

***Occupational and Environmental Health and Safety – Legal Perspectives***  
**OEHS 6820; Synchronous Online; Lectures and Practicum Case Studies**

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Office Hours: By appointment

Office Location: Steptoe & Johnson PLLC, 1233 Main St., Ste. 3000, Wheeling, WV 26003

Zoom or Canvas Conference Office Hours: By appointment

### **Course Description**

This is a multidisciplinary course designed to educate students on legal issues involved in the practices of occupational health and safety professionals. This includes: distinctions between jurisdictions in determining causation; the roles of epidemiology and the exposure sciences in the determination of causation; methodologies for the determination of causation; the legal principles determining the admissibility of scientific evidence; legal rules for the scope and content of expert witness reports; apportionment of causation among multifactorial causes; consideration of idiopathic causes of disease; preparation to render evidence-based and legally sustainable expert witness testimony; regulations, standards, national and international consensus standards governing human exposure to chemical and physical factors in medicolegal proceedings; OEHS program legal standards; ADA; HIPAA; and exposure standards and guidelines (*e.g.*, OSHA, ACGIH). It will also include case examples.

### **Course Delivery Mode and Structure**

This course is taught synchronously *via* distance learning. The course will be conducted on the Zoom videoconferencing platform and the Canvas learning management system.

**Credit Hours:** 3

### **Course Objectives**

At the conclusion of this course, students should:

1. Understand traditional and modern definitions of Evidence-Based Medicine (EBM), including the multidisciplinary role of a “team of experts,” necessary for reliable determination of causation of adverse health consequences in medicolegal proceedings.
2. Understand current methodologies for the evidence-based and legally sustainable determination of causation in medicolegal proceedings.
3. Understand the prerequisites for admissibility of scientific evidence and expert opinion testimony in medicolegal proceedings.
4. Understand legal precepts for apportionment of causation.
5. Understand the role of epidemiology in medicolegal proceedings.

6.	Understand the role of the exposure sciences in medicolegal proceedings.
7.	Understand the role of the neuropsychological sciences in medicolegal proceedings.
8.	Understand the fundamental principles of development of legally sustainable occupational safety and health programs.
9.	Understand the adoption of “acceptable risk” criteria among employee populations affected by personal health conditions that may present a risk of injury or death to the employee, co-workers, the public, personal property, and the environment.
10.	Understand the development of evidence-based and legally sustainable Medical Fitness for Duty Guidelines for employees to promote employee health and safety and protection of co-employees, the public, and the environment.
11.	Understand the Americans with Disabilities Act of 1990, as amended, in the determination of medical fitness-for-duty.
12.	Understand the Health Insurance Portability and Accountability Act (“HIPAA”), as amended, and its relationship to acquisition, confidentiality, and disclosure of employee physical and mental health records and special considerations related to psychological-psychiatric records and protection of neuropsychological test materials.
13.	Understand federal regulations governing human exposure to occupational chemical and physical factors ( <i>e.g.</i> , OSHA, FELA, EPA).
14.	Understand national and international consensus standards for human exposure to chemical and physical factors ( <i>e.g.</i> , ASTDR, ANSI, ISO, ACGIH).
15.	Understand various scientific/technical methodologies for the quantification of human exposure to occupational and environmental chemical and physical factors ( <i>e.g.</i> , occupational biomechanics and ergonomics, air monitoring, air dispersion modeling, noise and vibration monitoring, groundwater quality analysis, fate and transport analysis).
16.	Prepare a comprehensive Causation Analysis based upon the principles and methods learned during the course, which may require collaboration with students in other disciplines.

## Texts and Materials

1. *Effective Management of Occupational and Environmental Health and Safety Programs – A Practical Guide*, 4<sup>th</sup> Ed., Hegmann, KT, Hughes, MA, Moser, R, Ed., OEM Press, Beverly Farms, Mass.
2. *A Guide to the Work-Relatedness of Disease*. 1979. Rev'd Ed., Kusnetz, S. and Hutchison, M., Eds., NIOSH Pub. No. 79-116.\*
3. Green, MD, Freedman, M, Gordis, L. *Reference Guide on Epidemiology*. In: *Reference Manual on Scientific Evidence*. 3d Ed., Federal Judicial Center & National Research Council, National Academies Press, Washington, DC (2011).\*
4. Greaves, WW, Das, R, Green-McKenzie, J, Sinclair, DC, Hegmann, KT. 2018. *Work-Relatedness*. JOEM 60(12): e640-646; Greaves, WW, Das, R, Green-McKenzie, J, Sinclair,

- DC. 2018. *Work-Relatedness*. MDGuidelines®.Web, Hegmann, KT, Ed., www.mdguidelines.com. Reed Group, Ltd., acc'd \*\*\*.
5. Sinclair, D. 2010. *Epidemiology in the Courtroom: An Evidence-Based Paradigm for the Determination of Causation in Compensation Environments*. JOEM, 52(4): 1-6.
  6. *Occupational Medicine Practice Guidelines – Evaluation and Management of Common Health Problems and Functional Recovery of Workers*, ACOEM (2004) (rev'd 2008, 2011).
  7. *AMA Guides to the Evaluation of Disease and Injury Causation*, 2d Ed., Melhorn, JM, Talmage, JB, Ackerman, WE, Hyman, MH, Eds., AMA, Chicago, IL (2014).
  8. Bruns, D, Warren, P, et al. 2019. *American College of Occupational and Environmental Medicine Workplace Mental Health Guideline*, MDGuidelines®.Web, Hegmann, KT, Ed., www.mdguidelines.com. Reed Group, Ltd., accessed \*\*\*.
  9. *Diagnostic and Statistical Manual of Mental Disorders (DSM 5)*. 2013. American Psychiatric Association (APA), Arlington, VA.\*

\* Provided by the Instructor and will not require student purchases.

### **Additional Resources**

Supplemental, instructor-assigned references, including but not limited to journal articles, textbook chapters, regulations and national and international consensus standards, and published case law.

### **Teaching and Learning Methods**

This course will be instructed utilizing lectures; the Socratic method and class discussion; and hypothetical case reports. The principal instructor will be Donald C. Sinclair II, JD; additionally, highly qualified guest lecturers *may* offer “in context” lectures in disciplines including:

1. Occupational and Environmental Health;
2. Ergonomics and Occupational Biomechanics;
3. Epidemiology;
4. Toxicology;
5. Neuropsychology;
6. Industrial Hygiene; and
7. Evidence-based determination of medical fitness-for-duty and return to work policies.

## Course Schedule

Week	Date	Topic/Discussion	Reading/Modules
1	17 May 22	Introduction to Scientific Evidence in American Courtrooms; Legal Principles Governing Admissibility of Scientific Testimony	<i>Syllabus</i> ; <i>Reference Manual on Scientific Evidence</i> , 3rd Ed., Federal Judicial Center & National Research Council, National Academies Press, Washington, DC (2011); Sinclair, D. 2010. <i>Epidemiology in the Courtroom: An Evidence-Based Paradigm for the Determination of Causation in Compensation Environments</i> . JOEM, 52(4): 1-6; Sinclair, DC. 2020. <i>Medical Expert Witness Testimony – Principles and Practice</i> . In: <i>Effective Management of Occupational and Environmental Health and Safety Programs – A Practical Guide</i> , Ch. 24, 4th Ed., Moser, R., Ed., OEM Press, Beverly Farms, Mass. (in press).
2	24 May 22	<i>Daubert v. Merrell-Dow Pharmaceuticals, Inc.</i> ; <i>Daubert's Progeny – General Electric v. Joiner</i> and <i>Kumho Tire v. Carmichael</i>	Sinclair, DC. 2020. <i>Medical Expert Witness Testimony – Principles and Practice</i> . In: <i>Effective Management of Occupational and Environmental Health and Safety Programs – A Practical Guide</i> , Ch. 24, 4th Ed., Moser, R., Ed., OEM Press, Beverly Farms, Mass. (in press); <i>Frye v. U.S.</i> , 293 F. 1013 (D.C. Cir. 1923); <i>Daubert v. Merrell Dow Pharmaceuticals, Inc.</i> , 509 U.S. 579 (1993); <i>Daubert v. Merrell Dow Pharmaceuticals, Inc.</i> , 43 F.3d 1311, 1316 (C.A. 9 1995); R. 701-706 F.R.E.; R. 402-403 F.R.E.; <i>General Electric v. Joiner</i> , 522 U.S. 136 (1997); <i>Kumho Tire Co, Ltd. v. Carmichael</i> , 526 U.S. 137 (1999); R. 104(a) F.R.E.
3	31 May 22	The Role of Evidence-Based Medicine in Medicolegal Proceedings; Legally Sufficient Methodologies for the Determination of Causation of Injury and Disease	Greaves, WW, Das, R, Green-McKenzie, J, Sinclair, DC, Hegmann, KT. 2018. <i>Work-Relatedness</i> . JOEM 60(12): e640-646; Greaves, WW, Das, R, Green-McKenzie, J, Sinclair, DC. 2018. <i>Work-Relatedness</i> . MDGuidelines®.Web, Hegmann, KT, Ed., www.mdguidelines.com. Reed Group, Ltd., acc'd ***. Melhorn, JM, Hegmann, KT, Talmage, JB, et al., <i>Methodology</i> . Ch. 4. In <i>Guides to the Evaluation of Disease and Injury Causation</i> , 2 <sup>nd</sup> Ed., Melhorn, JM, Talmage, JB, Akerman, WB, Hyman MH, Eds., American Medical Association Press, Chicago, Ill. (2014).

<b>Week</b>	<b>Date</b>	<b>Topic/Discussion</b>	<b>Reading/Modules</b>
4	7 Jun. 22	The NIOSH <i>Guide</i> for the Determination of Causation, as adapted	Kusnetz S, Hutchison M (Eds). <i>A Guide to the Work-Relatedness of Disease</i> , Rev'd Ed. NIOSH Pub. No. 79-116 (1979); Hegmann, KT, Thiese, MS, Oostema, Melhorn, JM, <i>Causal Associations and Determination of Work-Relatedness</i> . Ch. 3. In: <i>Guides to the Evaluation of Disease and Injury Causation</i> , 2 <sup>nd</sup> Ed., Melhorn, JM, Talmage, JB, Akerman, WB, Hyman MH, Eds., American Medical Association Press, Chicago, Ill. (2014); Greaves, WW, Das, R, Green-McKenzie, J, Sinclair, DC, Hegmann, KT. 2018. <i>Work-Relatedness</i> . JOEM 60(12): e640-646; Greaves, WW, Das, R, Green-McKenzie, J, Sinclair, DC. 2018. <i>Work-Relatedness</i> . MDGuidelines®.Web, Hegmann, KT, Ed., www.mdguidelines.com. Reed Group, Ltd., acc'd ***.
		Evidence of Disease	Kusnetz S, Hutchison M (Eds). <i>A Guide to the Work – Relatedness of Disease</i> , Rev'd Ed. NIOSH Pub. No. 79-116 (1979); Sinclair, DC. 2020. <i>Medical Expert Witness Testimony – Principles and Practice</i> . In: <i>Effective Management of Occupational and Environmental Health and Safety Programs – A Practical Guide</i> , Ch. 24, 4th Ed., Moser, R., Ed., OEM Press, Beverly Farms, Mass. (publ. pending); Greaves, WW, Das, R, Green-McKenzie, J, Sinclair, DC, Hegmann, KT. 2018. <i>Work-Relatedness</i> . JOEM 60(12): e640-646; Greaves, WW, Das, R, Green-McKenzie, J, Sinclair, DC. 2018. <i>Work-Relatedness</i> . MDGuidelines®.Web, Hegmann, KT, Ed., www.mdguidelines.com. Reed Group, Ltd., accessed ***. Fries, IB, Melhorn, JM, Hyman, MH, <i>et al.</i> , <i>The Causality Examination</i> . Ch. 6. In: <i>Guides to the Evaluation of Disease and Injury Causation</i> , 2 <sup>nd</sup> Ed., Melhorn, JM, Talmage, JB, Akerman, WB, Hyman MH, Eds., American Medical Association Press, Chicago, Ill. (2014).
5	14 Jun. 22	Epidemiological Evidence in the Courtroom; General and Specific Causation	Sinclair, DC. 2020. <i>Medical Expert Witness Testimony – Principles and Practice</i> . In: <i>Effective Management of Occupational and Environmental Health and Safety Programs – A Practical Guide</i> , Ch. 24, 4th Ed., Moser, R., Ed.,

Week	Date	Topic/Discussion	Reading/Modules
			OEM Press, Beverly Farms, Mass. (in press); Melhorn, JM, Ackerman, WE, Glass, LS, et al., <i>Understanding Work-Relatedness</i> . Ch. 2. In: <i>Guides to the Evaluation of Disease and Injury Causation</i> , 2 <sup>nd</sup> Ed., Melhorn, JM, Talmage, JB, Akerman, WB, Hyman MH, Eds., American Medical Association Press, Chicago, Ill. (2014).
6	21 Jun. 22	Consideration of Evidence of Individual Exposure	Kusnetz S, Hutchison M (Eds). <i>A Guide to the Work-Relatedness of Disease</i> , Rev'd Ed. NIOSH Pub. No. 79-116 (1979); Hegmann, KT, Thiese, MS, Oostema, Melhorn, JM, <i>Causal Associations and Determination of Work-Relatedness</i> . Ch. 3. In: <i>Guides to the Evaluation of Disease and Injury Causation</i> , 2 <sup>nd</sup> Ed., Melhorn, JM, Talmage, JB, Akerman, WB, Hyman MH, Eds., American Medical Association Press, Chicago, Ill. (2014). Greaves, WW, Das, R, Green-McKenzie, J, Sinclair, DC, Hegmann, KT. 2018. <i>Work-Relatedness</i> . JOEM 60(12): e640-646; Greaves, WW, Das, R, Green-McKenzie, J, Sinclair, DC. 2018. <i>Work-Relatedness</i> . MDGuidelines®.Web, Hegmann, KT, Ed., www.mdguidelines.com. Reed Group, Ltd., acc'd Jan. 12, 2018. Kusnetz S, Hutchison M (Eds). <i>A Guide to the Work-Relatedness of Disease</i> , Rev'd Ed. NIOSH Pub. No. 79-116 (1979); Letz, G, Hyman, MH, Hoffman, HE, et al. <i>Chemical Exposure Claims: a Framework for Causation Analysis</i> . Ch. 21. In: <i>Guides to the Evaluation of Disease and Injury Causation</i> , 2 <sup>nd</sup> Ed., Melhorn, JM, Talmage, JB, Akerman, WB, Hyman MH, Eds., American Medical Association Press, Chicago, Ill. (2014).
7	28 Jun. 22	Consideration of Other Relevant Factors – Personal Health Attributes, Comorbidity, Pre-Existing Conditions, Avocational Exposures, and Mental Health, including the Health Insurance Portability	Greaves, WW, Das, R, Green-McKenzie, J, Sinclair, DC, Hegmann, KT. 2018. <i>Work-Relatedness</i> . JOEM 60(12): e640-646; Greaves, WW, Das, R, Green-McKenzie, J, Sinclair, DC. 2018. <i>Work-Relatedness</i> . MDGuidelines®.Web, Hegmann, KT, Ed., www.mdguidelines.com. Reed Group, Ltd., acc'd ***; Bruns, D, Warren, P, et al. 2019. American College of Occupational and Environmental Medicine <i>Workplace Mental Health Guideline</i> , MDGuidelines®.Web, Hegmann, KT, Ed.,

Week	Date	Topic/Discussion	Reading/Modules
		and Accountability Act (HIPAA), as amended); Apportionment Among Multifactorial Causes.	www.mdguidelines.com. Reed Group, Ltd., acc'd ***. Sinclair, DC. Consultant to the Panel; Brooks, CN, Melhorn, JM, <i>Apportionment</i> . Ch. 5. In: <i>Guides to the Evaluation of Disease and Injury Causation</i> , 2 <sup>nd</sup> Ed., Melhorn, JM, Talmage, JB, Akerman, WB, Hyman MH, Eds., American Medical Association Press, Chicago, Ill. (2014).
8	5 Jul. 22	Consideration of Validity of the Testimony – Litigants and Adverse Expert Witnesses	Sinclair, DC. 2020. <i>Medical Expert Witness Testimony – Principles and Practice</i> . In: <i>Effective Management of Occupational and Environmental Health and Safety Programs – A Practical Guide</i> , Ch. 24, 4th Ed., Moser, R., Ed., OEM Press, Beverly Farms, Mass. (in press); <i>A Guide to the Work-Relatedness of Disease</i> . 1979. Rev'd Ed., Kusnetz, S. and Hutchison, M., Eds., NIOSH Pub. No. 79-116; <i>AMA Guides to the Evaluation of Disease and Injury Causation</i> , 2d Ed., Melhorn, JM, Talmage, JB, Ackerman, WE, Hyman, MH, Eds., AMA, Chicago, IL (2014); <i>Diagnostic and Statistical Manual of Mental Disorders (DSM 5)</i> . 2013. American Psychiatric Association (APA), Arlington, VA.
9	12 Jul. 22	Evaluation and Conclusions	Sinclair, DC. 2020. <i>Medical Expert Witness Testimony – Principles and Practice</i> . In: <i>Effective Management of Occupational and Environmental Health and Safety Programs – A Practical Guide</i> , Ch. 24, 4th Ed., Moser, R., Ed., OEM Press, Beverly Farms, Mass. (in press); <i>A Guide to the Work-Relatedness of Disease</i> . 1979. Rev'd Ed., Kusnetz, S. and Hutchison, M., Eds., NIOSH Pub. No. 79-116; <i>AMA Guides to the Evaluation of Disease and Injury Causation</i> , 2d Ed., Melhorn, JM, Talmage, JB, Ackerman, WE, Hyman, MH, Eds., AMA, Chicago, IL (2014).
10	19 Jul. 22	Causation Analysis – Structuring the Expert Witness Report;	Talmage, JB, Freeman, GC, Melhorn, JM, <i>et al</i> . <i>Report Writing</i> . Ch. 7. In: <i>Guides to the Evaluation of Disease and Injury Causation</i> , 2 <sup>nd</sup> Ed., Melhorn, JM, Talmage, JB, Akerman, WB, Hyman MH, Eds., American Medical Association Press, Chicago, Ill. (2014).

Week	Date	Topic/Discussion	Reading/Modules
11	26 Jul. 22	The Civil Burden of Proof and Reasonable Scientific Probability	<i>Reference Manual on Scientific Evidence</i> , 3rd Ed., Federal Judicial Center & National Research Council, National Academies Press, Washington, DC (2011); Sinclair, DC. 2020. <i>Medical Expert Witness Testimony – Principles and Practice</i> . In: <i>Effective Management of Occupational and Environmental Health and Safety Programs – A Practical Guide</i> , Ch. 24, 4th Ed., Moser, R., Ed., OEM Press, Beverly Farms, Mass. (in press).
12	2 Aug. 22	Medical Fitness for Duty Guidelines and the Americans with Disabilities Act	Lecture
	3-5 Aug. 22	<b>Final Examination and Submission of Causation Analysis</b>	NA

### Examinations and Written Submission

**Comprehensive Final Examination:** Examinations will be administered at the University of Utah Testing Center on August 3-5, 2022, at 9:00 a.m. Examinations shall be submitted in Microsoft Word, Times New Roman or Arial 12 pt. font, double-spaced, with justified 1” margins. Two hours will be allotted for the completion of examinations. Access to textbooks, notes, journal articles, or other written materials is prohibited, except those specifically provided by the instructor to students at the time of the examination.

**Causation Analysis:** Students will also submit a comprehensive, written Causation Analysis, based upon hypothetical legal documents, medical records, exposure data, expert witness reports, and depositions. The Causation Analysis shall be submitted on or before August 5, 2022, at 11:59 p.m. in Microsoft Word, Times New Roman or Arial 12 pt. font, double-spaced with justified 1” margins. The Causation Analysis shall include references cited in APA format. Internet references should facilitate retrieval by an interested reader, include retrieval date, and be cited in accordance with APA format. The report shall be submitted to the instructor at the e-mail address provided in this syllabus.

### Causation Analysis Grading Rubric [200 points]

The Causation Analysis will be evaluated for methodological rigor; analytical quality; reference to and interpretation of medical, epidemiological, and exposure data; inclusion of relevant and correctly cited scientific/technical references; and the admissibility in evidence of the facts, data, and conclusions expressed in the report. The report should be organized in accordance with a generally accepted methodology for the determination of causation of an occupational or environmental injury or disease. The document should be a cogent assemblage of the relevant evidence and be preceded by an Executive Summary that presents a synthesis of the report and its



conclusion. The Executive Summary should not exceed one page. The body of the report should not be fewer than 10 or greater than 20 pages. Correct citations for all applicable scientific references should be included as endnote references. References to factual data should be incorporated as footnotes. There will be point deductions for grammatical, spelling, punctuation, and citation errors. Appropriate appendices may be attached.

### **Grading Scale and Weighting of Assignments**

Total Score = 600 points:

Midterm Examination = 200 points.

Final Examination = 300 points.

Causation Analysis = 300 points.

100% - 95%	A
94% - 90%	A-
89% - 85%	B
84% - 80%	B-
70% - 79%	C
60% - 69%	D

No grading curve will be adopted for scoring of examinations or written submissions.

Grades for the Causation Analysis and Final Examination shall be completed by May 17, 2021.

### **Course Policies**

#### **Attendance and Participation**

Students are expected to attend class virtually *via Zoom*, as scheduled. Lectures and/or Power Point or other presentations will not be recorded or posted to *Canvas*. Students are expected to meaningfully participate in class discussions, and students should expect to be requested to respond to questions, provide analysis, and otherwise engage in class discussion for the benefit and development of the instructor and other students.

Grading will be based exclusively on the Comprehensive Final Examination and required written submission. Lectures may include supplemental information not necessarily included in reading assignments. Material from classroom instruction and guest lectures will be included on the Comprehensive Final Examinations: Students should not have any expectation that they will perform well on examinations or written submissions should they elect not to attend classes.

## **Communication with Instructor**

Students can expect a reply to an e-mail directed to the instructor within 72 hours of receipt (Monday-Friday). Alternatively, students may request a time to confer with the Instructor *via Zoom* or teleconference.

## **Course Materials and Copyright Statement**

Course material accessed from the *Canvas* site and *via Zoom* is for the exclusive use of students who are currently enrolled in the course. Content from these courses shall not be reproduced or distributed without express, prior written permission of the Instructor and/or the copyright holder. Duplication of materials protected by copyright, without permission of the copyright holder is a violation of the Federal copyright law. Recording classes in any medium is strictly prohibited, including audio recordings, video recordings, screen captures, *etc.* Unauthorized recording shall be deemed a contravention of the University of Utah Student Code.

## **Late Policy**

Submissions after 11:59 p.m. on prescribed due dates will not be accepted. Students are not permitted to retake any examination. Revisions and/or resubmissions of written submissions will not be accepted. No extensions of any submission deadline will be granted.

## **Online Guidelines**

There are unique responsibilities attendant to a course with an online component.

**Electronic or equipment failure:** You are responsible for having a reliable computer and internet connection throughout the term in online forums in a manner that enhances your experience. Equipment failures will not be an acceptable excuse for late or absent assignments.

You will be at a disadvantage if you attempt to complete all coursework on a smartphone or tablet, and it may be impossible to complete submissions in compliance with course policies from such devices.

Students should be able to use e-mail, a word processor, spreadsheet program, and presentation software to complete this course successfully. The Microsoft 365 suite is recommended, and students should have access to Word, Excel, and Power Point. Students should also have access to a portable document file program: Adobe Acrobat Pro DC is recommended.

**Classroom equivalency:** Online communications, including e-mail, discussion threads, and chat rooms, are equivalent to the classroom and are subject to the Student Code. Specifically:

1. Posting photographs or comments that would be irrelevant in a classroom are equally irrelevant in a discussion thread.
2. Profanity and vulgarity and pejorative language are **never** appropriate.

3. Angry or abusive language is not acceptable.
4. Online communications, including e-mail in *Canvas*, are University property and subject to GRAMA regulations. Privacy regarding *Canvas* communications must not be assumed unless mutually agreed upon in advance.
5. As with assignments, instructors are required to respond to e-mails in a “reasonable” period of time, generally 72 hours. Use the e-mail address posted in this syllabus as the preferred means of communication. The instructor deems communications between the instructor and a student confidential: Please do not copy others on or “reply to all” on communications with the instructor, even if the original communication is from the instructor to all students for the purposes of a general communication relevant to all students.

### **Course Communication Plan**

*Canvas* will be used to provide students with class itinerary, lectures, reading assignments, grades, notifications, and other class information. Students should review their e-mail and *Canvas* daily for course communications, including scheduling modifications and class cancellations. Students should e-mail the Instructor if they have questions about the course, assignments, or due dates. **Note:** This syllabus is meant to serve as an overview and guide for this course. The instructor may revise it upon reasonable notice. The instructor may also modify the course schedule to accommodate the needs of the class. Any amendments will be announced in class and or posted on *Canvas* under Announcements.

### **University Policies**

#### **Americans with Disabilities Act as Amended (ADAA)**

The University of Utah seeks to provide equal access to its programs, services, and activities for people with disabilities. If you will need accommodations in this class, provide reasonable prior notice to the instructor **and** the Center for Disability Services, (801) 581-5020 (Voice or TDD; located in 162 UNION) to arrange for accommodations. All written information for this course can be made available in the alternative format with prior notification to the Center for Disability Services. Passing the TOEFL test indicates readiness to take courses at the University of Utah.

#### **University of Utah Student Code**

Dismissal from a course and/or the college can result from unprofessional behavior. All students are expected to maintain professional behavior in the classroom, according to the Student Code, specified in the Student Handbook. Students have specific rights in the classroom as detailed in Article III of the Code. The Code also specifies proscribed conduct (Article XI) that involves cheating on tests, plagiarism, and/or collusion, as well as fraud, theft, *etc.* Students should read the Code carefully and understand that they are responsible for the content. According to Faculty Rules and Regulations, it is the faculty responsibility to enforce responsible classroom behaviors, and I will do so, beginning with verbal warnings and progressing to dismissal from class and a failing grade. Students have the right to appeal such action to the Student Behavior Committee.

**University Safety Statement.** The University of Utah values the safety of all campus community members. To report suspicious activity or to request a courtesy escort, call campus police at 801-585-COPS (801-585-2677). You will receive important emergency alerts and safety messages regarding campus safety via text message. For more information regarding safety and to view available training resources, including helpful videos, visit <https://safeu.utah.edu/>.

**Addressing Sexual Misconduct.** Title IX makes it clear that violence and harassment based on sex and gender (which includes sexual orientation and gender identity/expression) is a civil rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, color, religion, age, status as a person with a disability, veteran's status or genetic information. If you or someone you know has been harassed or assaulted, you are encouraged to report it to the Title IX Coordinator in the Office of Equal Opportunity and Affirmative Action, 135 Park Building, 801-581-8365, or the Office of the Dean of Students, 270 Union Building, 801-581-7066. For support and confidential consultation, contact the Center for Student Wellness, 426 SSB, 801-581-7776. To report to the police, contact the Department of Public Safety, 801-585-2677(COPS).

**Undocumented Student Support Statement.** Immigration is a complex phenomenon with broad impact—those who are directly affected by it, as well as those who are indirectly affected by their relationships with family members, friends, and loved ones. If your immigration status presents obstacles to engaging in specific activities or fulfilling specific course criteria, confidential arrangements may be requested from the Dream Center. Arrangements with the Dream Center will not jeopardize your student status, your financial aid, or any other part of your residence. The Dream Center offers a wide range of resources to support undocumented students (with and without DACA) as well as students from mixed-status families. To learn more, please contact the Dream Center at 801.213.3697 or visit [dream.utah.edu](http://dream.utah.edu).

**Wellness Statement.** Personal concerns such as stress, anxiety, relationship difficulties, depression, cross-cultural difference, *etc.* can interfere with a student's ability to succeed and thrive at the University of Utah. For helpful resources contact the Center for Student Wellness at [www.wellness.utah.edu](http://www.wellness.utah.edu) or 801-581-7776.

For Course Drop/Withdrawal dates and any other helpful University related information, please contact your Academic Advisor and/or the online calendar published by the Office of the Registrar.