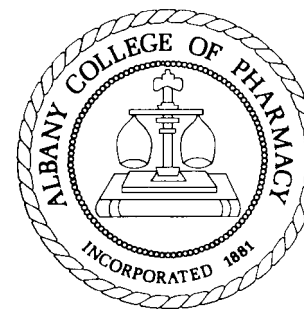


## 2006-2007 STUDENT HANDBOOK

ACP | Sciences  
for Life



## **Albany College of Pharmacy of Union University**

106 New Scotland Avenue  
Albany, New York 12208-3492  
[www.acp.edu](http://www.acp.edu)

**Union University is**  
Union College, Founded 1795  
Albany Medical College, Founded 1839  
Albany Law School, Founded 1851  
Dudley Observatory, Founded 1852  
Albany College of Pharmacy, Founded 1881  
The Graduate College of Union University, Founded 2003

**2006-2007 STUDENT HANDBOOK**

**ACP** | Sciences  
for Life



## MISSION STATEMENT

The College is dedicated to the improvement of health by educating its students to create and disseminate knowledge leading to improved health care, and by optimizing the benefits of existing drug and related health care practices. The College instills values, attitudes and skills that enable lifelong intellectual, cultural and professional growth for students and faculty. The education provided facilitates progressive adaptation to changing professional practice environments.

Rules and regulations, as described in the current Albany College of Pharmacy Student Handbook, are further considerations of occupancy for all residents in College-owned or operated housing. In addition, the current Occupancy Agreement lists contractual understandings and obligations between ACP and students in residence. It is each student's responsibility to be familiar with these policies.

**NOTICE REGARDING CHANGES:** ACP reserves the right to change the tuition and fees, room and board costs, rules governing admission, occupancy of residence facilities, granting of degrees and any other regulation affecting its students. Such changes are to take effect whenever ACP authorities deem necessary. ACP also reserves the right to exclude at any time students whose academic record is unsatisfactory or whose conduct is found to be detrimental to the orderly functioning of the College.

All information in this publication pertains to the academic year noted, to the extent that information was available at the time of publication.

Albany College of Pharmacy does not discriminate on the basis of race, color, sex, sexual preference, age, religion, creed, national origin, marital status, Vietnam Era Veteran status, disabled Veteran status, or disability in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies: Gerald H. Katzman, Esq., General Counsel, Albany College of Pharmacy, 106 New Scotland Ave., Albany, NY 12208-3492; (518) 694-7298; Fax: (518) 694-7341; [katzmang@acp.edu](mailto:katzmang@acp.edu).

## Notification of Rights under FERPA

The Family Educational Rights and Privacy Act of 1974 (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review your student education records within 45 days of the day Albany College of Pharmacy receives a request for access. Students should submit to the Registrar written requests that identify the record(s) they wish to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. ACP will respond to reasonable requests for explanations and interpretations of the records.
2. The right to request an amendment of your student education records that you believe are inaccurate, misleading or otherwise in violation of your privacy rights. FERPA, however, only allows students to challenge and correct “ministerial errors” in their records, not to bring substantive claims regarding the reasons for a particular notation having been made. Students may ask ACP to amend a record that they believe is inaccurate or identify the part of the record they want changed, and specify why it is inaccurate or misleading. If ACP decides not to amend the record as requested by the student, ACP will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in your student education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to ACP officials with legitimate educational interests. An ACP official is a person employed by ACP in an administrative, supervisory, academic, research or support staff position, or a person or company with whom ACP has contracted (such as an attorney, auditor, security personnel or collection agent); a person serving on the Board of Trustees of ACP; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another ACP official in performing his or her tasks. An ACP official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional or job responsibilities.

4. The right to refuse to permit the designation of any or all of the following categories of personally identifiable information, hereafter “directory information,” which is not subject to the above restrictions on disclosure and may be disclosed by the College at its discretion:
  - a. name and campus e-mail address
  - b. city, town or village, and state or country of residence
  - c. class, anticipated date of graduation, major field of study, including the college, division, department or program in which the student is enrolled
  - d. participation in officially recognized activities and sports
  - e. weight and height of members of athletic teams
  - f. the most recent educational institution attended and previous educational institutions attended, and dates of graduation therefrom
  - g. honors and awards received, including selection to a Dean’s List or honorary organization
  - h. photographic, video or electronic images of students taken and maintained by ACP
  - i. marital status and spouse’s name
  - j. parents’ names, city, town or village, and state or country of their residence

Any student wishing to exercise this right must inform the ACP Registrar in writing, by completing a form available in the Office of the Registrar, within two weeks of the date you receive this notice, of the categories of personally identifiable information that are not to be designated as directory information with respect to that student.

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by ACP to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

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

**2006-2007**

**Fall Semester**

August 24-27	Orientation (Thursday-Sunday) (First-year, transfer and Cytotechnology students)
August 28	Classes start (Monday)
September 4	Labor Day (Monday) – No classes
September 5	Classes resume (Tuesday)
September 22	Last day to drop a course without penalty
October 9-10	Fall recess (Monday-Tuesday)
October 11	Classes resume (Wednesday)
November 22-24	Thanksgiving recess (Wednesday-Friday)
November 27	Classes resume (Monday)
December 8	Classes end (Friday) – (excludes Cytotechnology program)
December 11-15	Final examinations (Monday-Friday)
December 19	Cytotechnology program ends (Tuesday)

**Spring Semester**

January 8	Cytotechnology program classes resume (Monday)
January 15	Martin Luther King Day (Monday) – No classes
January 16	Classes start (Tuesday)
February 9	Last day to drop a course without penalty
February 19	President’s Day (Monday) – No classes
February 20	Classes resume (Tuesday)
March 19-23	Spring recess (Monday-Friday) – No classes
March 26	Classes resume (Monday)
April 16	Cytotechnology program clinical rotations begin (Monday)
April 27	Classes end (Friday)
April 30-May 4	Final examinations (Monday-Friday)
May 6	Commencement (Sunday)

**Summer Session**

May 21	First summer session begins (Monday)
May 28	Memorial Day (Monday) – No classes
May 29	Classes resume (Tuesday)
June 29	First summer session ends (Friday)
July 2-6	Mid-summer break (Monday-Friday)
July 9	Second summer session begins (Monday)
July 27	Cytotechnology program clinical rotations end (Friday)
August 8	Cytotechnology program graduation (Wednesday)
August 17	Second summer session ends (Friday)

**Pharm.D. Professional Experience Program 2006-2007**

**Module**

IPE	5/15/06-6/9/06 (accelerated students: IPE-community)
A	6/12/06-7/14/06
B	7/17/06-8/18/06
C	8/21/06-9/22/06
D	9/25/06-10/27/06
E	10/30/06-12/01/06
Break	12/4/06-1/7/07
F	1/8/07-2/9/07
G	2/12/07-3/16/07
Break	3/19/07-3/23/07
H	3/26/07-4/27/07
I *	4/30/07-6/01/07 * (Make-up rotations only)

**Vacation/Holidays** (\*\* Indicates possible day off, at preceptor’s discretion)

May 29, 2006	Memorial Day (Monday)
July 4, 2006	Independence Day (Tuesday)
September 4, 2006	Labor Day (Tuesday)
October 9, 2006**	Columbus Day (Monday)
November 23-24, 2006	Thanksgiving (Thursday-Friday)
January 15, 2007**	Martin Luther King Day (Monday)
February 19, 2007**	President’s Day (Monday)
May 6, 2007	Graduation (Sunday)

## 2007-2008

### Fall Semester

August 30-September 2	Orientation (Thursday-Sunday) (First-year, transfer and Cytotechnology students)
September 3	Labor Day (Monday) – No classes
September 4	Classes start (Tuesday)
September 28	Last day to drop a course without penalty
October 8-9	Fall recess (Monday-Tuesday)
October 10	Classes resume (Wednesday)
November 21-23	Thanksgiving recess (Wednesday-Friday)
November 26	Classes resume (Monday)
December 14	Classes end (Friday) – (excludes Cytotechnology program)
December 17-21	Final examinations (Monday-Friday)
December 21	Cytotechnology program ends (Friday)

### Spring Semester

January 7	Cytotechnology program classes resume (Monday)
January 21	Martin Luther King Day (Monday) – No classes
January 22	Classes start (Tuesday)
February 15	Last day to drop a course without penalty
February 18	President's Day (Monday) – No classes
February 19	Classes resume (Tuesday)
March 17-21	Spring recess (Monday-Friday) – No classes
March 24	Classes resume (Monday)
April 14	Cytotechnology program clinical rotations begin (Monday)
May 2	Classes end (Friday)
May 5-9	Final examinations (Monday-Friday)
May 11	Commencement (Sunday)

### Summer Session

May 19	First summer session begins (Monday)
May 26	Memorial Day (Monday) – No classes
May 27	Classes resume (Tuesday)
June 27	First summer session ends (Friday)
June 30-July 4	Summer break (Monday-Friday)
July 7	Second summer session begins (Monday)
July 25	Cytotechnology program clinical rotations end (Friday)
August 6	Cytotechnology program graduation (Wednesday)
August 15	Second summer session ends (Friday)

## Pharm.D. Professional Experience Program 2007-2008

### Module

A	5/21/07-6/22/07
B	6/25/07-7/27/07
Break	7/30/07-8/3/07
C	8/6/07-9/7/07
D	9/10/07-10/12/07
E	10/15/07-11/16/07
F	11/19/07-12/21/07
Break	12/24/07-1/4/08
G	1/7/08-2/8/08
H	2/11/08-3/14/08
Break	3/17/08-3/21/08
I	3/24/08-4/25/08
J *	4/28/08-5/30/08 * (Make-up rotations only)

### Vacation/Holidays (\*\* Indicates possible day off, at preceptor's discretion)

May 28, 2007	Memorial Day (Monday)
July 4, 2007	Independence Day (Wednesday)
September 3, 2007	Labor Day (Monday)
October 8, 2007**	Columbus Day (Monday)
November 22, 2007	Thanksgiving (Thursday-Friday)
January 21, 2008**	Martin Luther King Day (Monday)
February 18, 2008**	President's Day (Monday)
May 11, 2008	Graduation (Sunday)

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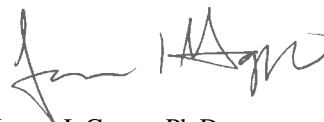
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On behalf of the administration, faculty and staff, welcome to Albany College of Pharmacy. Your educational experience here will be one that is very challenging and exciting. It also will bring a high level of both intellectual and personal satisfaction. The ongoing technological advances allow you to increase your opportunity to contribute extensively to many critical health care issues in a profession that offers an array of career paths, including direct patient care, research, teaching and industry.

While built on a long history of excellence, ACP takes pride in its tradition of offering our students a most receptive place to learn. Our newly expanded campus and enhanced programs offer a dynamic learning environment. I invite you to take advantage of these exhilarating surroundings to maintain personal standards that are advantageous to the achievement of your utmost level of academic excellence.

This Handbook offers useful and important information regarding the College's policies and procedures as they relate to students. While the Handbook provides guidance on these particular matters, I urge you to utilize the experience and expertise of the faculty, administration and staff. They are committed to helping you achieve your full academic potential. Interacting with the ACP community will enhance your college experience, whether it is in research, membership in pharmaceutical organizations, volunteering, sports or numerous other student activities. Your participation can make a difference!

Again, welcome. I personally look forward to hearing from you as you pursue your educational and career goals. My best wishes for every success.



James J. Gozzo, Ph.D.  
President



**ACADEMIC REGULATIONS AND POLICIES**

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Academic regulations apply to all degree programs offered by Albany College of Pharmacy. Academic regulations are developed and adopted by the faculty and are administered by the Associate Dean for Student and Academic Affairs. The Academic Standards Committee is a committee of faculty that reviews student academic records to determine a student's academic status. The College Registrar is responsible for the registration of students, the issuance of transcripts, recording of grades, computation of grade-point averages and approval of transfer credits.

Students must obtain written permission from the faculty member before taping that faculty member's lecture.

**ADDRESSES**

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The Registrar should be notified immediately of any changes of address, either local or permanent. Students may change address information directly on the Jenzabar computer system, which then will prompt Registrar approval, or students may obtain Change of Address forms available in the Office of the Dean, room 113. Albany College of Pharmacy complies with the Federal Family Educational Rights and Privileges Act of 1974.

Students residing in College-owned housing are advised not to use their residence hall address (5 Samaritan Road and 1 Notre Dame Drive) for opening bank accounts, billing purposes or other such matters.

**AIDS GUIDELINES**

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Albany College of Pharmacy references the policy guidelines outlined in the American College Health Association's "General Statement on Institutional Response to AIDS" for its own AIDS guidelines. These are strictly guidelines, and the College responds to AIDS/HIV cases involving students or employees on an individual basis. A copy of the ACHA guidelines can be obtained from the Assistant Dean of Student Affairs.

**ALCOHOL ABUSE AND OTHER DRUG PREVENTION POLICY**

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Federal law requires that all colleges adopt and implement a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. This section will provide you with information about the health risks and the legal sanctions under state and federal laws that are associated with substance abuse.

The problems associated with alcohol and other drug abuses are a major concern in this country. The passage of the Drug-Free Schools and Communities Act Amendments has placed requirements on institutions of higher education to develop policies and to provide information to students and employees about the abuse of alcohol and other drugs.

Albany College of Pharmacy's Alcohol and Other Drug Policy is set forth in Appendix A of this Handbook. You should also be aware of (1) health risks associated with alcohol and other drug abuse, (2) information, counseling and rehabilitation services available, (3) federal, state and College sanctions that may be imposed for violations, and (4) student and employee responsibility and standards of conduct.

**Effects of Alcohol**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, low doses of alcohol also will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol,

particularly when combined with poor nutrition, also can lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

### **Services Available**

The Director of Counseling Services provides students and employees with information on alcohol and other substance abuse. In addition, assessment and referral services are provided through this office.

### **Tribunals**

Alcohol infractions involving students at Albany College of Pharmacy will be dealt with according to the procedures outlined in the Student Disciplinary Code and/or the Occupancy Agreement.

### **Sanctions**

Sanctions for students who violate the Albany College of Pharmacy Alcohol Policy are listed in the appropriate section of the Student Disciplinary Code, and/or the Occupancy Agreement.

### **Annual Distribution**

The annual distribution of this information is made in writing to all new students through the Student Handbook that is distributed during Orientation. All returning students are reminded that they are responsible for knowing all school policies and that these policies can be accessed through the Albany College of Pharmacy Web site ([www.acp.edu](http://www.acp.edu)) via the online College Catalog and Student Handbook.

## **COMPUTER ETHICS**

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The Albany College of Pharmacy Computer Ethics Policy is set forth in Appendix B of this Handbook. Users of computer systems and networks at ACP must read, understand and agree to comply with the ACP Computing Ethics Policy.

## **E-MAIL**

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Albany College of Pharmacy has established e-mail as a means of sending official information to students enrolled in credit courses. To support this objective, the College has provided an e-mail account to all ACP students.

- The College has the right to expect that such communications will be received and read in a timely fashion.
- Students are expected to check their College e-mail on a frequent and consistent basis to ensure that they are staying current with all official communications.
- The Director of Technology has overall responsibility for implementation and enforcement of this policy.
- The Information Technology Department is responsible for distributing and maintaining official ACP e-mail addresses.
- Students are expected to maintain their e-mail accounts, so that they do not become full. Deleting and/or saving of old e-mails are the responsibility of the students. Any student needing help with maintaining their account may come into the Student Computing Center, located on the second floor of the Student Center, for assistance.

A student may have e-mail redirected from their official ACP address ([lastnamefirstinitial@acp.edu](mailto:lastnamefirstinitial@acp.edu)) to another e-mail address at his or her own risk. The College will not be responsible for the handling of e-mail by outside vendors.

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## **FIREARMS AND DANGEROUS SUBSTANCES**

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According to New York State law and College policy, possession, use or knowledge of firearms and/or other such materials (including but not limited to handguns, rifles, bb guns/rifles, paint guns, pellet guns, sling shots, martial arts weapons) anywhere on the Albany College of Pharmacy campus is strictly prohibited. This includes College-operated buildings and property or automobiles parked on College property. The possession of a New York State weapons permit does not authorize the person to have a firearm on campus.

In accordance with New York State law, the use or possession of fireworks on campus is strictly prohibited. Any or all chemicals that either can be made to possess or that inherently possess volatile, explosive or dangerous properties are forbidden on campus, except under the academic supervision of a member of the College faculty or a College official.

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## **HAZING**

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No individual or group may haze another at any time, including initiation into any organization or at the time of affiliation with an organization. By action of New York State, all organization constitutions and by-laws are automatically amended to prohibit hazing activities.

Hazing is defined as any action or situation created, whether on or off College premises, to produce mental or physical discomfort, embarrassment or ridicule and includes any action or situation that recklessly or intentionally endangers mental or physical health, or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization. Examples of such activities and situations include, but are not limited to: physical brutality; paddling in any form; forced consumption of food, alcohol or other drugs; creation of excessive fatigue; required calisthenics; “kidnapping”; physical and psychological shock; publicly wearing apparel that is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; assignment of illegal activities or activities that may be morally offensive to individual pledges; activities that normally are not performed by the active membership; and any other activities that

are not consistent with organization law, ritual or policy or the regulations and policies of Albany College of Pharmacy.

Hazing is prohibited by and prosecuted pursuant to the Student Disciplinary Code, set forth in this Handbook.

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## **HOUSING**

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Rules and regulations, as described in the current Albany College of Pharmacy Student Handbook, are further considerations of occupancy for all residents in campus housing. In addition, the current Occupancy Agreement lists contractual understandings and obligations between ACP and students in residence. It is each resident student’s responsibility to be familiar with these policies.

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## **LOST AND FOUND**

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Albany College of Pharmacy is not responsible for the loss of personal property. Students are cautioned to keep valuable possessions in their sight, in properly safeguarded containers or places, or locked in their lockers, if applicable. Students also should seek personal property insurance if so desired. The Administration Office does maintain a “Lost and Found” area. All students are advised to check the Lost and Found if a possession is lost.

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## **DISCRIMINATION AND SEXUAL HARASSMENT**

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Albany College of Pharmacy does not discriminate on the basis of race, color, sex, sexual preference, age, religion, creed, national origin, marital status, Vietnam Era Veteran status, disabled Veteran status, or disability in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies, including complaints of sexual harassment: Gerald H. Katzman, Esq., General Counsel, Albany College of Pharmacy, 106 New Scotland Ave., Albany, NY 12208-3492; (518) 694-7298; Fax: (518) 694-7341; katzmang@acp.edu.

Sexual harassment is a form of sexual discrimination that is illegal under Title VII of the Civil Rights Act for employees and under Title IX of the Elementary/Secondary Education Act for students.

ACP has adopted an Affirmative Action Policy that prohibits discrimination and Sexual Harassment. That Policy is set forth in Appendix C to this Handbook.

### **Reporting Sexual Harassment**

If you have been the victim of sexual harassment as a result of the actions of another member of the College community, you are encouraged to report the actions to the Affirmative Action Advisor to the President, Gerald H. Katzman, Esq., General Counsel, Albany College of Pharmacy, O'Brien 104D, (518) 694-7298 or the Assistant Dean of Student Affairs, Packy McGraw, Albany College of Pharmacy, Student Center 207E, (518) 694-7257. This individual can assist you in initiating disciplinary procedures against the offender, refer you to available counseling resources and assist you in dealing with this incident. If you are uncomfortable reporting the incident to either of these individuals, speak to an advisor, friend, etc., and ask for their assistance. College policy is to respect the rights and decisions of victims of sexual harassment and/or assault. The College encourages all victims to report any incident of sexual harassment. Decisions to pursue legal and/or disciplinary action through the Affirmative Action Policy are left to the victim.

### **Sexual Assault Prevention Measures**

The applicable laws and penalties for conviction for sex offenses are set forth in Appendix D to this Handbook. Any allegations that a person has violated any of these laws will be referred to the appropriate state or local authorities and also will be prosecuted pursuant to the Student Disciplinary Code. A person found to have violated any of these laws will be subject to both the statutory penalties that may be imposed by the courts of the state as well as the sanctions imposed pursuant to the Disciplinary Code.

### **What to do if you are Sexually Assaulted**

If you are the victim of a sexual assault, there are several steps that you should take:

- Escape from the situation as quickly and safely as possible.
- Get to a safe place, i.e. your room, a friend's house, the police station or hospital.
- Write down or translate as much information as you can remember about the incident.
- Leave all evidence exactly the way that it was. This will assist in any criminal investigation.
- Get medical assistance for any injuries that you may have received.
- In the event of a rape, request that the hospital complete a "Rape Kit."
- Report the incident to the proper authorities as soon as possible. If the assailant is a member of the College community, report the incident to the Affirmative Action Officer and/or the Assistant Dean of Student Affairs.
- Seek counseling, whether you plan to report the crime or participate in legal action. Counseling will be beneficial to you as you work through your reaction to a sexual assault.

### **Resource Numbers**

Public Safety	244-3177
Sexual Assault Hotline	447-7716
Albany Police Department	9-1-1
Albany Family Practice Community Care Physicians	207-2273
Director of Counseling Services	694-7262
Assistant Dean of Student Affairs	694-7257
Albany County Crime Victims Sexual Violence Center	447-7100
Affirmative Action Advisor to the President	694-7298

## **SIGN/FLYER POLICY**

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- I. *Definition.* A sign is any non-permanent written or graphic material on paper, cardboard, chalkboard, cloth or other, placed on public display for the purpose of advertising or information dissemination. A flyer is considered a sign as defined above except distributed individually, i.e. through the student mailboxes.

Only those signs advertising activities of or related to Albany College of Pharmacy will be considered official signs or flyers. Any other sign or flyer must be approved for posting or distribution by the Coordinator of Student Activities or in the Office of Student Affairs.

- II. *Style and Content.* Signs or flyers must not contain anything of a nature directly maligning any group or person. Albany College of Pharmacy reserves the right to remove signs deemed to be in poor taste, in unsightly condition, conveying inaccurate information or in violation of this policy.

All signs and flyers must have the name of the person or group posting the sign or flyer, as well as the date of posting. The sign or flyer also must include the date of event. Any sign or flyer not containing all of this information will be considered in violation of this policy and may be removed.

Signs or flyers for off-campus “parties” or other gatherings may not, in any way, directly or indirectly, advertise the presence of alcohol at the event.

- III. *Posting Areas.* Signs advertising “off-campus parties” or other gatherings are restricted to the bulletin boards in the Panther’s Den, the student lounges, first-floor stairwell bulletin board in the O’Brien Building and the entryway bulletin board opposite the elevator in the Classroom Building. These signs still must comply with the outline of this policy.

Properly posted signs must not be removed by anyone other than a College official prior to the event(s) advertised unless the group or person who posted the sign authorizes such removal. Unofficial or “outside of ACP” signs may be removed two weeks after posting. Signs remaining on bulletin boards must be removed by the groups that posted them within one school day following the event.

Signs may not be posted in such a way as to cover or obscure signs al-

ready on display. No sign may be posted in an unreasonable quantity in any particular space (one sign per event, per bulletin board).

Signs may be mounted on bulletin boards only with thumbtacks. Nails, tape, string, adhesive-backed signs (e.g. bumper stickers) and direct application of paint to any surface all are prohibited. Special permission to hang signs in non-designated areas may be obtained from the Director of Student Services.

Signs placed in ACP residence halls must comply with these rules. Persons wishing to hang signs in these areas must have prior permission of the Coordinator of Residence Life.

- IV. *Restricted Areas.* There are some bulletin boards that are considered “reserved” for certain groups or College departments (for example, the bulletin board cases in the cafeteria, the cases outside the Student Lounge, the Humanities bulletin board, etc.). These areas are to be monitored by the group/department having jurisdiction over that bulletin board, and may be restricted to containing only information pertaining to that group/department. The signs on these restricted areas must comply with this policy.

Doors of classrooms, offices, labs and lecture halls may be used for signs or flyers at the discretion of the faculty member or administrator using the respective area.

- V. *Enforcement of Rules.* Potential outcome of sign/flyer policy violations include:
1. Immediate removal of signs.
  2. Disciplinary action, either of offending group/organization or individual(s). Sanctions may include restriction of advertising, restriction of funds, restriction from scheduling or attending on-campus or College-sponsored activities, a fine system or referral to the Student Code of Conduct Committee.

Rules and sanctions may be enforced by the Coordinator of Student Activities, Director of Student Services, Assistant Dean of Student Affairs, the President and Secretary/Treasurer of the Student Council, and the President and/or Dean of the College. Disagreements concerning interpretation of this policy shall be resolved through discussion by these parties.

**STUDENT DISCIPLINARY CODE**

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**Article I: Definitions**

1. The term “College” means Albany College of Pharmacy.
2. The term “student” includes all persons taking courses at the College, both full-time and part-time, pursuing undergraduate or postgraduate studies and those who attend post-secondary educational institutions other than Albany College of Pharmacy and who reside in the College residence halls. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the College are considered “students.”
3. The term “faculty member” means any person hired by the College to conduct classroom or teaching activities or who is otherwise considered by the College to be a member of its faculty.
4. The term “College official” includes any person employed by the College, performing assigned administrative or professional responsibilities.
5. The term “member of the College community” includes any person who is a student, faculty member, College official or any other person employed by the College. A person’s status in a particular situation shall be determined by the Assistant Dean of Student Affairs.
6. The term “College premises,” also referred to as the campus, includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by the College (including adjacent streets and sidewalks), and includes the common areas of the University Heights Campus.
7. The term “organization” means an association formed by its members, some of who are students, who have complied with the formal requirements for College recognition, including but not limited to those requirements defined and outlined by the Student Council.
8. The term “Student Conduct Committee” means those persons selected by their respective constituencies in accordance with Article II paragraph 2 hereof.

9. The term “Student Conduct Officer” means a member of the Student Conduct Committee authorized on a case-by-case basis by the Assistant Dean of Student Affairs to perform the duties of the Student Conduct Officer under this Code. Nothing shall prevent the Assistant Dean of Student Affairs from authorizing the same individual to act as Student Conduct Officer in several or all cases.
10. The term “Appellate Board” means those persons person or persons selected to act as the Appellate Board of the College in accordance with Article II paragraph 3 hereof.
11. The term “policy” is defined as the written regulations and policies of the College as found in, but not limited to, the Student Disciplinary Code, the Honor Code, the Drug and Alcohol Policy, the Occupancy Agreement, the College Catalog, the Professional Experience Program Manual or on the College website.
12. The terms “cheating” and “plagiarism” are defined as defined in the Honor Code Constitution, which can be found in the Student Handbook or can be obtained from the Honor Code Committee.

**Article II: Judicial Authority**

1. Jurisdiction of the College under this Student Code shall extend to all students charged with a violation of this Code. Where College disciplinary proceedings have been instituted against a student also charged with violation of a federal, state or local law, proceedings under this Student Code may be carried out prior to, simultaneously with or following civil or criminal proceedings off campus, at the discretion of the Student Conduct Committee. Where charges would also constitute, in whole or in part, a violation of the Honor Code or the Affirmative Action Policy, they will not be prosecuted under this Code, but will be prosecuted under either the Honor Code or the Affirmative Action Policy as determined in accordance with the Honor Code and the Affirmative Action Policy. The Assistant Dean of Student Affairs is responsible for the administration of this Student Disciplinary Code.
2. The Student Conduct Committee shall consist of six (6) persons chosen annually: two (2) faculty members, two (2) students and two (2) admin-

istrators. These members shall be selected by their respective constituencies. One (1) faculty alternate, one (1) student alternate and one (1) administrator alternate also shall be selected. Members shall serve until their replacements have been selected. In the event cases occur at times when the student members are unavailable, the Student Conduct Officer and/or the Assistant Dean of Student Affairs may select students randomly by computer and may limit the selection to those residing in the Capital Region.

3. The Appellate Board of the College is annually constituted and consists of three (3) individuals: one (1) faculty member; one (1) student and one (1) administrator. The faculty and student members shall be elected by their respective constituencies. The administrator shall be appointed by the President. Members shall serve until their replacements have been selected. In the event cases occur at times when the student member is unavailable, the Student Conduct Officer may select a student randomly by computer and may limit the selection to those residing in the Capital Region.

### **Article III: Proscribed Conduct**

#### **A. Conduct - Rules and Regulations**

Any student or organization found to have committed any of the following acts is subject to the disciplinary sanctions outlined in Article IV:

1. Acts of dishonesty, including but not limited to the following:
  - a. Cheating, plagiarism or other forms of academic dishonesty.
  - b. Furnishing false information to any College official, faculty member or office, including but not limited to furnishing false information on any application for any program offered by the College.
  - c. Forgery, alteration or misuse of any College document, record or instrument of identification.
  - d. Tampering with the election of any College-recognized student organization.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other College activities including the College's

public-service functions on or off College premises, or other authorized non-College activities, when the act occurs on College premises.

3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct that threatens or endangers the health or safety of any person.
4. Attempted or actual theft of and/or damage to property of the College or property of a member of the College community or other personal or public property.
5. Hazing, defined as an act that endangers the mental or physical health or safety of any person, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with or as a condition for continued membership in a group or organization.
6. Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
7. Unauthorized possession, duplication or use of College identification or access cards or of keys to any College premises or unauthorized entry to or use of College premises.
8. Violation of published College policies, rules or regulations, including but not limited to those listed in the Student Disciplinary Code, the Honor Code, the Drug and Alcohol Policy, the Occupancy Agreement, the College Catalog, the Professional Experience Program Manual or on the College website.
9. Conduct that could be a felony or misdemeanor level violation of federal, state or local law.
10. Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances except as expressly permitted by law.
11. Use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by College regulations), or public intoxica-

- tion. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.
12. Illegal or unauthorized possession of firearms, explosives, other weapons or dangerous chemicals on College premises.
  13. Any act, including participation in an on- or off-campus demonstration, that disrupts the normal operations of the College or infringes on the rights of other members of the College community, including leading or inciting others to disrupt scheduled and/or normal College activities on or off College premises.
  14. Intentionally causing an unreasonable obstruction of the freedom of movement of persons or the free flow of pedestrian or vehicular traffic on College premises or at College-sponsored or supervised functions.
  15. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on College premises or at functions sponsored by, or participated in by, the College or members of the academic community. Disorderly conduct includes but is not limited to: any unauthorized use of electronic or other devices to make an audio or video record of any person while on College premises without his/her consent except where activities recorded are public behavior. This prohibited conduct includes, but is not limited to, taking pictures of another person in a gym, locker room, dormitory room, restroom, or other place on or off campus where a person has a reasonable expectation of privacy.
  16. Theft or other abuse of computer facilities and resources, including but not limited to:
    - a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
    - b. Unauthorized transfer of a file.
    - c. Use of another individual's identification and/or password.
    - d. Use of computing facilities and resources to interfere with the work of another student, faculty member or College Official.
    - e. Use of computing facilities and resources to send obscene or abusive messages.
    - f. Use of computing facilities and resources to interfere with normal operation of the College computing system.

- g. Use of computing facilities and resources in violation of copyright laws.
  - h. Any violation of the College Computer Use Policy.
17. Abuse of the judicial system, including but not limited to:
  - a. Failure, without good cause to obey the written direction of the Student Conduct Committee to provide evidence at a hearing, provided there is proof that such direction was timely received.
  - b. Falsification, distortion or misrepresentation of information before a Student Conduct Committee.
  - c. Disruption or interference with the orderly conduct of a judicial proceeding.
  - d. Institution of a judicial proceeding knowingly without cause.
  - e. Attempting to discourage an individual's proper participation in or use of the judicial system.
  - f. Attempting to improperly influence the impartiality of a member of a Student Conduct Committee prior to and/or during the course of the hearing by communications which are not parts of the Official Record as defined in Article IV paragraph 6 of this Code.
  - g. Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Committee prior to, during and/or after a judicial proceeding.
  - h. Failure to comply with the sanction(s) imposed under the Student Code.
  - i. Influencing or attempting to influence another person to commit an abuse of the judicial system.
18. For so long as such sanction remains in effect, a student may not participate in or attend events sponsored or conducted, in fact or in name, by a student organization that has been suspended or has been deactivated by the College.

## **Article IV: Judicial Policies**

### **A. Charges and Hearings**

1. Any member of the College community, hereafter referred to as the "Complainant" may file charges against any student, hereafter referred to as the "Accused Student" for misconduct. Charges shall be prepared in



writing and directed to the Assistant Dean of Student Affairs. Any charge should be submitted as soon as possible after the event takes place and forwarded to the Assistant Dean of Student Affairs. The Assistant Dean of Student Affairs will notify the Accused Student in writing of the charges. The Accused Student may, but is not required to, respond to the charges in writing. Such response shall be given to the Assistant Dean of Student Affairs within five (5) business days of receipt by the Accused Student of the charges.

2. The Assistant Dean of Student Affairs shall designate from the faculty or administrative members of the Student Conduct Committee a member to act as the Student Conduct Officer with respect to such charges and will forward the charges, and all written documents related to the case, to the assigned Student Conduct Officer. The Student Conduct Officer will conduct an investigation to determine whether the charges allege a violation of this code and whether evidence exists to support the charges. The Student Conduct Officer, in his/her sole discretion, then determines if the charges can be disposed of administratively, including dismissal for lack of evidence or because the alleged misconduct does not constitute a violation of this Code, or by mediating between the parties involved and achieving a resolution acceptable to the parties and to the Student Conduct Officer. A mediated resolution shall be final and there shall be no subsequent proceedings. Other administrative resolutions can be appealed.
3. If the initial charges cannot be disposed of administratively:
  - a. The Student Conduct Officer may decide the case at the request of the Accused Student; or
  - b. The case shall be presented to the Student Conduct Committee for decision at the request of the Accused Student; or
  - c. The case shall be presented to the Student Conduct Committee if the Student Conduct Officer having been asked by the Accused Student to decide the case, in his/her own discretion declines.
4. At the start of each semester, the Student Conduct Committee, in conjunction with the Assistant Dean of Student Affairs, will designate times and locations for Student Conduct Committee cases to be heard. These times will be bi-weekly (unless they occur on a day when the College is not in session, i.e. legal holiday). When it is determined that the case shall be pre-

presented to the Student Conduct Committee for decision, the Student Conduct Officer shall set a time and place for a hearing to be held not less than five (5) nor more than twenty-one (21) business days after receipt by the Accused Student of notification of the time and place of the hearing, provided such hearing date shall be when the College is in session and shall not be during the period of final exams or during the week before final exams. If the hearing cannot be scheduled in accordance with the foregoing because it would occur when the College is not in session or would occur during the period of final exams or during the week before final exams, the Student Conduct Officer shall set the hearing for a date not less than five (5) business days after the commencement of the next College session. The College shall be deemed in session whenever any course is offered by the College on College premises. Time limits for scheduling of hearings may be extended or modified at the sole discretion of the Student Conduct Officer provided the Accused Student consents thereto.

5. The Student Conduct Officer shall develop procedural rules for the conduct of the hearing that are not inconsistent with provisions of the Student Code. The Student Conduct Officer shall preside over the Hearing. The Student Conduct Officer and the Student Conduct Committee have the right to question the Accused Student, the Complainant and any witnesses in an effort to obtain evidence and reach a decision. Hearings shall be conducted by a Student Conduct Committee according to the following guidelines:
  - a. Hearings normally shall be conducted in private. See subdivision k of this paragraph. Admission of any person to the hearing shall be at the discretion of the Student Conduct Officer, provided, however, the Complainant, Accused Student and their advisors, if any, shall be allowed to attend the entire portion of the hearing at which information is received (excluding deliberations).
  - b. In hearings involving more than one Accused Student, the Student Conduct Officer, in his or her discretion, may permit the hearings concerning each Accused Student to be conducted separately or jointly.
  - c. The Complainant and the Accused Student have the right to be assisted by an advisor they choose from within the College community. Where the Accused Student is also charged by a governmental entity with violation of a federal, state or local law the advisor may be a legal representative from outside the College Community. Advisors are not permitted to speak or to participate directly in the hearing.

- d. The Complainant, the Accused Student and the Student Conduct Committee may identify witnesses who can give testimony relevant to the facts in dispute. The Complainant, and/or the Accused Student shall identify such requested witnesses at least two (2) business days prior to the hearing. Such identification shall contain a written summary of the proposed testimony and a statement as to why it is relevant to the facts in dispute.
- e. The Student Conduct Officer shall determine in his/her sole discretion those persons who will give testimony at the hearing.
- f. The Student Conduct Officer will try to arrange the attendance of witnesses who are members of the College community, if reasonably possible, and who are identified at least two (2) business days prior to the hearing.
- g. Witnesses will provide information to and answer questions from the Student Conduct Committee. Questions may be suggested by the Accused Student and/or Complainant to be answered by each other or by other witnesses. Such suggestions will be made to the Student Conduct Officer rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. The Student Conduct Officer determines in his/her sole discretion whether to pose such suggested questions to the witness, or to modify or alter such suggested questions.
- h. When special knowledge in a particular field might be helpful to the Student Conduct Committee, a person having special training or experience in that field, hereafter called an expert witness, may, in the sole discretion of the Student Conduct Officer, be permitted to state his or her opinion concerning those matters even though he or she has no direct knowledge of the facts in dispute. Where a party to the proceeding, or the Student Conduct Committee seeks to offer expert testimony, they shall give at least three (3) business days notice to the Student Conduct Officer. Said notice shall disclose in reasonable detail the subject matter on which the expert is expected to testify, the substance of the facts that the expert assumes in reaching his or her opinion, the opinion and the reasons therefore, and the qualifications of the expert witness. The Student Conduct Officer shall immediately provide copies of such notice to all other parties and the Student Conduct Committee.
- i. Non-expert witnesses are only permitted to testify about facts they observed and not their opinions about these facts.

- j. Witnesses who are not available locally during the time of the hearing, may provide their testimony by conference call provided that not less than forty-eight (48) hours prior to the scheduled hearing they shall have submitted a notarized affidavit, setting forth their unavailability, their willingness to participate by conference call and a telephone number at which they can be reached during the hearing.
  - k. Pertinent records, exhibits, affidavits and written statements may be accepted as evidence for consideration by a Student Conduct Committee at the discretion of the Student Conduct Officer. Where any educational records of the Accused Student or other student are admitted into evidence, they shall not be shown or published to persons other than on the Student Conduct Committee or other persons authorized by law to see such records, except with the consent of the student whose records are being admitted. The Student Conduct Officer shall instruct all persons given access to educational records of the legal prohibitions concerning redisclosure.
  - l. All procedural questions are subject to the final decision of the Student Conduct Officer.
  - m. After the hearing, the Student Conduct Committee shall determine (by majority vote; the Student Conduct Officer shall not have a vote) for each act of misconduct that the Accused Student is charged with, whether the Accused Student so acted and thereby violated the charged section of the Student Code, and the appropriate sanction(s) for the misconduct. In determining appropriate sanctions the Student Conduct Committee may consider past violations of the Code by the Accused Student.
  - n. The Student Conduct Committee's determination shall be made on the basis of whether it is more likely than not that the Accused Student violated the Student Code.
  - o. At the discretion of the Student Conduct Officer, the Assistant Dean of Student Affairs may be present at the hearing to assist with procedure.
  - p. The Student Conduct Officer, Committee and the Assistant Dean of Student Affairs reserve the right to consult with College Counsel at any time, and College Counsel, at the discretion of the Student Conduct Officer, may be present at the hearing for consultation on both substantive and procedural matters.
6. There shall be a single verbatim recording, such as a tape recording, of the hearing. The recording together with pertinent records, exhibits, affi-

depositions and written statements accepted as evidence shall be the Official Record of the hearing. The Official Record shall be the property of the College, and shall be preserved for a period of seven (7) years.

7. No Accused Student may be found to have violated the Student Code solely because the Accused Student failed to appear before a Student Conduct Committee. In all cases, the evidence relevant to the charges shall be presented and considered even in the absence of the Accused Student.
8. The Student Conduct Officer may accommodate concerns for the personal safety, well-being and/or fears of confrontation of the Complainant, Accused Student, and/or other witness during the hearing by providing separate facilities, by using a visual screen and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement or other means, as determined in the sole judgment of Student Conduct officer.
9. Decisions made by a Student Conduct Committee and/or a Student Conduct Officer shall be final, unless appealed.

## **B. Sanctions**

1. The following sanctions may be imposed upon any Accused Student found to have violated the Student Code:
  - a. Warning - A notice in writing to the Accused Student that the Accused Student is violating or has violated institutional regulations.
  - b. Probation - A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the Accused Student is found to be violating any institutional regulation(s) during the probationary period.
  - c. Loss of privileges - Denial of specified privileges for a designated period of time. "Privileges" can be determined by the Student Conduct Committee.
  - d. Fines - Previously established and published fines may be imposed, as well as those deemed appropriate by the Student Conduct Officer or the Student Conduct Committee.
  - e. Restitution - Compensation for loss, damage or injury. This may

take the form of appropriate service and/or monetary or material replacement.

- f. Discretionary sanctions - Work assignments, service to the College or other related discretionary assignments.
- g. Residence hall suspension - Separation of the Accused Student from the residence halls for a definite period of time, after which the Accused Student is eligible to return. Conditions for readmission may be specified.
- h. Residence hall expulsion - Permanent separation of the Accused Student from the residence halls.
- i. College suspension - Separation of the Accused Student from the College for a definite period of time, after which the Accused Student is eligible to return. Conditions for readmission may be specified.
- j. College expulsion - Permanent separation of the Accused Student from the College.
- k. Counseling - Counseling or a counseling program can be recommended and/or required by the Student Conduct Officer or the Student Conduct Committee. The Director of Counseling Services will determine the length and type of counseling.
- l. Withholding Degree - The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.
- m. Drug Sanctions - Notwithstanding the discretionary sanctions above, any student found guilty of violating the College's Drug Policy shall be subject to the sanctions listed below. Any student that is suspended from the College for a Drug Violation, must meet the conditions stated in their sanctions and must provide appropriate documentation indicating completion of these sanctions. A Student Conduct Officer and/or the Student Conduct Committee, in accordance with the Student Disciplinary Code's "Charges and Hearings," will determine if the student is in violation of the College's Drug Policy.
  - I. Use/possession of marijuana for personal use will result in the following minimum sanctions:
    1. First Offense:
      - a. All students are subject to one (1) year disciplinary probation.
      - b. Substance use/abuse evaluation by a licensed agency and proscribed treatment, if indicated by evaluating agency.

- c. Submit to random drug testing, at the discretion of the Director of Counseling Services, for the remainder of the student's enrollment at ACP.
- 2. Second Offense:
  - a. Minimum suspension from the college of 1+ semester (+ equaling the remainder of the current semester).
  - b. Substance use/abuse evaluation by a licensed agency and proscribed treatment, if indicated by evaluating agency.
  - c. Submit to random drug testing, at the discretion of the Director of Counseling Services, for the remainder of the student's enrollment at ACP.
- 3. Third Offense:
  - a. Expulsion

II. Use or possession of narcotic or other controlled substance for personal use, unless expressly permitted by law, possession of marijuana of an aggregate weight of more than 25 grams and/or the sale or distribution of marijuana will result in the following minimum sanctions:

- 1. Substance use/abuse evaluation by a licensed agency, and proscribed treatment, if indicated by evaluating agency.
- 2. Minimum suspension from the college of one (1) year.
- 3. Submit to random drug testing, at the discretion of the Director of Counseling Services, for the remainder of the student's enrollment at ACP.
- 4. Substance Abuse Community Service Project – College approved program through the NYS Office of Alcoholism and Substance Abuse Services. This is a 120 hour program to be completed by the student prior to re-admittance to the College.

III. Sale or distribution of narcotic or controlled substance or possession of narcotic or other controlled substance in quantity that would indicate "intent to sell," will result in expulsion from the College.

IV. Any student found guilty of violating Article II a second time will be expelled from the College.

- 2. More than one of the sanctions listed above may be imposed for any single violation.

- 3. Disciplinary violations may be considered by the College when there-after making educational and/or employment decisions and shall be included in the Accused Student's educational records as follows: Other than College expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the Accused Student's permanent academic record, but shall become part of the Accused Student's disciplinary record.
- 4. The following sanctions may be imposed upon groups or organizations:
  - a. Those sanctions listed above in Section B 1, a through k.
  - b. Deactivation - Loss of all privileges, including College recognition, for a specified period of time.
  - c. Loss of selected privileges for a specified period of time.
- 5. Following a determination by the Student Conduct Committee, or following a determination by the Student Conduct Officer pursuant to Article IV A. 3, the Student Conduct Officer shall advise the Accused Student in writing of the determination and of the sanction(s) imposed, if any.

### C. Interim Suspension

The Assistant Dean of Student Affairs, or a designee, may impose a College or residence hall suspension prior to the hearing before the Student Conduct Committee.

- 1. Interim suspension may be imposed:
  - a. To ensure the safety and well-being of members of the College community or preservation of College property.
  - b. To ensure the Accused Student's own physical or emotional safety and wellbeing.
  - c. If the Accused Student poses a threat of disruption of or interference with the operations of the College.
- 2. During the interim suspension, the Accused Student shall be denied access to the residence halls and/or to the College premises (including classes) and/or all other College activities or privileges for which the Accused Student might otherwise be eligible, as the Assistant Dean of Student Affairs or the Student Conduct Officer may determine to be appropriate.

## **D. Appeals**

1. A decision reached by the Student Conduct Committee or by the Student Conduct Officer may be appealed by the Accused Student to the Appellate Board within five (5) business days of a decision. Such appeals shall be in writing and shall be delivered to the Student Conduct Officer, and shall set forth which of the appealable issues listed in Article IV D. 2 is being raised and the reasons for reversing the determination as to those issues. The Student Conduct Officer shall promptly provide a copy of the appeal to the President of the College and to the members of the Appellate Board, and shall provide to the members of the Appellate Board a full copy of the Official Record of the hearing before the Student Conduct Committee, including a transcript of the testimony and the exhibits introduced and a copy of the determination of the Student Conduct Committee, within three (3) weeks of receipt of the appeal.
2. Except as required to explain the basis of new evidence, an appeal shall be limited to review of the Official Record of the hearing for one or more of the following purposes:
  - a. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the Complainant a reasonable opportunity to prepare and present evidence that the Student Code was violated, and giving the Accused Student a reasonable opportunity to prepare and to present a rebuttal of those allegations.
  - b. To determine whether the evidence established that it is more likely than not that a violation of the Student Code occurred.
  - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code that the Accused Student was found to have committed, or to impose other sanctions, which can be more or less severe than those imposed by the Student Conduct Committee.
  - d. To consider whether there is new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing. In such instance the matter shall be remanded to the Student Conduct Committee for consideration of the additional evidence.

3. The Appellate Board will endeavor to render a decision to be made by majority vote within thirty (30) days of receipt of the Official Record of the hearing.
4. If an appeal by the Accused Student is upheld by the Appellate Board, other than by reason of the existence of new evidence, the matter may be remanded to the original Student Conduct Committee and Student Conduct Officer to allow reconsideration of the original determination and/or sanction(s), or the original determination may be amended, or the charges may be dismissed, or the original sanctions voided or the sanction(s) can be lessened or increased.

## **E. Appeal to the President**

A decision reached by the Appellate Board may be appealed by the Accused Student in writing to the President. The President shall be provided a full copy of the Official Record of the hearing and a copy of the decision of the Appellate Board. The President may take such action as in the President's sole discretion the President deems advisable, including but not limited to reversing the determinations below, or upholding in whole or in part such determinations. The President may void, lessen or increase any sanctions imposed.

## **Article V: Interpretation and Revision**

1. Any question of interpretation regarding the Student Code shall be referred to the Assistant Dean of Student Affairs or his/her designee for final determination.
2. The College's Board of Trustees invites members of the College Community to periodically review the code and make comments and/or suggestions to amend it. The Board of Trustees is responsible for approving any changes to the Student Disciplinary Code.
3. The Student Code shall be reviewed at least every five (5) years or sooner as circumstances may prescribe under the direction of the Assistant Dean of Student Affairs who shall solicit comments and recommendations from the Student Conduct Committee and the Student Council. Final recommendations shall be submitted to the Board of Trustees of the College for action.

*Faculty Co-Advisors:* Andreas Karatsolis, Ph.D.; Sara Dugan, Pharm.D., BCPP

While all students are involved in making the honor code system function there are elected members that serve vital roles in this process. These elected members constitute the honor code committee and include:

Two (2) representatives from each of the Class years 2008-2012

Three (3) representatives from Class of 2007

One (1) representative from Cytotechnology

The Honor Code Constitution is currently under review, with plans to revise and update the established protocol. The document listed below is the current approved Honor Code Constitution and is in place for the 2006-2007 academic year.

This Constitution was drafted by a committee that feels ACP is preparing students for the practice of various professions, and students entering professional practice should exemplify honorable behavior. The Constitution of the Honor System as adopted by the student body reads as follows:

*I, \_\_\_\_\_, agree to abide by the ideals of professionalism and integrity in upholding Albany College of Pharmacy's Honor Code as defined by the Honor Code Constitution and Honor Committee members.*

## Article 1: Accusation Process

### Section 1:

- a. Every student shall be on his or her honor to abstain from cheating as defined at the end of this document.
- b. Each student must write and sign the following statement on each exam, report, and paper: "submitted with honor" meaning "I have neither given nor received unauthorized aid on this exam/report/paper, nor have I witnessed anyone doing so."
- c. The student who fails to sign the honor statement will be approached by the faculty member who gave the exam, who then will

give the student the chance to explain why he or she did not sign the statement.

- d. The student may claim he or she forgot to sign the statement, or he or she can describe the incident.

### Section 2:

- a. The student or faculty member also may make an accusation by submitting a signed statement to the Honor Code Box located in the top right-hand slot of the student mailboxes or in person to the Honor Code Advisor. Accusations for multiple incidences against the same individual will be tried at the same hearing as separate offenses. There is no statute of limitations for time period or to show trends for cheating on accusations.
- b. The Honor Code Box can be opened only by the Honor Code Advisor or the Honor Committee Chair.

### Section 3:

The Honor Code Advisor tells the Honor Committee Chair the name of the accused, the nature of the accusation and the name of the accuser.

### Section 4:

A public announcement is made requesting additional information to be submitted (signed) to the Honor Code Box at the student mailboxes or in person to the Honor Code Advisor. Students and faculty are encouraged to give any information they might have regarding the case in question.

### Section 5:

- a. The Honor Code Committee Chair then convenes a meeting of the Committee, which may be held either in person, by telephone or by any other method selected in the Committee's discretion that is designed reasonably under the particular circumstances at hand to expeditiously apprise Committee members of the available information pertaining to the accusation.
- b. The Honor Code Committee investigates the information and determines, in a manner and method selected in the Committee's discretion, within one week, by majority vote, if there is a need for a hearing. For those members not present, absentee ballots will be counted. The Chair does not vote.

## **Article 2: Committee**

### Section 1:

There is a Committee consisting of twelve (12) members who represent the student body and deal with all cases involving violations of this system.

### Section 2:

The membership of the Committee shall consist of one student from the Cytotechnology program; two from each year one through five of the Pharm.D. program; one student from the sixth year of the Pharm.D. program. Three sixth-year students will serve on the Committee, but only one will vote. This composition retains the number of twelve (12) students. The composition of the panel for a hearing will parallel the above composition.

### Section 3:

In case more than two students from one class volunteer or are nominated, elections will be held by the Student Government committee in charge of elections.

### Section 4:

The initial meeting of the Honor Code Committee will be called by the Honor Code Advisor. Following meetings will be called by the Honor Code Advisor or the Committee Chair.

### Section 5:

The Committee Chair and Committee Secretary are elected at the first meeting after the elections.

### Section 6:

Elections are held in the late spring for the following academic year. Freshmen are elected in the fall. If a student of any year is unable to complete his/her term, an election will be held to select a replacement to finish the term.

### Section 7:

Given the serious charge of the Committee, it is the stringent policy of the Honor Code Committee that attendance at all meetings of the Committee is mandatory for all elected student representatives. At the beginning of each semester, a weekly meeting time will be established. All

Committee members should reserve that time for emergency meetings. All Committee members must be eligible for meetings during exam week of any semester. A representative who misses two meetings in a row will be kicked off the Committee and elections will be held to replace that individual.

## **Article 3: Examination Procedure**

### Section 1:

The Honor statement in Article 1, Section 1b, must be written and signed on each exam unless an incidence of cheating has occurred.

### Section 2:

The instructor may be present in the examination room at his or her option.

### Section 3:

At the discretion of the instructor, no examination or review papers shall be taken from the appointed room during an examination.

### Section 4:

All exams shall be taken in the designated exam room.

## **Article 4: Hearing**

### Section 1:

- a. Once the need for a hearing is established, a random list is generated by computer consisting of ten (10) names of students from each year.
- b. The Honor Code Committee will screen the potential panel members and select two (2) from each year one through five, and one (1) from the sixth year and one (1) from Cytotechnology to form a panel consisting of twelve (12) students.
- c. At least three (3) Committee members attend each hearing and can serve as substitutes if needed.
- d. A hearing will be held one week after the panel is selected.
- e. The hearing will be closed to legal counsel.
- f. The hearing will be recorded, but will not be transcribed.
- g. In the 13th week of each semester, fifteen (15) students from each class will be selected randomly by computer. They will be screened to serve on a panel should a case arise at the end of the semester.

Should an accusation be made that goes to a hearing, the panel will be selected from this pre-screened group of students.

Section 2:

- a. The Honor Code Committee Chair will be responsible for running the hearing. He or she will read all information regarding the case (letters of accusation, defense, support, etc.).
- b. Formal rules of evidence do not apply. The panel may consider any relevant evidence it determines would be helpful in making a decision in a particular matter before it, including “hearsay” evidence, and will give such evidence such weight deemed appropriate under the circumstances. In case of a dispute over the admissibility of a particular item of evidence, the Honor Code Committee Chair will rule on such admissibility, subject to being over-ruled by a two-thirds vote of the panel.
- c. The accused will have a chance to defend himself or herself; he or she also may have someone represent him or her (legal representation is not allowed). The accused or his/her surrogate then will add any information he or she feels is misrepresented or incorrect. The accused may have up to four character witnesses present who will be called for testimony only, after which they must leave the room.
- d. The panel then has the chance to ask questions of the accused, accuser or the Honor Code Committee Chair.
- e. Everyone but those sitting on the panel then must leave the room so that the panel can deliberate the matter. The Honor Code Advisor and/or the Honor Committee Chair will be accessible to the panel should any problems and/or questions arise.

Section 3:

- a. The panel then will vote on the case based solely on the information presented at the hearing.
- b. Three-fourths of the panel must vote affirmatively in order for the accused to be considered guilty of cheating.

Section 4:

In case of a decision that cheating has been found, a public announcement will be made: “A student in the \_\_\_\_\_ year was caught cheating in \_\_\_\_\_ class and the following action has been taken: \_\_\_\_\_.”

## Article 5: Sanctions

Section 1:

- a. In case of a cheating decision for a first offense, the student will fail the course and is placed on disciplinary probation.
- b. After the first offense, an open letter will be placed in the student’s file.

Section 2:

- a. In case of a cheating decision for a second offense, the student will be expelled from the College.
- b. After a second offense, a letter explaining the reason for the student’s expulsion from ACP is part of the student’s permanent record.

Section 3:

A student will not be allowed to graduate unless he or she has been cleared of all accusations.

## Article 6: Appeals

Section 1:

- a. The accused student may appeal the decision of the panel by making a written appeal within one week to the Appellate Board of ACP.
- b. The Appellate Board, for purposes of this Honor Code Constitution, shall consist of three (3) individuals: one (1) faculty member; one (1) student; and the President of the College. The faculty and student members shall be elected by their respective constituencies. In all other respects, proceedings before the Appellate Board, and the rules governing those proceedings, shall be as specified in Article IV(D) of the Student Disciplinary Code.

Section 2:

The Appellate Board decision will be made within two weeks.

## Article 7: Arbitration

Section 1:

- a. If the accused student or the College is dissatisfied with the decision of the Appellate Board, that party may elect to appeal that decision to arbitration, through the auspices of the Center for Dispute Settlement,



700 State Street, Suite 301, Rochester, N.Y. 14614 (or other arbitration tribunal selected by the College), provided the appealing party submits to the other party and to the Center for Dispute Settlement (or the chosen tribunal) a written request for arbitration within 30 days after their receipt of the written decision of the Appellate Board.

- b. The place of any arbitration under this section shall be held in Albany, N.Y. Each party shall bear their own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration.
- c. The sole question for determination by the arbitrator in all arbitrations conducted pursuant to this section is whether the decision appealed from was arbitrary and capricious. No monetary damages can be awarded by the arbitrator. If the arbitrator determines that the decision appealed from was not arbitrary or capricious, he or she shall affirm the decision. If the arbitrator determines that the decision appealed from was arbitrary and capricious, he or she shall vacate the decision appealed from and remand all original charges back to the Honor Code Committee for such further proceedings as the Honor Code Committee, in its discretion, elects to pursue.
- d. Judgment on the award rendered by the arbitrator may be entered in any court having jurisdiction thereof.
- e. The arbitration specified in this section shall be the sole and exclusive remedy and appeal procedure to either the accused student or the College who is dissatisfied with a decision of the Honor Code Committee or of the Appellate Board.

### **Article 8: Deviation from Procedures**

#### Section 1:

- a. Deviation from the above listed procedures will not invalidate a decision or proceeding unless it causes significant prejudice to the accused student, which the student must bring to the attention of the applicable panel, committee or board immediately upon belief that such prejudice occurred.
- b. In determining whether a deviation caused significant prejudice, the applicable panel, committee or board shall consider whether the course of the proceedings would have been substantially different had the deviation not occurred. The applicable panel, committee or board also shall determine whether the accused student gave adequate notice of the alleged procedural event.

### **Article 9: Revision**

#### Section 1:

This constitution shall be reviewed and revised as deemed necessary.

### **Cheating:**

Cheating is defined as one or more of the following, but is not limited to this list:

- a. Copying from another student's exam
- b. Taking an exam for someone else
- c. Purchasing term papers and turning in as one's own work
- d. Feigning illness to avoid a test
- e. Studying copy of an exam before taking the make-up exam
- f. Giving another student answers during an exam
- g. Giving a student who has not taken the exam an answer
- h. Using notes or books during an exam when prohibited
- i. Reviewing a stolen copy of an exam (all exams that are obtained prior to the administration of an exam are considered stolen)
- j. Stealing an exam
- k. Sabotaging someone else's work
- l. Collaborating on homework or take-home exams when instructions called for independent work
- m. Sharing answers during an exam by using a system of signals
- n. Plagiarizing (Plagiarism is the use of the work, words or ideas of others that give the impression that this work, these words or ideas are the author's own. Copying information word-for-word without using quotation marks and footnotes, and paraphrasing another's ideas or research without giving proper credit are examples of plagiarism.)
- o. Writing a paper for another student
- p. Altering or forging an official university document
- q. Any other unauthorized act that may give a student an unfair advantage over other students

**ALBANY COLLEGE OF PHARMACY'S EDUCATIONAL OUTCOMES**

ACP has a long history of providing its students with a pre-eminent education that provides them the knowledge and skills to successfully compete in, and contribute to, the profession of pharmacy and related fields. In recent years, these skills have been more formally addressed through a set of educational outcomes. These outcomes, based on those established by the American Association of Colleges of Pharmacy (AAPC) Center for Advancement in Pharmaceutical Education (CAPE), are divided into two sections. The sections are: "Ability-based Outcomes," which address more general abilities believed to be important for all college graduates, and "Professional Pharmacy Practice-based Outcomes," which are directed specifically at graduates of pharmacy schools.

**General Education**

The General Education program at ACP supports the mission of the College to instill values, attitudes and skills that enable lifelong intellectual, cultural, personal and professional growth. Courses offered in the first two years expand the student's historical, cultural, literary, scientific and philosophical perspectives. These courses also foster the critical assessment of ethical and humanistic values, and emphasize the communication, critical thinking and problem-solving skills that prepare the student to advance in their professional discipline. In the following years, these qualities are interwoven in the professional and elective courses. Through its blend of required and elective courses, the College strives to expose students to the complexities of the world and prepare them to become valuable participants in not only the contemporary health care environment but also the world.

ACP's adaptation of AACCP's educational outcomes are listed below. The original AACCP-CAPE document can be found at <http://www.aacp.org/Resources/resources.html>.

**Ability-based Outcomes****I. Thinking Abilities**

Think critically, solve complex problems and make informed, rational, responsible decisions within scientific, social, cultural, legal, clinical and ethical contexts.

- A. Identify, retrieve, understand, apply, analyze, synthesize and evaluate information needed to make informed, rational, responsible and ethical decisions.
- B. Solve complex problems that require an integration of one's ideas and values within a context of scientific, social, cultural, legal, clinical and ethical issues.
- C. Display habits, attitudes, and values associated with mature critical thinking.

**II. Communication Abilities**

Communicate clearly, accurately and persuasively with various audiences using a variety of methods and media.

- A. Read and listen effectively.
- B. Effectively communicate in speaking and writing, choosing strategies and media that are appropriate to the purpose of the interaction and to the ideas, values and background of the audience.

**III. Responsible Use of Values and Ethical Principles**

Systematically make and defend rational, ethical decisions regarding potentially complex personal, societal and professional situations within a context of personal and professional values.

#### **IV. Social Awareness, Social Responsibility and Citizenship**

- A. Demonstrate sensitivity and tolerance of cultural diversity in all interactions and settings.
- B. Demonstrate an appreciation of the obligation to participate in efforts to help individuals and to improve society and the health care system.

#### **V. Self-Learning Abilities and Habits**

Self-assess learning needs and design, implement and evaluate strategies to promote intellectual growth and continued professional competence.

- A. Establish personal and professional learning goals and determine areas of deficiency and/or interest.
- B. In order to achieve established learning goals, engage in learning activities on an ongoing basis for personal or professional development based on self-determined areas of deficiency and/or interest.

#### **VI. Social Interaction**

Function effectively in interactions with individuals, within group situations, within the workplace and within professional organizations and systems.

#### **VII. Numeracy**

Use mathematics effectively to meet the demands of day-to-day life at home, at work and in society.

The Pharmacy Education program at ACP supports the mission of the College to improve health by educating its students to create and disseminate knowledge leading to improved health care, and by optimizing the benefits of existing drug and related health care practices. Courses offered in the Pharmacy program provide the knowledge and develop the skills necessary to deliver pharmaceutical care. Students are provided opportunities to practice and develop these abilities in classroom, laboratory and professional practice settings. These courses develop the ability to assess and critically evaluate the role of pharmacotherapy in a variety of conditions, thereby nurturing the transformation of students into pharmacists who optimize every patient's pharmacotherapy regimen. The education provided facilitates progressive adaptation to changing professional practice environments.

### **Doctor of Pharmacy Degree Program Professional Practice-based Outcomes**

#### **I. Provide Pharmaceutical Care**

Pharmaceutical care is the responsible delivery of drug therapy to achieve optimal outcomes towards improving a patient's quality of life.

- A. Gather and organize patient information in order to identify ongoing or potential drug-related problems and the root cause of the problems.
- B. Plan and perform ongoing patient evaluation to identify additional drug-related problems and implement changes in the pharmaceutical care plan.
- C. Interpret and evaluate pharmaceutical data and related information needed to prevent or resolve medication-related problems or to respond to information requests.
- D. Collaborate with health care professionals, patients and/or their caregivers to formulate a pharmaceutical care plan.
- E. Implement and be responsible for the pharmaceutical care plan.
- F. Document pharmaceutical care activity to facilitate communication and collaboration among providers.
- G. Display attitudes, habits and values required to render pharmaceutical care.

#### **II. Manage Medication Distribution and Control Systems**

- A. Use systems for the purchase and storage of pharmaceuticals, durable medical equipment devices and supplies to meet the needs of the patients in the practice.
- B. Utilize an inventory control system that is fiscally responsible, maintains an adequate supply for patient needs and meets legal requirements. Comply with federal, state and local laws and related regulations that affect the practice of pharmacy.
- C. Utilize systems to prepare, dispense, distribute and facilitate the administration of medications to optimally serve patients' drug-related needs.

#### **III. Share Responsibilities for Pharmacy Operations**

- A. Manage the facilities and equipment on a daily basis.

- B. Supervise support staff.
- C. Manage the fiscal integrity of the pharmacy on a daily basis.
- D. Participate in adaptation in areas of finance, personal, regulations and technology as pharmacy continues to evolve.

#### **IV. Manage Medication Use System**

- A. Participate in the pharmaceutical care system's process for identifying, reporting and managing medication errors and adverse drug reactions.
- B. Participate in the pharmaceutical care system's process for conducting drug-use evaluations.
- C. Participate in the development, implementation, evaluation and modification of a formulary system.
- D. Participate in the development and implementation of critical pathways, clinical practice guidelines and disease management protocols.
- E. Apply principles of outcomes research and quality assessment methods to the evaluation of pharmaceutical care.

#### **V. Promote Public Health**

- A. Provide emergency care on a limited basis.
- B. Promote public awareness of health and disease.

#### **VI. Provide Drug Information and Education**

- A. Provide pharmaceutical information to health professionals and the general public.
- B. Provide education on health-related topics, tailored to the needs and educational background of a given audience.

#### **VII. Understand the Different Components of the U.S. Health Care System and the Roles of a Pharmacist Within It**

### **Clinical Laboratory Sciences Program Professional Practice-based Outcomes**

#### **I. Perform Clinical Laboratory Testing**

- A. Evaluate appropriateness and quality of laboratory specimens. Understand and perform procedures to handle inappropriate or poor quality specimens and to efficiently resolve problems with specimens.
- B. Accurately and efficiently perform analytic analyses in all areas of the clinical laboratory (clinical chemistry, hematology, hemostasis, immunohematology, clinical microbiology, clinical microbiology, molecular diagnostics and immunology/serology).
- C. Perform and evaluate quality control and test results to assure accuracy of analyses.
- D. Evaluate test results with respect to working diagnosis or medical history in order to facilitate transmission of information to patient care staff and to advise, if requested, on appropriate follow up testing.
- E. Accurately enter and retrieve patient data and test results from the laboratory information system(s) and computerized/automated instrumentation.

#### **II. Participate in the Daily Management of the Clinical Laboratory**

- A. Understand and properly follow all safety requirements within the laboratory and health care facility. These include but are not limited to chemical hygiene, blood-borne pathogens and radiation safety.
- B. Participate in cost analysis of new products or new testing modalities including instrumentation and budget preparation.
- C. Evaluate new testing methods and instrumentation for accuracy, specificity, sensitivity and appropriateness to patient care.
- D. Understand the principles of human resource management.

### III. Promote Public Health

- A. Promote public awareness of health and disease
- B. Understand the role of the laboratory in disaster management
- C. Provide point-of-care screening testing for health fairs

### IV. Provide Laboratory Information and Education

- A. Demonstrate professional conduct and interpersonal communication skills with patients, laboratory personnel, other health care professionals and the public.
- B. Establish and maintain continuing education for self and others to maintain lifelong learning and professional competence
- C. Provide leadership in educating other health care professionals on issues related to the clinical laboratory
- D. Apply principles of educational methodology to training for laboratory professionals

### V. Understand Health Care System and the Role of the Medical Laboratory

- A. Demonstrate a working knowledge of the role of the regulatory agencies that oversee the clinical laboratory and of the regulations pertinent to the laboratory and the health care organization in which the laboratory resides
- B. Understand the organizational structure of healthcare organizations and the role of the clinical laboratory in the provision of patient care

### Cytotechnology Program Professional Practice-based Outcomes

#### I. Provide Appropriate Patient Care

- A. Collaborate with colleagues, pathologists and other health care professionals to deliver optimum patient care.
- B. Gather and organize patient information and use this in conjunction with all cytologic specimens to formulate the best possible diagnosis for each and every patient.
- C. Accept or reject the specimen according to current accepted standards. Select and perform the most appropriate preparation and staining technique. Cover slip and label the specimen.
- D. Utilize the microscope to properly visualize the specimen with knowledge of proper use, care and troubleshooting of the microscope. Appropriately and effectively evaluate each microscopic slide using acceptable uniform examination techniques.
- E. For each of the following specimen types, students will be able to:

##### - *Gynecological specimens:*

Identify and discriminate among the following entities: specimen adequacy; cellular constituents within normal limits; cellular changes associated with infections; reactive and reparative cellular changes (including inflammation, effects of therapy, effects of mechanical devices, effects of DES exposure); epithelial squamous cellular abnormalities including atypical squamous cells of undetermined significance; low-grade and high-grade squamous intraepithelial lesions, squamous cell carcinoma; glandular cell abnormalities, including presence of endometrial cells, atypical glandular cells, adenocarcinoma in situ, adenocarcinoma endocervical or endometrial; non-epithelial malignant neoplasms; extra-uterine neoplasms; hormonal evaluation as appropriate.

##### - *Respiratory tract specimen:*

Identify and discriminate among the following entities: specimen adequacy; cellular constituents defined as no evidence of malignancy present; cellular changes associated with infections; reactive and reparative cellular changes (including inflammation, effects of therapy, effects of environmental agents, cellular appearance changes due to type of specimen); epithelial squamous

cellular abnormalities including atypical squamous metaplastic cells, suspicious or positive for squamous cell carcinoma; glandular cell abnormalities including atypical bronchial cells, adenocarcinoma and its sub-types; non-epithelial malignant and low malignant potential neoplasms.

*- Gastrointestinal or genital-urinary tract specimen:*

Identify and discriminate among the following entities: specimen adequacy; cellular constituents defined as no evidence of malignancy present; cellular changes associated with infections; reactive and reparative cellular changes (including inflammation, effects of therapy, effects of environmental agents, cellular appearance changes due to type of specimen); epithelial squamous cellular abnormalities including atypical squamous metaplastic cells, suspicious or positive for squamous cell carcinoma; glandular cell abnormalities including atypical glandular or transitional cells, adenocarcinoma and its sub-types; Transitional Cell Carcinoma, non-epithelial malignant and low malignant potential neoplasms.

*- Body cavity fluids and selected abdominal organ fine needle aspirate specimens:*

Identify and discriminate among the following entities: specimen adequacy; cellular constituents defined as no evidence of malignancy present; cellular changes associated with infections; reactive and reparative cellular changes (including inflammation, effects of therapy, effects of environmental agents, cellular appearance changes due to type of specimen); epithelial malignancies differentiated from non-epithelial malignancies, primary differentiated from metastatic disease.

*- Head and neck fine needle aspirate specimens:*

Identify and discriminate among the following entities: specimen adequacy; cellular constituents defined as no evidence of malignancy present; cellular changes associated with infections; reactive and reparative cellular changes (including inflammation, effects of therapy, effects of environmental agents, cellular appearance changes due to type of specimen); benign neoplastic processes, epithelial malignancies differentiated from non-epithelial malignancies, primary differentiated from metastatic disease.

*- Breast fine needle aspirate specimens and central nervous system, cerebral spinal fluid and miscellaneous cytology specimens:* Identify and discriminate among the following entities: specimen adequacy; cellular constituents defined as no evidence of malignancy present; benign and proliferative neoplastic processes, epithelial malignancies differentiated from non-epithelial malignancies.

F. Detect, select and clearly mark the cells most representative of the nature of any pathological process and appropriately communicate this to the pathologist.

## **II. Manage/Coordinate and Organize the Cytopathology Service to Meet All State and Federal Regulations.**

- A. Apply principles of quality control.
- B. Identify and solve problems in staining and preparation techniques.
- C. Evaluate and implement new staining and preparation procedures.
- D. Prepare a report using a contemporary and uniform system of diagnostic terminology for gynecologic specimens (such as the Bethesda System or its equivalent).
- E. Review histologic tissue sections as a basis for interpreting cytologic specimens and use pertinent clinical data to build cognitive correlation between patterns of disease and their cellular manifestations for the purposes of quality control and quality assurance.
- F. Explain the principles of laboratory organization and management.
- G. Explain quality improvement measures as required by current regulations.
- H. Comply with all laboratory safety measures and regulations.
- I. Show awareness of the consequences of specimen evaluation on patient management.

## **III. Promote the Public Health. The student will demonstrate the knowledge of:**

- A. The ethical role and responsibilities of the cytotechnologist by practicing discretion and confidentiality in regard to all laboratory and patient information; honesty and integrity in professional duties; good personal relationships with peers, staff, faculty and the public.
- B. Promoting public awareness of health and disease.

**IV. Provide Information and Education: The student will demonstrate the knowledge and understanding to:**

- A. Provide education on health-related topics, tailored to the needs and educational background of a given audience.
- B. Read and evaluate published professional literature for its pertinence and reliability and explain the basic principles of the scientific method. This may be accomplished by research projects, journal club and seminar.

**V. Describe the different components of the U.S. health care system and the roles of the cytotechnologist within it.**

**Bachelor of Science in Pharmaceutical Sciences Degree Program  
Professional Practice-based Outcomes**

- I. Demonstrate the ability to integrate physiological, chemical and biochemical information pertaining to pharmaceutical formulation, delivery, actions and metabolism.
- II. Demonstrate the ability to obtain, interpret and apply information to formulate solutions to research problems and issues in research science, specifically the pharmaceutical industry.
- III. Demonstrate an understanding of the facilities and expertise necessary for carrying out meaningful and productive research in pharmaceutical development.
- IV. Have the ability to discuss the chemical and biochemical mechanisms of pharmaceutical products and dosage form designs that currently are in use.
- V. Demonstrate organizational and time-management skills appropriate to the design, execution, accurate documentation and completion of research projects.

### **COUNSELING SERVICES**

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The director of counseling services and a part-time counselor, both mental health professionals, provide students with personal counseling. These services are free and the number of sessions available is unlimited. Both counselors are trained in “specialty areas” (eating disorders, anxiety, drug/alcohol abuse, etc.) as well as general mental health counseling. All counseling and consultations are kept strictly confidential, in accordance with legal and professional guidelines. In instances where the director of counseling services is administering testing, test results may be shared with appropriate College personnel.

### **FITNESS CENTER**

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Albany College of Pharmacy students are able to exercise in the College’s state-of-the-art fitness center, located on the basement level of the Classroom Building. This location is convenient for students to work out before, between or after classes. The center is equipped with cardiovascular and strength machines, as well as free weights. Shower and locker facilities are also part of the center.

### **FOOD SERVICE**

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Albany College of Pharmacy’s food service offers three meal plans to all students – \$500, \$700 or \$900 per semester. Each plan works on a declining balance basis. The \$700 plan features a \$25 bonus, for a total amount of \$725. The \$900 plan features a \$50 bonus, for a total amount of \$950. Each time a card is used, the balance is reduced by the amount of the purchase. Should the student meal plan balance expire before the end of the semester, additions may be made in \$25 increments. This must be done directly at the register in the café located in the ACP Student Center.

Students who are enrolled in the fall semester meal plan are billed automatically for the spring meal plan. All contracts are final after the first week, with the exception of extenuating circumstances, which the College will evaluate on a case-by case basis. If a student chooses not to participate in the spring semester meal plan or would like to change the amount of the meal plan,

written notification must be sent to the Office of the Bursar by December 1. This policy is strictly enforced. Balances left over at the end of either the fall or spring semester will not be carried to the next semester.

Food service provides breakfast, lunch and dinner, Monday through Thursday, from 7:30 a.m. to 7:00 p.m., 7:30 a.m. to 5:00 p.m. on Friday and from 11:00 a.m. to 5:00 p.m. on weekends. All schedules are subject to change.

The \$900 plan is required for all students of the Notre Dame Residence Hall and South Hall. For all other students, whether a resident or non-resident, purchase of a meal plan is optional. However, all students who plan to use the cafeteria on a regular basis are encouraged to sign up for the \$700 plan.

### **INFIRMARY SERVICES/STUDENT HEALTH INSURANCE**

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The Community Care Family Practice Group serves the medical needs of all ACP students. The infirmary provides medical care for minor illnesses and diagnosis of medical problems. This facility is located at 2 Clara Barton Dr., behind the Notre Dame and South Hall residence facilities. The infirmary fee is mandatory for all students (years 1-5) at a cost of \$70 per year. Pharm.D. students in year six have the option to pay the full infirmary fee.

In addition to the infirmary service, *health insurance coverage is mandatory for all students*. If you are not covered by another insurance plan, you must purchase health insurance coverage. ACP has retained the services of Markel Insurance Co., which offers a Limited Benefits Health Plan at a very reasonable cost of \$385 for 12 months of single-student coverage. Beginning in the fall of 2006 all first-year students will be required to purchase the Limited Benefits Health Plan to ensure adequate minimal coverage. Students will be billed the cost of the mandatory insurance coverage from Markel at the beginning of the fall semester, this charge is non-refundable and will only be dropped in the event a hardship waiver is approved prior to the start of the fall semester. Hardship waivers for the 2006-07 academic year are reviewed on an individual basis for students who can provide documentation of adequate coverage.



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## **THE GEORGE AND LEONA LEWIS LIBRARY**

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The George and Leona Lewis Library provides access to high-quality print and electronic resources, instruction and personal service to support the information needs of the ACP community.

The Lewis Library collection contains more than 12,000 print volumes and provides access to more than 40 databases and 9,000 electronic journals.

Internet and network access is available throughout the library, allowing students the flexibility to use their laptops in a variety of settings, including a 24-seat classroom, small group study rooms and individual study carrels.

Students also have direct borrowing privileges at Albany Medical College's Schaffer Library of Health Sciences. Access to other local academic libraries is provided through our membership to the Capital District Library Council.

## **PARKING**

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Student parking permit distribution is coordinated by the offices of Financial Aid and the Bursar. ACP has a number of parking lots available on a limited basis for resident and commuting students. The parking lot directly behind ACP's O'Brien Building is owned by the University Heights Association Inc., and has 120 spaces for commuting students. The lot located at the Notre Dame Residence Hall provides 120 spaces for resident students. The South Hall, PRI and Notre Dame lots provide parking to resident students living in South Hall. Students residing in the independently owned and operated University Heights College Suites facility are required to park in designated University Heights College Suites parking lots only. University Heights College Suites parking information is available from the College Suites management office. College Suites parking is prohibited in ACP designated parking lots.

The cost of the parking permit for ACP-designated lots is \$200 for commuters and \$275 for residents for the 2006-07 academic year (August 31, 2006-May 30, 2007). Rates are subject to change. Requests for parking permits are handled during the summer registration process. Those students commuting the longest distance have first option to purchase permits for the UHA-owned parking lot. Residents have first option to purchase permits for

Notre Dame and South Hall lots. If space is available in the residence hall lots, commuting students may purchase permits for those lots.

Parking regulations are posted, distributed and enforced. Fines are levied by the University Heights Association Office of Public Safety. Fines are charged to student accounts through ACP's Office of the Bursar, located in South Hall. Continuous violation of parking regulations will result in the towing of vehicles and the withdrawal of the parking permit. Commuter parking permits are required to park in commuter lots from 7:00 a.m. to 4:00 p.m. Monday to Friday. Students may park in commuter lots only without a permit from 4:00 p.m. to midnight. Overnight parking is prohibited between midnight and 7:00 a.m. in all commuter lots. Students with or without permits are prohibited from parking in visitor parking spaces. Commuting students will be informed of additional parking opportunities if they become available. Commuting students will be informed of additional parking opportunities if they become available.

## **INSTITUTIONAL SECURITY POLICIES**

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In November 1990, the Student Right-to-Know and Campus Security Act was signed into law (Public Law 101-542 as amended by Public Law 102-26). This legislation requires educational institutions to compile, publish and distribute an annual security report containing campus security policies, procedures and crime statistics. This document is published and distributed to the students and employees of Albany College of Pharmacy in compliance with the law. This document is published and distributed electronically. Hard copies are available and may be obtained from the assistant dean of student affairs and vice president of finance and administrative operations. It is also available on the Web at <http://www.acp.edu/PublicSafety.html>. Further information is available at the U.S. Department of Education's Campus Crime Survey on its Web site, <http://nces.ed.gov/surveys/peqis/publications/97402/>.

Through agreements with University Heights Association (UHA), security services are provided to students, faculty and staff. The UHA Office of Public Safety patrols the campus and checks the Student Center, O'Brien Building, Classroom Building, Albert M. White Gymnasium, PRI Building and College-operated residence halls on a daily basis. The blue light emergency phones on campus dial directly to the UHA Office of Public Safety.

A 10-member Safety and Security Committee comprised of faculty, admin-

istration and staff addresses safety and security issues on campus. The committee reports directly to the president and meets quarterly from September through May of each academic year.

Any criminal or suspected activity on the ACP campus should be reported to UHA Public Safety (244-3177) or the City of Albany Police Department. The College will assist with local law enforcement agencies in the investigation of any criminal activity on campus.

Faculty, administration and staff members are given an access card allowing access beyond regular building hours. However, access to the buildings is not unlimited. Sonitrol Security, Inc. secures the buildings from 12:30 a.m to 6:00 a.m. In order for anyone to access the buildings during this time, special arrangements have to be made with the director of physical plant. Lockers are available for student use on a first-come, first-served basis. It will be the responsibility of the student to purchase a lock and to have their lockers vacated at the end of the academic year for the annual cleaning and maintenance. Students are instructed not to leave valuables unattended, and bikes should be locked onto a bike stand with a U-shaped lock for proper security.

College-operated residence halls are staffed by resident assistants who reside within the halls. In addition, the coordinator of residence life resides in the Notre Dame Residence Hall. Residence life staff monitor the entrances and/or common areas of the residence halls at designated times throughout the evening hours. The perimeter doors in all residence halls are locked 24 hours a day and access may be gained through use of access cards that are distributed to resident students. All students also receive a room key for their individual room and suite (if applicable). Security for residence halls and their designated parking areas is provided by UHA Public Safety. They can be reached at 244-3177, by picking up a red phone in the Notre Dame Residence Hall or activating a blue light on the UHA campus. Monitoring of safety and fire alarms is provided through Sonitrol Security.

During Orientation, students attend sessions that offer information on personal safety and the security of personal property. The Student Handbook is distributed every year to all students and is available on the [www.acp.edu](http://www.acp.edu) Web site. The Handbook contains emergency phone numbers as well as outlines of College policies. Our Orientation and PASSPORT programs cover topics such as sexual abuse and alcohol/drug abuse and include a discussion of personal, physical and emotional safety.

## **ON-CAMPUS STUDENT SERVICES DIRECTORY**

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<b>Questions About:</b>	<b>Contact:</b>
Academics . . . . .	Associate Dean of Students and Academic Affairs, O'Brien Building, room 113, 694-7212
Activities and Student Organizations . . . . .	Coordinator of Student Activities, Office of Student Affairs, Student Center, room 207A, 694-7366
Add/Drop Procedure . . . . .	Registrar, O'Brien Building, room 113, 694-7222
Admissions . . . . .	Office of Admissions, O'Brien Building, 694-7221
Alcohol and Other Drug Information . . . . .	Director of Counseling Services, Office of Student Affairs, Student Center, room 207D, 694-7262
Alumni Programs . . . . .	Office of Institutional Advancement, South Hall, 694-7393
Athletics & Fitness Center . . . . .	Coordinator of Athletics, GY101, 694-7357
Books and Supplies . . . . .	College Bookstore, Student Center, 694-7378
Career Planning . . . . .	Assistant Dean of Student Affairs, Office of Student Affairs, Student Center, room 207E, 694-7257
Change of Address . . . . .	Administration, O'Brien Building, room 104, 694-7200
Classroom Scheduling . . . . .	Registrar, O'Brien Building, room 113, 694-7222

Computer Services . . . . . Computer Services, Student Center, room 209, helpdesk@acp.edu

Counseling Services . . . . . Director of Counseling Services, Office of Student Affairs, Student Center, room 207D, 694-7262

Dean's Office . . . . . O'Brien Building, room 113, 694-7212

Employment, On-Campus . . . Office of Financial Aid, South Hall, 694-7258

Financial Aid . . . . . Office of Financial Aid, South Hall, 694-7256

Freshman Advising . . . . . Director of Student Services, Office of Student Affairs, Student Center, room 207C, 694-7314

Food Services . . . . . Student Center, 694-7218

Health Care . . . . . Albany Family Practice Community Care Physicians, 2 Clara Barton Drive, suite 201, 207-CARE

Health Insurance . . . . . Office of Financial Aid, South Hall, 694-7256

Housing and Residence Life . . . . . Coordinator of Residence Life, Office of Student Affairs, Student Center, room 207B, 694-7367

Identification Cards . . . . . Computer Services, Student Center, room 209, helpdesk@acp.edu

Immunization Records . . . . Registrar, O'Brien Building, room 113, 694-7222

Library Services . . . . . George and Leona Lewis Library, O'Brien Building, room 212, 694-7270

Lost and Found . . . . . Administration, O'Brien Building, room 104, 694-7200

Maintenance . . . . . Maintenance Office, Classroom Building, 694-7246

Meal Plans, Billing . . . . . Office of the Bursar, South Hall, room 104, 694-7205

Orientation . . . . . Assistant Dean of Student Affairs, Student Center, room 207E, 694-7257

Parking . . . . . Office of the Bursar, South Hall, room 104, 694-7205

Photo Copying . . . . . George and Leona Lewis Library, O'Brien Building, room 212, 694-7270

President's Office . . . . . O'Brien Building, room 104A, 694-7255

Registration and Course Scheduling . . . . . Registrar, O'Brien Building, room 113, 694-7222

Student Affairs Concerns . . . Assistant Dean of Student Affairs, Student Center, room 207E, 694-7257

Transcripts . . . . . Registrar, O'Brien Building, room 113, 694-7222

Tuition and Billing . . . . . Office of the Bursar, South Hall, room 104, 694-7205

Withdrawals and Leaves of Absence . . . . . Registrar, O'Brien Building, room 113, 694-7222

Writing Skills . . . . . Writing Center, Classroom Building, Room 206, 694-7261

### **Athletics**

- Men's Basketball
- Women's Basketball
- Men's Soccer
- Women's Soccer

*Students also are welcome to participate in intramural sports sponsored by the Student Government Association, and Albany College of Pharmacy students are eligible to participate in intercollegiate sports at Union College in Schenectady, N.Y. For more information, contact the Coordinator of Athletics, 694-7357.*

### **Entertainment**

- Coffeehouses
- Game shows
- Comedy nights
- Musical acts
- Orientation programs
- Springfest
- Bowling nights
- Movies
- Bus Trips

### **Honor Societies**

- Phi Lambda Sigma (leadership)
- Rho Chi (academics)

### **Professional and Special Interest Organizations**

- American Pharmacists Association Academy of Student Pharmacists (APhA-ASP)
- American Chemical Society (ACS)
- Ski and Snowboard Club
- Multicultural Club
- Music Club
- The Outdoors Club
- The Craft and Quilt Guild
- Equestrian Club
- Jazz Band
- Golf Club
- Service Club

- Frisbee Club
- Orthodox Christian Student Association
- Cross Country Club
- Dance Club
- Cytopathology Club
- Lacrosse Club

### **Professional Pharmacy Fraternities**

- Phi Delta Chi
- Rho Pi Phi
- Lambda Kappa Sigma
- Kappa Psi
- Kappa Epsilon

### **Student Government**

- Class government offices
- Student Government Association offices
- Standing committees
- Student representatives for faculty and administration committees
- Programming committee

### **Student Publications**

- *Another Creative Perspective* (literary journal)
- *Mortar and Pestle* (newspaper)
- *Alembic Pharmakon* (yearbook)

### **Additional Activities**

- Admissions tour guides/volunteers
- Big Brother/Big Sister for new students
- Orientation Committee
- Family Weekend Committee
- Panther's Den (Game Room) Committee
- Intramural Athletics

*Want to get involved? Contact the Student Government through the Student Government mailboxes, or contact the Coordinator of Student Activities in room 207A of the Student Center, in person, or via email at [fnochie@acp.edu](mailto:fnochie@acp.edu).*

For more listings, please refer to your Albany telephone book.

**Arts & Entertainment**

Albany Center Galleries 161 Washington Avenue (Albany Public Library)	462-4775
Albany Civic Theater 235 2nd Avenue (off Delaware)	462-1297
Albany Institute of History and Art 125 Washington Avenue	463-4478
Capital Repertory Company 111 North Pearl Street (downtown)	445-7469
The Egg (concerts and theater) Empire State Plaza	473-1845
Madison Theater 1036 Madison Avenue	438-0040
New York State Museum Empire State Plaza (Madison Avenue)	474-5877
Palace Theater 19 Clinton Avenue (downtown)	465-3334
Pepsi Arena 51 South Pearl Street	487-2000
Regal Cinemas Crossgates Mall	456-5678
Spectrum 8 Movie Theater (Tuesdays, all shows \$6.50!) 290 Delaware Avenue	449-8995

**Banks**

Bank of America 25 New Scotland Avenue	800-841-4000
Citizens Bank 10 North Pearl Street	447-0151
111 Washington Avenue	436-0811
Empire State Plaza Concourse	434-4186
501 Western Avenue	489-8953
Key Bank 24-hour ATM at Albany Medical Center New Scotland Avenue	463-1941

TD Banknorth, N.A. 343 Delaware Avenue	439-1874
Trustco Bank 301 New Scotland Avenue	438-7838
583 New Scotland Avenue	438-6611

**Barber/Hair Salons**

The Cuttery 277 New Scotland Avenue	453-6506
JC Penney Salon Crossgates Mall	456-4821
Jean-Paul Salon 1475 Western Avenue	482-2121
Ritmo's Barber Salon 259 New Scotland Avenue	458-8052
Super Mario's Salon Crossgates Mall	869-1279

**Grocery Stores**

Price Chopper 40 Delaware Avenue	465-2603
1060 Madison Avenue	438-6241
Hannaford Delaware Plaza, Delaware Avenue, Delmar	439-7657
Stewart's Shops 285 New Scotland Avenue	459-3408
470 Delaware Avenue	465-9154

**Libraries**

Albany Public Library Main Branch, 161 Washington Avenue	427-4300
369 New Scotland Avenue	482-6661
Albany Law School 80 New Scotland Avenue	445-2311

Albany Medical College 47 New Scotland Avenue	262-5530
The College of Saint Rose 432 Western Avenue	454-5180
Sage College of Albany 140 New Scotland Avenue	292-1721

### Pharmacies

CVS 415 Delaware Avenue	463-2986
613 New Scotland Avenue	482-4996
Eckerd 583 New Scotland Avenue	482-7301
493 Delaware Avenue	472-1206
Chazan's Pharmacy 31 New Scotland Avenue	462-0612
Crestwood Pharmacy 26A Picotte Drive	435-2315
Lincoln Pharmacy 300 Morton Avenue (corner of Delaware)	465-2253

### Places of Worship

Albany Baptist Church 431 Delaware Avenue	462-6364
Albany College of Pharmacy Interfaith Center 5 Samaritan Road	445-7257
KTC Buddhist Center 1270 Ruffner Rd, Niskayuna	374-1792
St. Sophia Greek Orthodox Church 440 Whitehall Road	489-4442
St. Paul's Episcopal Church 21 Hackett Boulevard	463-2257
First Presbyterian Church 362 State Street (off Lark)	449-7332
St. James Church (Roman Catholic) 391 Delaware Avenue	434-4028

St. Vincent De Paul Church (Catholic) 900 Madison Avenue	489-5408
First Congregational Church 405 Quail Street (off New Scotland)	482-4580
Congregation Beth Emeth Synagogue 100 Academy Road	436-0476
Temple Israel Synagogue 600 New Scotland Avenue	438-7858
B'Nai Sholom Reform Congregation 420 Whitehall Road	482-5283
Al-Fatima Islamic Center 10 South Family Drive (Colonie)	869-1492
St. Matthew's Lutheran Church 75 Whitehall Rd.	436-8672
McKownville United Methodist Church 1565 Western Avenue	456-1148

### Shopping

#### Shopping Centers

Colonie Center Wolf Road and Central Avenue	459-9020
Crossgates Mall Western Avenue	869-9565
Crossgates Commons Washington Avenue Extension	869-6833
Stuyvesant Plaza Western Avenue and Fuller Road	482-8986

#### Miscellaneous Stores

Target 1440 Central Avenue, Colonie	489-1112
Kohls Department Store 1816 Central Avenue	456-4556
WalMart Supercenter 311 Route 9W, Glenmont	432-6120

**Social and Human Services**

AIDS Council of Northeastern NY 927 Broadway	434-4686
Capital District Psychiatric Center 75 New Scotland Avenue	(Crisis) 447-9611
Equinox Domestic Violence Shelter	432-7865
Family Child Care Association of NYS Inc. 1 Rapp Road	452-1818
Gay and Lesbian Community Center 332 Hudson Avenue (off Lark)	462-6138
Rape Crisis Center 112 State Street	447-7716
United Tenants of Albany 33 Clinton Avenue	436-8997
Planned Parenthood 259 Lark Street	434-5678

**Take-Out Food****Pizza Places that Deliver:**

Domino's Pizza 571 New Scotland Avenue	482-8611
Madison's Subs and Wings 846 Madison Avenue	437-0001
SoHo Pizzeria 269 Lark Street	427-1111
Spinners Pizza and Subs 14 Picotte Drive	482-7311

**Chinese Restaurants:**

Shun's Kitchen 853 Madison Avenue	482-2222
Ichiban Japanese and Chinese Restaurant 338 Central Avenue	432-0358
New #1 Chinese Restaurant 466 Delaware Avenue	472-1408
Golden Dragon 145 Madison Avenue	433-8057

**Local Restaurants with Take-Out:**

The Fountain 283 New Scotland Ave	482-9898
Graney's 275 New Scotland Ave	453-3299
Bombers 258 Lark Street	463-9636
Subway 255 New Scotland Ave	482-7498

**Transportation**

Capital District Transit Authority Public Bus Service	482-8822
Greyhound Bus Station 34 Hamilton Street (downtown)	434-8461
Adirondack Trailways 34 Hamilton Street (downtown)	436-9651
Albany International Airport Albany-Shaker Road	242-2200
Amtrak Train Station 655 East Street, Rensselaer	800-872-7245
Duffy's Taxi	433-8400
Yellow Cab	434-2222

**ALBANY COLLEGE OF PHARMACY ALCOHOL/TOBACCO AND DRUG FREE WORKPLACE/SCHOOL POLICY**

**Definitions**

1. **Campus** shall mean the property of the College, including any buildings or other premises leased or used by the College, any College-owned vehicle (or any other College-approved vehicle used to transport students or fellow employees to and from work-related activities or to transport fellow employees to and from different work sites) and any off-school property used for any College-sponsored or College-approved activity, event or function. This does not include the University Heights Association Housing Facility which is governed by its own policy.
2. **Drugs** means any substance which produces a psychoactive effect. The term drug is used generically to include tobacco and herbal cigarettes, alcohol, pharmaceutical drugs, illicit drugs, image and performance enhancing drugs, inhalants and shall include any illegal drug, hallucinogenic drug, prescription drug (in the possession of an individual without a valid prescription), narcotic drug, amphetamine, barbiturate, marijuana or any other controlled substance (as the same is defined pursuant to the Federal Controlled Substances Act, 21 USC 811 and 812 and in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812)).
3. **Psychoactive effects** means effects produced by a drug or substance that alter mental processes including mood, cognition, thinking or behavior.
4. **Alcohol** means and shall include any form of alcohol for consumption, including beer, wine, wine coolers or distilled liquor.
5. **The drug-free awareness program** means the program established by the College to inform employees about: the dangers of drug abuse in the workplace; the College's policy of maintaining a drug-free workplace; available drug counseling, rehabilitation, and assistance programs for employee's at the employee's cost; and the penalties that may be imposed upon students, faculty and staff for violations of this policy.

**Policy**

Albany College of Pharmacy recognizes that controlled substance abuse is illegal, and that illegal drug consumption, illegal alcohol consumption and second hand smoke interferes with effective teaching, work and the development of a safe and healthy environment for learning and living. The College has a fundamental legal and ethical obligation to prevent controlled substance abuse and to maintain a drug-free work and educational environment.

It is a condition of each persons employment that the employee: become familiar with the provisions of this policy and acknowledge in writing having read this policy; after commencing their employment, attend the next scheduled drug-free awareness program; abide by the terms of this policy and notify the College of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. An employee who violates the terms of this policy shall be subject to appropriate personnel action up to and including termination; and/or shall at their own expense, satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement or other appropriate agency. The College shall notify the appropriate Federal and or State agencies within ten (10) days after receiving notice of an employee's conviction on any criminal drug violation occurring in the workplace.

It is a condition of each student's enrollment that the student abides by the terms of this policy. Any student who violates the terms of this policy shall be subject to such disciplinary actions as are set forth in the Student Handbook.

This policy applies to all members of the College Community (students, faculty and staff) while on campus.

The College prohibits the unlawful manufacture, distribution, dispensation, possession or use of any controlled substance or drug in the workplace or on campus. The College shall, and expects all students and employees to, make good faith efforts to maintain a drug-free workplace and campus through implementation of this policy.

Smoking is prohibited in all buildings on the campus.



Alcohol dispensation, distribution and consumption are prohibited in all buildings on campus, except as expressly permitted in accordance with the following:

1. In accordance with State Law, no money may be charged for any event at which beverage alcohol is present unless a permit is obtained from New York State Liquor Authority.
2. Alcohol will not be permitted at ACP athletic events.
3. In compliance with New York State Law, individuals under the age of 21 are not allowed to purchase, possess or consume alcoholic beverages on Campus.
4. Only the College's food service provider is authorized to sell or provide alcoholic beverages on Campus, except for events covered by item #9 below.
5. Guests will not be allowed to bring alcohol to an event.
6. Positive proof of age is required at any event at which alcohol is served and or consumed.
7. The sponsor or host is responsible for implementing reasonable measures to ensure that alcohol is not served or made available to persons under age 21 or who are intoxicated.
8. Faculty or staff sponsored events where admission is charged, or there is any charge for food or beverages, must receive permission from the Vice President of Finance and Business, twenty-one (21) days in advance if they wish to serve alcohol on Campus. The organization must make necessary arrangements with the College's food service provider. Service of alcohol is at the discretion of the administration and staff of the food service provider.
9. Faculty or staff sponsored events where admission is not charged, and there is no charge for food or beverages, must receive permission from the Vice President of Finance and Business, three (3) days in advance if they wish to serve alcohol on Campus.

10. Student organizations must receive permission from the Assistant Dean of Student Affairs twenty-one (21) days in advance if they wish to serve alcohol on Campus. The organization must make necessary arrangements with the College's food service provider.
11. Service of alcohol is at the discretion of the administration and staff of the food service provider. Permission to serve alcohol is NOT automatic. Approval by the College may be based on: the nature of both the event and the facility; the capacity of the facility; demonstration by the sponsoring organization of its ability to comply with State and College regulations; nearby scheduled activities; the number of underage (under 21) participants (if the percentage of underage attendees is 50% or higher, the function may not be approved); where and how alcohol will be available; the past history of the event or sponsor and such other factors as the College shall reasonably deem pertinent. Service of alcohol also is contingent upon the grant of an appropriate permit by the State Liquor Authority.
12. Alcohol is prohibited from all College owned or operated residence halls. (This does not include the University Heights Association housing facility.)
13. Individuals are not allowed to remove an alcohol container (i.e. cup, can or bottle) from the designated area that the beverages are being served.
14. Each individual member of the campus community is responsible for his/her own actions. When making decisions to consume beverage alcohol or to provide beverage alcohol to others, individuals must be mindful of the inherent consequences and risks involved. In addition, individuals are responsible for understanding and complying with applicable laws. The College will not be responsible for enforcing State and local laws, nor will it shield individuals from the legal consequences of their actions should they violate these laws. Each member of the campus community should familiarize themselves with applicable laws including the following:

#### **New York State Statues Regarding Alcohol Liability**

- A. Penal law (260.20) - Unlawful dealing with a person to give, sell or cause to be given or sold alcohol to a person under age 21 except if you are a parent or guardian or pursuant to educational curriculum.

B. Alcohol Beverage Control Law (65, 65a, 65b, 65c, 65d) - Unlawful to: sell, give, deliver, cause or permit a person under 21 to procure alcohol. No liability for refusal to sell or give unless discriminatory, misrepresent age of person under 21 to induce sale of alcohol; offer false I.D. by person under 21 to purchase alcohol; possess with intent to consume by person under 21. Exceptions are alcohol given pursuant to educational curriculum or by person's parent or guardian. Posting of signs is required by licensed seller.

C. General Obligations Law-Article 11- A third party injured by an impaired or intoxicated person under age 21 has a right of action against any person who knowingly caused such impairment by unlawfully furnishing or assisting in procuring alcohol for the person under 21 years old. Also, if a person causes or contributes to procuring alcohol for any intoxicated person, an injured third party has a cause of action against the person who provided the alcohol.

D. Vehicle & Traffic Laws - Operating a motor vehicle while under the influence of alcohol or drugs (Article 31 Section 1192 - 1196) No person shall operate a motor vehicle while their ability to operate such motor vehicle is impaired by the consumption of alcohol.

### **Driving While Intoxicated (DWI)**

#### **Definition**

Operating a motor vehicle while having a .08 of one per centum or more by weight of alcohol in the blood as shown by chemical analysis of a person's blood, breath, urine or saliva.

#### **Sanctions**

Driving while intoxicated or while ability impaired by drugs are misdemeanor offenses and are punishable by a 6-months revocation of one's driver's license, a fine of not less than \$350 nor more than \$500, or by imprisonment in a penitentiary or county jail for not more than one year or by both such fine and imprisonment.

Subsequent convictions for DWI may constitute a Class E Felony and shall be punished by a fine of not less than \$500 nor more than \$5,000 or by a period of imprisonment as provided in the penal law or by both such fine and imprisonment.

### **Driving While Ability Impaired (DWAI)**

#### **Definition**

Operating a motor vehicle while having .05 of one per centum or more by weight of alcohol in the blood as shown by the chemical analysis procedures described above.

#### **Sanctions**

Driving while ability impaired shall be a traffic infraction punishable by a 90-day suspension of driver's license, a fine of not less than \$250 nor more than \$350, or by imprisonment in a penitentiary or county jail for not more than 15 days or by both such fine and imprisonment.

A subsequent conviction within five (5) years of a past infraction shall be punished by a fine of not less than \$350 nor more than \$500 or by imprisonment of not more than thirty (30) days in a penitentiary or county jail or by both fine and imprisonment.

Two or more subsequent convictions shall be punished by a fine of not less than \$500 nor more than \$1500, or by imprisonment of not more than 90 days in a penitentiary or county jail or by both fine and imprisonment.

**NOTE:** Chemical test refusal will result in a six-month revocation of driver's license and \$100 fine. Also, minors who refuse a chemical test will lose their license for one (1) year or until they reach 21 years of age, whichever is the greater penalty.

**ALBANY COLLEGE OF PHARMACY COMPUTER USE AND  
COMPUTER ETHICS POLICY**

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Users of computer systems and networks at Albany College of Pharmacy must read, understand and agree to comply with the ACP Computing Ethics Policy. This policy applies to all members of the College community (students, faculty and staff). These resources are vital for the fulfillment of the academic, research and business needs of the College community. Their use is provided as a privilege. If the ACP Chief Technology Officer asks you to cease an activity on the computer, you must stop that activity immediately. Each individual faculty member, staff member and student must exercise responsible, professional and ethical behavior when using these resources. You are responsible for your actions. That responsibility exists regardless of what security mechanisms are in place.

Access to the system is a privilege, not a right.

It is your responsibility to promptly report any violation of this policy or other College code, policy or guideline. In addition, you must report any information relating to a flaw in or bypass of resource security to the system administrator.

Upon notification of a claim that any material resident on the system infringes a copyright or other intellectual property right, the College reserves the right to remove, or disable access to, the material that is claimed to be infringing or to be the subject of infringing activity.

The College reserves the right to remove, or disable access to, material which in the College's determination contains defamatory, obscene or pornographic material or otherwise violates any provisions of this policy or adversely affects the mission of the College.

Illegal activities may be reported to local, state or federal authorities, as appropriate, for investigation and prosecution.

**Privacy**

While the College desires to maintain user privacy and avoid the unnecessary interruption of user activities, the College reserves the right to investigate use of College resources, which may include the inspection of data stored or transmitted on the network, including data that you have protected with a password or otherwise. By attaching a personal computer to the network you authorize and consent that the College examine the content of that computer or of any files or materials stored by you on the network. You should not consider any computer activity or any stored content, whether on your computer or on the network to be private as ACP has the unconditional right to monitor the computer system and to examine user files.

Remember, the Internet is not secure. If you are going to transmit sensitive data or files across the Internet you must take precautions to protect it from unauthorized access. Data and files can be intercepted easily and read, altered, misused or destroyed. In addition, machines attached to the Internet are vulnerable. Do not assume your data is safe on your computer if it is directly connected to the Internet. Do not store valuable or privileged information on these systems without applying security. If you can't afford to lose it, back it up.

Your password is the only means you have of keeping your account and files secure from unauthorized access. It is possible for your password to be stolen when using the Internet so you are encouraged to change it often.

Do not consider e-mail private or secure.

**Use of System Resources – Dos**

You are responsible for all use of your accounts. You must take all reasonable precautions, including password maintenance and file protection measures, to prevent use of your account by unauthorized persons. You must not share your password with anyone else or provide access to ACP network resources to unauthorized persons.

Individuals who are authorized to access sensitive or institutional data are prohibited from divulging that data to any other individual, unless that indi-

vidual is also authorized to use the data. Individuals are only permitted to access data as authorized. Even if a file is readable, do not assume you may read it unless explicitly granted authority to do so. Even if a file is updatable, do not modify it unless explicitly granted authority to do so.

Keep all valuable diskettes or digital media in a secure place. Secure backup copies of valuable files or data off site. When throwing out old diskettes or digital media make sure no sensitive information can be found on them.

The College is not responsible for information, including photographic images and musical recordings, published on or accessible through personal Web pages, including personal home pages. The College does not monitor the contents of these personal Web pages. The individual or group creating or maintaining personal Web pages is solely responsible for the content of the Web page and may be held civilly and criminally liable for the materials posted on the Web site. The College reserves the right to remove or disable access to any material stored on any College resources or connected to College resources.

### **Use of System Resources – Don'ts**

You may not use College resources for your own commercial gain, or to operate or support a non-College related business or charity or for other commercial or charitable purposes not officially approved by the College's President.

You may not use College resources in a manner inconsistent with the College's contractual obligations to suppliers of those resources or with any published College policy.

You may not use College resources in a manner inconsistent with the norms of professional performance and conduct appropriate to your position with the College. Game playing is not allowed on computers owned by the College. Game playing is allowed on student computers as long as it does not deteriorate system performance.

You may not move or take any hardware without explicit permission from the designated owner of that hardware.

You may not destroy or vandalize any hardware, cable or service provided by the campus.

You may not authorize or allow another person or organization to use your computer accounts or ACP network resources.

The following are considered unacceptable uses of computer systems, and are strictly prohibited:

- Causing personal or emotional injury including: harassment or threats to specific individuals or a class of individuals; transmitting unsolicited information that contains obscene, pornographic, indecent, lewd or lascivious material or other material that explicitly or implicitly refers to sexual conduct; using e-mail or newsgroups to threaten or stalk someone; transmitting unsolicited information that contains profane language or panders to bigotry, sexism or other forms of prohibited discrimination.
- Computer fraud.
- Computer invasion of privacy - unauthorized examination of files.
- Damage or impairment of College resources or the resources of others. Use of any resource irresponsibly or in a manner that adversely affects the work of others. This includes intentionally, recklessly or negligently (1) damaging any system (e.g., by the introduction of any so-called "virus," "worm" or "Trojan-horse" program), (2) damaging or violating the privacy of information not belonging to you or (3) misusing or allowing misuse of system resources including use of College resources for non-College related activities that unduly increase network load (e.g., chain mail, network games and spamming). Causing denial of computer services (i.e. run a virus that renders a network unusable). Preventing others from using computer services.
- Interference or impairment of the activities of others, including creating, modifying, executing or retransmitting any computer program or instructions intended to (1) obscure the true identity of the sender of electronic mail or electronic messages, such as the forgery of elec-

tronic mail or the alteration of system or user data used to identify the sender of electronic e-mail, (2) bypass, subvert or otherwise render ineffective the security or access control measures on any network or computer system without the permission of the owner, or (3) examine or collect data from the network (e.g., a “network sniffer” program).

- Unauthorized access and use of the resources of others, including use of: College resources to gain unauthorized access to resources of this or other institutions, organizations or individuals; providing false or misleading information for the purpose of obtaining access to unauthorized resources; accessing, altering, copying, moving or removing information, proprietary software or other files (including programs, libraries, data and electronic mail) from any network system or file; modification or destruction of programs or data other than your own personal files.
- Unauthorized transfer of software or data. The Internet is a global network, and the importing and exporting of software may fall under the jurisdiction of the United States Department of Commerce. Exporting can occur when hardware or software is provided to persons or entities outside the United States, and may require a license. The exportation of networking code or encryption code is restricted. You may not allow access to a restricted machine to persons or entities outside of the United States. Please be aware when posting information to a bulletin board that data probably will cross the border. If you have any questions on the legality of transmissions over the borders of the United States, please seek legal counsel.
- Violating any laws or participating in the commission or furtherance of any crime or other unlawful or improper purpose, including: use of system resources to commit a crime (embezzlement, harassment, blackmail etc.); theft of computer-related materials; theft of computer services (for example, you may not use any pay service without paying); cracking passwords.
- Violating copyrights and other intellectual property rights. Whenever you are shipping software from one place to another, you must consider intellectual property and license issues. You should assume all software, graphic images, music and the like are copyrighted.

Copying or downloading copyrighted materials without the authorization of the copyright owner is against the law and may result in civil and criminal penalties, including fines and imprisonment.

The College reserves the right to remove from the network, and/or from any Web page hosted on the network, any material that is not related to the work of the individual or to research being conducted by the individual that in the College’s reasonable belief adversely affects the mission of the College.

**VIOLATION OF THESE POLICIES MAY LEAD TO SUSPENSION OR LOSS OF PRIVILEGE, AND MAY LEAD TO EXPULSION OR TERMINATION OF EMPLOYMENT.**

Reports of unauthorized use or misuse of the resources will be investigated. In the event that use is determined to be contrary to College policy or applicable law, appropriate measures will be taken. These measures may include, but are not limited to, permanent or temporary suspension of user privileges, deletion of files, disconnection from the ACP network, referral to student or employee disciplinary processes, expulsion or termination of employment.

**ALBANY COLLEGE OF PHARMACY AFFIRMATIVE ACTION POLICY**

**Article I General Policy Considerations**

**Section 1.01 Purpose:**

To provide all members of the Albany College of Pharmacy (ACP) community with equal opportunities regardless of race, color, sex, sexual preference, age, religion, creed, national origin, marital status, Vietnam Era Veteran status, disabled Veteran status, or disability. To take affirmative steps to encourage and assist in the process of bringing minorities and women into every facet of the College’s society.

**Section 1.02 Application:**

This policy applies to all employees and students.

**Section 1.03 Definitions:**

- (a) Minorities include: Blacks, not of Hispanic Origin; Hispanics; Asians and Pacific Islanders; Native Americans and Alaskan Natives.
- (b) Blacks, not of Hispanic Origin: Persons having origins in any of the Black racial groups of Africa.
- (c) Hispanics: Persons of Mexican, Puerto Rican, Cuban, Central/South American or other Spanish culture or origin, regardless of race.
- (d) Asian or Pacific Islander: A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. Examples of these areas include: China, India, Japan, Korea, the Philippine Islands, and Samoa.
- (e) Native American or Alaskan Native: A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.
- (f) Disabled: Any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.
- (g) Disabled Veterans and Veterans of the Vietnam Era:
  - Disabled Veterans: Persons entitled to disability compensation under laws administered by the Veterans Administration for disability rated at 30 percent or more, or a person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty.

- Vietnam Era Veterans: Persons who served on active duty for a period of more than 180 days, any part of which occurred between August 5, 1964 and May 7, 1975, and were discharged or released with other than a dishonorable discharge, or were discharged or released from active duty for a service-connected disability if any part of such active duty occurred between August 5, 1964 and May 7, 1975 and were discharged or released within forty-eight months preceding the alleged violation of the act.
- (h) Discrimination: To distinguish, determine, consider, favor, treat differently, treat unequally, be motivated by or act on the basis of a distinguishing characteristic, category, trait, heritage or condition. Not all forms of discrimination are prohibited. For example, ACP customarily discriminates on the basis of competency. Discrimination on the basis of certain impermissible considerations including race, color, sex, sexual preference, age, religion, creed, national origin, marital status, Vietnam Era Veteran status, disabled Veteran status, or disability, is illegal.
- (i) Sexual Harassment: Sexual harassment is a form of discrimination and is illegal as a violation of Section 703 of Title VII of the Civil Rights Act of 1964, as amended. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, or, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or (3) such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive business or learning environment. Sexual harassment is a form of sex discrimination. It occurs in a variety of situations that share a common element: the inappropriate introduction of sexual activities or comments into the work or learning situation. Often, sexual harassment involves relationships of unequal power, and contains elements of coercion—as when compliance with requests for sexual favors becomes a criterion for granting work, study or grading benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behavior have a harmful effect on a person’s ability to study or work in the academic setting. Activities such as:

- Comments repeatedly emphasizing the sexuality or sexual identity of an individual; or
- Persistent requests for social-sexual encounters and favors; or
- Physical contact of an offensive nature; or
- Indecent exposure; or
- Realized sexual encounters; or
- Sexual crimes

constitute sexual harassment when they are of such severity as to create a hostile work or learning environment, or are requested in exchange for a change in the students, or employees conditions of learning or employment, the latter being referred to as quid pro quo sexual harassment. Examples of quid pro quo sexual harassment are where one or more of the following terms or conditions accompanies demands or requests for sexual favors:

- Explicit or implicit promises of rewards for cooperation via misuse of institutional authority, e.g. to affect a subordinate's admission/employment, academic/professional advancement, financial aid/salary, grades/performance ratings, graduation/tenure, etc.
- Explicit or implicit threats of punishment for non-cooperation via misuse of institutional authority, e.g. to affect a subordinate's admission/employment, academic/professional advancement, financial aid/salary, grades/performance ratings, graduation/tenure, etc.
- Intimidation which creates a hostile or offensive academic/business environment; interferes with an individual's scholastic/work performance; prevents an individual's full enjoyment of educational/professional opportunities; or induces conformance, stress, anxiety, fear, or sickness on the part of the harassed person.

## **Article II Policies**

### ***Section 2.01 Affirmative Action:***

- (a) It is the policy of ACP that all persons be provided equal opportunities regardless of race, color, sex, sexual preference, age, religion, creed, national origin, marital status, Vietnam Era Veteran status, disabled Veteran status, or disability. There will be no discrimination against any student or employee or applicant for employment or admission to any position for which she/he is qualified.

- (b) ACP commits itself to Affirmative Action and will make major efforts to increase the number of minority members, women, or disabled individuals in the student body, faculty, and staff. We will seek to expand opportunities for these individuals at all levels of the College. While maintaining high standards of excellence, ACP will continue to broaden its pool of available minority, disabled and women candidates for positions on the faculty, staff and in the student body. We will, furthermore, endeavor to graduate men and women with a commitment to affirmative action and to help make equal opportunity a reality in our society.

- (c) This policy applies to all aspects of the employment relationship including advertising, recruitment, hiring, transfers, training, promotion, compensation, separation, wage and salary administration, as well as to all construction, vending and procurement activities. It requires that all employment decisions and human resource policies be administered solely on the basis of an individual's ability and qualifications without regard to race, color, sex, sexual preference, age, religion, creed, national origin, marital status, Vietnam Era Veteran status, disabled Veteran status, or disability.

### ***Section 2.02 Discrimination:***

- (a) ACP is committed to a business and learning environment that is free of discriminatory intimidation or harassment. Discrimination on the basis of race, color, sex, sexual preference, age, religion, creed, national origin, marital status, Vietnam Era Veteran status, disabled Veteran status, or disability, is illegal. Such conduct will not be tolerated.

### ***Section 2.03 Sexual Harassment:***

- (a) The exploitation of institutional, academic or supervisory authority to sexually harass students, faculty, or staff members is a form of illegal sex-based discrimination in violation of Title IX of the Education Amendments Act of 1972 and of Title VII of the Civil Rights Act of 1964. Such conduct will not be tolerated.
- (b) To avoid the potential for sexual harassment and conflict of interest, it is the policy of the College that no intimate relationship should exist between supervisor (or evaluator) and subordinate or between teacher and student. If a sexual relationship develops in such a situation, the supervisory authority and/or responsibility for grading, evaluation, etc. should be transferred promptly to another individual.

**Section 2.04 Protection of Complainants against Retaliation:**

- (a) Retaliatory action against any person filing a complaint of any type of discrimination, including sexual harassment, is strictly prohibited. The Affirmative Action Advisor to the President (the “Advisor”), while attempting to mediate any sexual harassment complaint, will establish mutually agreed upon safeguards against retaliation as a part of the settlement.
- (b) In addition, retaliatory action against any individual or group for participating in, or cooperating with an investigation or complaint of discrimination under these procedures is strictly prohibited.

**Section 2.05 Restrictive Membership Clubs:**

Official functions of ACP will not be held in clubs or other facilities that maintain restrictive membership requirements relating to race, color, sex, sexual preference, age, religion, creed, national origin, marital status, Vietnam Era Veteran status, disabled Veteran status, or disability. In addition, ACP will not pay for membership in such clubs, nor any bills or expenses incurred at such clubs.

**Article III Sanctions**

**Section 3.01** ACP, in its sole discretion, shall determine appropriate sanctions to be imposed on individuals found to be engaging in sexual harassment, or a violation of any other of the policies hereby established. Examples of possible sanctions are warning letters to personnel or student discipline files; poor job performance ratings impacting upon salary, work assignment, promotion, and contract renewal, job termination or suspension or expulsion of a student.

**Article IV Affirmative Action Advisor to the President**

**Section 4.01** The Affirmative Action Advisor to the President shall be appointed by the President and shall serve at the pleasure of the President.

**Section 4.02** The Affirmative Action Advisor to the President shall have the following duties, and responsibilities:

- (a) To assure that the entire College Community is aware of this policy, the identity of the Advisor and the identity of the members of the Affirmative Action Committee.
- (b) Hold meetings at least once each semester with the Affirmative Action Committee to discuss current cases pending at the College and developments in the law which affect this policy.
- (c) Conduct annual training sessions, mandatory for all faculty and staff on this policy and procedures.
- (d) Receive any complaint of any faculty, staff, student, or administrator who believes that he/she has been a victim of harassment or discrimination and explain Discrimination Complaint Procedures to complainant.
- (e) Notify the President, or in the event that there is a conflict of interest, notify the Dean, that a complaint has been filed. Apprise President, or in the event that there is a conflict of interest, notify the Dean, of ongoing progress regarding complaint, determinations, recommended sanctions, appeals etc.
- (f) Investigate the complaint, interviewing, the complainant, the subject(s) of the complaint (respondent), witnesses, and any relevant evidence – e.g. notes, e-mails, etc; access all human resource records, and/or student records, and records relating to action pertaining to the individual which may be located in the department, Office of the President or any other repository at the College. Initially discuss the factors of the case separately with the complainant and the respondent and discuss the possible actions to be taken. At these meetings, the Advisor will give copies of the Discrimination Complaint Procedure and the Appeal Procedure to the complainant and to the respondent.
- (g) Within 40 days of the date a complaint is made, make a preliminary determination of probable cause or no probable cause and the reasons therefore and document and transmit in writing to both complainant and respondent and the Affirmative Action Committee, the preliminary determination and recommend sanctions, if any.
- (h) Within six (6) ACP business days of receipt of the preliminary determination, the respondent or complainant may provide to the Advisor a written response to the preliminary determination of the Advisor either admitting or disputing the determination made or the findings and bases for the findings made by the Advisor. Matters not denied shall be deemed admitted. Respondent’s and complainant’s responses, if any, shall promptly be provided to the Committee.



- (i) Upon advice from the Affirmative Action Committee of its determination, and sanctions imposed if any, advise complainant and respondent if he/she is not satisfied with the determination and sanction(s) that he/she has the right of the appeal to the President as hereafter set forth in this policy.
- (j) If complainant or respondent appeals notify President and the Chair of the Affirmative Action Committee that an appeal has been filed, and provide the President with a complete record of the proceedings to the date of the appeal.

## **Article V Affirmative Action Committee**

**Section 5.01** The Affirmative Action Committee shall consist of eight persons, three members appointed by the President from the Administration/Staff, three faculty members appointed by the Faculty, and three student members. Terms of all members shall commence on July 1st and end June 30th. Student members shall be appointed annually by the Student Government. Administration/Staff and Faculty members shall serve three year staggered terms. The initial appointments made by the President and by the Faculty for the year of this revised policy commencing July 1, 2004, shall be designated as one-year, two-year and three-year terms. Thereafter appointments made by the President and by the Faculty shall be for three year terms. The Committee shall elect a Chair from its ranks.

**Section 5.02** The Chair of the Affirmative Action Committee (the “Committee”) has been delegated with the responsibility under the Affirmative Action Complaint Procedure to appoint a three-member panel (the “Panel”) to conduct hearings when hearings are determined to be necessary. The Panel shall make a recommendation through the Committee to the President who shall render the final decision on a discrimination complaint.

### **Section 5.03 Affirmative Action Committee Preliminary Procedures:**

- (a) Within ten (10) ACP business days of receipt from the Affirmative Action Advisor of the preliminary determination and determine whether:
  - to adopt the preliminary determination;
  - to amend the determination and/or the recommended sanctions; or
  - to conduct a hearing.

- (b) If the Committee shall determine that a hearing is necessary, the Chair will appoint three members of the Committee, one from Administration/Staff, one from the faculty, and one student, as a panel to review the case (the “Panel”). The Panel shall elect one of its members to be chair of the Panel.
- (c) The complainant and the respondent will be notified by the Advisor whether a hearing will be conducted, and if the Committee’s initial determination is that a hearing is to be conducted the complainant and the respondent will also be notified of the names of the persons chosen as the Panel, and they will be advised that they each may file a response within three (3) business days, to the Advisors preliminary determination specifying the portions of the preliminary determination and/or recommended sanctions which they support or dispute, with an outline of any additional evidence to be offered at the hearing in support of their position including a list of proposed witnesses.
- (d) If the Committee has determined that no hearing should be conducted, the complainant or respondent may request a hearing. Such request shall be made within three (3) business days of notification of the Committee’s initial determination that no hearing will be held. Said request shall be delivered to the Advisor who shall promptly provide copies to the Committee and to the other party, the complainant or respondent as the case may be. The request shall specify the portions of the preliminary determination and/or recommended sanctions which they support or dispute, with an outline of any additional evidence to be offered at the hearing in support of their position including a list of proposed witnesses.
- (e) Within three (3) days of receipt of the request, the other party may file with the Advisor a response thereto which shall specify the portions of the preliminary determination and/or recommended sanctions which they support or dispute, with an outline of any additional evidence to be offered at the hearing in support of their position including a list of proposed witnesses.
- (f) The Committee has sole discretion to determine if a hearing is necessary or if the matter can be decided on the basis of the record without a hearing. In the event the Committee after considering the request for a hearing and the response thereto, reverses its initial determination, and determines to hold a hearing, the Chair shall select a Panel in accordance with the procedures set forth above.

- (g) Within three (3) ACP business days of receipt of the notice identifying the members of the Panel, the complainant and respondent will each be allowed to disqualify one person from the Panel if so desired. If an individual is disqualified, the Committee Chair will appoint another member of the Committee to serve on the Panel. The Chair shall endeavor to replace an Administration/Staff member with another Administration, a faculty member with a faculty member and a student member with a student member where possible, but if not possible the Chair may appoint another member of the Committee to replace a disqualified member of the panel.
- (h) The record before the Panel upon which it shall base its recommendation to the President will be comprised of the:
  - Submissions of the parties;
  - Any testimony taken during the hearing;
  - Any documents or other evidence submitted and accepted by the Panel
  - All records or material reviewed by the Advisor in reaching a determination on the complaint but excluding materials such as interpretations or analyses prepared by the Advisor in the case.
- (i) The Advisor shall prepare and give the record to the Panel except for information or testimony to be taken during the hearings. In addition, she/he shall make a copy of the record available for review by the complainant and respondent.

**Section 5.04 Conduct of the Hearing:**

- (a) The Panel shall give the parties written notice of the date, time and place of the first session of the hearing. If possible, this notice will be given seven (7) ACP business days prior to the first session, but in no event will less than three (3) business days notice be given.
- (b) The respondent(s) and the complainant(s) have the right to be represented or aided by a member of the ACP community.
- (c) A transcript will not be kept unless the Panel determines otherwise. Proceedings will be recorded.
- (d) The Panel hearings shall be closed.
- (e) All parties, participants, and witnesses will observe strict rules of decorum.

- (f) The Panel will strive to conduct the hearing as expeditiously as possible. Any rulings made during the course of the proceeding shall require the approval of at least two members.
- (g) The order of presentation on the matters to be examined in the hearing shall be as follows: the appellant or her/his representative first offer evidence in support of the appeal followed by the adverse party, followed by the Advisor if the Advisor determines additional evidence should be brought to the attention of the Panel. Complainant, respondent or the Advisor may present evidence through witnesses, documentation, or in a narrative manner. Five (5) copies of all documents offered shall be made available by the party offering the document, such that there is a copy for the complainant, respondent, Advisor and each Panel member. All documents shall be identical to the original. The complainant, respondent and the Advisor shall each have the right to cross examine witnesses and to challenge the authenticity, or relevance of other evidence.
- (h) Complainant, respondent and the Advisor shall have the opportunity for rebuttal in the same order. Additional rebuttal by each side may be permitted at the discretion of the Panel. This procedure may be altered if the Panel believes that orderly development of the issues requires a different method of examination.
- (i) Neither complainant, respondent or the Advisor or their representative(s) are to discuss the proceedings with members of the Panel unless the Panel is meeting as a body. This does not, however, preclude Complainant, respondent or the Advisor or her/his representative from reviewing with the Panel Chair purely technical matters such as the names of witnesses or the nature of documents to be introduced at a hearing.
- (j) The Panel is not bound by the rules of evidence, or by the rules of law relating to due process, and its determinations shall not be challengeable when made in good faith. Neither complainant or respondent shall be entitled to be represented by an attorney. When new matters, not set forth in the submissions of the parties prior to the hearings, or in the notices from the Committee or the Panel to the parties, are raised at the hearing, the parties shall be afforded a reasonable opportunity to prepare and to respond to the new material, and the Panel may in its discretion, but is not required to, refer the matter to the Advisor for reconsideration. Discussion of the matter by the members of the Panel, including discussion of procedural

matters, should be limited to occasions when the Panel is meeting as a body.

- (k) In the conduct of the hearing, in its deliberations and in its determinations the Panel should be sensitive to the interests of both the complainant and the respondent, but that if it shall determine that a preponderance of the credible evidence establishes a violation of the policy, its first duty is to the College to assure that appropriate action is taken to redress the situation and to assure that such violations of this policy do not recur.

#### ***Section 5.05 Findings and Decisions:***

- (a) The panel's recommendation shall require the approval of at least two members. Written dissenting or concurring opinions are permitted and shall be submitted with the recommendation.
- (b) The Panel shall render its written recommendation to the Chair of the Committee within thirty (30) ACP business days after it received the record from the advisor or from the conclusion of the hearing, where a hearing was held.
- (c) The Chair of the Committee shall submit the panel's recommendation to the President within six (6) College business days after the issuance of the Panel's recommendation.
- (d) Within twenty (20) ACP business days after receipt of the recommendation from the Panel, the President, or his/her designee, shall issue in writing a decision on the case, and shall inform all parties, the Advisor and the Chair of the Committee of the decision, and the basis for the decision. The Chair of the Committee shall notify the Committee of the decision. The President shall not be required to adopt the determination or recommendations of the Panel or of the Advisor.
- (e) The President's decision along with the Panel's recommendations shall be made available to all parties in the proceeding.
- (f) The President's decision shall be final.

### **Article VI Procedure for Processing Complaints of Discrimination**

#### ***Section 6.01 Who May File a Complaint:***

Any employee, applicant for employment, or student at ACP who believes that she/he has been discriminated against in violation of this pol-

icy may file a complaint of discrimination. A group of eligible people may jointly file a complaint.

#### ***Section 6.02 When to file:***

In order to pursue redress through ACP's affirmative action procedures an aggrieved employee or student should meet with the Affirmative Action Advisor to the President (the "Advisor") as soon as possible after the alleged act of discrimination to discuss the complaint, or in the event of a conflict with the Assistant Dean of Student Affairs.

#### ***Section 6.03 Where to File:***

An employee, student, or applicant who wishes to file a complaint of discrimination must first meet with the Advisor or, in his/her absence, the Assistant Dean of Student Affairs, who shall act in the Advisor's capacity until the Advisor returns.

#### ***Section 6.04 How to File a Complaint:***

When the employee or student meets with the Advisor the employee or student will be given a written form (example attached) to be filled out that contains the following information:

- Name of Complainant; Signature of Complainant.
- Home Address (Street, County, City, State, Zip Code).
- Home Telephone Number (including area code).
- Business or College Address (complete).
- Business or College Telephone Number (including area code).
- Position Held.
- Basis for filing a complaint of discrimination (race, color, sex, sexual preference, age, religion, creed, national origin, marital status, Vietnam Era Veteran's status, disabled Veteran status, or disability).
- Place of alleged discriminatory act.
- Person (respondent) who committed alleged act of discrimination.
- Person designated to represent the complainant if she/he wants to be assisted. (The complainant may select a faculty member, staff person, or student from ACP. The representative may not be an attorney nor may it be anyone who has a conflict of interest in the matter.)
- A detailed account of the events that led to the filing of the complaint of discrimination.

## **Article VII Miscellaneous Rules**

### ***Section 7.01 Confidentiality:***

Due to the sensitive nature of these complaints, the Advisor, and Committee and the Panel and all parties shall endeavor to maintain confidentiality, provided, however, if the credible evidence establishes a violation of the policy, the College shall take such steps to assure that appropriate action is taken to redress the situation and to assure that such violations of this policy do not recur. Where not inconsistent with this duty the College, the Panel, the Committee and the Advisor shall take such steps as shall reasonably be required to protect any requested confidentiality or anonymity of:

- i) victims of the violations of this policy;
- ii) provided no credible evidence exists supporting the charges, persons charged with violating this policy.

### ***Section 7.02 Conflict of Interest Resolution:***

In the event that a complaint is filed against a person who has a major responsibility under these procedures, the Committee will make a recommendation to the President who shall determine the appropriate change(s) in procedures or persons implementing this policy, and inform the Committee, Advisor, complainant and respondent in writing of such changes. Where there is a conflict of interest with the President, the Dean shall act in the place and stead of the President.

### ***Section 7.03 Record Retention Time of Discrimination Complaints:***

The Advisor will retain the concluded Discrimination Complaints in a locked confidential file for three (3) years. At the end of the three years, the Discrimination Complaints will be boxed, archived, and maintained by the College. Access to the files will be limited to the President or his/her designee and the Advisor. The Advisor and the President will review the files after seven (7) years and a decision to dispose or to retain the files for a longer period will be made at that time. Nothing in this policy shall affect any obligation of ACP to comply with lawfully issued process such as subpoenas and Court Orders in regard to these documents.

### ***Section 7.04 Record Retention Demographics:***

The College shall maintain for a minimum period of three years, beginning with the year after the year of compilation or acquisition, the following records:

- Records indicating the racial composition of the student body, faculty, and administrative staff for each academic year;
- Records sufficient to document that scholarship and other financial assistance is awarded on a racially nondiscriminatory basis;
- Copies of all brochures, catalogues, and advertising dealing with student admissions, programs, and scholarships.
- Copies of all materials used by or on behalf of the school to solicit contributions.

**ALBANY COLLEGE OF PHARMACY DISCRIMINATION COMPLAINT**

Name of Complainant: \_\_\_\_\_

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

Home Address: \_\_\_\_\_  
Street

\_\_\_\_\_  
City State Zip Code

Home Telephone: \_\_\_\_\_  
Area Code

Signature \_\_\_\_\_

College Address: \_\_\_\_\_  
Street

\_\_\_\_\_  
City State Zip Code

College Telephone: \_\_\_\_\_

Position Held: \_\_\_\_\_

Basis for filing complaint of discrimination: Circle appropriate classification(s)

Race	Sex	Ethnic Origin	Religion
Veteran's Status	Age	Sexual Harassment	Sexual Preference
National Origin	Creed	Marital Status	Vietnam Era Veteran Status
Disabled Veteran Status	Color	Disability	

Place of alleged discriminatory act: \_\_\_\_\_

Person(s) who committed alleged act(s) of discrimination: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Person assisting complainant (Optional):

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

Title: \_\_\_\_\_

Address: \_\_\_\_\_  
Street

\_\_\_\_\_  
City State Zip Code

Telephone: \_\_\_\_\_  
Area Code

Description of Events Leading to Filing a Complaint: \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

**SUMMARY OF NEW YORK STATE SEX OFFENSES**

Whether or not specifically stated, it is an element of every offense defined below that the sexual act was committed without consent of the victim. Lack of consent can be express by word, or evidenced by the victims actions or deeds, or can be implied from forcible compulsion, from incapacity to consent, or from circumstances in which the victim does not expressly or impliedly acquiesce in the actor's conduct.

A person is deemed incapable of consent when he or she is: less than seventeen years old; or mentally disabled; or mentally incapacitated or physically helpless.

**Section 130.20 Sexual misconduct**

A person is guilty of sexual misconduct when:

1. He or she engages in sexual intercourse with another person without such person's consent; or
2. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent; or
3. He or she engages in sexual conduct with an animal or a dead human body.

*Sexual misconduct is a class A misdemeanor.*

**Section 130.25 Rape in the third degree**

A person is guilty of rape in the third degree when:

1. He or she engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than seventeen years old;
2. Being twenty-one years old or more, he or she engages in sexual intercourse with another person less than seventeen years old; or
3. He or she engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

*Rape in the third degree is a class E felony.*

**Section 130.30 Rape in the second degree**

A person is guilty of rape in the second degree when:

1. Being eighteen years old or more, he or she engages in sexual intercourse with another person less than fifteen years old; or
2. He or she engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.

It shall be an affirmative defense to the crime of rape in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.

*Rape in the second degree is a class D felony.*

**Section 130.35 Rape in the first degree**

A person is guilty of rape in the first degree when he or she engages in sexual intercourse with another person:

1. By forcible compulsion; or
2. Who is incapable of consent by reason of being physically helpless; or
3. Who is less than eleven years old; or
4. Who is less than thirteen years old and the actor is eighteen years old or more.

*Rape in the first degree is a class B felony.*

**Section 130.40 Criminal sexual act in the third degree**

A person is guilty of criminal sexual act in the third degree when:

1. He or she engages in oral sexual conduct or anal sexual conduct with a person who is incapable of consent by reason of some factor other than being less than seventeen years old;
2. Being twenty-one years old or more, he or she engages in oral sexual conduct or anal sexual conduct with a person less than seventeen years old; or
3. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

*Criminal sexual act in the third degree is a class E felony.*

**Section 130.45 Criminal sexual act in the second degree**

A person is guilty of criminal sexual act in the second degree when:

1. Being eighteen years old or more, he or she engages in oral sexual conduct or anal sexual conduct with another person less than fifteen years old; or
2. He or she engages in oral sexual conduct or anal sexual conduct with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.

It shall be an affirmative defense to the crime of criminal sexual act in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.

*Criminal sexual act in the second degree is a class D felony.*

**Section 130.50 Criminal sexual act in the first degree**

A person is guilty of criminal sexual act in the first degree when he or she engages in oral sexual conduct or anal sexual conduct with another person:

1. By forcible compulsion; or
2. Who is incapable of consent by reason of being physically helpless; or
3. Who is less than eleven years old; or
4. Who is less than thirteen years old and the actor is eighteen years old or more.

*Criminal sexual act in the first degree is a class B felony.*

**Section 130.52 Forcible touching**

A person is guilty of forcible touching when such person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire.

- For the purposes of this section, forcible touching includes squeezing, grabbing or pinching.

*Forcible touching is a class A misdemeanor.*

**Section 130.55 Sexual abuse in the third degree**

A person is guilty of sexual abuse in the third degree when he or she subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person's lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and (b) such other person was more than fourteen years old, and (c) the defendant was less than five years older than such other person.

*Sexual abuse in the third degree is a class B misdemeanor.*

**Section 130.60 Sexual abuse in the second degree**

A person is guilty of sexual abuse in the second degree when he or she subjects another person to sexual contact and when such other person is:

1. Incapable of consent by reason of some factor other than being less than seventeen years old; or
2. Less than fourteen years old.

*Sexual abuse in the second degree is a class A misdemeanor.*

**Section 130.65 Sexual abuse in the first degree**

A person is guilty of sexual abuse in the first degree when he or she subjects another person to sexual contact:

1. By forcible compulsion; or
2. When the other person is incapable of consent by reason of being physically helpless; or
3. When the other person is less than eleven years old.

*Sexual abuse in the first degree is a class D felony.*

**Section 130.65-a Aggravated sexual abuse in the fourth degree**

1. A person is guilty of aggravated sexual abuse in the fourth degree when:

- (a) He or she inserts a foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than seventeen years old; or
- (b) He or she inserts a finger in the vagina, urethra, penis or rectum of another person causing physical injury to such person and

- such person is incapable of consent by reason of some factor other than being less than seventeen years old.
2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

*Aggravated sexual abuse in the fourth degree is a class E felony.*

***Section 130.66 Aggravated sexual abuse in the third degree***

1. A person is guilty of aggravated sexual abuse in the third degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person:
  - (a) By forcible compulsion; or
  - (b) When the other person is incapable of consent by reason of being physically helpless; or
  - (c) When the other person is less than eleven years old.
2. A person is guilty of aggravated sexual abuse in the third degree when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.
3. Conduct performed for a valid medical purpose does not violate the provisions of this section.

*Aggravated sexual abuse in the third degree is a class D felony.*

***Section 130.67 Aggravated sexual abuse in the second degree***

1. A person is guilty of aggravated sexual abuse in the second degree when he inserts a finger in the vagina, urethra, penis, or rectum of another person causing physical injury to such person:
  - (a) By forcible compulsion; or
  - (b) When the other person is incapable of consent by reason of being physically helpless; or
  - (c) When the other person is less than eleven years old.
2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

*Aggravated sexual abuse in the second degree is a class C felony.*

***Section 130.70 Aggravated sexual abuse in the first degree***

1. A person is guilty of aggravated sexual abuse in the first degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person:
  - (a) By forcible compulsion; or
  - (b) When the other person is incapable of consent by reason of being physically helpless; or
  - (c) When the other person is less than eleven years old.
2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

*Aggravated sexual abuse in the first degree is a class B felony.*

***Section 130.75 Course of sexual conduct against a child in the first degree***

1. A person is guilty of course of sexual conduct against a child in the first degree when, over a period of time not less than three months in duration:
  - (a) he or she engages in two or more acts of sexual conduct, which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with a child less than eleven years old; or
  - (b) he or she, being eighteen years old or more, engages in two or more acts of sexual conduct, which include at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with a child less than thirteen years old.
2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

*Course of sexual conduct against a child in the first degree is a class B felony.*

***Section 130.80 Course of sexual conduct against a child in the second degree***

1. A person is guilty of course of sexual conduct against a child in the second degree when, over a period of time not less than three months in duration:
  - (a) he or she engages in two or more acts of sexual conduct with a child less than eleven years old; or



- (b) he or she, being eighteen years old or more, engages in two or more acts of sexual conduct with a child less than thirteen years old.
2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

*Course of sexual conduct against a child in the second degree is a class D felony.*

**Section 130.85 Female genital mutilation**

1. A person is guilty of female genital mutilation when:
- (a) a person knowingly circumcises, excises or infibulates the whole or any part of the labia majora or labia minora or clitoris of another person who has not reached eighteen years of age; or
  - (b) being a parent, guardian or other person legally responsible and charged with the care or custody of a child less than eighteen years old, he or she knowingly consents to the circumcision, excision or infibulation of whole or part of such child's labia majora or labia minora or clitoris.
2. Such circumcision, excision or infibulation is not a violation of this section if such act is:
- (a) necessary to the health of the person on whom it is performed, and is performed by a person licensed in the place of its performance as a medical practitioner; or
  - (b) performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife or person in training to become such a practitioner or midwife.
3. For the purposes of paragraph (a) of subdivision two of this section, no account shall be taken of the effect on the person on whom such procedure is to be performed of any belief on the part of that or any other person that such procedure is required as a matter of custom or ritual.

*Female genital mutilation is a class E felony.*

**Section 130.90 Facilitating a sex offense with a controlled substance**

A person is guilty of facilitating a sex offense with a controlled substance when he or she:

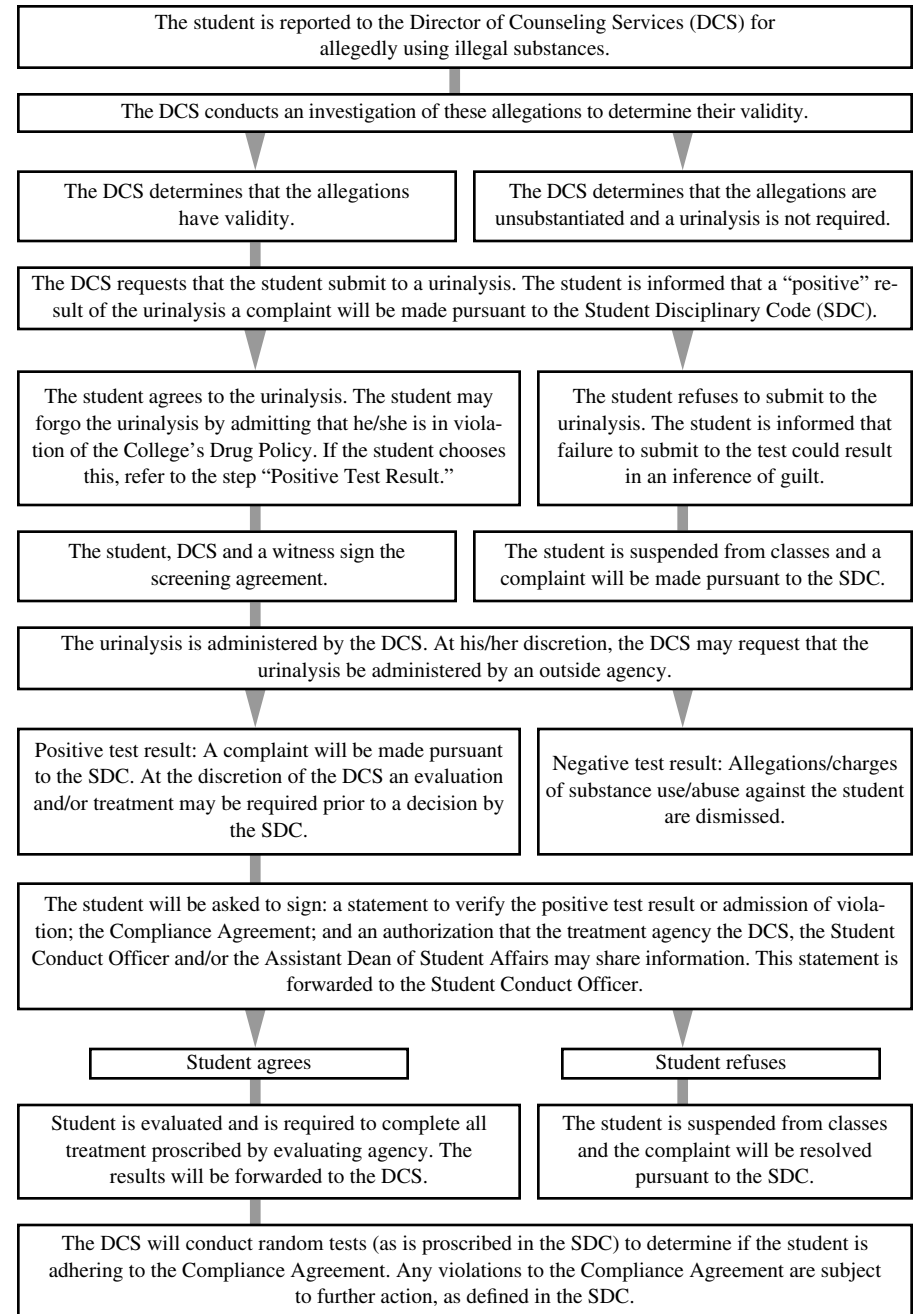
1. knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and
2. commits or attempts to commit such conduct constituting a felony defined in this article.

*Facilitating a sex offense with a controlled substance is a class D felony.*

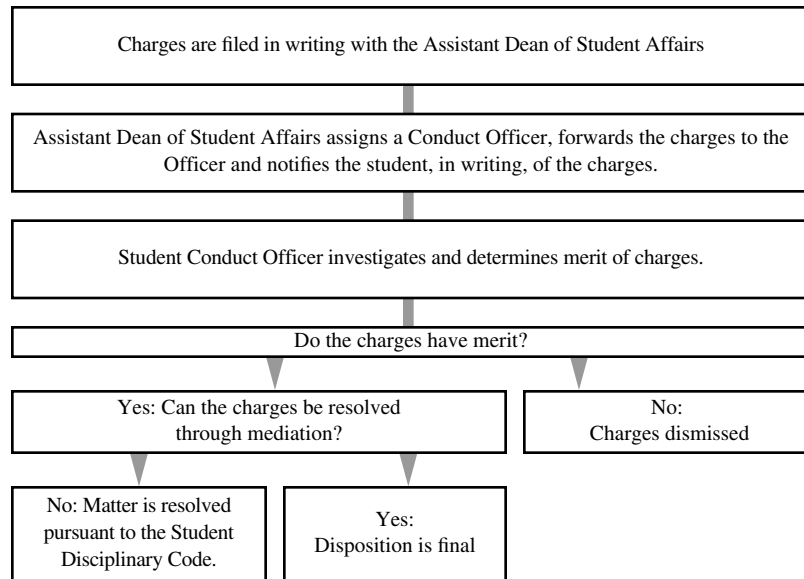
**FLOWCHART OF SUBSTANCE ABUSE REFERRAL & INTERVENTION**

All Albany College of Pharmacy students are informed that, if significant allegations are made against them, as determined by the Director of Counseling Services, indicating that they are using illegal substances, they may be requested to submit to a drug screen urinalysis. This urinalysis will be administered by the College’s Director of Counseling Services and/or the Assistant Dean of Student Affairs, or at their discretion it may be requested that the urinalysis be administered by an outside agency.

Should there be an allegation of substance use against a student, the following steps will be taken:



**FLOWCHART OF DISCIPLINARY PROCEDURES**



**EMERGENCY PHONE NUMBERS**

Fire and Emergency Services	911
University Heights Association Public Safety	244-3177
Albany Police and Fire Department (non-emergency)	438-4000
Albany Family Practice Community Care Physicians	207-CARE
Albany County Mobile Crisis	447-9650
Albany College of Pharmacy	
Main Number (Monday-Friday, 8:30 a.m.-4:30 p.m.)	694-7200
College Counselor	694-7262
Residence Life	694-7367
Office of Student Affairs	694-7118

## NOTES

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