

# TEXAS HEALTH AND SCIENCE UNIVERSITY



## **Student Handbook Austin and San Antonio Campuses**

**May 2019**



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## **Mission Statement**

The Mission of Texas Health and Science University (THSU), established upon the foundation, history, and traditions of its predecessor institution, Texas College of Traditional Chinese Medicine, is:

To educate a new generation of leaders for the global community in the professions of Acupuncture and Oriental Medicine and Business, and to contribute to the global economy with their leadership, business acumen, English language competency, and professional skills;

To equip students with the necessary knowledge and skills to succeed in today's competitive business environment; and for students of Traditional Chinese Medicine, to integrate this business knowledge and skills with training in the clinical therapies and applications of Traditional Chinese Medicine for the purpose of enhancing quality of life and community.

### ***Educational Objectives of the Bachelor of Science in Traditional Chinese Medicine Program***

Graduates of this program will be qualified to meet the challenges of establishing and maintaining a successful profession in the 21st century, as evidenced by one or more of the following learning outcomes:

- A systematic knowledge of the theories, philosophies, and practices of Traditional Chinese Medicine;
- The skill to assist licensed acupuncturists by setting up patients in the treatment room, taking vital signs, recording complaints, preparing and dispensing herbal formulas, and removing acupuncture needles;
- The skill to correctly apply gua sha, cupping, reflexology, and other therapies which do not involve the insertion or stimulation of needles;
- The skill to handle front desk duties, do marketing for the clinic, and file insurance claims;
- The ability to communicate professionally with healthcare providers, colleagues, business leaders, industry, patients and the public with empathy, compassion, and integrity;
- The confidence to find successful employment in a healthcare related field, including the competence to work as an acupuncture assistant, to manage a healthcare practice, or to be employed in an insurance billing office.
- The opportunity for readiness to continue studies at the University to become a Licensed Acupuncturist or to earn a Master of Business Administration in Healthcare Management.

### ***Educational Objectives of the Bachelor of Business Administration Program***

The Bachelor of Business Administration program at Texas Health and Science University is designed to provide students with an inclusive learning environment and to prepare students with the basic knowledge and skills necessary to succeed in business and continue their business education at the graduate level. The emphasis of the program is to deliver contemporary best practices in management through the exploration of specific technical business-related disciplines. Exceptions to the curriculum schedule must be approved in advance by the Business Program Director.

### ***Educational Objectives of the Master of Science in Acupuncture and Oriental Medicine Program***

Graduates of this program will be qualified to meet the challenges of establishing and maintaining a successful profession in the 21<sup>st</sup> century, as evidenced by the following learning outcomes:

- A systematic knowledge of the theories, philosophies, and practices of Traditional Chinese Medicine including a thorough grounding in the Chinese medical classics;
- The skills to assess patients and make an accurate TCM diagnosis and effective treatment plan;
- The ability to formulate and apply acupuncture and Chinese herbs based upon the total assessment of the patient;
- The skill to communicate accurately and effectively with other health care providers and appropriately refer patients to them;
- The ability to communicate professionally with academic, professional colleagues, business leaders, industry, patients and the public with empathy, compassion, and integrity;
- The successful placement of graduates in a practice of Acupuncture and Oriental Medicine, and the competence to effectively and ethically manage the business aspects of a clinical practice.

### ***Educational Objectives of the Master of Business Administration Program with Optional Concentration in Healthcare Management***

The educational objectives of the Master of Business Administration Program with Optional Concentration in Healthcare Management are as follows:

- To provide the intensive training in business administration required for success in today's global community as an international business leader, entrepreneur, manager, negotiator, vendor, or trader;
- To equip graduates with the ability to plan, direct and coordinate strategic and operational activities as managers of companies and public or private-sector organizations;
- To prepare graduates to communicate skillfully, effectively, and professionally with industry, business leaders, employees, colleagues, and the public;
- To produce the confidence in graduates to find management employment in their desired area of specialty, including the capability to establish and manage a successful business; and,
- To provide the means whereby graduates may lead more financially productive lives and have successful professional careers in the United States or global community.

### **Educational Objectives of the Doctor of Acupuncture and Oriental Medicine Program**

Graduates of the Doctor of Acupuncture and Oriental Medicine (DAOM) program will be qualified to meet the challenges of membership in the modern health care system, as evidenced by:

- Deepened knowledge of Traditional Chinese Medicine theories, philosophies, and practices, including an extensive grounding in the Chinese medical classics and Western biomedical sciences, with application to integrated perspectives for prevention, diagnosis, and treatment of chronic conditions in the specialty area;
- Exceptional skills in advanced patient assessment and advanced clinical intervention and treatment with acupuncture, herbal medicine, qi cultivation and energetic, diet and nutrition, and manual therapy;
- Confidence in consultation with patients and collaboration with biomedical health care professionals in case management within a dynamic medical environment;
- Demonstration of clinical management and supervision knowledge and skills; and
- Competence to comprehend, analyze, and critically evaluate relevant AOM research from diverse sources, apply information effectively in clinical settings, and demonstrate the potential to make significant scholarly contributions to the profession.

### ***Educational Objectives of the English as a Second Language Programs***

The objectives of the ESL Program are to equip our students to:

- Develop their desired level of English language proficiency through intensive instruction and practice in all language skill areas (Reading, Writing, Listening, Speaking, and Grammar).
- Develop the academic skills necessary to be successful on the TOEFL examination and in the American university classroom.
- Adapt successfully to American life and culture and become full participants in their community.

### **Commitment to Diversity**

Texas Health and Science University, here referred to as "the University," is a community of persons from diverse cultural backgrounds (class, ethnicity, race, religion, gender, sexual orientation, age, and disabled status). All parties in this community must strive to understand the individuality and uniqueness of those around us and to value those differences, as well as learn from one another in an atmosphere of positive encouragement and mutual respect.

Texas Health and Science University does not condone any form of conduct that goes beyond the legally defined boundaries of discrimination. We will not tolerate verbal or written abuse, threats, intimidation, violence or other forms of harassment against any member of the school community.

Texas Health and Science University will not accept or tolerate ignorance, humor, anger or substance abuse as an excuse, reason or rationale for harassment. Texas Health and Science University believes that we are individually and collectively responsible for our behavior and should be held accountable for our actions. Individuals who choose not to support this commitment through acts of intolerance jeopardize their continued affiliation with the University.

Any student who believes he or she has been a victim of harassment or discrimination in class or in another campus setting, should bring this matter to the Academic Dean or Program Director, at 512-444-8082 (Austin) or 210-509-8080 (San Antonio). Any official other than these persons who receives a complaint should notify the appropriate administrator to make certain that follow-up action is coordinated. Confidentiality of all parties will be respected to the greatest extent possible.

### **Use of This Handbook**

The policies, procedures and fees in this handbook are subject to change, if necessary, to keep the University in compliance with state and federal laws, and the rules and regulations of the following organizations:

- THSU Board of Governors
- Texas State Board of Acupuncture Examiners
- Texas Medical Board
- Texas Higher Education Coordinating Board
- Texas Workforce Commission
- Texas Department of Assistive and Rehabilitative Services
- U.S. Department of Veterans Affairs
- Texas Veterans Commission
- U.S. Department of Education
- Accrediting Council for Independent Colleges and Schools (ACICS)
- Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM)

Students will be notified of the need for any such changes as soon as practicable. Students will normally graduate under the Curriculum in place at the time of their initial registration, if their attendance is uninterrupted. However, the University reserves the right to change the curriculum, rules, tuition, fees, and degree requirements to remain in compliance as stated above. In such cases, students will be notified as soon as practicable. The provisions of this handbook do not constitute a contract, express or implied, between the Texas Health and Science University and any applicant, student, faculty member, or any other person.

### **Code of Ethics and Conflict of Interest Policy**

It shall be the policy of Texas Health and Science University that this Code of Ethics and Conflict of Interest policy shall serve as the underlying philosophy of ethics, integrity, honesty, and discipline, upon which all actions, activities, and decisions are made by the institution and by the individual members, and shall apply to all members of the Board as well as all employees of the University including administrative officers, full-time core faculty, adjunct and part-time faculty, staff, agents, and clinic personnel.

Employees of the University and all individuals who work for or on behalf of the institution, shall act in the best interests of the institution and its students at all times. No voting member of the Board, nor any employee of the University, nor any agent of the institution shall solicit or accept gratuities, favors, gifts, "kickbacks" or anything of value from contractors, potential contractors, or parties to any institutional agreements, contracts, or business transactions involving the institution. Employees shall not use or abuse institutional property, equipment, or supplies for personal use; neither shall they use office hours for personal projects or for personal benefit, nor use the University's name or logo without authorization. No benefit shall be awarded to a student or prospective student in exchange for grades, services, or favors. Violations of this policy may result in penalties including suspension, termination, and/or prosecution in a court of law.

**Academic Policies**

**Academic Calendar**

**Spring 2019 Trimester**

**Applications/Documents due (new students) December 6, 2018**

**Registration due (current students) December 10, 2018**

**Classes begin January 3, 2019**

**Trimester ends April 25, 2019**

**Summer 2019 Trimester**

**Applications/Documents due (new students) April 5, 2019**

**Registration due (current students) April 12, 2019**

**Classes begin May 6, 2019**

**Trimester ends August 20, 2019**

**Fall 2019 Trimester**

**Applications/Documents due (new students) August 2, 2019**

**Registration due (current students) August 9, 2019**

**Classes begin September 4, 2019**

**Trimester ends December 19, 2019**

**Spring 2020 Trimester**

**Applications/Documents due (new students) December 6, 2019**

**Registration due (current students) December 10, 2019**

**Classes begin January 6, 2020**

**Trimester ends April 28, 2020**

**Summer 2020 Trimester**

**Applications/Documents due (new students) April 6, 2020**

**Registration due (current students) April 13, 2020**

**Classes begin May 5, 2020**

**Trimester ends August 19, 2020**

**Texas Health and Science University observes the following annual holidays:**

January 1: New Year's Day

Third Monday in January: MLK Jr. Day

March 18 to 23: Spring Break 2019

Last Monday in May: Memorial Day

July 4: Independence Day

First Monday in September: Labor Day

Fourth Thursday of November: Thanksgiving

The day after Thanksgiving: Black Friday

December 25: Christmas

### **Academic Success Strategies**

Students are encouraged to arrange their personal lives in ways that will support their academic success. This includes getting sufficient rest, exercise and a nutritious diet. Complimentary and reduced-cost health care services are available in the Student Clinic. Adopting healthy habits while attending school will prepare future practitioners to set good examples for their patients to follow.

Successful students attend all scheduled classes and clinics. Students who set their studies as a priority are better able to learn in class, and for TCM students, be more effective clinic interns and pass their national certification exams without difficulty.

A good study rule to follow is: Preview, Attend, Review, and Practice. Preview by reading the chapters in the textbook that will be covered during the lecture. Attend the class, ask questions, and open your mind to a deeper understanding of the material. Review notes, textbook, and supplementary materials as soon as possible after the lecture to promote memory retention. Practice what you have learned in the Student Clinic.

We understand that family, personal health, your finances, and other obligations should not be compromised as a result of the commitment to attend and complete your program of study. The Academic Dean is available to discuss ways of handling challenges you might encounter. If something is impeding academic success, students are encouraged to contact the administration to discuss potential consequences. It may be possible to adjust the course load to avoid impacting final grades and the grade point average.

### **Assignments/Homework**

Students are expected to spend approximately two (2) hours per week, on average, completing out-of-class work in order to achieve the learning objectives for each hour of lecture, and one-half (1/2) hour per week of out-of-class work for every 1 hour in clinic. This meets the Federal Government's requirement for clock to credit hour conversion.

### **Course Selection, Registration, and Payment**

Students registering for classes must meet the class prerequisites. Any exceptions must be submitted by the student to the Department Director, Academic Dean, and Vice President for Academic Affairs for approval.

The Registrar will assist with formalizing the course selections and clinic shifts when applicable.

Tuition is payable 2 weeks before the start of the trimester, unless other arrangements are made. A late fee will be charged for failure to pay tuition on time or failure to make tuition arrangements on time.

### **Maximum Academic Course Load**

Students in the College of Traditional Chinese Medicine may not enroll for more than 17 credits in any given trimester. Any exceptions must be submitted by the student to the Department Director, Academic Dean, and Registrar for approval.

## **Transfer Credit – College of Traditional Chinese Medicine**

### **BSTCM Program**

Texas Health and Science University's bachelor degree is an upper-division program which requires a minimum 60 semester credits for admission into the program. For students who have credits in subjects offered at THSU which are additional to the 60 semester credits applied toward admission, THSU will consider the award of course credit toward the University's Bachelor of Science degree according to the following guidelines:

1. Limitations on the transferability of credits may apply. Credit in the Bachelor of Science in Traditional Chinese Medicine Degree may be awarded for past coursework completed at institutions accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) or by any other recognized governmental accrediting authority or a regional accrediting agency authorized by the U.S. Department of Education. Student performance in the coursework to be transferred will be evaluated in terms of equivalent subject(s) offered by the University. Coursework to be considered for transfer will have been completed within ten (10) years of the date of application, with applicant receiving a grade of "C" or better.
2. In order to receive transfer credit, the student must request a transcript review in writing within the first trimester of attendance. Request forms are available from the Registrar.
3. The entire record of the evaluation and award of transfer credit will be included in the student's academic file and made an official part of the student's THSU transcript annotated with "TC" but will not be used to calculate the student's GPA. For each credit reviewed and approved for transfer, a fee will apply.
4. Credits awarded to meet the University's General Education requirement may not be used for transfer credit.
5. Up to fifty percent of the courses required for the Bachelor of Science in Traditional Chinese Medicine program may be considered for transfer.

### **Transferring Credits To Other Institutions**

The transferability of credits you earn at THSU is at the complete discretion of an institution to which you may seek to transfer. Acceptance of the degree you earn in your program is also at the complete discretion of the institution to which you may seek to transfer.

### **MSAOM Program**

Texas Health and Science University will accept academic credits earned at other accredited institutions and consider the award of course credit toward the University's Master of Science in Acupuncture and Oriental Medicine degree according to the following guidelines:

1. Limitations on the transferability of credits may apply. Credit in the Master of Science in Acupuncture and Oriental Medicine degree may be awarded for past coursework completed at institutions accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) or by any other recognized governmental accrediting authority or a regional accrediting agency authorized by the U.S. Department of Education. Student performance in the coursework to be transferred will be evaluated in terms of equivalent subject(s) offered by the University. Coursework to be considered for transfer will have been completed within ten (10) years of the date of application, with applicant receiving a grade of "C" or better.
2. In order to receive transfer credit, the student must request a transcript review in writing within the first trimester of attendance. Request forms are available from the Registrar.
3. The entire record of the evaluation and award of transfer credit will be included in the student's academic file and made an official part of the student's THSU transcript annotated with "TC" but will not be used to calculate the student's GPA. For each credit reviewed and approved for transfer, a fee will apply.
4. The maximum permissible number of transfer credits into the programs of study is limited to fewer than one-half of the credits required for the degree.
5. Credits awarded to meet the University's General Education requirement may not be used for transfer credit.

### **Transferring Credits To Other Institutions**

The transferability of credits earned at THSU is at the complete discretion of an institution to which a student may seek to transfer. Acceptance of the degree earned in the THSU program is also at the complete discretion of the institution to which a student may seek to transfer.

#### **DAOM Program**

Texas Health and Science University will accept academic credits earned at other accredited institutions and consider the award of course credit toward the University's Doctor of Acupuncture and Oriental Medicine degree according to the following guidelines:

1. Limitations on the transferability of credits apply. The maximum permissible number of transfer credits into the DAOM degree program is limited to one-third or fewer of the credits required for the DAOM degree. Credit may be awarded for past coursework in a Doctor of Acupuncture and Oriental Medicine program completed at institutions accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM). Student performance in the coursework to be transferred will be evaluated in terms of equivalent subject(s) offered by the University. Coursework to be considered for transfer will have been completed within ten (10) years of the date of application, with applicant receiving a grade of "B" or better.
2. In order to receive transfer credit, the student must request a transcript review in writing within the first trimester of attendance. Request forms are available from the Registrar.
3. The entire record of the evaluation and award of transfer credit will be included in the student's academic file and made an official part of the student's THSU transcript, with such credits annotated with "TC," but will not be used to calculate the student's GPA. For each credit reviewed and approved for transfer, a fee will apply.
4. Applicants for admission into the DAOM program are required to have completed a master's degree in Oriental medicine from an ACAOM-accredited or ACAOM-candidate school or an international equivalent level master's level program. The maximum permissible number of transfer credits from another ACAOM-accredited DAOM program at into the doctoral degree program is no more than 12 semester credits.

#### **Transferring Credits To Other Institutions**

The transferability of credits earned at THSU is at the complete discretion of an institution to which a student may seek to transfer. Acceptance of the degree earned in the THSU program is also at the complete discretion of the institution to which a student may seek to transfer.

#### **Transfer Credit – College of Business Sciences**

##### **BBA Program**

Texas Health and Science University's bachelor degree is an upper-division program which requires a minimum 60 semester credits for admission into the program. For students who have credits in subjects offered at THSU which are additional to the 60 semester credits applied toward admission, THSU will consider the award of course credit toward the University's BBA program according to the following guidelines:

1. Limitations on the transferability of credits may apply. Credit in the Bachelor of Business Administration Degree may be awarded for past coursework completed at institutions accredited by a recognized governmental accrediting authority or a regional accrediting agency authorized by the U.S. Department of Education. Student performance in the coursework to be transferred will be evaluated in terms of equivalent subject(s) offered by the University. Coursework to be considered for transfer will have been completed within ten (10) years of the date of application, with applicant receiving a grade of "C" or better.
2. In order to receive transfer credit, the student must request a transcript review in writing within the first trimester of attendance. Request forms are available from the Registrar.

3. The entire record of the evaluation and award of transfer credit will be included in the student's academic file and made an official part of the student's THSU transcript annotated with "TC" but will not be used to calculate the student's GPA. For each credit reviewed and approved for transfer, a fee will apply.
4. Credits awarded to meet the University's General Education requirement may not be used for transfer credit.
5. Up to fifty percent of the courses required in the Bachelor of Business Administration program may be considered for transfer.

#### **Transferring Credits To Other Institutions**

The transferability of credits you earn at THSU is at the complete discretion of the institution to which you may seek to transfer. Acceptance of the degree you earn in your program is also at the complete discretion of the institution to which you may seek to transfer.

#### **MBA and MBAH Programs**

A maximum of 12 semester hours of credit earned at another institution may be accepted as transfer credit and applied toward the graduate degree. Transfer credits must be requested in writing within the first trimester of attendance. Transfer credit will be accepted and applied toward the graduate degree provided that:

1. The credit was earned in graduate courses completed in residence at an accredited institution.
2. The courses are at the appropriate level and applicable to the student's degree program at THSU.

Transfer work will be accepted only if it bears a letter grade of "B" or higher, or a numerical equivalent. A grade of "Credit," "Pass," "Satisfactory," etc., is unacceptable. Transfer work will not be accepted for graduate degree credit from another institution if such courses are designated as non-degree, background, preparatory, etc. No credit will be awarded until an official transcript showing the course work to be transferred is on file. The student may also be requested to provide a catalog from his or her prior school that gives course descriptions for any transfer work requested.

THSU transcripts will separate transfer course work from THSU course work. Transfer work listed chronologically will be listed first and will show the number of hours transferred; no transfer GPA will be printed. THSU course work listed chronologically will follow any transfer course work. The transcript will show THSU hours attempted, THSU hours passed, THSU grade points and THSU GPA. Courses taken at other schools will not be included in the GPA at THSU. THSU GPA will be the only GPA calculated. Courses taken to fulfill background requirements will be accepted only if such courses are of the same level as those specified on the official degree audit.

#### **Transferring Credits to Other Institutions**

The transferability of credits you earn at THSU is at the complete discretion of an institution to which you may seek to transfer. Acceptance of the degree you earn in your program is also at the complete discretion of the institution to which you may seek to transfer.

#### **Academic Standards**

Texas Health and Science University is here to help you achieve your educational goals, graduate, and begin your career. We want you to be successful! If you have any questions about your progress, or need to modify your course load, there may be options for you. Please talk to the Academic Dean or Dean of Students for more information.

The Academic Standards published below apply to all students enrolled in the University, full-time and part-time, and address policies and procedures for students enrolled in each program of the University.

#### **Grading System**

All grades are numerically calculated and annotated on the transcript utilizing the grading system below. Grading average required for successful completion of courses is a minimum-passing grade of 70%. The student must repeat all required courses where grades of F were awarded.

THSU utilizes the semester credit system. 1 credit = 15 classroom clock hours or 30 Clinic (laboratory) clock hours. All grades for repeated courses appear on the transcript and are calculated into the cumulative grade point average.

<u>Grade</u>	<u>Description</u>	<u>Numerical Grade</u>	<u>Quality Points</u>
A	Excellent	90-100%	4.00
B	Above Average	80-89%	3.00
C	Average	70-79%	2.00
F	Failed	Below 60%	0.00

#### Other Grades Worth Zero Quality Points

P	Pass	Not computed in Cumulative Grade Point Average (CGPA), but computed in Credit Completion Percentage (CCP)
I	Incomplete	Not computed in CGPA or CCP until course is completed
W	Withdrawal	Not computed in CGPA, but computed in CCP
TC	Transfer Credit	Not computed in CGPA or CCP

### **Leave of Absence**

#### **Purpose**

The purpose of the Texas Health and Science University LOA (Leave of Absence) policy is to grant eligible students a temporary leave from academic attendance for a period in which academic attendance is required by the program of study.

#### **Policy**

Texas Health and Science University may grant multiple LOAs to a student for unforeseen and extreme circumstances in a 12 month period. Each LOA may not exceed one trimester (4 months). Examples of unforeseen and extreme circumstances are:

- A medical situation affecting the student and/or an immediate family member in accordance with the Family Medical Leave Act of 1993;
- Financial or other personal reasons,
- Military and jury service duties,
- Natural disasters, etc.

**(Rules governing international students can be found in the International Student section below).**

If the student is out of attendance due to an unforeseen circumstance and considered an unofficial withdrawal and the Department Dean can document the reason and decision for the LOA, the student will be placed on an approved LOA and no calculation will be required. However, if the student is an unofficial withdrawal and the Department Dean does not document the reason prior to a Return of Title IV being performed, the student will be considered an unofficial withdrawal and all unearned Title IV funds will be returned in accordance with U.S. Department of Education regulations.

#### **Required Documentation**

Students must request a leave of absence from the Academic Dean or Registrar.

1. For a medical leave of absence, the student request must be accompanied by a letter from a physician, physician's assistant, or nurse practitioner. The letter must be on official letterhead, and must include the diagnoses, and an estimated time for recovery;
2. For a financial or personal leave of absence, the student request may be required to be accompanied by documentation to support the leave.

Students intending to take a leave of absence must meet the following requirements:

- LOAs may not exceed 12 months for financial aid recipients, and may not exceed 5 months for international students.
- Student must be in satisfactory academic standing and must have a reasonable expectation to return to the College by the start of the next trimester.
- Student must submit LOA request in writing and have it approved PRIOR to the beginning of the leave.
- Military students recalled to active duty must provide documentation of the deployment on official military letterhead.
- Student must stay in contact with the Registrar while on LOA. Failure to contact the Registrar on a monthly basis may result in an administrative withdrawal from the College.
- International students must coordinate with the International Student Advisor to make sure they remain in status.

### **Failure to Return**

**Financial Aid Recipients:** If the student fails to return from the LOA, the student will be considered a withdrawal based on the last date of attendance. A Return of Title IV Funds will be performed, and all unearned federal funds will be returned to the U.S. Department of Education. Therefore, the student may leave the College owing a balance even though the account would have been paid in full had the student completed the payment period. Additionally, the student's loan servicer will be notified, and the student's loan(s) will enter repayment within 6 months after the last date of attendance.

**International Students:** If the international student (F1) must take a temporary leave of absence from studies due to unforeseen circumstances, the SEVIS record must be terminated for Authorized Early Withdrawal. A student whose record is terminated for authorized early withdrawal must depart the United States within 15 days of the record termination. With a terminated SEVIS record, the student must spend temporary absence outside the United States. If the student will be able to resume studies in less than 5 months (which is considered a "temporary absence"), the THSU International Student Advisor may request to reactivate the student's record, so that the student may return to the United States on a new I-20 (provided his or her F-1 visa is still valid). This request can be made up to 60 days before the student's next session start date.

**Medical LOA for International Students:** International students generally cannot receive an LOA greater than 5 months. There is one exception for medical reasons. Students have the option to return to their home country or remain in the U.S. to receive medical treatment if recommended by a doctor. Students who wish to remain in the U.S. must obtain a doctor's letter recommending the LOA for medical reasons. Students who remain in the U.S. without obtaining advance approval for medical LOA from THSU will be considered out of status.

**Requirements and Limitations of Medical LOA (International Students):** Student must have a letter from a licensed medical doctor, doctor of osteopathy, or licensed clinical psychologist recommending leave for a specific trimester. The doctor's note should specify if the student should remain in U.S. to receive treatment. No more than 12 months total leave are allowed per degree level. The 12 month aggregate maximum includes all Reduced Course Load (RCL) approved for medical reasons. If the student chooses to go home for medical reason, and will be outside the U.S. for greater than five months, the student must obtain a new USC I-20 with a new SEVIS ID number in order to re-enter the U.S. and return to THSU. It is the student's responsibility to email the International Student Advisor at least two months prior to returning to THSU to request the new I-20. Students will need to use the new I-20 to pay the SEVIS fee and apply for a new F-1 visa, even though they may possess an unexpired visa associated with their previous I-20.

Note: If the international student does not return before 5 months, the F1 status may not be changed and the student must start the process for getting a new initial I-20, including all necessary documents.

### **How to Apply for Leave of Absence**

Students may request and submit a leave of absence application to the Registrar. Application requests may be sent to the registrar at [registrar@THSU.edu](mailto:registrar@THSU.edu).

## Satisfactory Academic Progress for Degree Granting Programs

Satisfactory Academic Progress (SAP) is the University's standard used to define successful completion of coursework. The University has established these qualitative and quantitative standards to monitor student progress toward completion of their degree program. If a student fails to meet these standards, the student will be placed on Academic Warning, Academic Probation, Academic Suspension, or Academic Termination and while these actions have specific consequences for students who are receiving U.S. Department of Education Title IV financial aid, the same standards are applied to all students regardless of funding source.

The Satisfactory Academic Progress standards are as follows:

- Students must earn a grade of "C" or better in each course taken in order to earn academic credit for the course; all required courses in which a grade of "F" is earned must be retaken by the student in order to complete the program.
- Students must maintain a minimum standard Cumulative Grade Point Average (CGPA) on a 4.00 scale for their program. The CGPA is calculated by multiplying credits for each course by grade points associated with the grade earned to get the quality points for the course, totaling the quality points earned for all the courses, and dividing total quality points earned by the total number of credits attempted.
- Students in all degree-granting programs must complete 67% of the credits for which they register each trimester. Grades for all courses attempted, but not transfer credit, affect Credit Completion Percentage.
- Students must graduate within 1.5 times the Regular Curriculum Schedule. This is referred to as the Maximum Time Frame for Completion. The Regular Curriculum Schedule for the Master of Science in Acupuncture and Oriental Medicine is 10 trimesters. Grades for all courses attempted, but not transfer credit, affect Maximum Time Frame for Completion.

ALL minimum requirements for Satisfactory Academic Progress must be met, as follows:

### Bachelor of Science in Traditional Chinese Medicine Program SAP Policy

Maximum Trimesters Attempted	Minimum Requirements for Satisfactory Academic Progress			
	Percentage of Program Completed	Number of Credits Completed	Course Completion Percentage per Trimester	Cumulative Grade Point Average
2	25%	16	67%	2.0
3	50%	32	67%	2.0
5	75%	48	67%	2.0
6	100%	63	67%	2.0

### Bachelor of Business Administration SAP Policy

Maximum Trimesters Attempted	Minimum Requirements for Satisfactory Academic Progress			
	Percentage of Program Completed	Number of Credits Completed	Course Completion Percentage per Trimester	Cumulative Grade Point Average
2	25%	15	67%	2.0
3	50%	30	67%	2.0
5	75%	45	67%	2.0
6	100%	60	67%	2.0

**Master of Science in Acupuncture and Oriental Medicine SAP Policy**

Maximum Trimesters Attempted	Minimum Requirements for Satisfactory Academic Progress			
	Percentage of Program Completed	Number of Credits Completed	Course Completion Percentage per Trimester	Cumulative Grade Point Average
4	25%	38	67%	2.3
8	50%	76	67%	2.5
11	75%	114	67%	2.8
15	100%	153	67%	3.0

**Master of Business Administration SAP Policy**

Maximum Trimesters Attempted	Minimum Requirements for Satisfactory Academic Progress			
	Percentage of Program Completed	Number of Credits Completed	Course Completion Percentage per Trimester	Cumulative Grade Point Average
2	25%	9	67%	2.25
3	50%	18	67%	2.5
5	75%	27	67%	2.75
6	100%	36	67%	3.0

**Master of Business Administration with Optional Concentration in Healthcare Management SAP Policy**

Maximum Trimesters Attempted	Minimum Requirements for Satisfactory Academic Progress			
	Percentage of Program Completed	Number of Credits Completed	Course Completion Percentage per Trimester	Cumulative Grade Point Average
2	25%	12	67%	2.25
4	50%	23	67%	2.5
6	75%	34	67%	3.0
7	100%	45	67%	3.0

**Doctor of Acupuncture and Oriental Medicine SAP Policy**

Maximum Trimesters Attempted	Minimum Requirements for Satisfactory Academic Progress			
	Percentage of Program Completed	Number of Credits Completed	Course Completion Percentage per Trimester	Cumulative Grade Point Average
3	25%	15	67%	2.6
5	50%	30	67%	2.75
8	75%	45	67%	2.9
10	100%	59	67%	3.0

Note to Dual Degree Students: All students must graduate within the Maximum Time Frame for Completion for each program of study enrolled.

A student will receive an Academic Warning if, at any time, the school determines that the student is not completing the minimum requirements for Satisfactory Academic Progress. (See section entitled "Academic Warning.")

### **Actions that Affect Satisfactory Academic Progress**

#### **Transfer Credits**

The grade "TC" (Transfer Credit) is given to students whose courses taken at another institution are being transferred in for required courses at Texas Health and Science University. The grade of "TC" has no effect on the calculations for Cumulative Grade Point Average (CGPA) or Credit Completion Percentage (CCP). Transfer credits will affect Maximum Time Frame for Completion (MTFC).

#### **Incomplete Grades**

An Incomplete grade does not count toward quality points in the CGPA calculation, the maximum time frame for completion, or successful course completion calculations. If the coursework is not completed, the incomplete grade will be converted to the grade of "F". The final grade, however, will affect the student's CGPA, Credit Completion Percentage, and Maximum Time Frame for Completion.

#### **Repeated Courses and Grades**

A student may retake a course one time to attempt to raise the final grade. All retake attempts are included in the CGPA calculation, Credit Completion Percentage, and Maximum Time Frame for Completion.

Title IV rules allow for financial aid to be used for a one-time repeat of a failed course. Repeated coursework that falls under the following conditions cannot be included in a student's enrollment status for federal aid eligibility (Title IV).

- Repeating a previously passed course more than once. A course is considered passed if the student receives a grade of C or better.
- Repeating a previously passed course due to failing other coursework.
- Repeating a previously passed course for the sole purpose of gaining eligibility for financial aid.

Federal aid is calculated according to need and the student's adjusted enrollment status.

Recalculation will be applied regardless of whether a student received aid for previous courses and is based solely on how many times a course has been taken and passed.

**Example:** A student is taking a previously passed 3 credit hour course for the third time. The student is enrolled in a total of 17 credit hours for the term. Per federal regulations, the repeated course must be excluded from the student's aid eligibility. Only 14 of the student's 17 hours can be used to calculate aid eligibility. The student's aid will be adjusted to  $\frac{3}{4}$  time instead of full-time enrollment.

#### **Dropped Courses**

After a course has met for 80% of its scheduled meeting times, a course may not be dropped and a grade will be issued. This grade will affect the calculation for CGPA, Credit Completion Percentage, and Maximum Time Frame for Completion.

The following policy applies to students who complete 60% or less of the enrollment period (i.e., Fall, Spring or Summer sessions) for which they received Federal Title IV aid. A student who drops a class but still completes one or more classes does not qualify for the Return of Title IV Funds policy. The term "Title IV aid" refers to the following Federal financial aid programs offered at THSU: Unsubsidized Federal Stafford loans, Subsidized Federal Stafford loans, Federal PLUS (Parent) loans, and Federal Pell Grants. To conform with the policy, THSU must determine the student's withdrawal date. The withdrawal date is defined as:

1. The date the student began the withdrawal process or officially notified THSU of their intent to withdraw; or
2. The last date of attendance at an academically-related activity by a student who doesn't notify THSU.

The calculation required determines a student's earned and unearned Title IV aid based on the percentage of the enrollment period completed by the student. The percentage of the period that the student remained enrolled is derived by dividing the number of days the student attended by the number of days in the period. Calendar days (including weekends) are used, but breaks of at least 5 days are excluded from both the numerator and denominator. Until a student has passed the 60% point of an enrollment period, only a portion of the student's aid has been earned. A student who remains enrolled beyond the 60% point is considered to have earned all awarded aid for the enrollment period. Earned aid is not related in any way to institutional charges. In addition, the University's refund policy and Return of Title IV Funds procedures are independent of one another. A student who withdraws from a course may be required to return unearned aid and still owe the college for the course. For example, the calculation may require THSU to return a portion of Federal funds to the Federal Title IV programs. In addition, the student may also be required to return funds based on the calculation. A student returns funds to the Federal Stafford loan programs based on the terms and conditions of the promissory note of the loan. A student who receives a Federal Pell Grant may be required to repay 50% of the funds received. The return of Federal aid is in the following order: Unsubsidized Federal Stafford loans, Subsidized Federal Stafford loans, Federal, Federal PLUS (Parent) loans, and Federal Pell Grants.

### **Overpayment**

Students who owe funds to a grant program are required to make payment of those funds within 45 days of being notified that they owe this overpayment. During the 45 day period students will remain eligible for Title IV funds. If no positive action is taken by the student within 45 days of being notified, THSU will notify the U.S. Department of Education of the student's overpayment situation. The student will no longer be eligible for Title IV funds until they enter into a satisfactory repayment agreement with the U.S. Department of Education. During the 45-day period, the student can make full payment to THSU of the overpayment. The university will forward the payment to the U.S. Department of Education and the student will remain eligible for Title IV funds.

If a student is unable to pay their overpayment in full, they can set up a repayment plan with the U.S. Department of Education. Before doing this please contact the THSU Office of Financial Aid. You will need to make sure we have referred your situation to the U.S. Department of Education before any repayment plan can be set up. If you want to contact the U.S. Department of Education, their address is listed below. U.S. Department of Education Student Financial Assistance Programs P.O. Box 4222 Iowa City, IA 52245 Phone: 1-800-621-3115 E-Mail: DCS\_HELP@ed.gov For examples of the Return of Title IV Funds calculations or questions regarding the overpayment policy, please contact the Office of Financial Aid.

### **Change of Program**

When a student changes to a different program, any credits earned that are applicable toward the new program will be granted, and the CGPA, Credit Completion Percentage, and Maximum Time Frame for Completion will continue forward from that point. A student must meet all admission requirements to the new program and receive acceptance to that program before registering for classes. For students who qualify for financial aid, any change of undergraduate to graduate level, or graduate to undergraduate level, a change in potential financial aid award levels will result.

### **Seeking an Additional Credential**

Credits applicable toward an additional credential may be transferred in to the additional program and all credits earned count toward the CGPA, Credit Completion Percentage, and Maximum Time Frame for Completion. A student must meet all admission requirements to the additional program and receive acceptance to that program before registering for classes. For students who qualify for financial aid, changes in potential financial aid award levels will result. For dual-degree students, maintaining Satisfactory Academic Progress is expected in all programs enrolled.

### **Withdrawal from a Program**

The calculation for CGPA, Credit Completion Percentage, and Maximum Time Frame for Completion following withdrawal from a program during a trimester utilizes the above Dropped Courses formula for any courses that were dropped as a result of the withdrawal. For students who are receiving financial aid or who are international students, certain requirements must be met upon withdrawal from a program. For additional information, contact the financial aid officer or international student advisor, as appropriate.

## Satisfactory Academic Progress Procedures

The University evaluates students at the completion of each academic year to ensure that Satisfactory Academic Progress is maintained. A student will not make Satisfactory Academic Progress (SAP), if at any evaluation point the minimum standards stated above are not met. Failure to make Satisfactory Academic Progress will affect students' eligibility for Title IV Financial Aid funds.

### Academic Warning

Students who fail to maintain the required CGPA or do not complete the stated percentage of the credits for which they registered will be placed on Academic Warning by the Registrar. The student will be given a written notice and will remain eligible for federal financial aid / VA funding for their subsequent trimester. At the end of the trimester the student's academic progress will be evaluated to determine continuing enrollment eligibility and federal financial aid / VA funding eligibility for their subsequent trimester. **If the student achieves the minimum CGPA and Credit Completion Percentage for his or her program, he or she may continue in good standing (satisfactory academic progress).**

### Academic Suspension

Students on Academic Warning who fail to maintain the stated CGPA or do not complete the stated percentage of the credits for which they registered are suspended and must **appeal** their suspension to be considered for readmission (see section below for Appeal Process). Students who do not appeal are **not** eligible for federal financial aid / VA funding. If the student satisfies all of the requirements, the student will be placed on **Academic Probation**.

### Academic Probation

Students on Academic Suspension or Academic Termination whose appeal is successful are placed on Academic Probation and required to develop an Action Plan with the Academic Dean / Program Director for remediation before being allowed to continue classes for the trimester. Students on Academic Probation regain their eligibility for federal financial aid / VA funding **and return to Satisfactory Academic Progress status**.

### Academic Termination

Students on Academic Probation who fail to maintain the stated CGPA or do not complete the stated percentage of the credits for which they registered are terminated. These students are **not** eligible for federal financial aid/ VA funding. These students must sit out the next two (2) trimesters, and must appeal the termination before re-applying to the University. The student may appeal the school's determination in writing to the Appeals Committee (as provided in the Appeal section). If the student satisfies all of the requirements, the Appeals Committee may grant the student's appeal which will re-instate their federal financial aid/ VA funding eligibility. This will return the student to Probationary Status. Following the successful completion of the terms and conditions laid out in an Action Plan, the student will return to Satisfactory Academic Progress status.

### Appeal Process

Students may appeal their Academic Suspension or Academic Termination if:

1. The student submits documents in evidence that the student earned the required CGPA or credit completion ratio to meet SAP standards while enrolled in the program; or,
2. Mitigating circumstances interfered with the student's ability to meet SAP standards. The acceptable mitigating circumstances are as follows:
  - Illness, accident, injury or incident experienced by the student or by a significant person in the student's life.
  - Death of a family member or significant person in the student's life.
  - Personal problems or issues with spouse, family, roommate, or significant person.
  - Divorce experienced by the student or parent.
  - Previously undocumented disability.
  - Military deployment.
  - Change in work schedule during the period or other similar work related circumstance
  - Natural disaster
  - Family emergency

- Financial hardship such as foreclosure or eviction
- Loss of transportation where there are no alternative means of transportation
- Documentation from a Professional Counselor

3. Proper documentation is required for all mitigating circumstances. Examples of proper documentation include:

- Physician's statement
- Police reports
- Death certificate
- Obituary
- Professional Counselor's statement
- Hospital bills
- Letter from employer
- Military orders
- Divorce decree
- Attorney's statements

4. Student may appeal only twice. Any further actions must be approved by the University President.

All appeals must be submitted in writing to the Appeals Committee. Appeal letters must include the mitigating circumstances, the resolution of the mitigating circumstance as well as the student's plan to succeed. Appeal letters must be accompanied by the required documentation in order to be heard by the Appeals Committee. It may be required for the student to meet with one or all members of the Appeals Committee to present any further requested evidence. After the appeal is received, the student will be notified within fifteen (15) business days on whether the appeal is granted or denied.

**It is in the student's interest to submit an appeal to the University's Appeals Committee as soon as the student receives a written notice of suspension.**

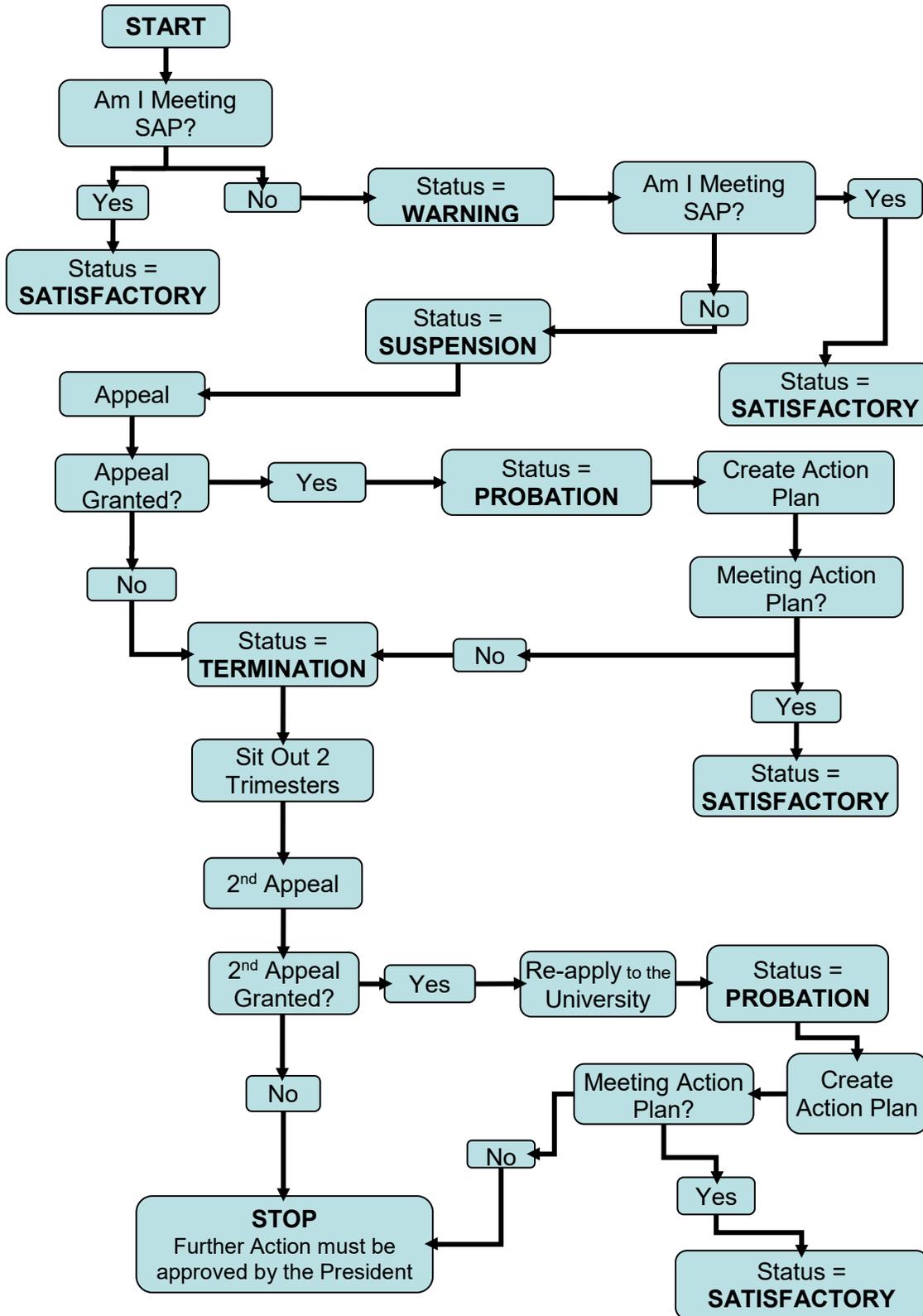
For additional information and details regarding the appeal process, please consult the Registrar.

### **Appeals Committee**

The Appeals Committee is responsible for:

1. Considering the cases of students on Academic Suspension who appeal the notification of their suspension from the University because of their failure to maintain the minimum academic standards.
2. Reviewing the entire academic record of the student and the specific reasons and/or circumstances that the student indicates warrant the appeal.
3. Recommending a decision to approve the appeal, approve the appeal with conditions, or deny the appeal. A recommendation to approve the appeal may set a target grade point average for a student or place other conditions on a student that otherwise supersede institutional academic standards.
4. The committee will be chaired by the Academic Dean/ Program Director and will be composed of other members of the faculty and staff. The committee will consist of 3-5 members and an appeal will only be granted based on a majority vote.

Satisfactory Academic Progress (SAP) Flow Chart



## Attendance Policies

**Texas Health and Science University** has a strict attendance policy. Students are required to attend all classes each trimester. Roll is taken at the start of each class hour. Students are responsible for the consequences of any absences, and for ensuring that the proper forms for making up clinic absences are filled out.

**Absences:** Students missing 20% of class hours in any class will have their course grade lowered by one letter grade. **No student who has missed 50% or more of the scheduled classes will be allowed to complete the course. These students will be administratively withdrawn from the course.**

Faculty may impose stricter regulations regarding attendance and other matters of classroom management and decorum, provided such regulations are published to the students in writing in the course syllabus at the beginning of each course and placed on file in the administration office.

Students who miss **fourteen (14)** consecutive calendar days of their scheduled classes without contacting the school will be administratively withdrawn from the trimester. Those students who have contacted the University must submit a written statement including expected date of return to be approved by the administration. If the student does not return by the agreed-upon return date, he or she will be administratively withdrawn from the trimester.

**Incomplete Course Work:** If coursework has not been completed due to illness, family emergency or other event considered by the administration to be a valid excuse, but the student's work to date is passing, a grade of "Incomplete" (I) may be issued for that class. An Incomplete grade does not count toward quality points in the CGPA calculation, the maximum time frame for completion, or successful course completion calculations. The student must submit an Incomplete Grade Request form and, if approved, the student must complete the required coursework by the end of the second week of the next trimester. If the coursework is not completed, the "Incomplete" grade will be converted to the grade of "F". The final grade will affect the student's CGPA, maximum time frame for completion and successful course completion.

**Make-up Work:** Make-up work may be required for any absence. However, the number of hours spent on make-up work cannot be accepted as hours of class attendance. **It is the student's responsibility to obtain make-up work assignments from the instructor.** Students will be charged an additional fee for make-up exams. Please review the fees listed elsewhere in this catalog for more information.

\* Students who have their financial aid adjusted as a result of a leave of absence or withdrawal will receive a revised financial aid award notification. More detailed information is available by visiting the Financial Aid office.

## Adding and Dropping Classes after the Start of the Trimester

- **Course Adds:** Students may add a class, for a fee, prior to the second meeting of the course. This process must be completed in writing or via email and the fee must be received in order for the addition to be accepted. Please contact the Registrar to complete this process.
- **Course Drops:** Students may drop a class, for a fee, up to the point in which the course has met for 80% of its scheduled meeting times. After the 80% mark of the course, the student will not be able to drop and will earn a grade. This grade will affect the calculation for CGPA, maximum time frame for completion, and course completion percentage. The process for dropping courses must be completed in writing or via email and the fee must be received in order for the drop to be accepted. Please contact the Registrar to complete this process.

Cash-paying students who drop a course may be eligible for a refund of tuition according to the following schedule. Class days indicated below are as defined by the University academic calendar, and not by the individual student's or course's schedule. Texas Health and Science University's refund policy for dropping a course is as follows, based on a student's date of notification of course drop:

<b>Day of the Semester Calendar</b>	<b>Refund Amount</b>
Prior to the first day	100%
First through fifth days	80%
Sixth through tenth days	70%
Eleventh through fifteenth days	50%
Sixteenth through twentieth days	25%
After the twentieth day	No refund

**Notice to Recipients of Federal Financial Aid, DARS and VA Assistance:**

In accordance with federal guidelines, students who receive financial assistance and withdraw from any or all of their coursework may have some or all of their assistance returned to the original funding sources if disbursement of funds has occurred. Students who have received their funding and withdraw will not receive any refunds until after the full loan amounts have been returned to the original funding source. Students in this situation may owe a balance to the University. In addition, students who completely withdraw from all their coursework during a trimester may jeopardize their eligibility for future financial assistance through the University.

**Adding or Changing a Program**

Students wishing to add a program (seek a dual degree) or change from one program to another before completing the original program must complete the following procedures:

- Review the requirements for admission to the new program;
- Consult with the Academic Dean or Program Director of the new program;
- Consult with the Financial Aid Director if the student is a borrower of financial aid;
- Obtain a “Change of Program Request” form from the Registrar, complete and sign it, and submit it to the Registrar to obtain the required signatures;
- Sign an enrollment agreement with the Admissions Director for the new program;
- Receive a copy of the forms indicating all signatures/approvals have been obtained. Only students who meet the new program requirements of the new program will be approved.

**Withdrawal Policy**

Texas Health and Science University allows students to withdraw from the University when necessary subject to the following terms and conditions:

- **Materials:** Once purchased, books and other materials are the property of the student. The University does not accept material returns and makes no refunds for materials.
- **Program Withdrawals:** Any student wishing to withdraw from the University must contact the Registrar to complete the withdrawal process. This process must be completed in writing or via email and cannot be done by telephone.

Students who do not complete the withdrawal process by the appropriate deadline will be assigned a grade in each of their classes.

**Refund Policy**

Students withdrawing from the University are eligible for a refund of tuition and fees according to the following schedule. Class days indicated below are as defined by the University academic calendar, and not by the individual student's or course's schedule. Texas Health and Science University's refund policy for withdrawal from all registered coursework is as follows, based on a student's last day of attendance:

<b>Day of the Semester Calendar</b>	<b>Refund Amount</b>
Prior to the first day	100%
First through fifth days	80%
Sixth through tenth days	70%
Eleventh through fifteenth days	50%
Sixteenth through twentieth days	25%
After the twentieth day	No refund

**Notice to Recipients of Federal Financial Aid, DARS and VA Assistance:**

In accordance with federal guidelines, students who receive financial assistance and withdraw from any or all of their coursework may have some or all of their assistance returned to the original funding sources if disbursement of funds has occurred. Students who have received their funding and withdraw will not receive any refunds until after the full loan amounts have been returned to the original funding source. Students in this situation may owe a balance to the University. In addition, students who completely withdraw from all their coursework during a trimester may jeopardize their eligibility for future financial assistance through the University.

**Readmission**

Students whose enrollment has been withdrawn, transferred or otherwise terminated must submit an application for readmission, transcripts from any institutions attended in the interim, a letter expressing their desire and intent to re-enroll and complete their course of study at the University, and the application fee. The letter of intent must specifically address any changes in the goals of the student from the period of the student’s decision to leave the University and his or her decision to return.

Students who are placed on Academic Warning or Academic Probation at the time of their withdrawal remain on Academic Warning or Academic Probation upon return, and must earn the minimum required CGPA for the first trimester of readmission to remain enrolled.

**Graduation Requirements**

**Bachelor of Science in Traditional Chinese Medicine**

All candidates for graduation from the bachelor’s degree program must complete their studies within 6 trimesters with a Cumulative Grade Point Average (CGPA) of at least a 2.0 on a 4.0 scale.

The following minimum requirements must be completed prior to graduation from the Traditional Chinese Medicine program:

Acupuncture and related didactic studies	35 credits
Herbal didactic studies	9 credits
Biomedical didactic studies (western medical science)	9 credits
Clinical training	6 credits
Ethics, Business and Communications didactic studies	4 credits
<b>Total</b>	<b>63 credits</b>

A minimum of 60 credits are required for admission to THSU. Along with the 63-credit degree completion program described above, a total of 123 credits are required to be awarded the Bachelor of Science in Traditional Chinese Medicine degree.

**Bachelor of Business Administration**

60 semester credits completed with a minimum overall G.P.A. of 2.0 or higher, combined with the 60 semester credits required to transfer in, to total 120 credits for the bachelor degree.

## Master of Science Degree in Acupuncture and Oriental Medicine

All candidates for graduation from the master’s degree program must complete their studies within 15 trimesters with a Cumulative Grade Point Average (CGPA) of at least a 2.5 on a 4.0 scale. The following minimum requirements must be completed prior to graduation from the Acupuncture and Oriental Medicine program:

Acupuncture and related didactic studies	49 credits
Herbal didactic studies	32 credits
Biomedical didactic studies (western medical science)	34 credits
Ethics, Business and Communications didactic studies	8 credits
Clinical training	30 credits
<b>Total</b>	<b>153 credits</b>

This is a recommended course of study, however, unless a prerequisite course is specified, a student may take several courses in a different order.

### Master of Business Administration with Optional Concentration in Healthcare Management

Thirty-six (36) credit hours completed with a minimum cumulative grade point average of 3.0 or higher are required to receive the Master of Business Administration degree.

Forty-five (45) credit hours completed with a minimum cumulative grade point average of 3.0 or higher are required to receive the Master of Business Administration in Healthcare Management degree.

### Doctor of Acupuncture and Oriental Medicine

All candidates for graduation from the doctoral degree program must complete their studies with a minimum cumulative grade point average of 3.0, within 10 attempted trimesters, and no later than four calendar years after their initial program enrollment.

The following minimum requirements must be completed prior to graduation from the Doctor of Acupuncture and Oriental Medicine program:

Didactic Studies	540 clock hours	36 credits
Clinical Studies	690 clock hours	23 credits
<b>Total</b>	<b>1,230 clock hours</b>	<b>59 credits</b>

### Second Year Comprehensive Exam

At the end of their second year of study or sixth consecutive trimester of enrollment, all MSAOM students are required to take a written exam that is designed to evaluate their readiness to begin the third year of instruction. The academic department uses the exam results to assess students’ readiness for the national certification exams and to assess the Satisfactory Academic Progress of second year students. Refusal to take and/or failure on the exam may hinder the continued enrollment of the student in the program. Students will have two (2) opportunities to take and pass the Second Year Exam. The fee for the Second Year Comprehensive Exam is \$50.00.

### Class Schedules

#### Master of Science in Acupuncture and Oriental Medicine

Austin Campus	San Antonio Campus
<u>Classes – Monday through Friday</u> 9:00 a.m. – 12:00 p.m. 1:15 p.m. – 4:15 p.m. 6:00 p.m. – 10:00 p.m.	<u>Classes – Monday through Friday</u> 8:30 a.m. – 12:30 p.m. 1:00 p.m. – 5:00 p.m.

<u>Clinic – Monday through Sunday</u> 9:00 a.m. – 12:30 p.m. 1:00 p.m. – 4:30 p.m. 5:00 p.m. – 8:30 p.m.	<u>Clinic – Monday through Sunday</u> 8:30 a.m. – 12:30 p.m. 1:00 p.m. – 5:00 p.m. 4:00 p.m. – 8:00 p.m.
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**Doctor of Acupuncture and Oriental Medicine**

<u>One weekend per month, Friday through Monday</u>  8:00 a.m. – 12:00 p.m. 1:00 p.m. – 5:00 p.m. 6:00 p.m. – 10:00 p.m.
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All faculty and students should be in place at the designated class starting time. If at least one student is present, the Instructor should begin the class on time. Tardy students bear sole responsibility for any missed work. If no student is present at the designated time, the Instructor may wait for 15 minutes. As soon as the first student arrives, the class should begin. If after 15 minutes, no student has arrived, the Instructor should cancel the class and make a notation in the attendance/grade folder. All students on the class roster will be given an absence. If after 15 minutes, the instructor has not arrived, students must report to the administration office for further instructions.

Classes cancelled due to inclement weather, instructor illness and other reasons, must be made up. The instructor and students will mutually determine the date and time for makeup classes.

## Grievance Policy for Students

It shall be the policy of Texas Health and Science University that this Grievance Policy for Students shall represent the University's commitment to the highest quality of customer service and the fair and equitable resolution to complaints or grievances. This policy applies to all full-time and part-time students enrolled in the University. We welcome all comments and suggestions for improvement. All complaints will be handled in a professional and timely manner to ensure the best course of action for all parties involved.

In attempting to resolve any grievance/complaint, it is the obligation of the individual first to make a serious effort to resolve the matter with the individual with whom the complaint/grievance originated. The following steps are used to ensure efficiency in this process.

- |   |   |
|---|---|
| <ol style="list-style-type: none"><li>1. It is encouraged that, if the problem is with an individual, both parties address the issue informally in an attempt to settle the situation and develop a working solution.</li><li>2. If the situation is not resolved amicably, any student with a complaint regarding the administration of a University policy or procedure, or with a University administrator or member of the faculty, or with another student should next contact the Dean of Students who will make every reasonable effort to resolve the problem.</li><li>3. If the grievance is not settled the student has the right to use the formal grievance procedure. In order to do so, the student must complete the grievance form and return it to the Academic Dean, whose mailbox is located in the Main Office.</li></ol> | <ol style="list-style-type: none"><li>4. The Academic Dean will make a decision within ten (10) working days of receiving the written statement. The individual will be contacted via e-mail or phone either to schedule a meeting or to inform the aggrieved student of any action/follow-up that will be taken.</li><li>5. If the individual is not satisfied with the resolution, an appeal may be made in writing to the Vice President of the University.</li><li>6. If the individual still is not satisfied with the resolution, an appeal may be made in writing to the President. The decision of the President will be final.</li></ol> |
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Following exhaustion of the University's procedures, Grievances and Formal Complaints may also be addressed to one of the following:

- **Accrediting Council for Independent Colleges and Schools (ACICS)**  
750 First Street, NE, Suite 980  
Washington, DC 20002-4241  
202-336-6780

**Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM)**  
8941 Aztec Drive  
Eden Prairie, Minnesota 55347  
952-212-2434 voice  
301-313-0912 – FAX

### **Texas Higher Education Coordinating Board (THECB)**

Office of General Counsel  
P.O. Box 12788  
Austin, Texas 78711-2788

THECB rules governing student complaints can be found at: Texas Administrative Code, Title 19, Part 1, chapt.1, Subchapter E, 1.110 – 1.120:

[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=5&ti=19&pt=1&ch=1&sch=E&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=19&pt=1&ch=1&sch=E&rl=Y)

THECB's Student Complaints page, with forms and a description of the complaint procedure, is at:

<http://www.thecb.state.tx.us/studentcomplaints>

**Texas Health and Science University  
Student Services**

**Grievance Form**

The purpose of this form and the referral process is to direct the suggestion/complaint to the appropriate office or person so the best solution can be reached. Please leave this form in the mailbox of the Academic Dean in the Main Office. Thank you.

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

ID#: \_\_\_\_\_ Cohort #: \_\_\_\_\_  
\_\_\_\_\_

Nature of Grievance: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Office Use Only**

**Referral**

Referred by: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Referred to: \_\_\_\_\_

Office: \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Resolution**

Resolved by: \_\_\_\_\_ Date: \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Student Services Follow-up Required:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

### **Student Records**

Texas Health and Science University (THSU) maintains educational records for all current and former students. Student records at the THSU are subject to the provisions of the Family Educational Rights and Privacy Act of 1974, as amended. Students have the right to file a complaint with the U.S. Department of Education concerning compliance issues. The name and address of the appropriate office is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

### **Review of the Educational Record**

Students have the right to inspect and review their educational record. All requests must be in writing to the Registrar and must identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the students of the time and place where the records may be inspected. The response from the University official will be within 45 days of the receipt of the request for access.

### **Educational Records on Campus**

Educational Records on Campus are those records directly related to a student for the purpose of recording the educational record of the student. Once a student graduates or is withdrawn from THSU the educational records are moved to another secure location on campus.

### **Amendment of the Educational Record**

The student may request an amendment to the educational record if he or she believes it is inaccurate or misleading. The amendment of the educational record does not pertain to the grade assigned by the faculty. The student should write to the Registrar to request the amendment. The request must clearly identify the portion of the record s/he wants changed, specifying why it is inaccurate or misleading. If the University does not amend the record as requested, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

### **Directory Information**

THSU will not disclose any personally identifiable information about students (except directory information listed below) without the written consent of the student. Directory or "Public" information at THSU consists of the following:

- Student's name
- Address
- Telephone listing
- Major field of study
- Degrees, honors, and awards received
- Major field of study
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended
- Participation in University recognized activities

Each student has the right to restrict the release of any or all of this information by submitting the ***Request to Prevent Disclosure of Directory Information Form*** to the Registrar's Office. School officials with legitimate educational interests may have access to educational records, without the students' consent, if the record is needed in order to fulfill his or her professional responsibilities. School officials are identified as: a person employed by the University in an administrative, supervisory, academic or research, or support staff position, a person or company with whom the University has contracted, a person serving on the Board of Trustees.

Non-Directory or "Non-Public" information consists of the following:

- Email address
- Birth date
- Religious affiliation
- Citizenship status
- Ethnicity
- Gender
- Grade Point Average (GPA)
- Test Scores

Students must complete the *Authorization to Release Education Records Form* if he/she wishes to release non-directory information.

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### **Granting Access to Your Academic Records**

Students own their academic records, but there are times in which they may wish to grant access to certain aspects of their records to others, particularly a parent/guardian. In doing this, students are authorizing access to their unofficial academic transcript, including grades, their schedule of classes, account summary for charges and financial aid.

Students must complete the *Authorization to Release Education Records Form* if he/she wishes to authorize another person to view their academic records.

### **Required Annual Notice to Students**

The Registrar is required to provide an annual notice to all students regarding the THSU FERPA Policy. An email will be sent to all currently enrolled students before the end of each spring trimester to inform them that the FERPA policy is contained in the student handbook and on the web page.

All inquiries regarding FERPA should be addressed to:

Office of the Registrar  
Texas Health and Science University  
4005 Manchaca  
Austin, TX 78704  
Phone: (512) 444-8082  
Fax: (512) 445-6345  
registrar@thsu.edu

## Financial Policies

### Payment Policy

Please refer to Catalog for a complete listing of tuition and fees.

The payment of all tuition and fees, or the first payment on a time-payment option, must be completed no later than **two weeks before the first class day each trimester**, unless other financial arrangements have been made. Late payments are subject to the assessment of late fees, according to the following schedule and will be charged in addition to any other applicable fees:

1 - 15 days late	\$ 25.00
16 - 30 days late	\$ 50.00

After 30 days, arrangements must be made with the Finance Department in order to continue attending classes. Additionally, late fees will continue to accrue on the student's outstanding account balance until the balance is paid off.

Students with outstanding balances at the beginning of a trimester may be prohibited from registering until their account is paid in full. Diplomas and Official Transcripts will not be released until all student account balances are paid in full.

### Payment Options

**Four Payment Plan:** The total may be paid in four installments, for an additional charge of \$25.00. The calculation is as follows: \$25.00 is added to the charges for the current trimester and the total is divided by four. Any outstanding balance is added to the first payment. This option is available for domestic students only.

The first payment is due on the **first day of classes**, and subsequent payments are due monthly no later than the **first day of the month**. A late charge of \$25.00 will be assessed for any payment made more than 14 days after the due date.

**Federal Financial Aid:** Students who qualify are referred to the THSU Financial Aid Officer for further information.

**Federal Work Study Program:** Students who qualify are referred to the THSU Financial Aid Department for further information.

**Veterans Administration Benefits:** Eligible students are referred to the University's VA Certifying Official, for information.

**Texas Department of Assistive and Rehabilitative Services:** Eligible students are referred to the University's Registrar for information.

### Financial Aid Award Terms & Conditions

#### General

All financial aid award offers are based on enrollment pattern, and are dependent upon a determination of eligibility based on grade level, whether or not priority application deadlines have been met (if applicable), and other program specific criteria at the time of the award offer. Awards are contingent upon continued funding from federal, state, and institutional sources. Action by federal or state governments, including but not limited to: insufficient funds or discontinuation of funds may result in rescinding or reduction of award amounts.

A financial aid award is based on information that the student and the student's family (if applicable) submitted in the Free Application for Federal Student Aid (FAFSA) as well as any other supporting documentation. THSU is required by federal law to resolve any conflicts of information that become evident as part of the application review process. It is the student's responsibility to complete and submit application materials to the appropriate agencies within the

required or recommended timeframes. It is also the student's responsibility to notify the Financial Aid Office of any circumstantial changes to the information reported in the FAFSA and supporting documentation.

False or incomplete information submitted by a student or on behalf of a student may result in the cancellation of an award and may require repayment of all or part of the funds disbursed to the student. In the event a student has received aid he/she is not entitled to, it will be the responsibility of the student to repay those funds. A student may not receive federal or state aid at multiple institutions during the same enrollment period.

Students should carefully review and ensure that they understand all financial aid related materials sent from THSU and/or the U.S. Department of Education. Students are advised to keep copies of these items for their own records.

During a student's application for aid or at any subsequent time thereafter, he/she will have the right to receive a thorough explanation of the financial aid award process, including the conditions of any student loan that may be awarded. Conditions may include but are not limited to: interest rate(s) for student loans, deferment options, repayment periods and programs, etc. The student will also be responsible for complying with the provisions of any promissory note or other agreement which he/she may sign, including repayment of any student loans. Students accepting an employment offer as part of the Federal Work Study (FWS) program will be entitled to disclosure of the terms and conditions (including pay rate) for any position that is offered.

### **Rights and Responsibilities**

Students are obligated to know their rights and responsibilities associated with being a financial aid applicant and recipient as well as a student loan borrower and a federal work study employee.

#### **You have the right to know:**

- All the federal, state, institutional and private student aid programs available, including both need-based and non-need based programs.
- Procedures, forms, deadlines, and eligibility requirements to apply for assistance; the criteria for selecting aid recipients and determining the amount of aid awarded.
- The authorized educational expenses involved in your cost of attendance and how they are determined.
- How the expected family contribution is calculated, how financial need is determined, and how outside resources may affect your aid eligibility.
- The institutional refund schedules and the return of federal aid as a result of withdrawing from all your coursework.
- The standards required for maintaining Satisfactory Academic Progress for financial aid eligibility and the appeal process if you have lost aid eligibility.
- Terms and conditions of any loans, employment, scholarships or grant aid you receive.
- How and when disbursements of financial aid is made.
- Confidential protection of your financial aid record in accordance to the Federal Family Educational Right and Privacy Act (FERPA).

#### **You have the responsibility to:**

- Accurately and honestly complete your Free Application for Federal Student Aid (FAFSA). Errors can result in delays. False or misleading information is a criminal offense and is subject to fine, imprisonment, or both.
- Respond promptly and return all required additional documentation, corrections, and/or new information.
- Report all outside resources that may be received throughout the aid year.
- Read, understand, and accept responsibility for all forms or agreements you sign. THSU recommends maintaining copies of all forms and agreements you sign.
- Use any federal, state, institutional or private financial aid received during the award year solely for expenses related to attendance at THSU.
- Know and comply with the timelines and deadlines for verification or additional information requests from Student Financial Services.
- Complete Entrance and Exit Counseling if you borrow a Federal Direct student loan.

- Notify your student loan servicers of changes in your name, address, and school status.
- Perform and complete satisfactory work assignments accepted through the Federal Work Study program.
- Know and comply with THSU's procedures related to financial aid: enrollment status for disbursement, satisfactory academic progress, withdrawal, refunds and repayment and debt management.
- Review and understand specific rights and responsibilities associated with being a **Direct Loan borrower**.
- Review and understand specific rights and responsibilities associated with being a **Federal Work Study employee**.

### **Awarding of Aid**

There are two types of calculations used to determine a student's financial aid award. The following definitions are required to understand these calculations:

- **Cost of attendance (COA)** is an estimate of your educational expenses that you may incur while you attend THSU. The COA involves estimates for tuition and fees, books and supplies, room and board, transportation, miscellaneous expenses and loan fees (Direct Loan borrowers only).
- The **Expected Family Contribution (EFC)** is calculated according to a formula established by law from the information reported on the FAFSA. This information may include your family's taxed and untaxed income, assets, and benefits (such as unemployment or Social Security) as well as family size and the number of family members who will attend college that year.

### **Financial Need Calculation: COA minus EFC equals Financial Need.**

Financial need is the student's eligibility for the following need based programs available at THSU: Federal Work Study.

### **Non-Need based Aid Calculation: COA minus Financial Aid Awarded equals Eligibility for Non-Need-based Aid.**

Non-need-based aid is financial aid that is not based on your EFC. The student's COA and how much assistance that is currently awarded is what matters in this calculation. Non-need-based programs at THSU include: Direct Unsubsidized Loan, Direct PLUS Loan, and other THSU scholarship programs.

Financial aid funds are awarded for an academic year or remaining period of study and distributed equally between the terms or payment periods that define that academic year or remaining period of study.

Direct Loan proration is required when a student is enrolled in a remaining period of study that is shorter than a full academic year.

Direct Loans are awarded to maximum eligibility based on the academic year. The academic year consists of two trimesters.

### **Reporting Additional Financial Awards**

In the event that a student receives additional funds not listed on his/her financial aid award letter (including but not limited to: employer reimbursement or assistance, tuition waivers, private scholarships, veterans' benefits, vocational rehabilitation benefits, etc.), he/she is required to report these awards to the Financial Aid Office.

Should the additional funds result in a change to a student's financial aid status, he/she will receive notification of the change of status as well as the reasons for the change. It should be noted that whenever a student receives additional assistance, his/her aid awards may be adjusted or reduced, even if their financial aid has already been disbursed.

### **Over-awards of Aid**

Over-awards can occur when THSU receives additional information not accounted for when the student was awarded originally. THSU is required to resolve any over-award on a student's account. Common examples of changes that cause over-awards include, but are not limited to:

- Receipt of internal or external scholarships

- Notification of tuition and fee waivers
- Enrollment changes
- FAFSA corrections

Over-awards can result in a balance due to the University which is the responsibility of the student.

### **Verification**

In some instances, THSU is required by federal and state regulations to review financial aid applications through the process of verification. Student Financial Services reserves the right to request verification of any data submitted by applicants or the parents of applicants (if applicable).

Verification requires that the university review additional documents to verify the information reported on the FAFSA for the student, parent(s), and spouse. Information that must be verified includes income information, high school completion, the number of family members in the household and the number of children in the household who are enrolled at least half-time in college. Document requirements at THSU for graduate programs include:

1. Low income form to explain zero or low income reported on the FAFSA
2. Drastic changes in income from year to year, etc.
3. Other requirements may include: Evidence of college completion, and any other documentation deemed required to validate the FAFSA.

Failure to submit requested documents in a timely manner may result in a delay or cancellation of a financial aid award. If during the process, data is found to be incorrect; the data may be corrected and the award revised. If a student is found to have knowingly submitted falsified or intentionally misleading information, THSU shall reserve the right to (1) refuse to award financial aid, (2) to cancel all aid that has previously been awarded, and/or (3) to dismiss the offending student from the University. Additionally, at THSU's discretion, all fraudulent information shall be forwarded to the Office of Inspector General for further investigation.

### **Verification Deadline:**

An applicant who is selected for verification due to conflicting information, must complete the process no later than 7 days after notification from the Financial Aid Office.

### **Secondary Confirmation**

In addition to the practice of verification for conflicting information, THSU reserves the right to select any student's file for Secondary Confirmation. As part of this process, THSU may request identifying information including but not limited to:

1. A valid, government-issued photo ID; and
2. A copy of a utility bill depicting your physical address; and
3. A notarized statement of identity.

Failure to submit all of the required items within the allotted seven business day timeline, or submission of information which cannot be authenticated will result in a failed review. Failed reviews shall be evaluated on a case by case basis, but will result in loss of financial aid eligibility, withdrawal from course(s), administrative dismissal and/or permanent expulsion from the university.

### **Expectations after Successful Completion of Secondary Confirmations** **Direct Loan Borrower Requirements**

First-time Direct Loan borrowers must complete the following requirements before a loan disbursement will be applied to his/her student account:

- Complete Entrance Counseling online which helps you learn about a Federal Direct Loan, how the process works, how to manage your education expenses, and understand your rights and responsibilities as a borrower.
- Complete the Master Promissory Note (MPN) which is a legal document in which you promise to repay the amount borrowed and any accrued interest to the U.S. Department of Education. It also explains the terms and conditions of your loan(s). THSU uses the multi-year MPN which means students can borrow additional Direct Loans on a single MPN for up to ten years.

Award amounts are based on cumulative credits earned toward a specific degree program. Annual borrowing limits for graduate students is \$20,500.00 in Unsubsidized Stafford Loans.

THSU promotes responsible borrowing and encourages students to borrow what they need to assist with cost as opposed to the amount that they are eligible for. Repayment for Federal Direct Loans begins six months after you graduate, withdraw, stop attending, or your enrollment status is less than half-time. The standard repayment term is ten years and the interest rate may vary depending on the type of Direct Loan and the disbursement date.

### **Disbursement of Aid**

Financial aid is paid (disbursed) through an academic year or remaining period of study during each payment period or academic term based on academic program. At the time of disbursement, eligibility checks confirm attendance, program, enrollment, and the completion of loan requirements. Financial aid is disbursed:

Direct Loan recipients will receive a disbursement notification to their ORBUND email within 7 days of funds being applied to their student account. Students should review their accounts for the dollar amount, and date of disbursement. Students have the right to request cancellation of all or part of the Direct Loan amounts disbursed within 30 days of the notification.

### **Use of Aid**

Funds listed on financial aid award letters may only be used for educationally related expenses for the respective academic year.

THSU applies all financial aid awards directly to institutional charges on a student's student account (charges may include but are not limited to: tuition, fees, and book voucher, etc.). Following deduction of these charges, any remaining financial aid funds will be released to the student in the form of a refund. If subsequent charges occur on the student's account after a refund is processed in a given term, the student will be responsible for these new charges.

### **Credit Balances and Refunds**

#### **Funds for Title IV Recipients to Obtain Books and Supplies**

THSU allows Title IV eligible and VA Chapter 31 students to charge books and supplies to their accounts prior to the beginning of the term if (1) THSU could disburse the Title IV funds to the eligible student; and (2) the student would have a Title IV credit balance if funds were disbursed.

#### **Refunds**

When the disbursed financial aid and/or payments made on a student account total more than the billed cost, the additional amount will be refunded to eligible students.

The university processes refunds to students based on a refund processing schedule and in a manner that complies with Department of Education requirements for refunding financial aid (Title IV) funds. All refunds are disbursed to students in the form of a check within 14 days after Direct Loans are posted to the student's account and a credit balance exists.

In the event that financial aid funds are disbursed in error, the student agrees to repay the full amount to THSY. If a mistake was made, whether by the student, the Financial Aid Department, or another agency, federal regulations require that the mistake be corrected and funds be billed back as necessary.

THSU may use a current credit balance created by Title IV funds to satisfy a past due balance for allowable unpaid charges within the current year. The current year is defined as the following:

- Current year for a student who only receives Direct Loans is the loan period.

THSU can apply up to \$200 from a current Title IV credit balance to pay prior year charges. Prior year is defined as:

- Any loan period or award year prior to the current loan period or award year.

### Return of Title IV Funds

In the event that a student withdraws before completion of a payment period for which financial aid has been received, the U.S. Department of Education regulations govern the procedural guidelines that THSU must follow to return the payment of aid. These regulations require the Financial Aid Office to recalculate federal financial aid eligibility for students who withdraw, are dismissed, or take a leave of absence prior to completing more than 60% of an academic term or payment period.

### Satisfactory Academic Progress

To remain eligible for federal financial aid programs, students must maintain Satisfactory Academic Progress (SAP) toward completion of a degree. Federal regulations require the Financial Aid Department to monitor the progress of each student toward their degree completion. Students who fail to achieve defined minimum standards for grade point average and/or fail to maintain the standards for pace of completion of their program, may lose their eligibility for all types of federal and/or institutional aid. THSU’s current SAP policy can be found in the student handbook and comprehensive catalog.

### Financial Aid Penalties for Drug Law Violations

If a student, receiving Title IV funding, has been convicted of an offense involving the possession or sale of illegal drugs while enrolled, the student becomes ineligible to receive Title IV funds. If the offense occurred outside of an enrollment period, the student is still eligible to receive funding.

When completing the Federal Student Aid (FAFSA) Free Application, students self-certify and respond to questions regarding drug convictions. Should a conviction occur after a student has submitted the FAFSA, the student must immediately notify Student Financial Services. A conviction denotes a conviction that is on a student's record. A conviction that was reversed, set aside, or removed from the student's record is not relevant for these purposes. In addition, it is not a determination or adjudication arising out of a juvenile proceeding.

An illegal drug is a controlled substance as defined by section 102(6) of the Controlled Substance Act (CSA) (Title 21 of the United States Code section 802), and does not include alcohol or tobacco.

Possession of Illegal Drugs	Period of Ineligibility
First Offense	Ineligible for one year after date of conviction
Second Offense	Ineligible for two years after date of conviction
Third Offense	Ineligible indefinitely after date of conviction

Sale of Illegal Drugs	Period of Ineligibility
First Offense	Ineligible for two years after date of conviction
Second Offense	Ineligible indefinitely after date of conviction

Pursuant to federal law, a conviction for the sale of drugs includes convictions for conspiring to sell drugs. Furthermore, those students convicted of both selling and possessing illegal drugs will be subject to ineligibility for the longer period as prescribed under the circumstances.

A student regains eligibility the day after the period of ineligibility ends or when the student successfully completes a qualified drug rehabilitation program. Further drug convictions will make the student ineligible again for federal financial aid programs.

### **Duration & Renewal of Aid**

Financial aid is awarded one academic year at a time. Students intending to use financial aid in future terms will need to file a FAFSA that corresponds with the appropriate award year. FAFSA's become available for the new aid year on October 1st.

### **Student Information and Confidentiality**

The student shall be responsible for notifying THSU of any changes in status including but not limited to: marital, academic, enrollment, legal name, etc. Additionally, the student will be expected to keep his/her local and permanent mailing address current with the Registrar.

Pursuant to the Family Education Rights and Privacy Act (FERPA), all records and data submitted with an application for financial aid, or documentation in support of a student's verification or financial aid appeal will be treated as confidential information.

### **Student Services and Activities**

Texas Health and Science University provides programs, services, and activities consistent with its mission and institutional purposes that promote student learning and enhance the personal, professional, and academic development of its students. THSU's philosophy of Student Support Services reflects the size of the institution, the demographic composition of the student body, and the nature of professional graduate education.

The majority of our students fall into the 21 to 40 age group and come to the University already possessing a bachelor, master, or doctoral degree. These two details are strongly correlated, as one might expect, and the trend in the student population has been toward a student body in the mid-to-late thirties with a growing percentage of beginning students holding Bachelor's or Master's degrees. THSU has worked with students to identify the core service needs of its student body and ways of meeting those needs in the best ways possible. Since THSU does not maintain any student housing, for example, University personnel assist students who relocate to the Austin area to locate suitable, affordable housing.

The student support programs, services, and activities that Texas Health and Science University offers its students are as follows:

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>• Federal Title IV Student Financial Aid for those who qualify</li><li>• Department of Assistive and Rehabilitative Services (DARS) participation</li><li>• Veteran's Administration (VA) program eligibility</li><li>• Student Association</li><li>• Academic and Professional Advising</li><li>• Complimentary Tutorial Program</li><li>• Patient Recruiting and Retention</li><li>• Housing Location Assistance</li><li>• Student Identification Card</li><li>• Discounted Acupuncture and Herbal Treatments</li><li>• Student Herb Garden and Herb Room</li><li>• Vending Machines</li><li>• Computer Labs</li><li>• Library</li></ul> | <ul style="list-style-type: none"><li>• Wi-Fi Internet Access</li><li>• New Student Orientation</li><li>• Chinese New Year Celebration</li><li>• Graduation Ceremony</li><li>• Clean Needle Technique (CNT) classes</li><li>• Discounted Continuing Acupuncture Education (CAE) rates</li><li>• Financial Aid Workshops</li><li>• International Student Advising</li><li>• Faculty Seminars</li><li>• Tea with the President</li><li>• Qi Gong and Tai Chi classes</li><li>• Placement/Employment postings</li></ul> |
|--|--|

### **Academic Advising**

The University's academic department directors are responsible for academic advisement of students in their respective subjects. At the start of every trimester, the Directors' hours are posted outside their offices. Academic advising is also available from all faculty members by mutual arrangement or as provided for in the course syllabus.

### **THSU Disability Support Services**

Students requesting services from Disability Support Services of Texas Health and Science University are required to submit documentation under the Americans with Disabilities Act Amendments (ADAAA) and Section 504 of the Rehabilitation Act of 1973. Individuals with disabilities are protected from discrimination and may be entitled to reasonable accommodations and the right to equal access to programs and services.

Accommodations are determined on a case-by-case basis, taking into account the needs of the student, the course standards and essential requirements, and the educational environment. At the University, the determination of an appropriate and reasonable accommodation is based on written documentation and thorough interaction with the student. Specifically, accommodations are determined by DSS in consultation with the student and with input from the faculty and staff, as needed.

In reviewing the specific accommodation requested by the student or recommended by the physician/evaluator, DSS may find that while a recommendation is clinically supported, it is not the most appropriate accommodation given the requirements of a particular student's academic program.

In addition, DSS may also propose clinically supported accommodations that would be appropriate and useful for the student, but which neither the student nor the evaluator have requested.

DSS reserves the right to determine eligibility for services based on the quality of the submitted documentation. If the student's participation in programs or services imposes a direct threat to the safety of students or others, then the University may deny participation in the program.

#### **Registering for Services**

Students with disabilities who wish to receive accommodations or services must officially register with DSS. To register, the student must submit their request and documentation to DSS. Once those pieces of information are received, DSS staff will contact the student to schedule an intake appointment to officially register for services. During the intake appointment all accommodations, services and procedures will be discussed. At this meeting, the student will be informed that accommodations must be requested every trimester in order to receive services and be actively registered that trimester.

#### **Accommodation Requests**

Every trimester, the student submits the required Accommodation Request form with a copy of his/her schedule in order to formally request services and accommodations. Requests for services or accommodation should be made as early as possible to allow time to review requests and documentation and make proper arrangements.

Accommodation arrangements may be compromised or denied if a request is not made in a timely manner. A disclosure of disability or request for an accommodation made to a faculty or staff member, other than the staff of DSS, will not be treated as a request for an accommodation.

The University reserves the right to deny services or accommodations if sufficient supporting documentation and information is not provided by a student to support the need for an accommodation.

If the documentation provided by a student does not support the existence of a disability or the need for an accommodation, the student will be so advised. Students will be given the opportunity to supplement the initial

documentation with further information. In such instances written evaluations from physicians or other qualified specialists are particularly helpful in evaluating accommodation requests.

The University is not required to provide any aid or service or make any modification that would result in a fundamental alteration in the nature of the program. For example, where a course requirement is essential to the program of instruction taken by the student, the University is not required to waive the requirement. In evaluating whether the requested program modifications would require substantial program alteration or would fundamentally alter academic standards or programs, the program administrator should consider the underlying academic reasons for the program components, the academic standards institutionalized in the program, how the challenged components are consistent with the program standards, and how the requested accommodations would be inconsistent with the academic goals and standards of the program.

Additionally, an accommodation that makes a substantial change in an essential element of a course or a given student's curriculum is not reasonable and therefore not required. It is the institution's responsibility to demonstrate both that the change requested is substantial and that the element targeted for change is essential to the conduct of the course or curriculum. Whether or not the change requested is substantial/essential may be based upon pedagogical precepts, the class syllabus, and/or the judgment of administrators and service providers with knowledge of the class and the student's disability.

The University also does not need to make modifications or provide auxiliary aids or services if it constitutes an undue burden on the University's overall institutional budget. In determining whether or not an undue burden exists, the factors to be considered are the nature and cost of the action needed in the context of the overall financial resources of the University.

Lastly, the University does not need to make an accommodation that poses a direct threat to the health or safety of the student or others.

### **THSU Disability Documentation Guidelines**

Disability Support Services acknowledges that once a person is diagnosed as having a disability the disability is normally viewed as life-long. While the disability will continue, the severity of the condition and/or its effects may change over time.

Therefore, the purpose of requesting documentation is to consider each student individually and to understand if and how the student is affected by his/her disability in a higher education living and learning environment in order to make an informed decision about the need for accommodations and services.

In order to determine if a specific accommodation(s) is reasonable and appropriate, the following factors will be considered:

- |  |   |
|--|---|
| <ul style="list-style-type: none"><li>• Disability</li><li>• Registration Information</li><li>• Academic history</li><li>• Personal self-reported statement</li><li>• Observations and Interactions with DSS</li></ul> | <ul style="list-style-type: none"><li>• Previous accommodations received</li><li>• Accommodations being requested</li><li>• Unique characteristics of each course or program</li><li>• Any other documentation provided</li></ul> |
|--|---|

Accommodation decisions cannot be made until, at a minimum, some written documentation is provided and an interview has been conducted by DSS staff.

### **Definition of a Disability**

In order to receive accommodations, a student must have a mental or physical condition that substantially limits a major life activity. Types of disabilities we serve include (but are not limited to): Visual Impairment,

Chronic health Conditions, Cognitive Disabilities (ADD, LD), Deaf or Hard of Hearing, Physical Disabilities and Psychological Disabilities.

### Documentation from External Sources

Appropriate disability accommodations are determined based on documentation which may include educational or medical records, reports and assessments from health care providers and other qualified professionals.

It is recommended that any written documentation include:

- |  |   |
|--|---|
| <ul style="list-style-type: none"><li>• History of the disability</li><li>• Description of the current impact as it relates to meeting the various demands of higher education (academically, socially, emotionally, physically, medically)</li><li>• Expected progression or stability</li><li>• Functional living skills, i.e. orientation and mobility and activities of daily living (ADL's)</li></ul> | <ul style="list-style-type: none"><li>• Notation of any medical equipment that is required</li><li>• Notation of medications, if any, and potential impact on learning and/or side effects</li><li>• Implications of existing co-morbid conditions</li><li>• Additional observations and/or recommendations</li></ul> |
|--|---|

For all cognitive disabilities (Learning Disabilities, conditions or incidents impacting the brain, Attention Deficit Disorder, Asperger's and other Pervasive Developmental Disorders):

- A comprehensive neuropsychological or psycho-educational evaluation that includes aptitude and achievement (preferably one with measures normed for an adult)
- Rating scales and objective measure of attention (for ADD)
- Standardized scales of symptoms related to Autism (Asperger's and PDD)

For the following disabilities, DSS requests that a treating professional provide a written letter that addresses the bullet points above.

- Chronic medical conditions
- Physical and mobility disabilities
- Psychological/psychiatric conditions

Because accommodation needs can change over time and context, students should provide updated information on an annual basis to ensure the most effective services and accommodations possible.

Disability Support Services reserves the right to request additional documentation in order to support specific accommodations. If additional information is needed, DSS may determine that it is appropriate to provide temporary accommodations. Temporary accommodations will be determined based on the information that has been provided.

The aforementioned guidelines are provided so that Disability Support Services can respond appropriately to the individual needs of the student. Disability Support Services reserves the right to determine eligibility for services based on adherence to these guidelines and established DSS policies and procedures.

Please send all documentation to: Disability Support Services, Texas Health and Science University, 4005 Manchaca Road, Austin, TX 78704, 512-444-8082.

### Change of Address

Students are encouraged to notify the Registrar as soon as possible after a change of address, change of email address, or change of telephone number(s). This will allow the administration to contact students in case of emergency or for staff to receive necessary information from students.

### Announcements

Daily announcements and classroom assignments are posted on the door at the foot of the stairs in the main campus building. Please check that location every day for important announcements and the latest information. Email is the

primary means by which University staff communicate important information to students. Students are encouraged to check their email daily and promptly respond to any requests for information by the University staff.

### **Computer Lab**

Computers with printers are located in the main campus building and in the library. These are available for use by students for academic purposes, such as doing research, preparing assignments, and checking electronic mail. Students are encouraged to set up an external email account that filters out viruses, such as yahoo.com or gmail.com by which they can email their documents to themselves, thus protecting their documents from viruses. Students should treat all University equipment with care and respect.

### **Academic Dean**

The Academic Dean's office hours are posted and by appointment. Students may discuss any issues with these staff, who will assist in resolving conflicts or suggest alternatives for consideration. Everyone in the University community is encouraged to promote an atmosphere of positive behavior and mutual respect. If conflicts arise, approaching the individual directly, with respect, is usually the best first step. When reasonable attempts at resolving difficulties fail, students are welcome to speak with the Academic Dean, who will hold discussions in confidence.

### **Free Seminar Series**

Every trimester, our faculty provides one or more free lectures to the community. These informational lectures discuss a variety of topics of interest to students and/or guests and are given free of charge. All students are encouraged to take advantage of these opportunities.

### **Graduation Ceremony**

Graduation Ceremonies are held twice per year to celebrate and honor the achievements of students who complete their programs. All students, faculty and staff are invited to attend, with a response requested to assist the staff planning the celebration. Students who are planning to graduate are encouraged to assist in the planning so as to make this a meaningful and memorable occasion, and to inform the Registrar of intent to graduate upon registration for their final semester. Graduation Ceremonies are held in Austin.

### **Health Services**

The health services provided in the Student Clinic are available at a discount for students. Traditional Chinese Medicine students are encouraged to take advantage of these services, to internalize their education in TCM, as well as for personal health reasons.

### **Library**

The General Shu Ping Tsao Library holdings are designed to specifically support the University's programs. The University Librarian is available to assist students in locating materials and in performing research with paper and internet journals and databases. The Library staff hours are posted at the beginning of each trimester.

Books may be checked out for a two-week period. Materials may be renewed provided no one else has placed a hold on the requested item. There will be a three-day grace period for check-in. After the grace period has passed, students will be fined according to the published schedule of fines posted in the Library until the book is returned.

The Library offers many subscription and open-access databases for research. Alt-Health Watch and ABI Inform Research are premier alternative medicine and business management research databases that are available to all students, faculty and staff. Students may access these research databases by logging into the THSU website with a username and password administered by the Librarian.

Additional library materials are available through City of Austin Libraries and the University of Texas Library. The Librarian can assist with interlibrary loan procedures.

The General Shu-Ping Tsao Library includes a computer lab, printing and copying services, and digital media with supporting audio-visual equipment. Please see the library orientation guide for additional information.

### **Lost and Found**

Lost and Found items may be retrieved or turned in at the administrative office.

### **National Certification Exam and Licensing Advisement**

During their first year, students in the MSAOM program are encouraged to visit the website of the National Certification Commission for Acupuncture and Oriental Medicine, [www.nccaom.org](http://www.nccaom.org) to get an overview of the certification process. This website provides instructions, fees and requirements for the national exams, required by most states for licensure.

Students are encouraged and urged to take their national exams during their third year and prior to graduation to maximize their opportunities for success. The University has developed courses specifically for examination preparation and review and offers consultation with the Academic Dean, reviewing knowledge with instructors, and participation in group study with colleagues.

Students are also encouraged to contact the state licensing board in the state where they are planning to be licensed. The website for the Texas State Board of Acupuncture Examiners is [www.tmb.state.tx.us](http://www.tmb.state.tx.us).

The Administration Department is available to support students in the answering of questions of a general nature concerning national certification exam procedures and licensing applications. The administration, however, cannot provide legal advice. The Academic Dean, faculty, and administration may advise students as to their readiness for national certification exams.

### **New Student Orientation**

New students are required to attend an Orientation at the beginning of their matriculation into the program. The Orientation session includes an overview of academics, student life, financial procedures, student conduct, emergency exits, and other topics. The Orientation allows new students to become acquainted with their classmates and to understand the ground rules that are followed in the University community. Students are expected to understand, and agree to follow, the policies as stated in the Student Handbook and Clinic Policy Manual.

### **Safety Officers**

The University's Financial Aid Officer and Dean of Students serve as the Safety Officers. All students, faculty and staff are encouraged to promptly report any safety hazards to one of the Safety Officers, in the administrative offices of the University. In case of emergency, a call to 911 will notify City of Austin emergency services.

### **Security**

Security is provided on the campus 24 hours per day, 7 days per week with security cameras. All students, faculty and staff should be aware of their surroundings in walking to and from the campus and use common sense to ensure their safety, especially after dark.

The University cannot be responsible for valuables left unattended. Laptop computers, palm pilots, clinic supplies, backpacks, textbooks and other valuables should be kept secured. In case of missing items, check the Lost and Found, and if not found there, notify the administrative office.

### **THSU Student Association**

The goals of the THSU Student Association include the enrichment of the academic experience of students, serving as a voice to the University administration in suggesting ways to enhance student life, and to provide student representatives as appropriate in individual students' appeals. Each campus has its own Association. The Dean of Students serves as the administrative liaison for the Student Association. Elections of officers are held annually or as needed to provide adequate representation of all class cohorts. All students are encouraged to become involved in the Student Association to enhance campus involvement and develop leadership skills.

### **Student Lounge**

The Student Lounge is located on the second floor of the main campus building in Austin and in the Saidoff Center in San Antonio. A refrigerator, microwave, sink, tables and chairs, and other facilities are provided for students' convenience. Each person is responsible for cleaning and removing his or her own dishes and should not leave used dishes at the University overnight. Students should help keep this area clean.

### **Tutoring**

Tutors are second-year and third-year students who have met University tutoring standards in the subject area he or she is tutoring. Students having difficulty with their coursework, establishing study habits, accessing information from

the internet, or any other academic difficulty, are encouraged to consider the assistance of a tutor. Contact the Academic Dean to coordinate tutoring services.

## Student Conduct

### Code of Academic Integrity

The decision to enter the profession of Acupuncture and Oriental Medicine is a commitment to develop oneself personally, interpersonally, and professionally, in addition to learning the technical skills of effective treatment. Conduct is recognized as part of professionalism, and professionalism is an educational objective of the Master of Science in Acupuncture and Oriental Medicine program. The students of Texas Health and Science University, therefore, commit themselves to undertake their academic studies with the highest standards of individual responsibility, personal honor and integrity.

The University expects all students to show respect for other members of the University community, to maintain appropriate confidentiality, to obey the law, to maintain integrity and a high standard of individual honor in scholastic work, and to observe standards of conduct appropriate for a community of scholars.

### Courteous Practices

In order to encourage a harmonious and pleasant atmosphere at the University, we ask that students (and staff and faculty, too, of course) observe the following practices of common courtesy.

### Children and Pets

Students are not permitted to bring children, pets or other distractors to the University during class or clinic hours. Visitors may attend classes on an occasional basis (with the permission of the instructor), but are not permitted to attend clinic sessions.

### Food and Drink

Drinks may be consumed during class (but not in the Student Clinic reception room or treatment rooms). However, there should be no food consumed in the classrooms, to avoid disruption to teaching and learning. Food must be confined to the Student Lounge, where you will find a microwave and a sink. The refrigerator is meant to be used as a temporary storage facility. Food items left in the refrigerator over the weekend may be disposed of by the THSU staff.

### Mobile Phones and Pagers

Please turn off all wireless telephones, pagers, and other equipment before class or clinic begins. Students should not conduct personal business while classes are in session. This establishes the priority for instruction while in class and clinic and shows respect for instructors and other students.

### Parking

Austin Campus	San Antonio Campus
<p>Parking is available in the front and back of the main administrative building in Austin and adjacent to the Intern Clinic located a few blocks from the main building at 1707 Fort View Road. The back lot is available by entering the driveway at 4004 Valley View Road. Parking spaces in front of the school and Intern Clinic nearest to the front door are reserved for handicapped drivers displaying the appropriate signage on their vehicles. Unauthorized vehicles and vehicles parked long-term without permission are subject to fine and towing at the owner's expense.</p> <p>The remaining unmarked spaces are available for student use on a space-available basis. Students may park in the Senior Activity Center parking lot in the afternoons, evenings, and Saturday mornings, away from the Center's entrance. The area of that parking lot nearest Manchaca Road is the best parking option for students attending the University. Parking at the Montessori school next door is <b>not</b> permitted, except by prior arrangement with the management of the facility.</p>	<p>Parking is available in the front of the building complex. A parking map that describes the parking zones for THSU, UIW and other suites in the complex will be provided at the start of each term. Unauthorized vehicles are subject to fine and towing at the owner's expense.</p>

<p>Additional parking during weekday mornings may be found on side streets near the University. Students are asked to be courteous neighbors, to avoid blocking residential driveways. Caution should be exercised in crossing Manchaca Road.</p> <p>Bicycles should be parked in the front parking lot where they can be locked to the bicycle rack. They should <u>not</u> be brought inside the gate of the building.</p>	
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**Smoking**

Smoking is discouraged, and there are proven acupuncture treatments to help you quit. However, if you choose to smoke, please do so away from the building, and do not leave butts or used matches on the ground.

**Student Clinic**

Clinic patients are guests of the University. Professional, appropriate behavior is to be maintained in the clinic reception room, herb room, treatment rooms and hallways when patients are present. There is no occasion for raising one’s voice in the Clinic except in the case of a real emergency. The discussion of patient cases must never take place in the presence of patients. These, and other common courtesies, are expected of all students at the University. The **Clinic Observation and Intern Handbook and Policy Manual** contains additional information for students enrolled in Clinic Observation and Clinic Internship courses.

**Windows and Temperature Control**

<b>Austin Campus</b>	<b>San Antonio Campus</b>
<p>Classroom windows should remain closed and locked.</p> <p>If needed, contact THSU staff for modifications to the building temperature. Caution should be taken in making temperature adjustments to prevent system freezing and unnecessary utility expenditures.</p>	<p>The central heating and cooling system are set to provide maximum comfort for building occupants. If needed, contact the THSU onsite administrator, who will contact Saidoff Center Maintenance for modifications to the building temperature.</p>

**Misconduct**

1. "Scholastic dishonesty" includes, but is not limited to, cheating, plagiarism, collusion, falsifying academic records, and/or any act designed to give unfair academic advantage to the student.
2. "Cheating" includes, but is not limited to:
  - a. copying from another student's test paper
  - b. using materials not authorized by the instructor or proctor during a test or examination
  - c. failing to comply with instructions given by the instructor or proctor
  - d. using, sharing, buying, stealing, transporting, or soliciting in whole or in part the contents of a test, test key, or homework solution
  - e. collaborating with or seeking aid from another student during a test or other assignment without authority or without permission to do so from the instructor or proctor
  - f. falsifying research data and/or other academic work offered for credit
  - g. clocking time spent in Clinic Observation or Clinic Internship when in fact such time was not spent in clinic instruction
  - h. logging the treatment of a patient while in Clinic Internship when in fact the student was not actively involved in the treatment of such patient
3. Taking, keeping, misplacing, or damaging the property or services of the University, or those belonging to other individuals.
4. Possessing, using, displaying of firearms, facsimile firearms, ammunition, explosives, or other weapons on property owned or controlled by the University.
5. Conduct that impedes, interferes with, or disrupts any University teaching, research, administrative operation, disciplinary action, public service, learning, or other official activity.
6. Conduct that endangers the health or safety of any student or employee of the University, or of visitors on the campus.

7. Failure to comply with the directions of University employees acting in the performance of their duties.
8. Verbally threatening, intimidating, abusing or harassing any University employee in the performance of their duties.
9. Engaging in disorderly conduct, public intoxication, lewd, indecent or obscene behavior on University premises or at University-sponsored activities.
10. Actions not committed on University property, but related to the security of the University community or the integrity of the educational process.
11. Engaging in conduct that violates any provision of federal, state, and/or local laws whether or not the violation occurs on University property or at University-sponsored events.
12. Use of the name, "Texas Health and Science University," "THSU", or its logos or slogans, in any way purporting to represent the University without the express written permission of the University president.
13. Any organized activity that would impede, interfere with, or disrupt any University teaching or official activity, or that endangers the health or safety of anyone on campus. All parties involved in such activity are subject to disciplinary procedures.
14. Engaging in alcohol and/or drug use as described in the section below.
15. Engaging in sexual misconduct as described in the section below.

Any of these offenses, whether committed singly or in combination, may result in disciplinary action and/or expulsion from the program, as well as referral to the appropriate law enforcement agency.

### **Alcohol and Drugs**

Texas Health and Science University will not tolerate the unauthorized sale, use, distribution or possession of any controlled substance, illegal drugs or drug paraphernalia on school premises or at school-sponsored activities. Being on campus or clinic intoxicated is prohibited.

Student groups requesting permission from the president to consume, distribute, or use alcoholic beverages on campus must provide a written request to the president not less than one week prior to the anticipated event. Student organizations are reminded that the consumption, distribution, or use of alcohol on campus is permissible only with the prior knowledge and written approval of the president. All other instances of alcohol use or consumption on University premises are strictly forbidden. Violators are subject to the Disciplinary Process up to and including immediate termination of employment, suspension from the University, and/or other sanctions as determined by the University.

### **Sexual Harassment Policy**

#### **Introduction**

This policy provides information regarding Texas Health and Science University's ("The University") education efforts to prevent sex discrimination, sexual harassment, sexual assault, sexual misconduct, interpersonal violence and stalking. The policy also explains the procedures for reporting prohibited conduct and how the University will proceed once allegations are made in order to meet the legal obligations of Title VI of the Civil Rights Act of 1964, the Title IX and education amendments of 1972, Title VII of the Civil Rights Act of 1964, the Violence Against Women Reauthorization Act of 2013 ("VAWA"), and similar states and federal statutes.

The policy applies to all students, University employees, visitors, University affiliates, and others conducting business on campus. The University may also investigate and take disciplinary action in response to incidents that occur during official University sanctioned events regardless of the location of the incident.

The University does not condone and will not tolerate sexual misconduct, sexual harassment or sexual violence of any kind. The University prohibits rape, domestic violence, dating violence, sexual assault, stalking, and cyber-stalking, as well as discrimination or harassment based on sex.

The University strongly encourages students, University employees, and third party affiliates to promptly

report all incidents of prohibited conduct that is contained in this policy. All **responsible employees** are required to report incidents of prohibited conduct contained in this policy. The University will promptly respond to all reports of prohibited conduct, and will engage in a fair and impartial investigation and resolution for complaints, and as necessary, will issue “sanctions” or report incidents to local law enforcement. A “sanction” is defined as the primary outcome of an alleged violation.

Pursuant to Title IX, a **responsible employee** is a University employee who has the authority to take action and redress alleged violation of this policy; who has been given the duty of reporting allegations to the Title IX Coordinator; or an individual assumed to have authority or duty. At Texas Health and Science University, **Responsible Employees**, include, but are not limited to:

- administrators
- registrar
- dean
- financial aid
- faculty members (including adjuncts)
- vice presidents

In an effort to promote a safe and secure campus environment and prevent acts of sexual misconduct from occurring, the University engages in ongoing prevention and awareness education programs. All incoming students and employees are required to participate in these programs. **Responsible employees** are not confidential reporting resources.

Students wishing to remain anonymous can file a complaint (by telephone or in writing) with the University Title IX Coordinator. The Title IX Coordinator at THSU is Antonio Holloway, Director of Financial Aid. Electing to remain anonymous slows down the investigation process and the ability for the Title IX Coordinator to collect evidence against those who are accused of violating the sexual misconduct policy.

## Definitions

**Rape** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by sex organ of another person, without the consent of the victim

**Associate** A faculty member, staff member, or University personnel

**Consent** **Consent** is

- the equal approval, given freely, willingly, and knowingly of each participant to desired sexual involvement
- an affirmative, conscious decision –indicated clearly by words or actions to engage in mutually accepted contact.

Non-Consent is

- forced to engage in sexual contact by force, threat of force, or coercion

## Coercion

**Coercion** includes unreasonably pressuring another to engage in sexual activity. Lack of mutual consent is the crucial factor in any sexual misconduct. **Consent** to some form of sexual activity does not necessarily constitute consent to another form of sexual activity. Silence without demonstrating permission does not constitute consent.

**Consent** is not valid when a person is **incapacitated**, or when an intellectual or other disability prevents a person from having the capacity to give consent. A person is **incapacitated** if they lack the capacity to consent to sexual activity because the person is asleep, unconscious, mentally and/or physically helpless, or otherwise unaware that sexual activity is occurring.

**The legal Age of Consent in Texas is 17.** The definition of “**Age of Consent**” in

Texas is when a person may legally consent to engage in sexual activity with another person. Texas Penal Code states that once a person becomes 17 years of age they are capable to give consent for sexual activity with another person.

"Dating Violence" includes violence committed by a person:

**Dating Violence**

1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a. the length of the relationship.
  - b. the type of relationship.
  - c. the frequency of interaction between the persons involved in the relationship.

**Family Violence**

Family violence means: (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault. "Household" means a unit composed of persons living together in the same dwelling, without regard to whether they are related to each other. "Member of a household" includes a person who previously lived in a household.

**Incapacity**

**Incapacitation** is not necessarily the same as legal intoxication. Where alcohol or other drugs are involved, evaluating **Incapacitation** requires an assessment of how the consumption of alcohol and/or drugs affects a person's: decision-making ability; awareness of consequences; ability to make informed, rational judgments; capacity to appreciate the nature and quality of the act; or level of consciousness. The assessment is based on objectively and reasonably apparent indications of incapacitation when viewed from the perspective of a sober, reasonable person or level of consciousness.

**Discrimination**

Treating an individual differently in the terms or conditions of his or her employment or education on the basis of his or her race, color, religion, sex, ethnicity, national origin or ancestry, age, physical or mental disability, sexual orientation, gender identity, gender expression, genetic information, veteran or military status, and all other categories protected by applicable state and federal laws.

Sexual assault is a very serious criminal offense throughout the United States. In the state of Texas, it's also considered a serious criminal violation of the law. Sexual assault, more commonly known as rape, occurs when a person knowingly and intentionally forcibly commits a number of sexual activities that are prohibited as per Texas's sexual assault law against the will of another person and without their consent.

**Sexual Assault**

There are several specific acts that are considered sexual assault. A person commits sex assault offense if the person:

- intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
- causes the penetration of the mouth of another person by the sexual organ of the perpetrator, without that person's consent; or
- causes the sexual organ of another person, without that person's

consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the perpetrator.

A sub-section of the Texas Sexual Assault law deals with Child Sexual Assault. Child Sexual Assault occurs if person intentionally or knowingly:

- causes the penetration of the anus or sexual organ of a child by any means;
- causes the penetration of the mouth of a child by the sexual organ of the perpetrator;
- causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the perpetrator;
- causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the perpetrator; or
- causes the mouth of a child to contact the anus or sexual organ of another person, including the perpetrator.

(references: SAPUTO Law Firm and Eric Harron Law Firm)

Sexual contact that occurs without consent.

“Sexual exploitation” occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person’s consent. Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
  - Recording images (e.g., video, photograph) or audio of another person’s sexual activity, intimate body parts, or nakedness without that person’s consent;
  - Distributing images (e.g., video, photograph) or audio
  - Viewing another person’s sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person’s consent, and for the purpose of arousing or gratifying sexual desire.
- of another person’s sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and,

**Sexual Battery**

**Sexual Exploitation**

## **Sexual Harassment**

As defined in the 1980 Equal Employment Opportunity Commission's Guidelines On Sexual Harassment, sexual harassment encompasses "unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature" such as intentional patting, pinching, touching or other sexually suggestive behavior that is sufficiently serious to deny or limit a student's ability to participate in or benefit from the education program. Sexual harassment occurs when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience, creating an intimidating or hostile employment, educational or living environment for an individual; or
- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or of a student's status in a course, program or activity; or
- Submission to or rejection of such conduct is the basis for academic or employment decisions affecting an individual; or
- Such conduct is directed against an individual persists despite requests for its cessation and/or when a claim of sexual harassment has resulted in retaliation against Associates/students for complaining about such behavior.

## **Gender-Based Harassment**

"Gender-based harassment" is unwelcome conduct of a nonsexual nature based on a student's actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes.

## **Hostile Environment**

A hostile environment can be created by anyone involved in a University's program or activity (e.g., administrators, faculty members, students, and campus visitors).

In determining whether sex-based harassment has created a hostile environment, the University considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not enough, that the conduct was unwelcome to the student who was harassed. But the University will also need to find that a reasonable person in the student's position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a hostile environment.

To make the ultimate determination of whether a hostile environment exists for a student or students, the University considers a variety of factors related to the severity, persistence, or pervasiveness of the sex-based harassment, including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of persons involved; (3) the number of individuals involved; (4) the location of the conduct and the context in which it occurred; and, (5) the degree to which the conduct affected one or more student's in education.

The more severe the sex-based harassment, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single instance of sexual assault may be sufficient to create a hostile environment. Likewise, a series of incidents may be sufficient even if the sex-based harassment is not particularly severe.

Any sex discrimination that can include discrimination, sex-based harassment,

sexual battery, gender-based harassment, sexual harassment, sexual violence or assault, rape, sexual coercion or exploitation, sexual threats or intimidation, domestic violence, dating violence, stalking, and cyber-stalking.

### Sexual Misconduct

According to [Section 42.072 of the Texas Penal Code](#), stalking is defined as a behavior which:

- Occurs on more than one occasion
- Is specifically directed at one person
- Places that person in fear of death or [bodily injury](#)
- Places that person in fear of death or bodily injury to a family member or romantic partner
- Causes that person to feel harassed, annoyed, embarrassed or in fear that their property will be damaged

### Stalking

Essentially, a person who repeatedly targets someone else and engages in **behavior that could threaten or frighten another person** may be charged with stalking.

(Reference: Matthew Sharp Law Office)

As defined in the 1980 Equal Employment Opportunity Commission's Guidelines On Sexual Harassment, sexual harassment encompasses "unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature" such as intentional patting, pinching, touching or other sexually suggestive behavior that is sufficiently serious to deny or limit a student's ability to participate in or benefit from the education program. Sexual harassment occurs when:

### Unwelcome Conduct

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience, creating an intimidating or hostile employment, educational or living environment for an individual;
- Such conduct has the purpose or effect of abusing, threatening, or intimidating an Associate or student through insulting or degrading sexual remarks or conduct;
- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or of a student's status in a course, program or activity;
- Submission to or rejection of such conduct is the basis for academic or employment decisions affecting an individual;
- Such conduct is directed against an individual persists despite requests for its cessation and/or when a claim of sexual harassment has resulted in retaliation against Associates/students for complaining about such behavior. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience, creating an intimidating or hostile employment, educational or living environment for an individual.
- Interfering with an individual's work performance or educational experience, creating an intimidating or hostile employment, educational or living environment for an individual.

### Policy

### Scope

This policy applies to all members of the University Community including all students, faculty, staff, and other

university officials, whether full or part-time and guest lecturers, as well as to conduct by third parties (i.e., individuals who are neither students nor employees, including but not limited to guests and consultants) directed toward, University students, faculty, or staff members. The policy applies to these parties regardless of sexual orientation or gender identity or expression. The policy governs the conduct of all faculty, staff, administration, Associates, students, volunteers and visitors at off-campus University sponsored events, including, but not limited to academic and educational programming, internships, study abroad programs, athletic events, and all other University programming, as well as to the conduct of all faculty, staff, administration, Associates, students, volunteers and visitors occurring off-campus but having an effect on the University's educational environment or a victim's educational experience.

### **Purpose**

To define, prevent, and respond to Sexual Misconduct.

### **Prohibited Conduct**

The University strictly prohibits all forms of Sexual Misconduct. As defined above, this includes discrimination, sex-based harassment, sexual battery, gender-based harassment, sexual harassment, sexual violence or assault, rape, sexual coercion or exploitation, sexual threats or intimidation, domestic violence, dating violence, stalking, and cyberstalking. Sexual Misconduct is prohibited whether occurring on or off campus and whether directed against a member of the University community or outside the University.

### **Reporting Policy**

The University encourages community members to report incidents of sexual harassment, sexual assault or any other sexual misconduct immediately to the University. A report may be made by the victim of a violation of this Policy or by any other person having knowledge of the violation. Confidentiality concerns are addressed below.

### **Employee Reporting**

The University takes the position that all employees not having a legal duty of confidentiality (e.g. a licensed counselor, doctor, or nurse) are "Responsible Employees". A Responsible Employee is a University employee who has the duty to report incidents of sexual misconduct. A Responsible Employee who witnesses or has knowledge of sexual misconduct against a student must immediately contact the Title IX Coordinator for advice and assistance and to ensure the University responds appropriately. A failure by a Responsible Employee to report a violation of this policy perpetrated against a student may warrant disciplinary action.

### **Bystander Policy**

The University encourages all community members to take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Taking action may include direct intervention where it is safe to do so, creating a distraction, calling law enforcement, or seeking assistance from a person in authority.

### **Role of the Title IX Coordinator**

Pursuant to Title IX of the Education Amendments of 1972 and the U.S. Department of Education's implementing regulations at 34 C.F.R. Part 106, the University's Title IX Coordinator has primary responsibility for coordinating the University's efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all the operations of this University, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX.

Sexual Misconduct against students, including sexual harassment, sexual assault, rape, and sexual exploitation, can be a form of sex discrimination under Title IX. The Title IX coordinator oversees the University's response to reports and complaints that involve possible sex discrimination affecting students to monitor outcomes, identify and address any patterns, and assess effects on the campus climate, so the University can address issues that affect the wider school community.

A student or employee should contact the Title IX Coordinator in order to:

- seek information or training about victim's rights and courses of action available to resolve reports or

complaints that involve potential sex discrimination, including sexual misconduct,

- file a complaint or make a report of sex discrimination, including sexual misconduct,
- notify the University of an incident or policy or procedure that may raise potential Title IX concerns,
- get information about available resources (including confidential resources) and support services relating to sex discrimination, including sexual misconduct, and
- ask questions about the University's policies and procedures related to sex discrimination, including Sexual Misconduct.

### **Functions and Responsibilities of the Title IX Coordinator**

The Title IX Coordinator's functions and responsibilities include the following:

#### **Training for Students, Faculty, and Staff**

The Title IX Coordinator provides or facilitates ongoing training, consultation, and technical assistance on Title IX for all students, faculty and staff, including:

- regular training for faculty and staff outlining their rights and obligations under Title IX, including the appropriate response to reports of sexual misconduct, the obligation to report sexual misconduct to appropriate University officials, and the extent to which counselors and advocates may keep a report confidential, and
- regular training for students outlining their rights under Title IX; with regard to sexual misconduct, this training will include what constitutes sexual misconduct and when it creates a hostile environment, the definition of consent, reporting options (including reports to Responsible Employees, campus and local law enforcement, and confidential reporting to counselors or advocates), the procedures used to process complaints, applicable disciplinary code provisions relating to sexual misconduct and the consequences of violating those provisions, the role of alcohol and drugs in sexual misconduct, the effects of trauma, strategies and skills for bystander intervention, the offices or individuals with whom students can speak confidentially, the offices or individuals who can provide support services, the employees who must report incidents to the Title IX coordinator, and Title IX's protections against retaliation.

#### **Investigations**

The University is responsible for conducting adequate, reliable, and impartial investigations of reports and complaints of Sexual Misconduct. The Title IX Coordinator oversees many aspects of this response, including:

- determining whether the report or complaint alleges conduct that may, upon investigation, constitute prohibited sexual misconduct,
- reviewing the intake information to assess whether there is sufficient information upon which an investigation may proceed,
- appointing an investigative team upon such determination,
- making certain that individual reports and complaints are handled properly and in a prompt and timely manner,
- informing all parties regarding the disciplinary process,
- confirming that all parties have been notified of disciplinary decisions and of the right to, and procedures for, appeal, if applicable,
- maintaining information and documentation related to the investigation in a secure manner, and
- monitoring compliance with timeframes specified in the discipline procedures.

#### **Use of Drugs and Alcohol**

Any student who files a complaint, or who acts as a third-party witness in an investigation under this policy, will not be subject to disciplinary action for using and/or consuming alcohol or drugs at or near the time of the alleged incident,

provided that any such alcohol or drug use did not, and do not, place the health or safety of any other person at risk.

The Title IX Coordinator evaluates requests for confidentiality, as outlined below, by those who report or complain about sexual misconduct in the context of the University's responsibility to provide a safe and non-discriminatory environment for all students.

### **Reporting Sexual Assault or Other Violations of the Sexual Misconduct Policy**

#### **Timing of Complaints**

If the respondent is a current THSU student, there is no time limit for filing a complaint to initiate these procedures. However, students are strongly encouraged to report sexual misconduct in a timely manner to maximize the University's ability to gather evidence, and conduct a thorough, impartial, and reliable investigation.

#### **After Graduation Complaints of Pre-Graduation Incident**

THSU can hear complaints against students who have graduated if the alleged incident took place before the accused student graduated and the complainant files a written complaint within the twelve months of the accused's date of graduation. If found to be responsible for a violation of sexual misconduct policy, the former student charged could face revocation of his/her diploma.

#### **Contact Information for Reporting:**

All reports of sexual misconduct under this policy can be made to the Title IX Coordinator, or Responsible Employee.

**Antonio Holloway- Title IX Coordinator (Austin)**

**512-444-8082**

**faid@thsu.edu**

**Reporting to the Police**

**Kai-Chang Chan- Title IX Coordinator (San Antonio)**

**210-509-8080**

**kchan@thsu.edu**

Students are also encouraged to report sexual assault and relationship violence not only to the Title IX Coordinator, but also to law enforcement authorities. However, students have a right to choose not to file a report with law enforcement. The decision to file a criminal complaint is a deeply personal choice. Students often make this decision based on the circumstances surrounding the incident and the circumstances in their life at the time of the incident. Some students discover that participating in a proceeding to hold the accused accountable helps them to regain some measure of control lost by virtue of the assault, and to protect themselves and others from future harm. The Austin Police Department contact information is:

#### **Austin Police Department**

911

<http://www.austintexas.gov/department/police>

- 911 provides emergency response and takes reports of sexual assaults
- Offers Victim Services counselors at 512- 974-5037

#### **San Antonio Police Department**

911

<https://www.sanantonio.gov/sapd>

- 911 provides emergency response and takes reports of sexual assaults
- Offers Victim Services counselors at 210-207-7413

Austin Community Resources

#### **SafePlace**

512- 267-SAFE

<http://www.safeplace.org/>

- Operates a twenty-four-hour hotline
- Helps individuals who have experienced a sexual assault navigate the forensic medical exam
- Offers individual and group therapy for individuals who have experienced sexual assault and/or domestic violence
- Provides domestic violence shelter services

**St. David's Hospital Emergency Room**

512- 544-4240

<http://www.stdavids.com/locations-facilities/st-davids-medical-center.aspx>

- Operates emergency room, located at 919 East 32nd Street, Austin, TX 78705

**Dell Seton Medical Center at The University of Texas**

512- 324-7000

<http://www.seton.net/locations/dell-seton/>

Individuals may also contact the following federal and state agencies:

**U.S. Department of Education (Office of Civil Rights)**

1999 Bryan Street, Suite 1620

Dallas, TX 75201-6810

Phone: 214-661-9600

Fax: 214-661-9587

[OCR.dallas@ed.gov](mailto:OCR.dallas@ed.gov)

**U.S. Equal Employment Opportunity Commission**

Legacy Oaks, Building A

Suite 200

San Antonio, TX 78229

Phone: 800-669-4000

Fax: 210-281-7690

[www.eeoc.gov](http://www.eeoc.gov)

**Texas Workforce Commission**

Civil Rights Division

101 E 15<sup>th</sup> Street

Room 144-T

Austin, TX 78778-0001

Phone: 512-463-2642

[www.twc.state.tx.us](http://www.twc.state.tx.us)

San Antonio Community Resources

**San Antonio Rape Crisis Center**

(210) 349-7273 (24 hour crisis hotline)

<http://rapecrisis.com/>

**Family Violence Prevention Services, Inc.**

(210) 733-8810 (24 hour hotline)

<http://www.fvps.org/>

**The National Domestic Violence Hotline**

1.800.799.7233

## **Confidentiality**

Cases involving alleged discrimination, harassment or violence based on sex demand special attention to issues of confidentiality. Dissemination of information relating to these cases is limited so as to ensure, as fully as possible, the privacy of the individuals involved. Additionally if the complainant wishes to remain anonymous, or not pursue a formal complaint, the complainant should be advised that the University's response may be limited.

Furthermore, because of the University's obligation to maintain a safe environment for all members of the University community, the University may have an obligation to pursue an investigation without the complainant's cooperation. In such cases, the University will take preventative measures to preserve confidentiality to the extent practicable and permissible by applicable law.

The University encourages victims of sexual violence to talk to somebody about what happened – so victims can get the support they need, and so the University can respond appropriately.

- All employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX coordinator. A report to these employees (called "Responsible Employees") constitutes a report to the University—and generally obligates the University to thoroughly review and, if deemed necessary, appropriately investigate the incident and take appropriate steps to address the situation.

### **Exceptions to Confidentiality:**

While THSU will try to maintain a victim's confidentiality, the University may have mandatory reporting or other obligations under state law, if:

- The perpetrator's behavior poses a serious threat of harm to self or others, or receipt of a court order or a subpoena under certain circumstances can trigger a duty to timely disclose confidential information, irrespective of the categories above;
- The University determines that the alleged perpetrator(s) poses a serious and immediate threat to the University community.

### **Reporting to "Responsible Employees."**

A "Responsible Employee" is a University employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a Responsible Employee about an incident of sexual violence, the victim has the right to expect the University to take immediate and appropriate steps to review thoroughly and appropriately investigate what happened and to resolve the matter promptly and equitably.

A Responsible Employee must report to the Title IX coordinator all relevant details about the alleged sexual violence shared by the victim and that the University will need to determine what happened – including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University's response to the report. A Responsible Employee should not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.

All University employees are deemed to be Responsible Employees. This includes, but is not limited to: University administrators, Campus Safety Officers, Faculty, and other Staff.

To the extent possible and practicable, a Responsible Employee should try to ensure that the victim understands the employee's reporting obligations before a victim reveals any information to a responsible employee, – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the Responsible Employee what happened but also maintain confidentiality, the employee should tell the victim that the University will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the Responsible Employee will also inform the Coordinator of the victim's request for confidentiality.

Responsible Employees will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for the University to fully investigate an incident. By the same token, Responsible Employees will not pressure a victim to make a full report if the victim is not ready to do so.

### **Requesting Confidentiality: How the University Will Weigh Request and Respond**

If a victim discloses an incident to a Responsible Employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, including the victim.

If the University honors the request for confidentiality, a victim must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

There are times when the University may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all members of the university community.

The University has designated the Title IX Coordinator to evaluate requests for confidentiality once a Responsible Employee is on notice of alleged sexual misconduct. The Title IX Coordinator may consult other appropriate University stakeholders in his or her assessment of such a request and consideration of the factors identified below.

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, the University will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:
- whether there have been other sexual violence complaints about the same alleged perpetrator;
- whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
- whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence was committed by multiple perpetrators;
- whether the sexual violence was perpetrated with a weapon;
- whether the victim is a minor;
- whether the University possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the University will likely respect the victim's request for confidentiality.

**If the University determines that it cannot maintain a victim's confidentiality**, the University will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for

handling the University's response.

The University will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or University employees, will not be tolerated. The University will also:

- assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- provide other security and support, which in some circumstances could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the victim of the right to report a crime to campus or local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The University may not require a victim to participate in any investigation or disciplinary proceeding.

**If the University determines that it can respect a victim's request for confidentiality**, the University will also take immediate action as necessary to protect and assist the victim.

### **The University's Response Procedure**

Upon the University receiving notice of an incident of Sexual Misconduct, the University will provide the complainant with additional resources and a written notification outlining a number of choices including but not limited to:

- speaking with a counselor
- seeking medical assistance
- reporting the incident to local police
- filing formal conduct charges
- requesting reasonable accommodations

### **Timeframe for Response Process**

Unless otherwise stated, all timeframes under this policy are listed in calendar days, not business days.

The University will conduct a timely review of all complaints of sexual misconduct. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint, or a maximum of ninety (90) calendar days in the event of a subsequent appeal.

An appeal of the results, whether by the complainant or the accused, must be submitted within five (5) business days of receipt of the written result. Absent extenuating circumstances, decisions on appeals are typically issued within thirty (30) days of the date of the original decision.

### **Extensions**

All deadlines and time requirements in the Code may be extended for good cause as determined by the Title IX officer or his or her designee. Both the respondent and the complainant will be notified in writing of the delay, the reason for delay, and provided the date of the new deadline or event. Extensions requested by one party will not be longer than 5 business/school days.

### **Extenuating Circumstances**

Notwithstanding the above, Extenuating Circumstances may require that this timeline be extended. For example, a complainant who seeks confidentiality and chooses not to name an accused at the time of intake may cause an investigation to be paused. If that complainant later identifies an accused, the Response Process may be re-initiated, and the time from the receipt of the initial incident report to sanctions, if imposed, may extend beyond sixty (60) days.

### **Intake**

Upon receiving a complaint, the University will conduct an Intake. At the Intake stage, the University will take steps to make a safety plan, prevent or address any retaliatory conduct, address any immediate physical or emotional safety concerns for anyone involved, offer support to the complainant with any law enforcement reporting decision, address any threat to the safety of the University community, and enter any non-identifying information into the University's crime log.

Prior to initiating its investigation, the University will inform the complainant of their intention to investigate, and request his or her consent to do so. The University will assess any requests for confidentiality or requests not to investigate further at that time, consistent with the Confidentiality policy outlined above. If the University cannot honor such a request, the complainant will be informed at that time.

### **Informal Resolution Options**

The University may present an opportunity for informal remedies or resolution at any time during the response process. A complainant will never be expected to work out a resolution directly with the accused. Likewise, in incidents of sexual assault or sexual violence, mediation is never an option. Informal resolutions are voluntary.

### **Interim Measures**

If necessary, the University will take immediate steps to protect complainants pending the final outcome of an investigation with interim measures. If it is determined by a staff member that contact between specific persons may pose a threat to the safety or emotional well-being of an individual, a No-Contact order can be issued by the University. Other interim measures available to the University include but are not limited to: temporary administrative suspension, restrictions on participation in a team or organization, or student accommodations as described below.

### **Student Accommodations**

A student who has been a victim of sexual misconduct may request an academic accommodation or change in residence after a report of sexual misconduct. Any individual who makes a request will receive an appropriate and reasonable accommodation. Possible requests include the ability to change academic schedules or work schedules, withdraw from or retake a class without penalty, access academic support such as tutoring services, and change residence hall assignments. Pursuant to Title IX, in most cases of sexual violence or sex discrimination, the University will endeavor, to the extent practicable, to change the schedule or accommodations of the accused student prior to changing the schedule or accommodations of the complainant.

After any necessary Interim Measures or Accommodations have been made, the scope of any further investigation or disciplinary action will depend upon factors including but not limited to: whether the complainant wishes to pursue a complaint to the University Conduct Board and whether the University has an obligation to pursue a University Conduct Board hearing regardless of the wishes of the complainant to preserve the safety of the University community.

### **Investigation and University Conduct Board Discipline Process**

After the Intake, the Title IX Coordinator will determine if the allegations contained in the complaint would, if proven, constitute a violation of this Policy. If a determination is made that the allegations would constitute a violation, an Investigation will be initiated by the Title IX coordinator or his or her deputy or designee.

If the Title IX coordinator determines that the allegations, if true, would not constitute a violation of the Policy, the complainant will be provided with other support options as appropriate, but the Title IX coordinator will not pursue any further investigation or discipline under this Policy at that time.

If, however, the complainant presents new evidence, reveals new information, or presents a violation of another THSU Policy, this decision can be reevaluated by the Title IX Coordinator.

### **Investigation Process**

If the Title IX Coordinator determines that an investigation is appropriate under the standard described above, the Title

IX Coordinator will conduct a prompt, fair, and impartial investigation that involves interviewing parties and witnesses as appropriate, and reviewing evidence including available police reports. All investigations will be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking, and how to conduct a hearing process that protects the safety of victims and promotes accountability. Any member of the university community who knowingly makes a false statement to the investigator during the course of the investigation may be subject to disciplinary action.

The Investigator will complete an investigation report within a reasonable time period after initiating the investigation. The Title IX Coordinator will then, based upon the findings in that report, determine whether the conduct in question should be referred to the University Conduct Board for a hearing. If so, written charges will be prepared by the Title IX Coordinator or his or her designee, provided to the complaining party and the accused simultaneously by email, and filed with the University Conduct Board. An investigative report completed as part of this process is a fact-finding report that will not include a recommendation of sanctions to the University Conduct Board, which will determine what sanctions, if any, are to be imposed. The report shall be mandatory evidence for the University Conduct Board hearing, and will be presented to the Board by the Title IX Coordinator or the Investigator.

If the Title IX Coordinator determines that the information presented does not merit a referral for a University Conduct Board hearing, he or she will inform both the complainant and the accused simultaneously by email to their THSU email accounts of the decision. That email will include Notice that the investigation may be re-opened at the discretion of the Title IX Coordinator if new evidence is presented, new information comes to light, or a violation of another THSU Policy or another section of this Policy are discovered.

### **University Conduct Board Hearing for Students**

If the matter is referred to the University Conduct Board, or if a complainant files independent charges with the Student Conduct Board, a hearing will be conducted consistent with the process outlined in the Student Handbook and herein. All hearings conducted involving allegations of Sexual Misconduct will be conducted by officials with annual training related to domestic violence, sexual assault, and stalking, and on processes that protect the safety of victims and promote accountability.

### **Parties' Rights to Advisors**

The accused and the complainant may be assisted during disciplinary hearings, any mediation, and related meetings, by an advisor of their choice, including an attorney. The respondent and complainant may propose witnesses and may produce other evidence for consideration by the University Conduct Board. The respondent and complainant are responsible for presenting evidence on their own behalf. Either party may request a brief recess to consult with their advisor which will be granted at the discretion of the hearing officer or his or her designee. Advisors may speak privately to their advisee, during the proceeding, but may not present evidence, question witnesses, raise objections, or address the student conduct body.

### **Student Sanctions**

The University considers Sexual Misconduct violations as extremely serious and subject to sanctions including expulsion, suspension, disciplinary probation, recommended counseling, and/or other educational sanctions.

### **Evidentiary Standard in Sexual Misconduct Complaints:**

The burden of proof in all cases of Sexual Misconduct to be adjudicated by the conduct board is "the preponderance of the evidence" standard – whether it is "more likely than not" that the sex discrimination, dating violence, domestic violence, sexual assault, or stalking occurred. If the evidence presented meets this standard, then the respondent must be found responsible.

### **Evidence and Witnesses**

Evidence to be presented by complainant(s) and respondent(s) during any hearing on the charges must be presented to members of the University Conduct Board presiding over the hearing at least 24 hours prior to the hearing, who will

then share it with the opposing party in advance of the scheduled hearing. The Conduct Board members presiding at and/or hearing the case may exclude evidence that has not been shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing.

If a party intends to present witnesses, a list of proposed witnesses and a written witness statement for each witness must be presented to the hearing officer at least 24 hours prior to the hearing. Written witness statements will be shared with the opposing party as documentary evidence. Witnesses are defined as someone who perceived the actual incident as it occurred. The Conduct Board will have discretion to call or choose not to call proposed witnesses during the hearing. The parties may not question witnesses directly during the hearing, but may submit questions to the Conduct Board, which the conduct board may, in their discretion, ask directly to the witness. Any attempt to coerce or intimidate a proposed witness by any person will constitute Retaliation under this policy subject to appropriate disciplinary action.

Members of the University Conduct Board presiding at and/or hearing the case will have broad discretion and make the final decision relating to the admissibility of all evidence and the presentation of witnesses. When the circumstances warrant, Conduct Board members may, in their sole discretion, consider evidence or admit witnesses submitted with less than 24-hours' notice. Where required by applicable law, witness statements or evidence may be reasonably redacted to protect recognized privacy rights.

### **Documentation or Recording of Proceedings**

The University will seek to maintain a record of all hearings, including findings of fact. The record of the University Conduct Board Hearing will generally be made by audio recording, though alternative methods of recording or documentation may be employed at the University Conduct Board's discretion or as needed.

### **Notice to Parties**

Both the complainant and the accused will be informed, simultaneously, by email to their THSU email accounts, of (1) the outcome of any disciplinary proceeding involving and allegation of sexual misconduct, (2) the University's appeal process and the rights of both the complainant and the accused to appeal the results (3) any change to the results that occurs prior to the results becoming final, and (4) when such results become final.

### **Rights of Appeal**

Both parties shall have the opportunity to appeal a decision by the University Conduct Board using the procedure described in the Student Handbook. Appeals must be submitted within five (5) business days of the decision.

### **Additional Reporting Resources**

A student or applicant who believes that he or she has been discriminated against can file a Charge of Discrimination at their regional U.S. Department of Education Office for Civil Rights.

The Texas Regional Office of the U.S. Department of Education can be contacted at:

U.S. Department of Education, 1999 Bryan Street, Suite 1620, Dallas, TX 75201-6810  
Telephone: (214) 661-9600 Fax: (214) 661-9587 Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

### **Retaliation**

Retaliation against any individual who files a complaint or participates in a harassment inquiry is prohibited. Anyone who reports an actual or suspected incident of harassment, discrimination or violence based on sex, or who participates in an investigation, will not be subjected to retaliation. If a Complainant or witness believes s/he has been subjected to retaliation s/he should contact the Title IX Coordinator. Anyone found to be in violation of this retaliation provision will be subject to disciplinary action.

**SEXUAL MISCONDUCT REPORT FORM**

<b>COMPLAINANT'S INFORMATION (if different from reporter):</b>	
<b>Complainant's Name:</b>	<b>Complainant's Affiliation to THSU (student, faculty, staff, unaffiliated):</b>
<b>Complainant's Contact Information (if available):</b>	
<u>Telephone:</u>	<u>Email:</u>
<b>OFFENDER(S) INFORMATION:</b>	
<b>Offender's Name (if known):</b>	<b>Offender's Affiliation to THSU (student, faculty, staff, unaffiliated):</b>
<b>INCIDENT INFORMATION:</b>	
<b>Date and Time of Incident:</b>	<b>Location of Incident:</b>
<b>Brief Description of Incident (nature of misconduct, context or circumstances, such as spring break trip, on campus event, off campus party, etc.):</b>	
<b>REPORTER'S INFORMATION (required):</b>	
<b>Reporter's Name:</b>	<b>Date of Report:</b>
<b>Reporter's Affiliation to THSU (student, faculty, staff, unaffiliated):</b>	<b>Reporter's Contact Information: <u>Telephone:</u></b>  <b><u>Email:</u></b>

**What should I do with the completed report form?**

Deliver the completed form to the appropriate Title IX Coordinator

Antonio Holloway- Title IX Coordinator (Austin)  
 Texas Health and Science University  
 4005 Manchaca Rd.  
 Austin, TX 78704  
 512-444-8082  
[faid@thsu.edu](mailto:faid@thsu.edu)

Kai-Chang Chan- Title IX Coordinator (San Antonio)  
 Texas Health and Science University  
 9240 Guilbeau Rd, Suite 102  
 San Antonio, TX 78250  
 210-509-8080  
[kchan@thsu.edu](mailto:kchan@thsu.edu)

## Drug and Alcohol Abuse Prevention Program

### POLICY

Texas Health and Science University has established a Drug and Alcohol Prevention Program to inform its students and employees about the dangers of drug and alcohol abuse, penalties that may be imposed for drug and alcohol abuse violations, and available resources to combat drug and alcohol related issues. The policy complies with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

#### Drug and Alcohol Free Workplace

Texas Health and Science University provides a safe drug and alcohol free environment for all students and employees. All student and employees are prohibited from using drug and alcohol on University premises.

The University explicitly prohibits:

- The use, possession, solicitation for, or sale of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription on premises or any of its off campus properties.
- Being impaired or under the influence of legal or illegal drugs or alcohol away from the University, if such impairment or influence adversely affects the employee's work performance, the safety of the student, employee, others, or puts at risk the reputation of the University.

The University will conduct drug and/or alcohol testing under any of the following circumstances:

- **FOR-CAUSE TESTING:** The University may ask an employee or student to submit to a drug and/or alcohol test at any time it feels that the student or employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the student's or employee's person or in the student's or employee's vicinity, unusual conduct on the student's or employee's part that suggests impairment or influence of drugs or alcohol.
- **POST-ACCIDENT TESTING:** Any student or employee involved in an on campus accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test.

Violation of the drug and alcohol free policy could lead to disciplinary action up to, and including termination of the employee or suspension of the student.

### Intervention

Texas Health and Science University urges individuals with substance abuse problems to seek assistance and support. Employees and students are encouraged to seek help through available national and community resources and hotlines including, but not limited to, the following examples:

- National Council on Alcoholism and Drug Dependence, Inc. (NCAD)
  - Telephone: 1-800-NCA-CALL (622-2255)
  - Website: <https://ncadd.org/>
- Substance Abuse and Mental Health Services Administration (SAMHSA)
  - Telephone: 1-800-662-HELP (4357)
  - Website: <http://www.samhsa.gov/>
  - Treatment Finder: <https://findtreatment.samhsa.gov/>
- National Institute on Alcohol Abuse and Alcoholism (NIAAA)
  - Telephone: 1-800-662-HELP (4357)
  - Website: <http://www.niaaa.nih.gov>

- National Institute on Drug Abuse (NIDA)
  - Telephone: 1-800-662-HELP (4357)
  - Website: <http://www.drugabuse.gov/>
  - Alcoholics Anonymous (AA)
  - Telephone: see local telephone directories
  - Website: <http://www.aa.org/>
- Al-Anon
  - Telephone:1-888-425-2666
- National Cocaine Hotline
  - Telephone:1-800- COCAINE (262-2463)

**Sanctions**

SANCTIONS (FEDERAL, STATE, AND LOCAL LAW)

Students and employees should be aware that there are criminal penalties – under federal, state, and local law – that make it illegal to use, manufacture, sell, or possess controlled substances. See Appendix A for a detailed listing of federal drug-trafficking Students must also be aware that there are federal financial aid penalties for drug-related convictions – received prior to and/or while receiving aid – that can affect student eligibility to receive federal financial aid.

The chart below illustrates the period of ineligibility for federal financial aid programs. Please note that eligibility is dependent upon the nature of the conviction and the number of prior offenses.

	Possession of Illegal Drugs	Sale of Illegal Drugs
<b>1st Offense</b>	1 year from date of conviction	2 years from date of conviction
<b>2nd Offense</b>	2 years from date of conviction	Indefinite Period
<b>3+ Offenses</b>	Indefinite Period	Indefinite Period

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**State**

- A person commits an offense if the person appears in a public place while intoxicated to the degree that the person may endanger the person or another. (Texas Penal Code 49.02)
- A person commits an offense if the person knowingly possesses an open container in a passenger area of a motor vehicle that is located on a public highway, regardless of whether the vehicle is being operated or is stopped or parked. Possession by a person of one or more open containers in a single criminal episode is a single offense. (Texas Penal Code 49.031)
- A person commits an offense if the person is intoxicated while operating a motor vehicle in a public place. (Texas Penal code 49.04)
- Note that a person may also be convicted of offenses if intoxicated while operating a plane, driving with a minor in the vehicle, or boating. (Texas Penal code 49.045-.06)
- Punishable with a minimum term of confinement of 30 days.
- A person commits an offense if the person, by accident or mistake while operating an aircraft, watercraft, or amusement ride while intoxicated, or while operating a motor vehicle in a public place while intoxicated, by reason of that intoxication causes serious bodily injury to another. (Texas Penal Code 49.07)

- A person commits an offense if the person: (1) operates a motor vehicle in a public place, operates an aircraft, a watercraft, or an amusement ride, or assembles a mobile amusement ride; and (2) is intoxicated and by reason of that intoxication causes the death of another by accident or mistake. (Texas Penal Code 49.08)
- A minor commits an offense if the minor purchases or attempts to purchase an alcoholic beverage. (Texas Alcoholic Beverage Code 106.02-.025)
- The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- A minor commits an offense if he consumes an alcoholic beverage. (Texas Alcoholic Beverage Code 106.04)
- The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- A minor commits an offense if the minor operates a motor vehicle in a public place, or a watercraft, while having any detectable amount of alcohol in the minor's system. (Texas Alcoholic Beverage Code 106.041)
- The offense is punishable by a fine of not less than \$500 or more than \$2,000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. In addition, the court shall order community service to be performed.
- A minor commits an offense if he possesses an alcoholic beverage. (Texas Alcoholic Beverage Code 106.05)
- The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- A person commits an offense if he purchases an alcoholic beverage for or gives or makes available an alcoholic beverage to a minor with criminal negligence. (Texas Alcoholic Beverage Code 106.06)
- The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- A minor commits an offense if he falsely states that he is 21 years of age or older or presents any document that indicates he is 21 years of age or older to a person engaged in selling or serving alcoholic beverages. (Texas Alcoholic Beverage Code 106.07)
- The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- The manufacture, delivery, or possession of a controlled substance (as defined by the Texas Controlled Substances Act) in the State of Texas is a crime and punishable by a fine up to \$250,000 and/or prison term of life or not more than 99 years. (Tex. Health & Safety Code 481.112-.119)
- A person commits an offense if the person knowingly or intentionally delivers marijuana.
- Such offense is punishable by a fine up to \$100,000 and/or prison term of life or not more than 99 years. (Tex. Health & Safety Code 481.120)
- A person commits an offense if the person knowingly or intentionally possesses a usable quantity of marijuana.
- This offense is punishable by imprisonment for life or for a term of not more than 99 years or less than 5 years, and a fine not to exceed \$50,000. (Tex. Health & Safety Code 481.121)

- A person commits an offense if the person knowingly delivers a controlled substance listed in Penalty Group 1, 1-A, 2, or 3 (of the Texas Controlled Substances Act) or knowingly delivers marijuana and the person delivers the controlled substance or marijuana to a person who is a child or who is enrolled in a public or private primary or secondary school.
- This offense is punishable as a felony in the second degree. (Tex. Health & Safety Code 481.122)
- Drug related offenses have increased penalties if the offense occurs in a “drug free zone.” Drug free zones include institutions of higher education, youth centers, schools (and other facilities) and the areas surrounding such locations.
- Penalties include fines that may be doubled and minimum jail terms that may be raised. (Tex. Health & Safety Code 481.134)

## **Federal**

- 21 U. S. C. 841 makes it a crime (a) to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance; or (b) to create, distribute, or dispense, or possess with intent to distribute or dispense, a counterfeit substance.
- The Controlled Substances Act places all substances which are in some manner regulated into one of five schedules. The CSA provides penalties for unlawful manufacturing, distribution, and dispensing of controlled substances.
- The U. S. Code establishes and authorizes the U. S. Attorney General to revise as needed, classifications of controlled substances. Schedule I is comprised essentially of “street drugs” and Schedule V is comprised of drugs with a “low potential for abuse” when compared with drugs in schedules I-IV. Examples of Schedule I drugs are heroin and marijuana. PCP, for example, is a Schedule II drug. Amphetamine is a Schedule III drug, while Barbital is a Schedule IV drug. An example of a Schedule V drug would be a prescription medication with not more than 200 mg. of codeine per 100 grams.
- The penalties are determined by the schedule of the drug or other substance, and sometimes are specified by drug name, as in the case of marijuana.
- Penalties for first offenses include a fine up to \$10 million and/or a prison term up to life, but no less than 1 year.
- For the Drug Enforcement Agency’s complete list of Federal Trafficking Penalties for Schedules I-V and Marijuana, please see: [http://www.justice.gov/dea/druginfo/ftp\\_chart1.pdf](http://www.justice.gov/dea/druginfo/ftp_chart1.pdf).

## **Campus Safety**

Texas Health and Science University (THSU) is committed to contributing toward a positive learning environment by ensuring a safe, secure, and orderly campus for students, faculty, staff, alumni and visitors.

Safety at THSU is a shared responsibility that every member of the University community needs to take seriously.

The key to preventing crime is awareness, which is best achieved through education and communication. Faculty, staff, and students all work together to promote a safe environment in which to learn.

### **Safety Tips**

All students, faculty, and staff should note that the THSU campuses are located in large urban environments. As such, students and University personnel are not immune from potential dangers: theft, threat of bodily harm, and other acts of violence that exist in an urban environment. Please be advised that you should be constantly aware of your surroundings. If you leave the campus by walking, do so with someone else and pay attention to strangers and report any suspicious activity to a campus security officer or other University officials.

Campus safety is the responsibility of every member of the University family.

These are ways you can help make the University a safe and enjoyable place to live, work and learn:

1. Purchase insurance for your personal property;
2. Record personal property make, model and serial numbers;
3. Secure your valuables;
4. Never leave your purse or wallet unattended, even for a short time;
5. Be cautious of strangers asking for change or directions;
6. Report suspicious activity to Campus Safety Officers immediately. Be prepared to provide a brief description of the individual's activity and direction of travel when last observed; and
7. At night, travel with a friend. Always tell someone where you are going and when you can be expected to return.

You need to be aware that theft, loss, or vandalism of personal property is a possibility in a setting where there are large numbers of people. The University cannot and does not accept responsibility for lost, damaged, or stolen property.

**Steps you can take to reduce the risk of theft or loss are:**

1. Keep your vehicle locked. Do not keep expensive, attractive equipment stored in plain view in your car;
2. Lock your bike with a sturdy chain and lock;
3. Keep a written record of the model and serial numbers of valuables. Photographs are also often helpful;
4. Do not carry or keep large amounts of cash around campus;
5. Purchase property insurance for items such as stereos, computers, media players, etc.;
6. A report of loss or damage should be made to the Campus Safety Officer;
7. Identify your property, especially electronics, with your name and a state issued driver's license number or a personal identification number;
8. All guests must be properly registered and should never be left unattended;
9. Suspicious persons found in or around the building should be reported to Campus Safety Officer;
10. Do not tamper with security cameras and monitors;
11. Stay alert at all times and tuned in to the surroundings (wearing headphones while walking or jogging can reduce the level of alertness);
12. Plan routes in advance, and vary those routes, whenever possible;
13. Get to know the neighborhoods where you live and work: find out what stores and restaurants are open late and where police and fire stations are located;
14. When walking or jogging, use busy streets and avoid shortcuts through deserted parks, vacant lots and unlit passages;
15. At night, walk or jog only on streets with plenty of light and traffic, and avoid walking alone, if possible;
16. Walk on the part of the sidewalk close to the street and away from shrubbery, trees or doorways (on less busy streets at night, it is sometimes safer to walk in the street rather than on the sidewalk);
17. Stand tall and walk confidently;
18. Trust your instincts: get help right away if the situation or place is uncomfortable;
19. Do not carry large sums of cash or display cash in public;
20. Do you give anyone your apartment or house key;
21. If possible, carry only identification, phone numbers and the credit cards you need. Keep a list at home of credit cards and other important material you would need to replace in case of loss;
22. Separate house keys from car keys (women should keep their keys in places other than their purses);
23. Keep names and phone numbers of relatives or friends handy in the event of an accident or emergency; and
24. Keys and key cards should never be loaned to another person.

**Preventing Textbook Theft**

It is unfortunate but some people steal. One of the major expenses of attending a university is the cost of textbooks. The average student spends \$300-\$400 per semester on textbooks. And because textbooks may be resold for cash, they make attractive targets for thieves.

**Remember...**

Textbooks often are left unattended in public areas;  
Textbooks can be easily resold;

Textbooks are increasing in value; and  
Often, owners cannot be identified.

### **Textbook Theft Prevention Tips**

Never leave your possessions unattended in public places. Remember, the majority of thefts on campus are thefts of opportunity. Most items are stolen because they are left unattended.

The only way to stop a person from selling a book back or accuse a person of stealing someone's book is to see if the book has a designated mark.

Marking your possession with an identifying number is an effective method of deterring theft.

Thieves find it more difficult to dispose of stolen articles that can be traced through an owner making identification marks.

Students should mark the textbook with an identifying number on a specific page of the textbook and keep a record of it. Mark the corresponding page with your own initials. This way, if the book is stolen, both the police and the bookstores will have a better chance of tracing the book once it is sold back.

If caught with a marked item, the thief can be convicted. The marked items can also be returned to the rightful owner.

Make a list of your books and include the name of the book, type of book, the author, and any identifying marks to help the Campus Safety Officer in the recovery of the lost or stolen book(s).

Report all textbook thefts immediately to the Campus Safety Officer. By doing so, you can enhance your chances of recovering your textbook.

### **Ways to Mark Your Textbooks**

Print your full name on the inside cover of each textbook.

Print the current school year and trimester under your name.

Print an identifiable number that you can remember on a specific page with your own initials on the corresponding page.

**DO NOT USE YOUR SOCIAL SECURITY NUMBER, STUDENT ID NUMBER, OR BIRTH DATE TO MARK YOUR TEXTBOOKS!**

### **Annual Disclosure of Crime Statistics**

The University's Campus Safety Officer prepares the Annual Crime Report for the entire University, to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The Report is prepared in cooperation with information and data from other state and local law enforcement agencies. Campus crime, arrest and referral statistics include those incidents reported to the local law enforcement agencies and the University's Campus Safety Officer. The statistics may also include crimes that have occurred in private residences or businesses that touch the University's boundaries. Each year, by email and flyers placed on bulletin boards and electronic message boards, notification is made to all faculty, staff and students that the THSU website provides access to this report. Copies of the Report may also be obtained at the Campus Safety Officer.

## **Campus Emergency Response and Evacuation**

An Emergency Management Plan has been developed by the School security committee as part of its ongoing effort to protect THSU students, faculty, and staff. The development of this plan is based on a realistic assessment of potential incidents that could affect our community and the capabilities to react to those situations.

Because of the size of the Texas Health and Science University campus, an announcement will be made by direct communication from the administrative staff to the classrooms and instructors. The system is used to distribute emergency notifications without delay in situations where a clear and active (e.g., in progress) threat or emergency exists that impacts the campus and where it is recommended that the recipients take some form of action in response to the active threat or emergency. This procedure is to be tested 3 times a calendar year, once during each semester.

The THSU – San Antonio Campus, located on the University of Incarnate Word – Saidoff building, coordinates with UIW security guards to ensure the safety of all persons located within the campus buildings.

### **Evacuations**

Instructions to evacuate will be issued by the school security committee as described above. Students, faculty, and staff are to evacuate quickly, in a calm and orderly fashion to a safe area. Students, faculty, and staff should remain

calm and assist handicapped persons or those in need and not turn off lights or equipment or lock doors to a room or building. If community members observe something unusual or suspicious, they should not touch it and notify a member of the school security committee. Students, faculty, and staff should remain in a safe area until receiving notification to return to the facility.

In situations where THSU is forced to evacuate the campus, the School security committee will notify the public that campus is closed and that traffic will not be allowed to enter.

If the emergency occurs on a day and time prior to the start of classes, notification of all members of the School community will occur according to normal weather closing policies and procedures. In addition, notification will be made to all staff members. Evacuation will be performed by personal vehicles if possible, and students, faculty and staff are directed to their homes or other safe havens.

#### **Cancellations due to Weather**

If the emergency occurs on a day and time prior to the start of classes, notification of all members of the School community will occur according to normal weather closing policies and procedures. In addition, notification will be made to all staff members. THSU follows the lead of the University of Texas (<http://emergency.utexas.edu/>) with regard to class cancellations and closures due to inclement weather and other emergency situations. Students are advised to listen to the radio and television stations to determine if a situation necessitating closure exists. THSU also posts class cancellation on its website and Facebook pages when such situations occur.

#### **Missing Student Notification Procedures**

Students age 18 or above, including emancipated minors, will be provided the opportunity during each registration process to designate an individual to be contacted by THSU in the event the student is officially reported as missing. If the missing student is 18 or older, or an emancipated minor, and has not identified an emergency contact, THSU will contact the local Police Department. THSU will continue to assist all outside agencies in the investigation as needed. Any questions or concerns regarding a student who is missing or appears to be missing should be referred to a member of the school security committee.

#### **Security of and Access to Campus Facilities**

Students, faculty and staff of the School have access to academic and administrative facilities on campus. The general public may attend certain events on campus with their access limited only to the facilities in which these events are held.

#### **Campus Law Enforcement Policy**

The School security committee does not provide services outside the boundaries of campus property, nor do any officially recognized student organizations exist off campus. The School enjoys a close working relationship with local and state agencies when violations of federal, state, or local laws involving students occur.

#### **City, State, County and Federal Law Enforcement**

Texas Health and Science University maintains a highly professional working relationship with federal law enforcement, the Texas Department of Public Safety, the Travis County and Bexar County Sheriffs, the City of Austin Police Department and the City of San Antonio Police Department. THSU follows all applicable policies and laws regarding confidentiality of records and reserves the right to provide police any information obtained as a result of a criminal investigation. THSU strongly encourages anyone who is the victim or witness to any crime to promptly report the incident to a member of the school security committee. It is the right of any member of the School community to contact the local Police Department to investigate any crime. Assistance in contacting the local Police Department may be arranged through the school security committee.

There are currently no formal written agreements with local, state, or federal agencies.

#### **Drug and Alcohol Regulations**

THSU enforces drug and alcohol regulations as required in the Drug Free Schools and Communities Act of 1988 and amendments of 1989. The unlawful possession, use, or distribution of alcohol by employees on School property, or as part of any School activity, is prohibited. The Family Educational Rights and Privacy Act (FERPA) as amended in 1998 enables institutions to release to parents of students under the age of 21 information concerning alcohol or drug-related disciplinary violations.

Students documented for an alcohol violation may be referred to substance abuse programs outside the School. If more information is desired, please contact the Office of the Dean of Students and/or the Registrar for a copy of the Alcohol and Substance Abuse policy.

Illegal drugs and drug paraphernalia are prohibited on the grounds of the School. The possession, sale, manufacture, or distribution of any controlled substance is in violation of School regulations and illegal under both state and federal laws.

Therefore, any employee or student engaging in such illegal action will be subject to disciplinary procedures, which could result in sanctions, including termination of employment, suspension or expulsion from school, and criminal prosecution. In addition, the use and/or possession of weapons of any type, including facsimiles, except those in possession of a bona fide law enforcement agency, are not permitted on campus.

### **Emergency Action Plan**

THIS PLAN WAS DEVELOPED AND IMPLEMENTED TO HELP THE UNIVERSITY TO COMPLY WITH THE REQUIREMENTS OF CFR, TITLE 29, PART 1910 - OSHA GENERAL INDUSTRY STANDARDS.

In order to ensure your safety in the unlikely event of a fire or other emergency, all students are to familiarize themselves with all exits to the building.

The following chain-of-responsibility determines the person responsible for implementing the appropriate part of the Emergency Action Plan. The person on the premises in the highest position on this list will be in charge.

University President  
Campus Safety Officers  
Academic Dean  
Clinic Director

#### **I. EMERGENCY ESCAPE PROCEDURES AND EMERGENCY ESCAPE ROUTE ASSIGNMENTS**

Anyone on the premises can order an evacuation for good reason, such as an observed fire, activation of the sprinkler system, or electrical power failure. Such person should announce the need for evacuation in a loud voice in enough locations to insure that everyone in the building has been notified. Instructors will be responsible for directing their classes to evacuate, and the clinic director will be responsible for all clinic interns and patients, and for the receptionist. Interns will help patients to negotiate the escape route as necessary. The receptionist will attempt to notify 911 authorities, time permitting, but will not delay his/her personal evacuation to the point of danger.

The primary emergency exits from the school premises are the three doors leading to the interior courtyard. The secondary exit is the stairwell in the interior hallway. The primary exits should be used unless they are blocked for some reason. After exiting into the interior courtyard, all staff, faculty, students and patients should proceed down the stairs to the far (west) end of the parking lot so that the person in charge can perform an accounting. The person in charge will designate one individual to call 911, if this has not already been done. After the building has been evacuated, no one will re-enter until competent authority deems it safe to do so.

#### **II. PROCEDURES TO BE FOLLOWED BY EMPLOYEES WHO REMAIN TO PERFORM CRITICAL OPERATIONS BEFORE THEY EVACUATE**

There are no school operations critical enough to risk injury or loss of life. The receptionist will attempt to call 911, but not to the point of danger. Patients will be assisted by interns, if necessary, remembering that the essential purpose is to get away from the danger and not to attempt to save any equipment or other physical effects.

#### **III. PROCEDURES TO ACCOUNT FOR ALL EMPLOYEES AFTER EMERGENCY EVACUATION HAS BEEN COMPLETED**

After assembly at the west end of the parking lot, the senior person on the scene will poll instructors to determine that all students were evacuated, and the receptionist will confirm the status of all patients who were on the premises.

#### **IV. RESCUE AND MEDICAL DUTIES FOR EMPLOYEES WHO ARE TO PERFORM THEM**

In the event of an injury requiring first aid or CPR prior to the arrival of emergency response personnel, all Clinic Instructors and interns have been trained in First Aid and CPR, and will perform these functions as needed. If an injury results during or before a required evacuation, complete the evacuation before performing medical duties.

#### **V. PREFERRED MEANS OF REPORTING FIRES AND OTHER EMERGENCIES**

The primary means to report a fire or other emergency is for the clinic receptionist to call 911. If this is not possible, the senior responsible official shall designate an individual make the call.

#### **VI. CONTACTS FOR FURTHER INFORMATION OR EXPLANATION OF DUTIES UNDER THIS PLAN**

For further information about this plan and its provisions, contact the school administrator.

### **VII. Fire Evacuation Policy**

#### **Fire Drills**

A fire drill is conducted at the beginning of the fall trimester and one fire drill is scheduled, but not announced, at the beginning of the spring trimester. The announced fire drill is designed to give students an opportunity to evacuate in non-emergency situations. All students, faculty, and staff must leave the building at the nearest exit when the alarm sounds for the drill. Once outside, all students, faculty, and staff must go to the front of the building where a campus safety officer will be available to do a head count of all persons who should have exited the building. Failure to do so will result in disciplinary action. In case of a real emergency, a campus safety officer will activate the fire alarm, and the campus safety officer for each floor will notify students to exit the building.

#### **The fire evacuation protocol for the student clinic is as follows:**

The student clinic manager will use **R-A-C-E** to respond to a fire situation.

- **Rescue** any individual directly threatened by fire. Patient safety is the primary consideration, so move patients who are immediate danger away from smoke or flames. Place the patient in a nearby room, behind a closed door.
- **Alarm.** Activate the fire alarm if a fire is discovered and respond immediately to an alarm if an alarm sound is made.
- **Confine** fire by closing doors to slow the spread of smoke and flame. Close the door to patient rooms. Per OSHA, patients are generally safer in a closed room than in a smoke filled hallway.
- **Extinguish** the fire only if the fire is small and the fire extinguisher is operational. Make sure that patients have been rescued and that the fire department (9-1-1) is called before using the fire extinguisher.

The clinic manager is responsible for student, faculty, staff, and patient head counts.

#### **Daily Crime and Fire Log**

The daily crime log is provided in accordance with the regulations set out under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The campus safety officer maintains a public log of all crimes reported or made aware of. The log will contain the most recent 60 days' worth of information. Each entry in the log will contain the nature, date, time and general location of each crime and disposition of the complaint, if known. Information in the log older than 60 days will be made available within two business days. To review the log, persons may stop by the Texas Health and Science, main building, located at 4005 Manchaca Rd, Austin, TX 78704, between the hours of 9 a.m. and 5 p.m., Monday through Friday. The fire safety log for the student clinic is available for view at the clinic office located at 1707 Fort View Rd, Austin, TX 78704.

**Texas Health and Science University and its affiliated student clinic comply with all state and local government requirements for fire, safety, sanitation, and insurance.**

#### **VIII. Additional Safety Guidelines**

##### **Fire Safety and Corridors**

State fire regulations require that all paths of egress from the building, including corridors and stairways, must be free of obstruction. Bicycles or other impeding objects should not be left in corridors or stairwells. Any such obstructing

objects will be removed. Any vehicle or vessel containing gasoline is prohibited inside the offices, library, clinic, and classroom facilities of Texas Health and Science University.

### **Extinguishers**

Fire extinguishers should be used only for their intended purpose and must not (by Texas law) be removed from their assigned locations. Extinguishers should only be used after an alarm has been sounded and the fire department contacted. Only small fires, such as fires in a wastebasket or laboratory sink, can or should be controlled with fire extinguishers. Do not attempt to control large or rapidly spreading fires! Report fires of any size by calling 911.

### **Safety Tips and Directions for Using Fire Extinguishers**

A portable fire extinguisher can save lives and property by putting out a small fire or containing it until the fire department arrives; but portable extinguishers have limitations. Because fire grows and spreads so rapidly, the **number one priority** for occupants is to get out safely.

### **Safety Tips**

- Use a portable fire extinguisher when the fire is confined to a small area, such as a wastebasket, and is not growing; everyone has exited the building; the fire department has been called or is being called; and the room is not filled with smoke.
- To operate a fire extinguisher, remember the word PASS. - **P**ull the pin. Hold the extinguisher with the nozzle pointing away from you, and release the locking mechanism. - **A**im low. Point the extinguisher at the base of the fire. - **S**queeze the lever slowly and evenly. - **S**weep the nozzle from side-to-side.
- For the classroom, select a multi-purpose extinguisher (Type ABC) that is large enough to put out a small fire, but not so heavy as to be difficult to handle.
- If flammable metals such as calcium or magnesium are used in the classroom, a type D extinguisher must be installed.
- Choose a fire extinguisher that carries the label of an independent testing laboratory.
- Read the instructions that come with the fire extinguisher and become familiar with its parts and operation before a fire breaks out. Local fire departments or fire equipment distributors often offer hands-on fire extinguisher training.
- Install fire extinguishers close to an exit and keep your back to a clear exit when you use the device so you can make an easy escape if the fire cannot be controlled. If the room fills with smoke, leave immediately.
- Know when to go. Fire extinguishers are one element of a fire response plan, but the primary element is safe escape. Every building should have a fire escape plan.

### **Fire doors**

Keep all fire doors closed at all times. This is the best way to prevent the spread of fire and smoke, thereby minimizing the potential for property damage, injury, or loss of life.

### **If You Become Trapped in a Fire**

Keep a closed door between you and the fire, if possible. Pack the space around the door base or door-jamb with towels or other materials to keep smoke out. Open any windows, if possible, to let fresh air in. Make every effort to draw attention to yourself, shouting, yelling for help at the top of your lungs, and so forth. If you have a cell phone, use it to call 911 and let the fire department know where you are.

### **If Someone Catches On Fire (Stop, Drop, and Roll)**

First of all, don't panic quite yet. Prevent the person from running. Get him or her flat on the ground as quickly as possible. Roll the person over and over until the flames are extinguished. Use a blanket or towel to extinguish the flames if one is available. Extinguishing the flames will prevent serious injury if done quickly enough.

## **VIII. Tornado Safety Information**

The State of Texas is known for many things, one of them being the frequent occurrence of tornadoes during the spring and summer. Here are some signs of an approaching tornado:

- A greenish or greenish-black color to the sky.
- If there is a watch or warning posted, then the fall of hail should be considered as a real danger sign. Hail can be common in some areas, however, and usually has no tornado activity along with it.
- A strange quiet that occurs within or shortly after the thunderstorm.
- Clouds moving very fast, in a rotating pattern or converging toward one area of the sky.
- A sound, a little like a waterfall or rushing air at first, but turning into a roar as it comes closer. The sound of a tornado has been likened to that of both railroad trains and jets.

- Debris dropping from the sky.
- An obvious "funnel-shaped" cloud that is rotating, or debris such as branches or leaves being pulled upwards, even if no funnel cloud is visible.

If you see a tornado and it is not moving to the right or to the left relative to trees or power poles in the distance, it may be moving towards you! Remember that although tornadoes usually move from southwest to northeast, they also move towards the east, the southeast, the north, and even northwest. Seek shelter in a windowless interior room on the first floor. Do not stay in a room with windows during a tornado, and do not attempt to run from one if you see it approaching. The best rule is to stay inside and get as low to the ground as possible.

**Appendix A**  
**CONFIDENTIAL CRIME REPORT**

Describe the nature of the crime:

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Where did the crime occur:

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Provide the date and times associated with this crime:

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Please provide the suspect's name, if known:

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If unknown, please provide a detailed description:

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Would you like us to contact you? If so, please provide your necessary contact information:

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ACTIONSTAKEN:

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**Appendix B**  
**INCIDENT REPORT FORM**

Describe the nature of the incident

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Where did the incident occur:

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Provide the date and times associated with this incident:

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Please provide any names of individuals that were involved:

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If the names are unknown, please provide a detailed description:

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Are there any actions you believe that the school needs to take in this matter?

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Would you like the school to report this matter to other authorities or assist you in seeking further assistance?

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Would you like us to contact you? If so, please provide your necessary contact information:

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Received by THSU Safety Committee Member:

\_\_\_\_\_ (Name)

on \_\_\_\_\_ Date

at \_\_\_\_\_ Time

ACTIONS TAKEN:

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