholm Syndrome- Described as a victim's emotional "bonding" with their abuser
- Depression Flashbacks
- Borderline Personality Disorder Sleep Disorders
- Dissociative Identity Disorder or Multiple personality disorder (MPD)
- Contemplating Suicide



VICTIMS NEED SUPPORT

IF YOU FEEL COMFORTABLE DOING SO – HERE ARE SOME THINGS YOU CAN DO TO HELP:

- Listen. Be understanding not judgmental.
- Be patient. Remember, it takes time to heal, physically and emotionally.
- Encourage him/her to report the rape or sexual violence.
- Don't put pressure on the victim to do things that he or she is not ready to do.
- If a victim is considering suicide, report it to Security, the Title IX Coordinator and/or local law enforcement immediately.
- Offer to accompany the victim wherever s/he needs to go (hospital, police station, campus security, etc.)²







RESPONSIBILITY TO REPORT

All College employees (including faculty, staff and administrators); **student employees**; **student leaders**, **coaches** and **student club/organization officers** are <u>required</u> to disclose to the Title IX coordinator or deputies any incident or report of behavior or conduct involving potential sexual misconduct.

Individuals described above who fail to report an incident or report of potential sexual misconduct of which they become aware may be subject to disciplinary action up to and including termination of employment or dismissal as a student.

All other students are strongly encouraged to report information regarding any incident of potential sexual misconduct to the Title IX coordinator or deputies.



REPORTING VS. FILING A FORMAL COMPLAINT

Simply reporting TIX Misconduct does <u>not</u> constitute filing a Formal Complaint.

The Complainant, *the person who experienced the sexual misconduct*, can determine whether or not a Formal Complaint will be filed with the College.

The Formal Complaint:

- Must be completed and signed by the person that experienced the misconduct (Complainant)
- Must allege TIX Misconduct as defined by College Policy against a Respondent.
- Must allege that the Complainant was participating or attempting to participate in the College's education program at the time of the misconduct.
- Must request the College investigate the allegations.



TO REPORT INCIDENTS OF SEXUAL MISCONDUCT TO THE COLLEGE,

CONTACT :

Title IX Deputy Coordinator Main Campus Lori Larsen, B.A. Office of Compliance 1000 Brady Street Davenport, IA 52803 (563) 884-5246 Iori.larsen@palmer.edu

PALMER MAIN CAMPUS Security - (563)884-5555

TITLE IX COORDINATOR

Earlye Julien, PHR., M.S. Ed. 1000 Brady Street, Davenport, IA 52803 (563) 884-5476 earlye.julien@palmer.edu

> Title IX Deputy Coordinator Florida Campus Angela Carter Human Resources 4777 City Center Parkway Port Orange, FL 32129 (386) 763-2665 angela.carter@palmer.edu

FLORIDACAMPUS

Security - (386)763-2608



WHAT WILL THE COLLEGE DO ONCE A FORMAL COMPLAINT IS FILED WITH THE TITLE IX COORDINATOR?





CONFIDENTIAL REPORTING

Individuals seeking to talk to someone about an incident of sexual misconduct in a confidential manner without making a report to the College may utilize confidential medical, mental health, and other confidential resources.



CONFIDENTIAL REPORTING CONTACTS AND COMMUNITY RESOURCES: https://www.palmer.edu/students/academic-success/wellness/



MAIN CAMPUS - QUAD CITIES AREA

Family Resources – Survivor Resources http://www.famres.org/services/survivor-services lowa: (866) 921-3354 Illinois: (309) 797-1777

Violence Intervention Counseling Services (309) 797-1777

FLORIDA CAMPUS

Sexual Assault Response Team (888) 956-RAPE(7273)

Confidential Reporting and Victim Resources



EMERGENCY/IMMEDIATE REPORTING

The College encourages victims to seek assistance from law enforcement immediately after an incident of sexual misconduct. This is the best option to begin a timely investigative and remedial response.

Campus Security may be contacted <u>at any time</u> to seek security assistance on campus or to provide assistance in contacting local law enforcement.

MAIN CAMPUS SECURITY 563-884-5555 PALMER FLORIDA SECURITY

386-763-2608 After hours: 800-227-9805



THE COLLEGE PROHIBITS RETALIATION

- Any action(s) taken by anyone toward an individual who reports sexual misconduct or who participates in any process in response to a report of sexual misconduct can be construed as retaliation.
- Section 2 Construction 2 Construc





DAVENPORT CAMPUS LOCAL RESOURCES

Family Resources 24 Hour Free Crisis Line

- lowa: (866) 921-3354
- Illinois: (309) 797-1777

Services available at the shelter include:

- 24-hour Crisis Line Group Counseling
- 24-hour Emergency Homeless Outreach Services
- Counseling TransportationAssistance
- Medical Advocacy Food and Other Living Supplies
- Legal Advocacy Educational Programs
- Housing Referrals Employment Assistance/Referrals
- Children's Programming Safety Planning





PORT ORANGE CAMPUS LOCAL RESOURCES

Florida Council Against Sexual Violence

Statewide information and referral line:

- (888) 956-7273
- <u>www.fcasv.org</u>

Florida Department of Corrections

Victim Information and Notification Everyday (VINE) & Victim Assistance Office

• (877) 8-VICTIM (1-877-884-2846)

Toll-Free VINE Line:

• (877) VINE-4-FL (1-877-846-3435)

http://www.dc.state.fl.us/vict/index.html#vine

- Florida Department of Law Enforcement Sexual Offender/Predator Unit (888) 357-7332
 www.fdle.state.fl.us
- Florida Abuse Hotline (800) 962-2873
- Victim Compensation (800) 226-6667
 <u>http://myfloridalegal.com</u>





NATIONAL RESOURCES: National Sexual Assault Hotline: (800) 656-HOPE (4673)

<u>Rape Abuse Incest NationalNetwork</u>

Title IX

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal Financial Assistance.

For more information about Title IX, how it protects you and the College's response to reports of sexual misconduct, review the <u>College's Sexual</u>
<u>Misconduct Policy & Procedure Handbooks</u>



VIOLENCE AGAINST WOMEN'S ACT (VAWA)

For more information about VAWA, visit our

website.



QUICK SELF-TEST

- Use of drugs and alcohol______the risk of sexual misconduct.
- _____, a clearly communicated agreement, is required by both parties
 BEFORE & THROUGHOUT engagement in sexual activity.
- Which of the following is NOT an example of sexual misconduct:
 - a) Persistent unwelcome efforts to develop/ reestablish a romantic or sexual relationship.
 - b) Unwanted sexual attention.
 - c) Repeated and unwelcome sexually-oriented teasing, joking, orflirting.
 - d) Exposure of one's sexual organs or the display of sexual behavior.
 - e) Theft and/or destruction of another's property.
- The College's objectives include providing information so you will_ sexual violence by recognizing warning signs and reporting them.
- TRUE or FALSE

Standing near an individual being harassed, sexually or otherwise, can decrease the likelihood of increased harassment and/or violence.



QUICK SELF-TESTANSWERS

- Use of drugs and alcohol **increase** the risk of sexual misconduct.
- <u>Consent</u>, a clearly communicated agreement, is required by both parties BEFORE & THROUGHOUT engagement in sexual activity.
- Which of the following is NOT an example of sexual misconduct:
 e. Theft and/or destruction of another's property
- The College's objectives include providing information so you will <u>prevent</u> sexual violence by recognizing warning signs and reporting them.

• TRUE

Standing near an individual being harassed, sexually or otherwise, can decrease the likelihood of increased harassment and/or violence.



For more information regarding sexual violence prevention and reporting refer to:

- Institutional Policy: Sexual Misconduct
 - Institutional Policy: Campus Violence
 - Annual Security and Fire Safety Report: www.palmer.edu/security
 - Office of Civil Rights, Title IX website: <u>http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html</u>



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FERPA INFORMATION

FERPA INFORMATION

The College's objectives are to provide you with the following information so you will:

- Increase your awareness of your rights as a student under FERPA and who may have access to your records.
- Make you aware of the College's Institutional Policy regarding FERPA and its location.
- Provide information about what constitutes "Directory Information" and where this information can be found.



WHAT IS FERPA?

- It stands for the Family Educational Rights and Privacy Act (sometimes called the Buckley Amendment).
- Before FERPA was enacted in 1974, students didn't have the right to access their records, but just about everyone else did.
- The Act protects the confidentiality of student's records and grants four specific rights to the adult student.





Who has FERPA rights at Palmer?

- YOU DO! If you're a "student"
- The definition of student is a person who attends or has attended Palmer.
- "In attendance" is the day the individual first attends a class at Palmer.



 FERPA rights DO NOT apply to prospective students or students who have applied but have not yet enrolled at Palmer.





WHAT ARE "STUDENT RIGHTS" UNDER FERPA?

- The right to inspect and review "educational records."
- The right to request an amendment to "educational records."
- The right to consent to control the disclosure of their "educational records."
- The right to file a complaint concerning the College's compliance with FERPA.



WHAT ARE EDUCATIONAL RECORDS?

Information recorded in any form that is directly related to a student and maintained by the College and by those acting for the College. This includes, but is not limited to:

- Grades;
- Course transcripts;
- Class schedule;
- Test scores;
- Advising records;
- Education services received;
- Disciplinary records;
- Security records;
- Clinical Education related records; and
- Work study employment records.





CAN YOUR PARENTS SEE YOUR GRADES?

A parent can have access to your educational records only if you are willing to release the information.

> • You must complete a Consent to Release Information Form from the Registrar each time information is to be released.



DIRECTORY INFORMATION IS DIFFERENT FROM EDUCATIONAL RECORDS

• Directory Information is

"... information contained in an educational record ...which would not generally be considered harmful or an invasion of privacy if disclosed." (1988 Final Regulations)





EXAMPLES OF DIRECTORY INFORMATION

Unless otherwise instructed by the student, the College can generally disclose this information.

ACADEMIC INFORMATION

- Student's name
- Class level
- Dates of attendance
- Full- or part-time status
- Institutions previously attended
- Degrees, honors and certificates received
- Eligibility for membership in College honoraria
- Participation in officially recognized activities and sports

PERSONAL INFORMATION

- Student's name
- Addresses
- E-mail address
- Telephone numbers
- Date of birth
- Weight and height, if an athletic team member



WHAT IS NOT DIRECTORY INFORMATION?

- Social security number(s);
- Student identification number(s);
- Race;
- Ethnicity;
- Nationality;
- Gender; and/or
- Religious preference;
- Other student information that could be considered harmful or an invasion of privacy.

The above information should **NOT** be disclosed.





HOW CAN YOU WITHHOLD DIRECTORY INFORMATION?



A currently enrolled student may instruct the College to withhold directory information by submitting a request form to the Registrar.

 Consent to Release Information Form may be obtained and filed at the Registrar's Office and must be submitted prior to the end of the fifth day of instruction for a term.



WHO CAN THE COLLEGE RELEASE YOUR EDUCATION RECORDS TO WITHOUT YOUR CONSENT?

THE LAW ALLOWS DISCLOSURE OF YOUR EDUCATIONAL RECORDS WITHOUT CONSENT TO:



- College officials who have a legitimate educational interest or need to review the education record in order to fulfill his or her professional responsibility;
- Other schools, upon request, in which a student is seeking or intending to enroll; and
- Accrediting organizations.



WHO ARE "COLLEGE OFFICIALS?"

- A person employed by the College in an administrative, supervisory, academic or research or support staff position (including law enforcement, unit personnel and clinic staff);
- A person or company with whom the College has contracted (such as an attorney, auditor, security firm or collection agent);
- A person serving on the Board of Trustees;
- Or a student serving on an official committee such as a disciplinary or grievance committee or assisting another College official in performing his or her tasks.



QUICK SELF-TEST

 Your grades, class schedule and course transcripts are all examples of your_____.

• True or False:

If you are a student at the College and your grades are below average, your parents have the right to see a copy of your educational records.

• True or False:

Directory information is the same as an educational record.

• True or False:

College officials can access your educational records without your consent, but they must have a legitimate educational interest to do so.



QUICK SELF-TEST ANSWERS

- Your grades, class schedule and course transcripts are all examples of your <u>educational record</u>.
- FALSE: Your parents can only see your grades if you have filled out a Consent to Release Information Form allowing them to have access to your educational records.
- FALSE: Directory information is NOT the same as an educational record.
- TRUE: College officials can access your educational records without your consent, but they must have a legitimate educational interest to do so.



For more information regarding safeguarding student records refer to:

• Institutional Policy: Student Records – FERPA

• Registrar's Office on your campus



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HIPAA INFORMATION: AN OVERVIEW

HIPAA INFORMATION: AN OVERVIEW LEARNING OBJECTIVES

- Understand what HIPAA requires of the College and of you
- Protect the privacy and confidentiality if patients' protected health information (PHI)
- Report violations of HIPAA to appropriate individuals





HIPAA RULES

- SECURITY RULES
 - Establishes the requirements for ensuring the confidentiality, availability and integrity of PHI.
 - Security of electronic data is your responsibility.
 - Physical security of data is your responsibility.

- CONFIDENTIALITY AND PRIVACY RULES
 - All protected, identifiable health information (PHI) must be considered and treated as confidential.
 - All patients have the right to request restrictions on who will see their PHI.



HOW DO YOU KNOW IF IT'S PHI?

- Can the health information be traced to, or identified with, a particular patient? IF YES - IT'S PHI
- Is the information created or collected by a health care provider? Does it transmit a past, present, or future health or condition of an individual?

IF YES – IT'S PHI



REMEMBER, IF IT'S PHI, IT MUST BE KEPT PRIVATE AND CONFIDENTIAL



WHAT INFORMATION CAN YOU ACCESS AS A STUDENT?



ONLY the information you "need to know" to care for current, assigned patients.

NOT information for past patients or patients you are no longer assigned to.



COMPLIANCE WITH HIPAA

DON'TS

- Don't discuss patients in a public area or on social media.
- Don't allow any identifiable patient information to be used in classroom case presentations.
- Don't store any PHI on a flash drive, laptop or other storage device.
- Don't make copies of patient records.
- Don't take any patient records out of the Clinic.

Do's

- Knock before entering a room and identify yourself.
- Be sure any visitors accompanying the patient have the patient's permission to be there.
- Ensure privacy while taking the patient's history, performing an examination or treating the patient.



ELECTRONIC DEVICES AND COMPLIANCE WITH HIPAA

- Do not share log-in information or password with anyone.
- Do not use PHI in e-mail or in attachments.
 - E-mail can easily be sent to the wrong person, either on purpose or by accident.
 - E-mail does not ensure privacy of information transmitted.



- Face any screens away from the public so they are not visible to others.
- Always log off when leaving a computer.
- Make sure any work done using PHI is password protected.



PREVENT HIPAA VIOLATIONS

- ✓ Access PHI only if you need it to care for your patient.
- ✓ Understand and comply with the HIPAA policies and procedures in your health center.
- ✓ Report HIPAA privacy or security related issues to the staff.





WHAT CONSTITUTES A VIOLATION OF HIPAA



- Obtaining PHI with the intent to:
 - Sell or transfer it;
 - Use it for commercial advantage;
 - Use it for personal gain;
 - Use it for malicious harm.
- Obtaining PHI under false pretenses.
- Knowingly or wrongfully disclosing or received individually identifiable health information.



EXAMPLES OF HIPAA VIOLATIONS

- Discarding of a patient record in the trash.
 - Someone could pick this record out of the trash. This violates the privacy and security of the patient's information.
- Taking clinic files home to study.
 - Your car, home and backpack are not private or secure places for PHI.
- Looking up information in a friend's clinic file.
 - You may only access information for patients under your care.
- Discussing PHI using social media.
 - Social media is neither a private nor secure medium to share information regarding PHI.



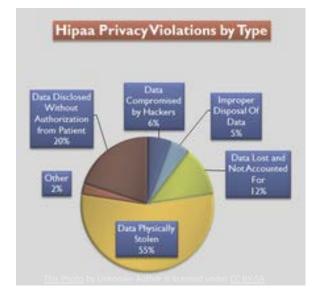


REPORT HIPAA VIOLATIONS

Report HIPAA violations to your staff doctor, a clinic supervisor and/or staff member so actions can be taken to address and prevent future violations.

To file a complaint contact:

Lori Larsen Compliance Specialist 1000 Brady Street Davenport, IA 52803 (563) 884-5246 or 800-722-2586 lori.larsen@palmer.edu





QUICK SELF-TEST

- Which of the following statements do no belong?
 - a) Have screen facing away from the public so it is not visible to others.
 - b) Information created or collected by a health care provider is PHI.
 - c) Always log off when leaving a computer.
 - d) Make sure any work done using PHI is password protected.
- TRUE or FALSE: All patients have the right to request restrictions on who will see their PHI.
- Your friend walks by a trash can and sees discarded patient files. This is a ______ of HIPAA.
- Which of the following is the best example of a private environment in which PHI should be discussed?
 - a) Facebook messaging
 - b) Email labeled as confidential
 - c) A clinic examination room
 - d) The bathroom as long as no one else is there
- TRUE of FALSE: It's ok to take a patient file home as long as it is being used to study for an exam.



QUICK SELF-TEST ANSWERS

- Which of the following statements do no belong?
 - a) Information created or collected by a health care provider is PHI (not method of keeping PHI secure)
- <u>TRUE</u> : All patients have the right to request restrictions on who will see their PHI.
- Your friend walks by a trash can and sees discarded patient files. This is a <u>VIOLATION</u> of HIPAA.
- Which of the following is the best example of a private environment in which PHI should be discussed?
 - a) A clinic examination room
- <u>FALSE</u>: It's ok to take a patient file home as long as it is being used to study for an exam. (It is never permissible to take patient files home)





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STUDENT CODE OF ETHICS

STUDENT CODE OF ETHICS OR "THE CODE"

The objectives of this training is to provide you with the following information so you will:

- ✓ Have a general understanding of the purpose and content of the Code.
- \checkmark Be aware of the jurisdiction of the Code.
- ✓ Be aware of and take appropriate actions to avoid violations of the Code.
- ✓ Be aware of the penalty and protocols when the Code has been violated.





WHAT IS THE STUDENT CODE OF ETHICS?



- The Code includes policies, rules, procedures and guidelines implemented by the College.
- The intent of the Code is to ensure that students neither lose their rights nor escape the responsibilities of citizenship.



WHAT DOES THE CODE HAVE TO DO WITH YOU?

- Students, as a condition of admission, agree to abide by the Code.
- This means, as a student, you are expected to KNOW and APPLY the Code to how you conduct yourself every day, both on and off campus.





WHEN/WHERE DOES THE CODE APPLY TO ME?

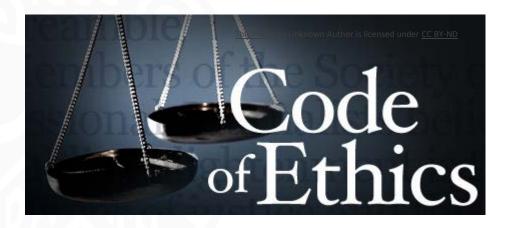
IT APPLIES TO CONDUCT THAT OCCURS:

- From the time of application for admission through the actual awarding of a degree;
- On college premises or at college sponsored or college related activities;
- At service functions on or off college premises;
- Non-college activities on or off College premises that adversely affects the college community and/or the pursuit of its objectives;
- On-line (email, text, blogs, webpages, and social networking sites)



WHAT PARTS OF THE CODE DO YOU NEED TO KNOW?

- ALL OF THEM!
- This training provides a general overview of certain elements contained in the Code that you may need to be more aware of as **new students**.
- During your first academic term at the College, you will discuss the Code in detail, remember this training only provides a brief overview.





EXAMPLES OF CODE VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO: collegiality bullying in copyright person or via infringement misuse, theft and/or damage to **KNOW** College cheating & property plagiarism promoting non-College THE invading business another's interests without privacy Violations approval CODE of federal, state or disruption local law of teaching, Using sexual, learning, another's or discriminatory research, permitting and/or PALMER someone to etc. unlawful use your harassment College of Chiropractic identification

EXAMPLES OF CLINICAL VIOLATIONS INCLUDE BUT ARE NOT LIMITED TO:

Misrepresenting oneself as a Doctor of Chiropractic or anything other than a student to patients or the public.

Violating HIPAA – breaching the privacy or confidentiality of a patient's protected health information (PHI).

Practicing chiropractic without a license.

Failing to treat patients, peers, College employees, etc. with respect. Transporting a patient to/from College premises for the purpose of evaluation or care. Exchanging chiropractic care for compensation or anything of value.



How to Avoid these Common Violations

Talk with your instructor and clarify expectations for turning in group vs. individual assignments.

Use resources provided by your instructors to ensure you're giving credit and citing others' work correctly.



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VIOLATIONS OF THE LAW MUST BE REPORTED

Violations of the law (excluding minor traffic violations) must be reported to the appropriate College official in writing within **5 CALENDAR DAYS**. Failure to **PROMPTLY** report these types of issues may result in disciplinary action up to and including dismissal.

WHO SHOULD YOU NOTIFY?

MAIN CAMPUS

Michael Tunning, D.C., M.S., ATC Dean of AcademicAffairs 1000 Brady Street Davenport, IA 52803 (563) 884-5865 michael.tunning@palmer.edu

FLORIDA CAMPUS

Jason Brewer Director of Student Services 4777 City Center Parkway Port Orange, FL 32129 (386) 763-2781 jason.brewer@palmer.edu



POTENTIAL SANCTIONS FOR VIOLATIONS OF THE CODE





- ▲ Warning
- ▲ Loss of privileges
- ▲ Fines/restitution
- ▲ Discretionary sanctions
- ▲ College/Clinic suspension
- ▲ College dismissal



QUICK SELF-TEST

- TRUE or FALSE: Plagiarism and Cheating are the only parts of the Student Code of Conduct of which you need to be aware.
- In general, the Code outlines & explains acceptable/unacceptable student conduct & how______ of the code are addressed.
- **TRUE or FALSE:** Students, as a condition of admission, agree to abide by the Code.
- Choose the answer that best completes the statement. Your instructor says you should work as a group to complete a 3 page paper about a popular chiropractic technique used in the 1940's. You should:
 - a) Write one paper to turn in as a group, clearly noting where/ how each group member contributed within the document.
 - b) Each of you should turn in the same paper, but include a reference sheet that outlines where/how each member contributed.
 - c) Talk to your instructor and clarify expectations for turning in group vs. individual assignments well before the paper is due.
- **TRUE or FALSE**: If your friend, a fellow student at the College, gets a DUI, he/ she must notify the College in writing within 5 calendar days.



QUICK SELF-TEST ANSWERS

- <u>FALSE</u>: Plagiarism and Cheating are the most common violations of the Student Code of Conduct of which you need to be aware.
- In general, the Code outlines and explains acceptable and unacceptable student conduct and how <u>VIOLATIONS</u> of the code are addressed.
- TRUE: Students, as a condition of admission, agree to abide by the Code
- Choose the answer that best completes the statement. Your instructor says you should work as a group to complete a 3 page paper about a popular chiropractic technique used in the 1940's. You should:

c) Talk to your instructor and clarify expectations for turning in group vs. individual assignments well before the paper is due.

• <u>TRUE</u>: If your friend, a fellow student at the College, gets a DUI, he/ she must report it to the College within 5 calendar days (see slide 104 for whom to report a law violation to).





For more information regarding the Student Code of Ethics refer to Pg. 14 of the Student Handbook at:

http://www.palmer.edu/HandbookPolicies/



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Copyright and P2P File Sharing





- The U.S. Copyright office defines copyright as: a form of protection provided by the laws of the United States for "original works of authorship", including literary, dramatic, musical, artistic, and other intellectual works.
- Copyright protections begin the moment that an original work is "fixed in a tangible medium of expression". Therefore, once text is written down or typed or music is recorded.
- Always assume that any work you want to use is copyrighted unless it is very old or produced by the U.S. government.
- Works created in the U.S. are copyrighted from the moment they are created until 70 years after the death of the author. Copyright for works created by a company lasts 95 years from the date of publication.
- Examples of copyright material includes: text books, literary works, music, graphics, movies, computer software and architecture.



COPYRIGHT (CONT.)

In the U.S., copyright is automatic for any content in a fixed form and the creator of the copyrighted work is entitled to the following rights:

• The right to produce

- The right to create derivative works
- The right to distribute copies, or transfer ownership of the work
- The right to perform the work publicly
- The right to display the work publicly
- The right to perform the work publicly via digital audio transmission (if sound recording)

The creator is not required to register a copyright for the work – it is automatic.

The only exceptions to the above rights are exemptions through Fair Use.



FAIR USE

Fair Use is a legal exemption to the rights afforded to copyright holders by permitting the unlicensed use of copyright-protected works in certain circumstances.

The following factors are considered in determining activities that may qualify as fair use:

- Purpose and character of the use, including whether the use is of a commercial nature or is for nonprofit educational purposes.
- Nature of the copyrighted work.
- Amount and substantiality of the portion used in relation to the copyrighted work as a whole.
- Effect of the use upon the potential market for or value of the copyrighted work.





EXAMPLES OF FAIR USE

Criticism and commentary: quoting or using excerpts from works for purposes of criticism or comment.

News reporting: Summarizing articles or using quotes in a news report.

Research and scholarship: Quoting passages from a scientific or scholarly work for clarification or illustration.

Nonprofit educational uses: Educators are permitted to photocopy limited portions of a written work to share with the class or to be part of a lesson plan. (Photocopy of an entire book would NOT be permitted)

Parody: Ridiculing a well known work by imitating it in a comic way.

Violations of Fair use usually occur when use of the work provide a financial gain for anyone that did not create the work.



COPYRIGHT INFRINGEMENT

Copyright infringement occurs when an individual reproduces, distributes, performs or displays publicly any work without the permission of the copyright owner.

Examples include:

- Photocopying lecture notes/textbooks and selling them.
- Emailing/copying materials received from a seminar/national boards review to others that did not attend the seminar/review.
- Making unlicensed copies of DVDs and selling them.
- Solution State State
- Seaking digital protections on software in order to use the software without paying the license fee.
- Oownloading and sharing MP3 files of music, videos and games without the permission of the copyright owner.

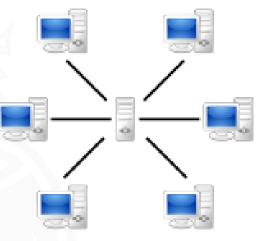
Solution State Using Corporate logos without permission.



PEER TO PEER OR "P2P" FILE SHARING

What is "P2P" File Sharing?

A peer-to-peer, or "P2P," file transfer service allows the sharing of computer files. Sharing of copyrighted music, software and/or video through the Internet using P2P file transfer is copyright infringement and is prohibited by the College.



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Combating the Unauthorized Distribution of Copyrighted Material.

The College uses a variety of methods to identify and address unauthorized distribution of copyrighted material, including but not limited to, bandwidth shaping and traffic monitoring to identify and address large uses of bandwidth by individuals.



LEGAL PENALTIES



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Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may result in civil and criminal liabilities. The legal penalties for copyright infringement are:

- ▲ Infringer pays the actual dollar amount of damages and profits.
- ★ The law provides a range from \$200 to \$150,000 for each work infringed.
- ▲ Infringer pays for all attorneys' fees and court costs.
- ▲ The Court can issue an injunction to stop the infringing acts.
- ▲ The Court can impound the illegal works.
- ★ The infringer can go to jail.



ALTERNATIVES TO ILLEGAL FILE SHARING

• EDUCAUSE maintains a comprehensive list of Legal Downloading Resources. You are encouraged to take advantage of these legitimate sources of digital content.

https://www.educause.edu/focus -areas-and-initiatives/policy-andsecurity/educause-policy/legalsources-onli





COLLEGE POLICY

Prohibited uses of the College's network are outlined in the Use of College Electronic Communication Services policy. This policy can be found on the College website at: http://www.palmer.edu/students/resources-offices/handbook-policies/

Disciplinary Action

Students found to have conducted themselves in a manner prohibited by College policy and/or copyright infringement may be subject to disciplinary action up to dismissal.





YOU'VE COMPLETED THE TRAINING PORTION! NOW YOU NEED TO TAKE THE QUIZ.



The quiz will include questions about each topic.



FINAL STEP – TAKING THE TRAINING QUIZ

IMPORTANT:

- Submitting the quiz with a score of 80% or higher is the final step to confirm completion of this required part of your orientation training.
- -Click on the link below or copy and paste it into your browser to take the Student Orientation Training Quiz:

https://www.proprofs.com/quiz-school/story.php?title=NTc4NDc5

IMPORTANT PALMER STUDENT INFORMATION RESOURCES

Palmer College Institutional Policy Library
 Palmer College Identity Resources
 Student Code of Ethics Information
 Sexual Misconduct Prevention and Response

PRESENTATION INFORMATION RESOURCES

- Carise, D. (2010) Ten Popular Myths About Drugs, Addiction, and Recovery. Phoenix House. Retrieved from http://www.phoenixhouse.org/news-and-views/our-perspectives/ten-popular-myths-drugs-addiction-recovery/
- National Institute on Drug Abuse. (2013) Retrieved from: <u>http://www.drugabuse.gov/publications/drugfacts/treatment-statistics</u>
- McKimmie, M. (2013) 20 Myths About Alcohol. The West Australian, Health and Medicine. Retrieved from <u>http://health.thewest.com.au/news/690/20-myths-about-alcohol</u>
- Mayo Clinic. (2013) Relaxation Techniques. Retrieved from http://www.mayoclinic.com/health/stressmanagement/MY00435/DSECTION=relaxation-techniques
- University of Iowa (August 2013) CHAPTER 2: Sexual Misconduct involving students, including sexual assault and sexual harassment. Operations Manual. Retrieved from: https://opsmanual.uiowa.edu/governance/university-iowa
- U.S. Department of Justice. (2007) Campus Sexual Assault study. https://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf