



ALBANY COLLEGE OF PHARMACY

2007-2008 STUDENT HANDBOOK



Albany College of Pharmacy of Union University

106 New Scotland Avenue
Albany, New York 12208-3492
www.acp.edu

Union University is comprised of:

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

2007-2008 STUDENT HANDBOOK

ACP | Sciences
for Life



MISSION STATEMENT

Albany College of Pharmacy is committed to the advancement of health care through its offering of nationally acclaimed undergraduate and graduate education, post-graduate training programs and research in pharmacy, pharmaceutical sciences and health sciences. The College will continue its strong advocacy for lifelong intellectual and professional growth by providing a strong foundation in the basic, pharmaceutical, clinical and social sciences within a culture that promotes innovation, service and excellence among our students, faculty, staff and alumni.

VISION STATEMENT

The College, in conjunction with local, national and international collaborators, will be recognized as a pre-eminent educational institution in pharmacy, pharmaceutical sciences and the health sciences, engaged in groundbreaking research in drug discovery, disease state management and health outcomes.

CORE VALUES

Institutional accountability and integrity, fiscal responsibility and growth, academic excellence and freedom, individual respect and collegiality, relevant research and scholarly activities, institutional fairness and diversity, commitment to professionalism and ethics.

For more than 125 years, Albany College of Pharmacy has served the citizens of New York State and the nation by continuously producing capable and productive graduates. Our educational programs have been, and continue to be, based on a foundation of academic excellence and compassion. As we progressively move forward, planning for strategic growth and a curriculum that will encompass advances in pharmaceutical and health sciences and related technology, we reaffirm our never-changing core values.

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.

ACP holds membership in the American Association of Colleges of Pharmacy and the Hudson-Mohawk Association of Colleges and Universities. It is accredited by the American Council on Pharmaceutical Education, 311 West Superior Street, Chicago, IL 60610, (312) 664-3575. Also, the College is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools, 3624 Market Street, Philadelphia, PA 19104, (215) 662-5606. The College's Cytotechnology Program holds accreditation from the Commission on Accreditation of Allied Health Education Programs, 35 East Wacker Drive, Suite 1970, Chicago, IL 60601, (312) 553-9355. The College's Clinical Laboratory Sciences program is in the process of applying for accreditation from the National Accrediting Agency for Clinical Laboratory Sciences, 8410 W Bryn Mawr Avenue, Suite 670, Chicago, IL 60631, (773) 714-8880. The Commission on Higher Education is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Commission on Recognition of Postsecondary Accreditation. The curriculum is approved by the New York State Education Department.

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 (ACP) 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 is 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 or an enrollment or degree verification service, and includes the National Student Clearing House, the New York State Board of Pharmacy and similar licensing authorities, and the National Association of Boards of Pharmacy [NABPLEX]); 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 there from
- 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 and 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 Registrar's office, within two weeks of the date you receive this notice, of the categories of personally identifiable information which 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

Gerald H. Katzman, Esq.
General Counsel
Albany College of Pharmacy
Direct Dial: (518) 694-7298
Fax: (518) 694-7341
E-mail: katzmang@acp.edu

2007-2008

Fall Semester 2007

August 30-September 2	Orientation (Thursday-Sunday) (First-year, transfers 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
September 28	White Coat Ceremony (Friday)
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 Certificate program ends (Friday)

Spring Semester 2008

January 14	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)
May 2	Classes end (Friday)
May 5	Cytotechnology program clinical rotations begin (Monday)
May 5-9	Final examinations (Monday-Friday)
May 9	Hooding and Awards Ceremony (Friday)
May 11	Commencement (Sunday)

Summer Session 2008

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	Mid-summer break (Monday-Friday)
July 7	Second summer session begins (Monday)
July 25	Cytotechnology program clinical rotations end (Friday)
August 6	Cytotechnology Certificate 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)

Memorial Day	Monday, May 28, 2007
Independence Day	Wednesday, July 4, 2007
Labor Day	Monday, September 3, 2007
Columbus Day**	Monday, October 8, 2007
Thanksgiving	Thursday, November 22, 2007-Friday, November 23, 2007
Martin Luther King Day**	Monday, January 21, 2008
President’s Day**	Monday, February 6, 2008
Commencement	Sunday, May 11, 2008

Community IPPE (Community Introductory Pharmacy Practice Experience)

Session 1	5/19/08-6/20/08
Session 2	6/23/08-7/25/08
Session 3	7/28/08-8/29/08

In addition, during the 4th year, each student will complete a 40-hour Patient Assessment Introductory Pharmacy Practice Experience (IPPE) and a 20-hour Institutional IPPE (refer to course manual for scheduling options).

2008-2009

Fall Semester 2008

August 28-31	Orientation (Thursday-Sunday) (First-year, transfers and Cytotechnology students)
September 1	Labor Day (Monday) – No classes or clerkships
September 2	Classes start (Tuesday)
September 26	Last day to drop a course without penalty
September 26	White Coat Ceremony (Friday)
October 13-14	Fall recess (Monday-Tuesday)
October 15	Classes resume (Wednesday)
November 26-28	Thanksgiving recess (Wednesday-Friday)
December 1	Classes resume (Monday)
December 12	Classes end (Friday) – (excludes Cytotechnology program)
December 15-19	Final examinations (Monday-Friday)
December 19	Cytotechnology certificate program ends (Friday)

Spring Semester 2009

January 12	Cytotechnology program classes resume (Monday)
January 19	Martin Luther King Day (Monday) – No classes
January 20	Classes start (Tuesday)
February 13	Last day to drop a course without penalty
February 16	President's Day (Monday) – No classes
February 17	Classes resume (Tuesday)
March 16-20	Spring recess (Monday-Friday) – No classes
March 23	Classes resume (Monday)
April 27	Cytotechnology program clinical rotations begin (Monday)
May 1	Classes end (Friday)
May 4-8	Final examinations (Monday-Friday)
May 8	Hooding and Awards Ceremony (Friday)
May 10	Commencement (Sunday)

Summer Session 2009

May 18	First summer session begins (Monday)
May 25	Memorial Day (Monday) – No classes
May 26	Classes resume (Tuesday)
June 26	First summer session ends (Friday)
June 29-July 3	Summer break (Monday-Friday)
July 6	Second summer session begins (Monday)
July 17	Cytotechnology program clinical rotations end (Friday)
July 29	Cytotechnology certificate program graduation (Wednesday)
August 14	Second summer session ends (Friday)

Pharm.D. Professional Experience Program 2008-2009

Module

A	5/19/08-6/20/08
B	6/23/08-7/25/08
Break	7/28/08-8/1/08
C	8/4/08-9/5/08
D	9/8/08-10/10/08
E	10/13/08-11/14/08
F	11/17/08-12/19/08
Break	12/22/08-1/2/09
G	1/5/09-2/6/09
H	2/9/09-3/13/09
Break	3/16/09-3/20/09
I	3/23/09-4/24/09
J *	4/27/09-5/29/09

* (Make-up rotations only)

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

Memorial Day	Monday, May 26, 2008
Independence Day	Friday, July 4, 2008
Labor Day	Monday, September 1, 2008
Columbus Day	Monday, October 13, 2008
Thanksgiving	Thursday, November 27-Friday, November 28, 2008
Martin Luther King Day**	Monday, January 19, 2009
President's Day**	Monday, February 16, 2009
Commencement	Sunday, May 10, 2009

Community IPPE (Community Introductory Pharmacy Practice Experience)

Session 1	TBD
Session 2	TBD
Session 3	TBD

In addition, during the 4th year, each student will complete a 40-hour Patient Assessment Introductory Pharmacy Practice Experience (IPPE) and a 20-hour Institutional IPPE (refer to course manual for scheduling options).

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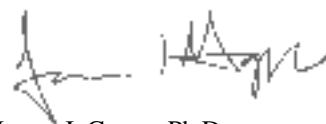
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On behalf of the administration, faculty and staff, welcome to Albany College of Pharmacy. Your educational experience here will be one that is very challenging and exciting. It also will bring a high level of both intellectual and personal satisfaction. The ongoing informational and 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 in pharmacy education, 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 that are advantageous to the achievement 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. Involvement 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 ADVISING

At ACP, academic advising provides students with the opportunity to build a partnership with their advisor for the purpose of gaining assistance in planning their educational career, learning the skills needed for academic success and learning how to access the resources, services and opportunities available to them on our campus.

Academic advising is an ongoing, intentional, collaborative process whereby students and their advisors can act as partners to promote student academic success. This advisor/advisee partnership requires the participation and involvement of both the advisor and the student as it is built over the advisee's entire educational experience at the College.

Upon matriculation each ACP student is assigned an academic advisor, a faculty member who can help guide students through their academic career, including but not limited to appropriate course selection, research and career and leadership opportunities. Students are encouraged to meet with their academic advisor at least once a semester to discuss these matters as well as academic progress, career interests and opportunities and referral to support services where appropriate. Academic advisors turn in an Advisor/Advisee Signature Sheet to document the meeting and referrals. In the College's Bachelor of Science programs, faculty advisor approval of course selection is required for registration beyond the first semester.

Students entering into their first year at the College are also assigned to a professional advisor, who can assist students specifically with freshmen needs, such as:

- successfully transitioning to ACP's academic community,
- learning the expectations of ACP's academic community,
- learning the skills needed for academic success,
- learning how to access the resources, services and opportunities that are available to them on campus,
- clarifying academic and personal goals and planning their educational career accordingly.

ACADEMIC REGULATIONS AND POLICIES

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 students. The Academic Standards Committee is a committee of faculty that reviews student academic records to determine a student's academic status. Academic regulations are described in full in the ACP Catalog. 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.

Academic Probation

Academic probation means that a student is 1) academically deficient and 2) allowed to continue enrollment at ACP. A student is placed on academic probation when one or more of the following exist:

- Current semester, semester professional, cumulative and/or cumulative professional GPA < 2.0
- Grade of F in one or more courses

A student on academic probation must improve academically and meet the conditions of probation recommended by the Academic Standards Committee and administered by the associate dean for students before being removed from academic probation. While on academic probation a student is ineligible for class and student organization office, pledging and/or rushing a fraternity, participation in intercollegiate athletics and service on College committees. In some cases, financial aid may be jeopardized.

A student on academic probation will not be removed from academic probation until the student successfully completes a semester in good standing at ACP, either after or during the remediation of his/her deficiency as a full-time student.

Academic Dismissal

Students may be academically dismissed from the College when one or more of the following exist:

- GPA < 1.6 at the end of the first semester of the first year
- Cumulative GPA < 2.0 at the end of the first or second year
- One or more grades of F in two consecutive semesters
- Two or more grades of F in any single semester
- Grades of D+, D, D- or F in three or more courses in any single semester
- Two consecutive or non-consecutive semesters of probation
- Three clerkship grades of less than C
- Two clerkship grades of F

Academic dismissal usually is not invoked until academic probation has been imposed. However, academic dismissal may be recommended before probation when a student's academic record is significantly below average performance.

Students who are academically dismissed from the College are not permitted to enroll in or attend courses at the College, or to earn credit toward degrees offered at ACP. Academic dismissal is binding for a period of at least one semester, after which dismissed students may apply for readmission.

Academic Appeals

Students are permitted to appeal decisions made by the Academic Standards Committee. Appeal requests must be submitted in writing to the associate dean for students. The letter should contain a statement referencing the original decision by the Academic Standards Committee and an explanation addressing why it is being appealed. The basis for such appeals should involve cases of unusual or extenuating circumstances that directly impacted the student's ability to meet the Albany College of Pharmacy's academic standards. In the event that extenuating circumstances are identified, appropriate documentation supporting the assertion by a competent, qualified professional must be included when applicable. The College reserves the right to require further evaluation.

Deadlines for appeal are January 5 following the fall semester, June 5 following the spring semester and August 20 following the summer semester.

While there are deadlines for student appeals, appeals are heard on a rolling basis. Appeal requests will be reviewed by the Academic Standards Appeals Committee and students will be notified in writing by the associate dean for students of the appeal decision approximately one week after the decisions are made.

Readmission

Individuals who have been dismissed from the college for academic reasons may apply for readmission. To be considered for readmission, the applicant must be away from the college for at least one semester and demonstrate academic success at another college or university. Typically, full time enrollment (e.g. 12 or more credits) at another college or university in three or more appropriate science courses consistent with the curriculum at the College, and a record of excellent grades is expected before the applicant will be considered for readmission. Appropriate level course work is typically defined as courses at the level of the year of dismissal. Colleges typically use a system where 100-level courses are first year, 200-level are second year, 300-level are third year, etc. Students are asked to take a minimum of three science courses at the appropriate level. The expectation is that students will perform very well in these courses, earning A's and B's. Performance below this level will seriously jeopardize readmission. Dismissed students will not receive academic credit at ACP for courses taken at another college or university.

Applications for readmission must be submitted in writing to the associate dean for students. Applications should include a cover letter, transcripts and a letter of recommendation from the college or university attended. The associate dean for students forwards the completed application to the Academic Standards Committee for review. Completed applications are reviewed by the Academic Standards Committee four times during the year: June 15, August 15, November 15 and January 5. After review of the application, the Academic Standards Committee forwards its recommendation to the associate dean for students. The committee's recommendation is subject to approval by the associate dean for students. If the associate dean for students disagrees with the committee's recommendation, the full faculty shall decide the case. The College reserves the right to deny readmission to individuals who have been dismissed for academic reasons.

Readmitted matriculated students at ACP will begin new cumulative GPAs at the College only if they have been fully matriculated students at another college or university, and have been granted permission by the associate dean for students. Students who have been dismissed from the College and readmitted will be placed on academic probation for a period of one academic year after their return to the College.

Administrative Withdrawal

In the event that a student is expelled from the College for non-academic reasons, the student's transcript will indicate administrative withdrawal.

Administrative Withdrawal as a Result of a Physical, Psychological or Medical Condition

When, in the opinion of the associate deans, a student as a result of a physical or psychological or other medical condition, poses a danger of causing physical harm to the student or to others, of causing significant property damage, or of substantially impeding the lawful activities of others, the associate dean for students can require:

- a) the student to submit themselves at the College's cost to a college designated qualified medical or psychological provider for evaluation, and
- b) an immediate interim leave of absence, pending receipt of such evaluation, on such terms and conditions as the associate dean shall determine.

If the student refuses to submit to such examination, the student will be deemed to have withdrawn from the College.

In the judgment of the associate dean for students, based upon a qualified medical or psychological opinion, that a student is suffering from a mental or psychological disorder and that the student's behavior poses a danger of causing physical harm to the student or to others, causing significant property damage, or substantially impeding the lawful activities of others, the associate dean for students can:

- a) approve a medical leave of absence on such terms and conditions as the associate dean for students shall determine; or
- b) accept a voluntary withdrawal of the student from enrollment in the College; or
- c) mandate an involuntary withdrawal of the student from enrollment in the College.

Whenever an action may be or is required to be taken under this policy by the associate dean for students, the action may be taken by a different person as designated by the president. Reasonable deviations from these procedures will not invalidate a decision.

ADDRESSES

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 e-mail their change of address information to the registrar. 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, 1 Notre Dame Drive or 84 Holland Ave.) for opening bank accounts, billing purposes or other such matters.

AIDS GUIDELINES

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 Office of Student Services.

ALCOHOL ABUSE AND OTHER DRUG PREVENTION POLICY

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, par-

ticularly 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) via the online College Catalog and Student Handbook.

ATTENDANCE POLICIES

Students are expected to attend all assigned classes. Students who have documented absences which exceed 10 percent of the total number of scheduled instructional hours for any given course may, at the discretion of the instructor, receive a grade of I or F and/or be refused admission to the final examination. The College expects instructors to be reasonable in accommodating students whose absence from class resulted from: (1) personal illness; or (2) family bereavement and/or other compelling circumstances. Instructors and the College have the right to request documentation verifying the basis of any absences resulting from the above factors. Any student who believes that his or her final grade for a course has been reduced unfairly because of attendance factors has the right to appeal that grade if an attempt to resolve the issue with the instructor is unsuccessful. Procedures for a grade appeal are described elsewhere in this handbook.

Absence Due to Religious Beliefs

In accordance with Section 224-a of the New York State Education Law, any student who is absent from school, because of his or her religious beliefs, will be given an equivalent opportunity to register for classes or make up any examination, study or work requirements which he or she may have missed because of such absence on any particular day or days.

Leave of Absence

Students may request a leave of absence by submitting a written request to the associate dean for students. The request should state the reason(s) for the leave and the duration desired. Leaves normally are limited to one year. Leave of absences usually are granted only during the first eight weeks of a semester and no course grades are assigned. Leaves beginning later in the semester may be granted because of medical reasons, or in other extenuating personal circumstances. Any approved elective course work successfully completed (grade C or higher) at another institution during the leave of absence will be granted credit only.

BACKGROUND CHECK

Completion of College-supervised experiential education is a requirement for graduation with a Pharm.D. or Biomedical Technology degree or from the Cytotechnology certificate program.

Institutions hosting experiential education may require a criminal background check in order to permit students in their facility, and may deny a student's participation in the experiential program because of a felony or misdemeanor conviction, failure of a required drug test or inability to produce an appropriate health clearance, which would result in delayed graduation or in the inability to graduate from the program. The College reserves the right to require any enrolled student to provide to the College at the student's cost a College specified background check.

Individuals who have been convicted of a felony or misdemeanor may be denied certification or licensure as a health professional. Information regarding eligibility for licensing in a particular jurisdiction may be obtained from the appropriate credentialing body of that jurisdiction.

CHANGE OF PROGRAM

A student currently enrolled at ACP is entitled to apply for transfer from one academic program to another. Applications for transfer of program will not be accepted if no space is available in the requested program. Space availability in a program will be determined by the associate dean for students, in consultation with the director of admissions. For certain programs, such as the Doctor of Pharmacy degree, including the Accelerated option, transfer possibilities may be limited.

Application Process

1. Applications for transfer are accepted two times per year. The deadline for applications for spring semester transfer is December 5, and April 30 for summer session or fall semester transfer.

2. Students must complete and submit a Request to Transfer Form to the associate dean for students. Forms are available from the Office of the Registrar or on the ACP web site.
3. Students must be in good academic standing to apply for transfer from one academic program to another. A minimum GPA of 3.2 is required to transfer into the Accelerated Pharm.D. program.

Review of Applications

1. The associate dean for students will forward applications for request to transfer to the Academic Standards Committee. The Academic Standards Committee will review applications in consultation with the director of admissions, the registrar, the student's faculty advisor and the appropriate department chair (Pharm.D. program-Pharmacy Practice; B.S. programs-Arts and Sciences, Health Sciences and Pharmaceutical Sciences).
2. Recommendation to grant the transfer request will be based on:
 - a. When space is limited, the student's academic standing, with priority given to those students with the highest GPA.
 - b. The feasibility of the student to enroll in courses required for the program requested (based on schedule of course offerings and the student's record of completed courses). The timeframe for completion of all program requirements will be dependent on the student's record of completed coursework at the time of the program transfer. It should be noted, therefore, that the granting of the transfer request may require additional time to satisfy all new program requirements.
3. After reviewing the application, the Academic Standards Committee makes a recommendation on the application to the associate dean for students. The associate dean for students will make the final decision. The student will be informed in writing regarding the request by the associate dean for students by January 1 for spring semester requests and within two weeks from the completion of spring final examinations for summer/fall semester requests. The student's faculty advisor, the department chair and the director of admissions also will be informed in writing about the outcome of the request.

Students in a non-Pharm.D. program wishing to enter the first professional year (year three) of the Pharm.D. program are required to use PharmCAS, Pharmacy Centralized Application Service, at www.PharmCAS.org.

CLASS EMERGENCY CANCELLATION POLICY

In the event that the College needs to be closed or evacuated for any reason, the College Community will be notified through any combination of the following methods:

- 1) e-mail to all students, faculty, staff and administration by the assistant vice president for student services or designee;
- 2) announcement, by 6:00 a.m. to designated television and radio stations such as: television channels 6, 10 and 13 and radio stations 810-AM, 99.5-FM, 590-AM, 92.3-FM, 96.3-FM and 104.9-FM;
- 3) announcement by faculty members to any classes that may be in session;
- 4) signs posted throughout the College by Office of Student Services; and
- 5) the College web site.

Weather conditions or other circumstances may occasionally necessitate delaying the start of classes or in extreme cases, cause the cancellation of classes at Albany College of Pharmacy. An announcement that the start of day classes has been delayed means faculty and students should meet their classes that are at or within the hours which have been designated as the start time. Classes scheduled to begin prior to the hour designated as the opening time will not be held. **For example, if the opening of campus has been delayed until 10:00 a.m., classes beginning at 10:00 a.m. or after will be held at their regular time. Classes scheduled to begin before 10:00 a.m. will not be held.**

An announcement that the **College is closed** means that no classes will be held, as faculty, administrators and staff will not be reporting to work. Physical Plant and Public Safety, however, will maintain their necessary schedules, and essential services will be provided for resident students. Please note that the College will be closed only if the weather conditions are considered extreme. The onset of severe weather after day classes have begun may necessitate closing the College at some time during the day. In that case, students will be notified along with faculty, administrators and staff.

COMPUTER ETHICS

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, agree to comply with and sign the ACP Computing Ethics Policy.

DISCRIMINATION AND SEXUAL HARASSMENT

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. 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.

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 associate dean for students.
- 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	694-7118
Associate Dean for Students	694-7307
Assistant Vice President for Student Services	694-7118
Albany County Crime Victims Sexual Violence Center	447-5500
Affirmative Action Advisor to the President	694-7298

E-MAIL

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;
- ACP-IT 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 is the responsibility of the students. Any student needing help with maintaining their account may come into the Computing and Technology Support Center in room 212 of the Student Center for assistance.

A student cannot have e-mail redirected from their official ACP address (lastnameinitial@acp.edu) to another e-mail address. The College will not be responsible for the handling of e-mail by outside vendors.

Students utilize Outlook Web Access for email. While other methods are available, they are not supported by ACP-IT due to the plethora of connection possibilities for students. Students who wish to utilize the outlook MAPI client may do so only while on campus.

EVENT AND FACILITIES SCHEDULING

ACP students and student organizations have access to a variety of facilities on campus. These facilities include, but are not limited to, recreational, social, dining and academic spaces. Most of these facilities may be reserved for student usage. Facilities can be reserved by working through Meeting Room Manager on the College's web site at www.acp.edu (students must work with their faculty advisor to access Meeting Room Manager) or by the College office responsible for the oversight of the space. Athletic and recreational facilities are reserved by contacting the coordinator of athletics and recreation. Student gathering spaces can be reserved through Meeting Room Manager or the Office of Student Activities. Classrooms, lecture halls, student study space, etc. are all reserved through Meeting Room Manager.

Students and/or organizations are required to make all necessary arrangements for special needs related to their activities/events, such as tables and chairs, Information Technology assistance, parking and food service.

FIREARMS AND DANGEROUS ITEMS OR SUBSTANCES

Possession and/or use of firearms and/or other dangerous items including, but not limited to, handguns, rifles, bb guns/rifles, paint guns, pellet guns, sling shots or martial arts weapons, anywhere on the Albany College of Pharmacy campus is strictly prohibited. This includes College-operated buildings, property or automobiles parked on College property. The possession of a New York state weapons permit does not authorize the person to have firearms or other prohibited items on campus. If a student has knowledge of any prohibitive items, he/she is required to advise the assistant vice president for student services. Failure to do so will be a violation of College policy.

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.

GRADUATION POLICIES

Requirements for Graduation

Candidates for all degrees must have satisfied all of the academic requirements and be approved for conferral of the degree by a majority vote of the faculty. Graduation requirements include having:

- Completed the necessary required and elective courses and semester hours
- Earned at least 2.0 cumulative overall and professional GPAs
- Paid all College-related financial obligations
- Returned all material belonging to the College
- Completed the final four years of didactic instruction at ACP

The College reserves the right to change the requirements for graduation.

HAZING

No individual or group may haze another at any time, including initiation into any organization or at the time of affiliation with an organization.

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.

HOUSING

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.

IMMUNIZATION REQUIREMENTS

NYS Public Health Law 2165 requires post-secondary students to show protection against Measles, Mumps and Rubella. Persons born prior to January 1, 1957 are exempt from this requirement. Additionally, ACP requires incoming students to have immunizations, titers or proof of physician-diagnosed disease for Hepatitis B and Varicella (chicken pox). It is also recommended that students have a Tetanus Booster (within the last four years) and an Oral Polio Vaccine.

NYS Public Health Law 2167 requires that all college and university students enrolled for at least six (6) semester hours, or the equivalent, per semester complete and return a meningococcal meningitis vaccination form. On this form, the student indicates if he/she has had the immunization within the past 10 years, is obtaining the immunization in the near future or has read the information regarding the disease and understands the risk of not receiving the vaccine. The vaccine is recommendation upon entry into college for students living in residence halls who wish to reduce their risk of meningococcal disease.

Questions regarding immunizations can be directed to the Office of Experiential Education at (518) 694-7277 or experientialed@acp.edu. Completed forms may be faxed to (518) 694-7302.

INTERNATIONAL STUDENT INFORMATION

I. SEVIS (Student Exchange Visitor Information System)

A. SEVIS is the government information system that is managed by the College for all its current and incoming students. It is a database that stores all necessary student information while they are attending the College and in the United States on their F-1 visa. Students are charged a one time College SEVIS fee and also a separate government SEVIS fee upon acceptance and entry into the College. The government fee can be paid online at <https://www.fmjfee.com/index.jhtml> once the student receives their Certificate of Eligibility Form I-20 from the College. Students are responsible for updating their information every semester through the Primary Designated School Officer of the College.

II. Visas

A. The College will issue a student the I-20 document which is their valid F-1 visa from the College. In countries other than Canada the student may have to have a meeting with the United States Consulate in their home country to approve the visa and a passport for travel to the U.S. as a foreign student. Currently the College is eligible to issue only F-1 visas.

III. Employment

A. Curricular Practical Training (CPT) is offered to students entering the Pharmacotherapy course sequence in the 4th and 5th year of the Pharm.D curriculum. CPT is defined to be alternative work/study, internship, or cooperative education arranged with the approval of your program, or any type of required internship or practicum that is offered by sponsoring employers through cooperative agreements. CPT may take place during the academic year and/or in the summer and **MUST** be undertaken prior to the completion of a course of study. Any activity for which a student receives a benefit, monetary or otherwise (even unpaid internships), requires CPT authorization. Students in F-1 status must have been lawfully enrolled in school on a full-time

basis for at least one full academic year before becoming eligible for practical training.

Students must follow the steps outlined below for CPT approval:

1. Pick up a CPT Approval Form from the Primary Designated School Officer (PDSO);
2. Meet with the course coordinator to get their signed approval to complete CPT training as part of the course;
3. Meet with the PDSO and turn in the signed approval form with a letter from the prospective employer indicating dates of employment and potential job duties;
4. Upon completion of the CPT:
 - a) Complete a class project which documents what was accomplished/learned during the CPT experience. This project needs to be approved by the course instructor.
 - b) Meet with the PDSO who will then verify CPT completion in the SEVIS system.

B. Optional Practical Training (OPT) – Students are eligible after one year of academic work to use 12 months of employment.

C. Economic Hardship – Students must provide supportive documents to apply for employment through this process.

D. On Campus – Students are eligible to hold paying positions on campus once approved through the PDSO and Financial Aid. The student must obtain a United States Social Security number to be employed by the College.

IV. College Officials

A. Primary Designated School Official (PDSO) – Assistant Registrar. The PDSO is your advisor for any immigration issues and the point of contact for employment approval or other processes where a school official is necessary. The Designated School Officer (DSO) is able to sign documents in absence of the PDSO.

B. DSO – Registrar

Further information is available on the International Student website in Blackboard.

LOST AND FOUND

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.

PROGRESSION REQUIREMENTS FOR PHARM.D. PROGRAM

For students entering into the 2007 fall semester first year Doctor of Pharmacy program, the minimum GPA requirement for progressing into the first professional year is 2.5.

SIGN/FLYER POLICY

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 the Office of Student Services, and all signs and flyers must be presented for approval at least a week before the event.

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 informa-

tion will be considered in violation of this policy and may be removed. Before posting, all signs and flyers must be pre-approved by the office of Student Services.

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,” other gatherings, meetings, events, etc. are restricted to the bulletin boards unless otherwise authorized by the coordinator of student activities. These signs still must comply with the outline of this policy.

Properly posted signs must not be removed prior to the event(s) advertised by anyone other than a College official unless the group or person who posted the sign authorizes such removal. 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 already 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 coordinator of student activities.

Signs placed in ACP residence halls must comply with these rules. Persons wishing to hang signs in these areas must have prior permission from the coordinator of residence life.

IV. *Restricted Areas.* There are some bulletin boards that are considered “reserved” for certain groups or College departments. 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.

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, assistant vice president for student services, associate dean for students, president of the Student Government Association and the president and/or dean of the College.

TUITION REFUND POLICY

The following chart indicates the Institutional Refund Policy. The actual date of withdrawal will be based upon the date that the written notice is received from the student. Institution refund policy:

<i>Withdrawal Dates that Fall Between</i>	<i>% of Assessed Charges Refunded</i>
before start of classes to 1st day of class	100%
after 1st day to before end of 10% term	90%
end of 10% of term to before end of 25% term	50%
end of 25% of term to end of 50% of term	25%
after 50% of term to end of term	0%

ACP will charge a 10 percent administrative fee on assessed charges (not to exceed \$100 on all withdrawals).

USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES

Cell phones and pagers should be set to a non-audible mode (vibrate or flashing light) during class (classroom or laboratory) and all meetings. Calls should not be answered until the class or meeting is over, except in extenuating circumstances. Electronic devices, other than calculators and computer, without communication capabilities, should not be used during examinations or classroom instruction. Cell phones and pagers should be

set to a non-audible mode during business hours while a student is on experiential education rotations. Calls should not be allowed to disrupt any activity at the site, other than in extenuating circumstances. The preceptor has the final decision regarding cell phone and pager use while at the site.

Beyond the above basic College policy stated herein, faculty members, at their discretion may also have strict individual policies related to cell phones, pagers, and other personal electronic devices outlined in their syllabi in order to provide and maintain a classroom environment that is conducive to learning and the respect of others.



STUDENT DISCIPLINARY CODE

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 Associate Dean for Students.
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 Registrar to perform the duties of the Student Conduct Officer under this Code. Nothing shall prevent the Assistant Registrar from authorizing the same individual to act as Student Conduct Officer in several or all cases.
10. The term “Appellate Board” means those 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 web site.
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 Associate Dean for Students 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) administrators. These members shall be selected by their respective constituencies. One (1) faculty alternate, one (1) student alternate and one (1) administrator alter-

nate 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 Registrar 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 intoxication. 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 received in a timely manner.
 - 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 Registrar. Any charge should be submitted as soon as possible after the event takes place and forwarded to the Assistant

Registrar. The Assistant Registrar 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 Associate Dean for Students within five (5) business days of receipt by the Accused Student of the charges.

2. The Assistant Registrar 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 Registrar, 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 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 Registrar may be present at the hearing to assist with procedure.
 - p. The Student Conduct Officer, Committee and the Assistant Registrar 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, affidavits 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 Ac-

cused 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 prescribed 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 prescribed 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 prescribed 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 thereafter 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 Registrar, 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 Registrar 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 Associate Dean for Students 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 Associate Dean for Students 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.

STUDENT PARTICIPATION IN ACADEMIC COMMITTEES AND COUNCILS

Student participation in ACP Committee's and Councils is not only encouraged, but accreditation standards dictate student participation in various meeting venues. Student participation is organized through the Student Government Association. Examples and purposes of committees and councils that students serve on are as follows:

Academic Council

The council's responsibility is to review, formulate, and implement all student-related non-curricular issues that are administrative in nature, e.g., strategic plan, student retention, re-admission policy, etc. The membership of the council includes the dean, associate deans, department chairs, director of experiential education, director of admissions, vice president of institutional advancement, faculty senate chair, director of library services, director of marketing and communications, SGA president, director of technology and the registrar. The council meets once per month.

Academic Standards Committee

This Committee's charge is to propose academic regulations and revisions, and to review the records of students in academic difficulty and make recommendations to the associate dean for students. Additionally, the Committee is to review student requests for transfer of academic program and requests for readmission and make recommendations to the associate dean for students. Committee membership consists of one member from each academic department, one student, and two ex-officio members (associate dean for students and registrar). The student member will be excused when specific student cases are discussed.

Accreditation Self-Studies

All academic programs at ACP undergo periodic accreditation reviews to assure that the governing accreditation standards are being met. As part of the

review process, programs are asked to complete self-study reports which are extensive in nature. Student input into this process is an integral part of our ongoing quality improvement process and accreditation reviews.

Curriculum Committee

This committee consists of faculty members from each department, two students and two ex-officio members. The committee's charge is to evaluate the standing curriculum on an ongoing basis and to review and develop proposals for changes in the curriculum.

Dean's Forum

The dean's forum was established in 2006 to facilitate open discussions between students and the dean and allow all students to ask questions and voice concerns and/or comments. Meetings are scheduled twice per semester.

Dean's Advisory Council

In addition to the dean's forum, 12 students are selected to attend monthly meetings with the dean to provide opinions, suggestions and questions that are representative of their student group. This membership includes a representative from each class year, cytototechnology and BSPS. Meetings are scheduled either one to two occurrences per semester.

Educational Resources Committee

This committee consists of faculty members (no two from same department), one student, the College librarian and the chief technology officer. The committee makes recommendations to the dean regarding the policies and procedures of the library and the instructional activities of Information Technology Services. It also supervises the acquisition of equipment and educational materials for these two areas.

ALBANY COLLEGE OF PHARMACY EDUCATIONAL OUTCOMES

ACP has a long history of providing its students with a pre-eminent education that provides them the knowledge and skills to compete successfully in, and contribute to, the profession of pharmacy and related fields. In recent years, these skills have been addressed more formally through a set of educational outcomes. These outcomes, based on those established by the American Association of Colleges of Pharmacy (AACP) 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 to 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 into 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 AACP’s educational outcomes are listed below. The original AACP-CAPE document (1998) can be found at http://www.aacp.org/Docs/MainNavigation/ForDeans/5763_CAPEoutcomes.pdf.

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 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, personnel, 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 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 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 health care 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 and 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.

- A. Demonstrate the knowledge of 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. Promote public awareness of health and disease.

IV. Provide Information and Education.

- A. Provide education on health-related topics, tailored to the needs and educational background of a given audience.

- B. Demonstrate the ability to 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. Integrate physiological, chemical and biochemical information pertaining to pharmaceutical formulation, delivery, actions and metabolism.
- II. Obtain, interpret and apply information to formulate solutions to research problems and issues in research science, specifically the pharmaceutical industry.
- III. Understand the facilities and expertise necessary to carry out meaningful and productive research in pharmaceutical development.
- IV. 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.

USE OF STUDENT INFORMATION FOR CONTINUOUS QUALITY IMPROVEMENT

Albany College of Pharmacy is committed to being a pre-eminent educational institution that prepares and supports leaders in healthcare. As such, we are engaged in a continuous cycle of development, adaptation, evaluation and revision, when necessary, of programs and policies. In order to study the effectiveness of admissions procedures, curriculum, student services, student life and other areas, we employ a variety of assessment tools including course evaluations, surveys or focus groups and analysis of data from scholastic records.

The results of the studies will be used by ACP administration and faculty to guide decisions focused on providing the optimum academic experience. In order to demonstrate our commitment to continuous improvement of the curriculum, services provided and the general education environment, we also may share results with students, alumni and the public.

ACP is dedicated to maintaining the confidentiality of any information we collect. Data presented, as much as feasibly possible, will be in a format which is cumulative and ensures anonymity. Our assessment activities and studies will be monitored by the Office of Institutional Assessment. Annual reports will be made to the Institutional Review Board (IRB) regarding assessment studies. Individual studies will be submitted to ACP's Institutional Review Board for formal review, if appropriate. The IRB will request reports on the status of studies and conduct audits as it deems necessary.

CAREER COUNSELING

Students at ACP are provided with career counseling services through the Office of Student Affairs. Our career counselor can provide students with individual career planning sessions, as well as group seminars, on a wide variety of career related subjects (e.g., strategic career planning, resume and cover letter writing, interviewing skills). The counselor also can help students assess their skills, interests, values and abilities and how they will best suit today's health science/pharmacy career opportunities. ACP also sponsors an annual Career Fair and Interview Day in the fall. The career counseling office will maintain a job openings web site where upcoming graduates will have 24/7 access to career opportunities on the local, regional and national level. The career services coordinator is located in CL211 and can be reached at 694-7164.

COUNSELING SERVICES

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. Bernie Schallehn, director of counseling services, can be reached at schalleb@acp.edu.

FITNESS CENTER

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. For more information, contact the coordinator of athletics and residence life assistant, at 694-7357.

FOOD SERVICE

Albany College of Pharmacy's food service provider, Sodexo Dining Services, offers three meal plans to all students: \$300, \$700, or \$900 per semester. The \$700 plan features a \$25 bonus, for a total amount of \$725. The \$900 plan features a \$50 bonus, or a total amount of \$950. In addition to these bonuses, students are not charged taxes on purchases on their meal plan, which results in an 8% savings for the student. The \$300 meal plan is recommended only for commuting students who plan on using the cafeteria on a limited basis.

The \$900 plan is required for all students in 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.

Each plan works on a declining balance basis. 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. **Balances remaining at the conclusion of the fall and/or spring semester will not be carried over to the following semester under any circumstances.** Thus, students are strongly encouraged to use their entire meal plan balance during the existing semester.

Students who are enrolled in the fall semester meal plan are billed automatically for the same meal plan in the spring semester. All contracts are final after the first week of the semester. 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 services provides breakfast, lunch and dinner, Monday through Thursday from 7:00 a.m. to 7:00 p.m., Friday's from 7:00 a.m. to 5:00 p.m. and on weekends from 11:00 a.m. to 5:00 p.m. All schedules are subject to change.

INFIRMARY SERVICES

The Community Care Family Practice Group serves the medical needs of 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 \$80 per year. PharmD. students in year six have the option to pay the full infirmary fee in order to participate in this service. Community Care can be reached at (518) 207-CARE.

INSTITUTIONAL SECURITY POLICIES

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. In compliance with the law, this document is published and posted on the College's web site. Hard copies are available and may be obtained from the vice president of finance and business affairs. The report also is 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 their 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 all College facilities including College-operated residence halls. 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, administration 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.

An Emergency and Crisis Management Plan was initiated in 1995. Copies are available from the assistant vice president for student services. The pur-

pose of this plan is to assist all members of the Albany College of Pharmacy community in dealing with an emergency and/or crisis situation. Follow the guidelines that are contained in this manual to most effectively handle an emergency and/or crisis situation.

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. until 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 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 and managed residence halls are staffed by a Resident Life professional and student assistants. 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 small group sessions that offer information on personal safety and the security of personal property. Every year the Student Handbook is distributed to all students and also is available at ACP's web site at www.acp.edu. The handbook contains emergency phone numbers as well as outlines of the College policies. Our Orientation and PASSPORT programs cover topics such as sexual and alcohol/drug abuse and include a discussion of personal, physical and emotional safety.

PARKING

Student parking permit distribution is coordinated by the Office of Student Services. ACP has a number of parking lots available for resident and commuter students. These lots include the rear O'Brien lot and Holland Hall lot for commuter students, as well as the Notre Dame Residence Hall, South Hall and Holland Suites lots for resident students.

Students residing in the independently owned and operated University Heights Suites facility are required to park in designated University Heights College Suites parking lots. Students residing in UHCS are prohibited from parking in ACP parking lots. UHCS parking information is available from the College Suites management office.

The cost of the parking permit for ACP-designated lots is \$225 for commuters and \$300 for residents for the 2007-2008 academic year (August 31, 2007-May 30, 2008). Rates are subject to change. Requests for parking permits are handled during the summer registration process.

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. Continuous and/or multiple violations 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, without a permit, from 4:00 p.m. to midnight and on weekends. 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. Students will be informed of additional parking opportunities if they become available.

STUDENT HEALTH INSURANCE

All full-time ACP students are required to possess health insurance coverage. Students who are not covered by another insurance plan and all international students must purchase health insurance coverage through the Col-

lege. ACP has retained the services of Markel Insurance Co., which offers a Limited Benefits Health Plan at the cost of \$465 for 12 months of single-student coverage.

Students are required to either enroll in the Markel Plan, or show proof of insurance by July 1, 2007, or their student account will be billed the cost of the Markel Plan. This charge is non-refundable. In addition to the Limited Benefits Health Plan, Markel offers an Increased Supplemental Limit Plan. This plan provides coverage for accidents and sickness up to \$225,000. Students must be enrolled in the Limited Benefits Health Plan in order to purchase the Supplemental Plan.

For more information on the Markel Plan, visit www.studentassist.com.

THE GEORGE AND LEONA LEWIS LIBRARY

Located in the O'Brien Building, the George and Leona Lewis Library provides high-quality print and electronic resources, instruction and personal service to support the information needs of the College community.

The Lewis Library collection contains more than 15,000 print volumes and provides access to more than 40 databases and more than 9,000 print and electronic journals.

Internet 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. Additional quiet study space is available in the Library Annex.

Students have direct borrowing privileges at Albany Medical College's Schaffer Library of Health Sciences. Access to other local academic libraries is provided through ACP's membership in the Capital District Library Council. The library can be reached at 694-3270.

ADMINISTRATION

President James J. Gozzo, Ph.D.
 O'Brien Building, Room 104
 694-7255

Dean Mehdi Boroujerdi, Pharm.D., Ph.D.
 O'Brien Building, Room 113
 694-7212

Associate Dean of Academic Angela Dominelli, Ph.D., R.Ph.
 and Professional Affairs O'Brien Building, Room 113
 694-7333

Associate Dean for Students John Denio, MBA
 O'Brien Building, Room 102C
 694-7307

Associate Dean of Research George Bailie, Pharm.D., Ph.D.
 and Graduate Education O'Brien Building, Room 115
 694-7235

CHAIRS OF DEPARTMENTS

Arts and Sciences David W. Clarke, Ph.D.
 Classroom Building, Room 109A
 694-7252

Health Sciences David W. Clark, Ph.D.
 (Interim Chair)
 Classroom Building, Room 109A
 694-7252

Pharmacy Practice Sue Bruce, Pharm.D.
 Classroom Building, Room 105B
 694-7346

Pharmaceutical Sciences William Millington, Ph.D.
 O'Brien Building, Room 017D
 694-7360

QUESTIONS ABOUT: ...

CONTACT:

Academic Assistance *Teaching and Learning Commons:*
**Center for Instructional
 Communication**
*[Consists of Multimedia Lab,
 Oral Communication Lab and
 The Writing Center]*
 Andreas Karatsolis, Director of
 Instructional Communication
 Classroom Building, Room 206
 694-7269, cic@acp.edu

Instructional Technology

Patricia L. Baia
 Classroom Building, Room 108E
 694-7233, baiap@acp.edu

Peer Tutoring Program

Academic Support Coordinator
 Classroom Building, Room 211
 694-7147

Scientific Assistance Center

David W. Clarke, Ph.D.
 Classroom Building, Room 209
 ACP Black Board (Under the
 Student Tab)

Accommodations Director of Counseling Services
 Classroom Building, Room 205
 694-7262

Activities and Student Clubs Assistant Vice President for Student
 Services
 Student Center, Room 207A
 694-7118

Add/Drop Procedure Registrar
 O'Brien Building, Room 104N
 694-7222

Admissions Office of Admissions
 O'Brien Building, Room 124
 694-7221

Alcohol and Other Drug Director of Counseling Services
 Policy Information Classroom Building, Room 205
 694-7262

Alumni Programs Office of Institutional Advancement
 O'Brien Building, Room 122
 694-7393

Athletics and Fitness Center Coordinator of Athletics
 Gym, Room 101
 694-7357

Books and Supplies College Bookstore
 Student Center, 694-7378

Career Counseling Career Services Coordinator and
 Advisor
 Classroom Building, Room 211
 694-7164

Change of Address (Student) Registrar
 O'Brien Building, Room 104N
 694-7222

Computer Services Information Technology Services
 Student Center, Room 212
 694-7358

Counseling Services Director of Counseling Services
 Classroom Building, Room 205
 694-7262

Employment (On-Campus) Office of Financial Aid
 Student Center, Room 207
 694-7258

Financial Aid Office of Financial Aid
 Student Center, Room 207
 694-7256

Freshman Advising Director of Student Success
 Classroom Building, Room 211
 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
 Student Center, Room 207
 694-7256

Housing and Residence Life Director of Residence Life
 Office of Student Services
 Student Center, Room 207B
 694-7367

Identification Cards Information Technology Services
 Student Center, Room 209
 helpdesk@acp.edu

Immunization Records Experiential Program Administrator
 O'Brien Building, Room 104
 694-7277

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 Physical Plant
 O'Brien Building, Room 002
 694-7246

Meal plans (billing) Office of the Bursar
 Student Center, Room 207
 694-7205

Orientation Assistant Vice President for
 Student Services
 Student Center, Room 209
 694-7257

Parking Office of the Bursar
 Student Center, Room 207
 694-7205

Photocopying George and Leona Lewis Library
 O'Brien Building, Room 212
 694-7270

Registration and Class/
 Course Scheduling Registrar
 O'Brien Building, Room 104N
 694-7222

Student Professional Associate Dean for Students
 Organizations O'Brien Building, Room 102C
 694-7307

Student Services Concerns Assistant Vice President for
 Student Services
 Student Center, Room 209
 694-7257

Transcripts Registrar
 O'Brien Building, Room 104N
 694-7222

Tuition and Billing Office of the Bursar
 Student Center, Room 207
 694-7205

Withdrawals and Registrar
 Leaves of Absence O'Brien Building, Room 104N
 694-7222

POLICIES AND PROCEDURES FOR ESTABLISHING CLUBS AND ORGANIZATIONS

The current policy and procedure for establishing clubs and organizations is being revised and as soon as it has been approved it will be published on the student Black Board site. For further information, contact Liz Finocchio, coordinator of student activities, at 694-7366.

STUDENT ACTIVITIES AND ORGANIZATIONS

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 are eligible to participate in intercollegiate sports at Union College in Schenectady, N.Y. For more information, contact the coordinator of athletics at 694-7357.

Entertainment

- Coffeehouses
- Game shows
- Comedy nights
- Musical acts
- Orientation programs
- Springfest
- Bowling nights
- Pre-release movies
- Bus trips
- Mr. and Miss ACP Pageant
- Battle of the Bands
- Bingo

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
- Softball Club
- Tolerance Club
- Tennis Club
- Colleges Against Cancer

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

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
- Intramural Athletics

Want to get involved? Contact the Student Government through the Student Government mailboxes, or contact the coordinator of student activities (located in Room 207A of the Student Center) either in person or via e-mail at finochie@acp.edu.



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 and inhalants, and it 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: 1) become familiar with the provisions of this policy and acknowledge in writing having read this policy; 2) after commencing their employment, attend the next scheduled drug-free awareness program; 3) abide by the terms of this policy; and 4) 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 Associate Dean for Students 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 (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 event or sponsor; such other factors as the College shall reasonably deem pertinent. Service of alcohol is also 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, 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 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 3rd 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 .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 pushed by a fine of not less than \$500 nor more than \$1,500, or by imprisonment of not more than Ninety (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 1 year or until they reach 21 years of age, whichever is the greater penalty.

ALBANY COLLEGE OF PHARMACY COMPUTER USE AND COMPUTING ETHICS POLICY

Purpose:

This document has two purposes: to prohibit certain unacceptable uses of Albany College of Pharmacy’s (ACP) computers and network facilities, and to educate users about their responsibilities.

Most of these regulations simply restate obligations that follow from other existing policies or laws (see “Relevant Laws” below). They fulfill a Board of Trustees’ directive requiring ACP to adopt explicit computer security and ethics policies. The director of technology at ACP has developed the policies along the lines of those recommended in Internet RFC 2196.

Penalties:

Violations of these policies incur the same types of disciplinary measures as violations of other College policies or state or federal laws, including criminal prosecution in serious cases.

Definitions:

- **ACP computers and network facilities** comprise all computers owned or administered by any part of Albany College of Pharmacy or connected to ACP’s communication facilities, including departmental computers, and also the College’s computer network facilities accessed by anyone from anywhere.
- **Authorization** is permission granted by the appropriate part of ACP governance and/or management structure, depending on the particular computers and/or network facilities involved and the way they are administered.

Rules:

- 1) **No one shall use any ACP computer or network facility without proper authorization. No one shall assist in, encourage or conceal from authorities any unauthorized use, or attempt an unauthorized use, of any of the ACP’s computers or network facilities.**

Comment: Computers and networks are just like any other ACP facilities - they are to be used only by people who have permission.

Using a computer without permission is theft of services and is illegal under state and federal laws. The following are definitions of specific computer crimes:

- **Computer theft** (including theft of computer services, intellectual property such as copyrighted material and any other property);
- **Computer trespass** (unauthorized use of computers to delete or alter data or interfere with others’ usage);
- **Computer invasion of privacy** (unauthorized access to financial or personal data or the like);
- **Computer forgery** (forgery as defined by other laws, but committed on a computer rather than on paper);
- **Computer password disclosure** (unauthorized disclosure of a password resulting in damages exceeding \$500 - in practice; this includes any disclosure that requires a system security audit afterward).
- **Misleading transmittal of names or trademarks** (falsely identifying yourself or falsely claiming to speak for a person or organization by using their name, trademark, logo or seal).

- 2) **No one shall knowingly endanger the security of any ACP computer or network facility, nor willfully interfere with others’ authorized computer usage.**

Comment: Many of the other regulations given here deal with specific acts of this kind. You should not assume that other malicious acts or deliberate security violations are permissible merely because there is no specific rule against them.

- 3) **No one shall use ACP’s communication facilities to attempt unauthorized use, nor to interfere with others’ legitimate use, of any computer or network facility anywhere.**

Comments: State and federal laws forbid malicious disruption of computers. Albany College of Pharmacy does not tolerate individuals who invade others’ privacy, steal computer services or commit misrepresentation or fraud; nor mischievous attempts to disrupt computers or network facilities for any other purpose.

The ability to use a remote computer does not constitute permission. Some computer services are open to the public, and clearly identify themselves as such; examples are anonymous FTP sites and Gopher servers. But the mere lack of security measures does not mean that a computer is open to anyone who wishes to use it.

Unless you are the administrator of the target machine, you are not permitted to run software that searches for means of obtaining unauthorized access, such as port scans, automatic login attempts, password crackers and the like, whether or not you actually make unauthorized access after finding a way to do so.

Nor are you permitted to run software that burdens the network with unnecessary traffic; most peer to peer software falls into this category but repetitive pings and trace routes, or any software intended to degrade the performance of the network or the target computer, would also be examples.

Administrators running these types of software for legitimate reasons shall, whenever possible, give advance notice to the administrators of all computers and networks affected and to ACP-ITS network management.

- 4) **No one shall connect any computer to any ACP networks unless it meets technical and security standards set by the director of technology.**

Comments: The applicable requirements depend on what kind of connection is being made. For example, dialing up with an ordinary asynchronous modem may not require any special authorization, but connecting to the campus-wide Ethernet cable does, because one improperly configured machine on a network can cause widespread disruption.

- 5) **All users shall share computing resources in accordance with policies set for the computers involved, giving priority to more important work and cooperating fully with the other users of the same equipment.**

Comments: If you need an unusual amount of IT resources, check with the director of technology. When resources are tight, work that is necessary to the business and mission of ACP (instruction, research and service) must take

priority over computing that is done to pursue personal interests or self-training. Priorities for any particular machine are set by the director of technology.

Obtaining extra computer resources through any form of deception (e.g., secretly opening multiple accounts, misrepresenting the nature of your work or the like) is strictly prohibited.

- 6) **No one without specific authorization shall use any ACP computer or network facility for non-ACP business.**

Comments: By law, ACP only can provide computer services for its own work, not for private use. In this respect the College's computers are different from those owned by individuals or corporations. If you need unlimited access to computer networks for private purposes, you can subscribe to a private Internet service. All technology fees will still be charged.

The College's mission can be understood broadly as including education, self-training and discussion on a wide range of subjects, not just those immediately necessary for a person's job or courses. In this context, ACP employees are accountable nonetheless for how they use time and equipment at work. Just like a telephone, an Internet connection at an employee's desk does not automatically confer permission to use it for personal purposes or entertainment.

ACP grants the use of its facilities to numerous organizations whose activities contribute to its mission, such as student organizations, professional societies and charities. It is improper to use the College's computers for political campaigns, fund-raising, commercial enterprises, mass mailings or other outside activities that have not been granted the use of ACP facilities.

Various policies permit members of the ACP community to earn outside income by writing books and articles related to their academic work, and to use ACP resources, including computers, for this purpose. Most faculty are also permitted to use ACP facilities for outside consulting jobs provided ACP is reimbursed for costs incurred. Check with your supervisor to find out how these policies apply to you.

All computer users should be aware that network capacity is finite and network usage costs money. Transmitting pictures through the network costs more than transmitting text. Real-time audio and moving pictures are even

more expensive because they require a fresh file to be transmitted every few seconds, or even more often.

The Internet is designed for communication from one computer to another. Unlike radio or TV, it does not presently provide a way for multiple computers to pickup the same signal at the same time. If a thousand people are listening to “Internet Radio,” a thousand separate copies of each sound file may have to be transmitted to ACP. This can overload networks. The inclusion of audio and video in official educational activities such as web-based instruction may be appropriate. If you need to use Internet audio, video, gaming or other high-bandwidth services, consult the director of technology for advice about whether your local network can handle the requirements.

- 7) **No one shall give any password for any ACP computer or network facility to any unauthorized person, nor obtain any other person's password by any unauthorized means whatsoever. No one except an administrator in charge of a computer is authorized to issue passwords for that computer.**

Comments: Giving your password to an unauthorized person can be a crime in some states. The criterion is not whether you trust them, but whether ACP has authorized them.

Passwords protect the ACP network, not just the individual machines to which they apply. ACP insists that each account be used only by the person to whom it belongs, so that if problems are detected or abuse is alleged, the responsible person can be identified. If a department cannot keep passwords secure, it cannot connect its machines to the campus-wide network.

In general, you should never share your password with anyone. Likewise, you must never use or disclose a password that was given to you improperly. A password is like the key to a building - you are responsible for what happens to it while it's in your care. If you give it away, you are endangering the entire machine, not just your own files. In fact, there are computer criminals who would like to have your password so they can make it look as though you, not they, are committing their crimes.

Do not store the password for one computer in another computer unless your system administrator has assured you that no security hazard will result. It is easy for a stranger to walk up to your personal computer and retrieve passwords that are stored in it.

You are responsible for choosing a secure password. It must be a minimum of 8 characters long; contain a capital letter, a punctuation mark and a number. Don't use names, nicknames, phone numbers or recognizable words in any language; some programs guess passwords by automatically trying every word in a large dictionary.

A good way to make up a secure password is to use the initials of a phrase, and include some numbers as well as letters. For example, 57ityMwb is a good password, and easy to remember because it stands for “57 is the year Michael was born.”

Your password is secret. ACP-IT administrators will not normally ask you for it. The computer will never ask you to type it unless you are logging in or changing your password.

In some situations ACP-IT authorizes more than one person to share a single account, but this is seldom the best way to conduct collaborative work. Instead, use file sharing, groups and related features of the system you are using. E-mail can be redirected automatically to an assistant or secretary, who can then forward it to you using a separate mailbox.

- 8) **No one shall misrepresent his or her identity or relationship to ACP when obtaining or using ACP computer or network privileges.**

Comments: Naturally, you must not claim to be someone else, nor claim to have a different relationship to ACP than you actually do, when obtaining a computer account or access to a lab.

- You must not falsify your name, address, e-mail address or affiliation when sending e-mail or other messages from an ACP computer. Doing so can be illegal as well as being an unacceptable use of ACP's facilities.

- On some systems, there are ways to post messages without revealing your name and address. Anonymous communication is permissible when there is a legitimate need for additional privacy. It is not a cover for fraudulent or obnoxious behavior, and in cases of abuse, anonymous messages may be traced to their source. Deceptive communication, in which you claim to be some other specific person, is never permitted.
- You can create confusion, and possibly violate trademark law, by using someone else's trademark as your name on the Internet. No matter how loyal a Kodak customer you may be, don't call yourself "Kodak." That's their name, not yours.

9) **No one without specific authorization shall read, alter or delete any other person's computer files or electronic mail. This rule applies regardless of whether the operating system of the computer permits these acts.**

Comments: Don't even try to guess or steal other people's passwords or read their files, even if the computer permits this. Doing so would be like rummaging through someone's desk. Even if you can pick the lock, and even if there is no lock at all, you have no right to intrude.

10) **No one shall copy, install or use any software or data files in violation of applicable copyrights or license agreements, including but not limited to downloading and/or distribution of music, movies or any other electronic media via the Internet.**

Comments: This rule forbids making unauthorized copies, for use elsewhere, of software residing on ACP computers. It also forbids installing or using pirated software on ACP computers.

The price of a piece of software isn't just the cost of the disk, it's also one user's share of the cost of developing and supporting it. It's wrong to use software without paying your fair share.

Additionally, ACP benefits from the generosity and good will of many software vendors; any sign of software piracy would bring this generosity to a halt and result in higher prices for everybody.

Unauthorized copying is usually a violation of federal copyright law.

Many educational software licenses forbid the use of the software for commercial purposes. Most of the ACP "core image" software is "site licensed" and can be used on any ACP computer (the terms of various site licenses differ). Some software is genuinely free; the author allows everyone to use it free of charge. Before copying software, be sure what you are doing is legal, and consult people who have full information; don't just give yourself the benefit of the doubt.

ACP-IT promotes and supports the exploration and research of the College's faculty and students. ACP-IT understands that software is developed every day for different academic and research purposes. ACP-IT requires that individuals or groups check before installing any software on ACP owned computers. The process for checking is described in section 12 below.

License checks: If unknown individuals show up at your computer or site saying they are there to check software licenses, you should immediately contact the ACP legal staff, the director of technology and your superior. After hours, contact UHA Public Safety. Software licenses do not normally authorize these surprise inspections, and there is a substantial risk that the "inspectors" are not legitimate.

11) **No one shall create, install or knowingly distribute a computer virus, "Trojan horse," or other surreptitiously destructive program on any ACP computer or network facility, regardless of whether any demonstrable harm results.**

Comments: A virus is a hidden computer program that secretly copies itself onto users' disks, often damaging data. A Trojan horse is a program with a hidden, destructive function, or a program designed to trick users into revealing confidential information such as passwords. Even when the harm done by programs of these types is not readily evident, they confuse beginning computer users, degrade CPU performance, and waste the time of system managers who must remove them.

12) **No one without proper authorization shall modify or reconfigure the software or hardware of any ACP computer or network facility.**

Comments: Do not modify the hardware, operating system or application software of an ACP-owned computer unless you have been given permission via e-mail to do so by ACP-IT or the director of technology. The other users with whom you share the machine, and the technicians on whom you rely for support, are expecting to find it set up exactly the way they left it.

Faculty and staff who need software that falls outside the ACP “core image” to perform their jobs will need to address the gap with their supervisor or department head, who in turn will make a request for the software to be added to the individual’s computer or set into the enterprise software pilot program with the director of technology. Requests to add software approved by the director of technology will be answered via e-mail and the individual or his/her department is responsible for all costs for the software. Costs are defined as license, media, support and, possibly, installation. Since the software is outside the “core image” for the college, direct technical support may not be available from ACP-IT. Individual approved software costs should be funded by grant money before departmental budgets. If software is identified as possible enterprise software then a review of the software will be conducted by the individual requesting enterprise status, the department head and the director of technology. Enterprise classification for software is defined as a software product that the entire college can benefit from and will use. Examples of this are Microsoft Exchange Server for email, Microsoft SQL Server for ERP, data analysis, other relational products and Microsoft Office Suite.

The enterprise software pilot program is a review process that spans at least one academic semester. An enterprise software pilot proposal should be developed by the individual or group requesting enterprise status. The proposal should include costs, rollout timeframe, associated hardware requirements, licensing structure and vendor information and contacts. The proposal should be submitted electronically to the departmental ERC representative. The ERC committee will grant the pilot status if it meets the enterprise status test. If pilot status is granted, the software deployment plan, as well as benchmarks for reporting, will be developed. Pilot status is for one academic semester at which point the software, pilot program and costs will be reviewed by ERC, the requester and the director of technology. If ERC votes to change the software to enterprise status, the director of technology will add budgeted costs to the software budget line for the next fiscal year. Budgets are submitted in January for the fiscal year that begins in the same calendar year.

If enterprise status is not granted for the requested software, an additional pilot period of one academic semester can be granted to gather more information; otherwise the request is considered denied and individual licenses should be considered by the department or individual making the request.

13) **Users shall not place confidential information in computers without protecting it appropriately. ACP does not guarantee the privacy of computer files, electronic mail or other information stored or transmitted by individual.**

Comments: Ordinary electronic mail is not private. Do not use it to transmit computer passwords, credit card numbers or information that would be damaging if made public. Bear in mind that students’ educational records are required by law, and by ACP policy, to be kept confidential. It is also necessary to protect confidential information about employees, such as performance evaluations. This applies not only to networked computers, but also to computers, tapes or disks that could be stolen; an increasing number of computer thieves are after data rather than equipment.

ACP-IT normally respects your privacy but cannot guarantee it absolutely. There are many ways a normally private file can end up being read by others. If a disk is damaged, an administrator may have to read all the damaged files and try to reconstruct them. If e-mail is misaddressed, it may go to one or more “postmasters” who will read it and try to correct the address. For your own protection, system administrators will often look at unusual activity to make sure your account hasn’t fallen victim to malicious activity.

ACP employees should be informed in advance if their computer usage or work performance is to be monitored electronically beyond the needs of ordinary system administration or investigation of malfunctions or security breaches. However, all computer users should be aware that system administrators normally collect some information about computer usage in order to administer machines and networks effectively, especially when unusual demand for resources is noticed.

Using the network is like driving on a public road; inherently, it is not a private activity. If you require complete confidentiality for your network activities, check with the director of technology to find out whether suitable arrangements can be made.

- 14) **Users shall take full responsibility for messages that they transmit through ACP computers and network facilities. No one shall use ACP computers to transmit fraudulent, defamatory, harassing, obscene or threatening messages, or any communications prohibited by law.**

Comments: You have exactly the same responsibilities on the computer network as when using other forms of communication. You must obey laws against fraud, defamation, harassment, obscenity, solicitation of illegal acts, threatening or inciting violence and the like. Bear in mind that uninvited amorous or sexual messages are likely to be construed as harassment. If you are bothered by uninvited e-mail, ask the sender to stop and then, if necessary, consult a system administrator.

Use of the computers to circulate chain letters and pyramid schemes is not permitted. If someone says, "Forward a copy of this to everyone you know on the Internet," don't. Such messages often contain misunderstood or outdated information, or even outright hoaxes. Even when the information is legitimate, chain forwarding is a needlessly expensive way to distribute it.

Never participate in schemes to deliberately flood a computer with excessive amounts of email. "Mail bombing" can incapacitate a whole computer, or even a whole sub-network, not just the intended victim.

It is considered good practice to use your real name, rather than a nickname or pseudonym, in the headers of all outgoing communications. Use of nicknames is often interpreted as a sign of immaturity or an indication that you are not taking full responsibility for what you are sending out.

Fake electronic mail: All users should be aware that there is no guarantee that electronic mail actually came from the person or site indicated in it. Deceptive electronic mail is easy to fake, including the technical information in the header. Doing so is of course prohibited and is in many cases against the law.

Hoaxes, scams and false warnings: Hoaxes, pranks and con games are common on the Internet. Be on the lookout for misguided "warnings" (about computer viruses, impending legislation, etc.) and false appeals for charity (usually involving dying children). If you get a message that spurs you to

take immediate action, it is very likely to be a hoax, even if the person who passed it along to you was perfectly sincere. Also, genuine appeals that are several years old are still circulating as if they were current.

- 15) **Those who publish World Wide Web pages or similar information resources on ACP computers shall take full responsibility for what they publish, respect the acceptable-use conditions for the computer on which the material resides, obey all applicable laws and not publish commercial advertisements. References and links to commercial sites are permitted, but advertisements, and especially paid advertisements, are not. Users shall not accept payments, discounts, free merchandise or services, or any other remuneration, in return for placing anything on their web pages or similar facilities.**

Comments: Web pages on the ACP network are subject to the same rules as other uses of the same facilities. Different ACP computers are set up for different purposes; some do not permit individual web pages at all. On other ACP computers, individuals are allowed to set up web pages to pursue personal interests, but even then, the available disk space and communication bandwidth are limited. System administrators can advise about what is permitted at any particular site.

When you publish something on the World Wide Web, you are putting it before a potential audience of millions. You have the same responsibilities as if you were publishing a newspaper. If the content is libelous or deceptive, people can sue you and you can be held personally liable.

Since there are laws against distributing obscene material (not just creating it), a link to an obscene web site can be a violation of the law. This is true regardless of the status of the Communications Decency Act or other new laws that specifically mention computers.

There is no ACP rule that prohibits you from viewing any web page anywhere. However, ACP's sexual harassment policy prohibits you from displaying sexually explicit material which interferes with anyone's work or academic performance or creates an intimidating, hostile or offensive working or academic environment. That is why many campus computer labs do not permit the display of erotic images on screens visible to others.

If you want to reproduce copyrighted pictures, cartoons or comic strips on your web page, you must have the copyright owner's permission. It is not sufficient to reproduce the owner's copyright notice; you must actually obtain permission for yourself, just as if you were publishing the same material in a newspaper. Brief textual quotations do not always require permission as long as the source is acknowledged and you are not reproducing a complete work (poem, essay, etc.).

You are welcome to include links to businesses and commercial sites for their information value, as long as your links do not constitute advertisements. If you are personally connected with an outside business, you may mention the connection briefly on your ACP web page so that people who are looking for you can find you. (For example, authors of books can include links to their publishers; consultants can include links to their consulting firms; and ACP units can advertise publications, software and similar materials produced in connection with their work.) However, you must not solicit outside business or publish commercial advertisements or advertising graphics on an ACP computer.

You must not accept payments, discounts or anything of value in return for placing anything on your web page. ACP disk space and communication capacity are not yours to sell. This applies to all computers directly connected to the ACP network cables, even if they are privately owned.

16) Users shall comply with the regulations and policies of newsgroups, mailing lists and other public forums through which they disseminate messages.

Comments: When participating in Usenet newsgroups and similar forums, you must respect their policies and practices, for two reasons:

- To join these networks, ACP has to agree to abide by their policies. Misuse would endanger ACP's eligibility to participate.
- Most of the cost of transmitting any message in a discussion is borne by the sites that receive it, not the site that sends it out. Thus, you are the guest of the whole network community, and it is important to abide by the policies and practices of the entire network.

The most ironclad rule is to respect the announced subject of each forum and not to post anything off-topic.

Other things that are generally unwelcome include:

- Advertisements (except that many forums permit announcements that are directly relevant to their subject areas);
- Multiple postings of the same material (a general-interest message should go in one general-interest forum, not several specialized ones);
- Survey questionnaires and other mass solicitations;
- Questions that are easily answered by looking in dictionaries, encyclopedias or readily available software manuals;
- Requests for help with homework;
- Uninformative criticisms of other people's postings (unwelcome material posted by others should be ignored, not discussed);
- Postings that are misspelled, obscurely worded or TYPED IN ALL CAPITALS LIKE THIS;
- Postings that say "Test message, please ignore" (try out your software when you actually have something to say, or use a test newsgroup).

Before posting anything, make sure that you know how to cancel it in case you subsequently discover that it is redundant or misinformed. Also, before posting in any Usenet newsgroup, read the appropriate guidelines for new Usenet users, and read some of the messages that are already there so you can be sure you have not misjudged the newsgroup's subject or purpose.

Always assume that everyone in the entire world can read what you are posting, that permanent copies will be kept at several sites, and that you will be expected to take full responsibility for everything you say. Do not post anything that you would not want to see quoted in a major newspaper.

Remember that newsgroups are not confined to the United States and are certainly not confined to students. You will sometimes see postings from other countries in their native languages, and you will often see postings from senior professionals in their fields.

- 17) **ACP-IT shall perform their duties fairly, in cooperation with the user community, the appropriate higher-level administrators, ACP policies and funding sources. ACP-IT shall respect the privacy of users as far as possible and shall refer all disciplinary matters to appropriate authorities.**

Comments: The first responsibility of ACP-IT is to serve the user community. But regardless of what the users want, system administrators are not free to violate copyrights, software licenses, other legal restrictions or obligations undertaken by ACP in order to obtain funding.

Although computer users' privacy is never perfect, ACP-IT is expected to respect this privacy as far as possible and refrain from unnecessary snooping. Administrators who must read users' files for administrative reasons must be prepared to justify their actions to the director of technology and to the user community.

ACP-IT should not normally interfere with users' electronic communication, especially in any way that could be interpreted as favoring one side of a controversy or suppressing an unpopular opinion or topic. As far as possible, decisions affecting access to online information services should be made in full consultation with the user community, taking into account the cost of the computer resources involved.

ACP-IT is not the judge, jury and executioner in cases of computer misuse. Rather than penalizing users directly for their misdeeds, the system administrator is expected to refer all cases to appropriate authorities who can protect the rights of the accused. If you are accused of any violation that justifies disciplinary action, you have a right to a fair hearing, just as if your alleged misdeeds had not involved computers.

It is important to distinguish actions taken to punish a person from actions taken to protect a system. If your account appears to have been misused or broken into, ACP-IT will inactivate it and contact you or wait to hear from you. This is done to stop the misuse and does not presume that you are the guilty person; you can expect to have your privileges reinstated right away, with new passwords, as soon as you identify yourself and indicate willingness to follow the rules. Thus, you can resume using the computer while investigation of the incident continues.

- 18) **Electronic mail (e-mail) is intended for communication between individuals and clearly identified groups of interested individuals, not for mass broadcasting. No one without prior authorization shall use ACP facilities to distribute the same or substantially the same e-mail message to more than one person without prior evidence that they wish to receive it, nor to distribute chain letters (messages asking the recipient to distribute copies further).**

ACP reserves the right to discard incoming mass mailings (“spam”) without notifying the sender or intended recipient.

For its own protection, ACP reserves the right to block all Internet communications from sites that are involved in extensive spamming or other disruptive practices, even though this may leave ACP computer users unable to communicate with those sites.

Comments: Unlike postal mail, electronic mail costs money to receive. Unwanted mail wastes not only ACP's money, but also the recipient's time. E-mail is not a proper medium for mass announcements, surveys or other messages that people have not indicated a desire to receive. Instead, use web pages and newsgroups to reach large audiences at much lower cost.

The intent of this rule is to forbid unsolicited mass mailings, not bona fide group discussions. If you have no indications to the contrary, you can assume that people are willing to receive messages if you know of their prior interest in the subject matter or if the message is part of a conversation in which they have been participating.

It is legitimate for ACP organizations to send announcements to all their members by e-mail. Likewise, it is legitimate for the ACP to send bulk e-mail for official purposes, including disseminating administrative notices, notifying students of educational opportunities or otherwise carrying on the work of the College. This does not include mere advertising or solicitation. The distinction is sometimes subtle. For instance, it is appropriate for a department to use e-mail to notify all its faculty and students of a new course; it is not appropriate for a department to mass-mail the entire campus to try to get people to attend a concert. As a rule of thumb, the larger the intended audience, the more important the notice needs to be.

“Spam” (unsolicited commercial advertising distributed by e-mail) is presently a widespread nuisance on the Internet. Legislative restrictions on spam have not been entirely effective because the point of origin is easily disguised.

ACP reserves the right to refuse to deliver incoming spam. Although the delivery of e-mail is never a 100 percent reliable process, ACP-IT normally endeavors, in good faith, to deliver messages to individuals reliably. Spam is a different matter; courts have ruled that Internet sites need not deliver it, since it imposes an unwanted expense on them. The extent to which spam is discarded will depend on the particular system used, the communication path, and in some cases the preferences of the recipient.

Some Internet sites have a reputation for harboring spammers or account crackers. Sometimes ACP’s only defense is to cut off all communications with these sites, even though this may make some innocent communications impossible. The need for communication with specific sites has to be balanced against the safety and reliability of the entire campus network. As explained elsewhere in these rules, measures of this type must not be used merely to silence an unpopular opinion or interfere with the free exchange of information.

Relevant laws:

New state and federal laws concerning computer abuse continue to be passed, and important court decisions occur frequently. For up-to-date guidance about specific questions, consult the director of technology or ACP’s legal staff. Remember that legal advice circulated on the Internet can be unreliable.

Federal law (18 USC 1030) provides for fines and imprisonment of up to 20 years for unauthorized or fraudulent use of computers that are used by or for the federal government (which includes many of the computers on the Net), and for unauthorized disclosure of passwords and similar information when this affects interstate commerce. (Recall that Net messages, as well as long-distance phone calls, are interstate commerce and thus fall under this law.)

The Electronic Communications Privacy Act (18 USC 2701-2709) and other wiretap laws prohibit unauthorized interception of electronic communications, including electronic mail.

Computer users must also obey laws against private use of state property, divulging confidential educational records, copyright infringement, fraud, slander, libel, harassment and obscenity. Laws against obscene or harassing telephone calls apply to computers that are accessed by telephone. The College must obey the policies of the ACP Board of Trustees and the regulations of the nationwide and worldwide networks to which its computers are connected.

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 Col-

lege. 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

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) and 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 8 persons, 3 members appointed by the President from the Administration/Staff, 3 faculty members appointed by the Faculty, and 3 student members. Terms of all members shall commence on July 1 and end June 30. 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 also will 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 (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 determina-

tion 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 member, 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.

sible. 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 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, its deliberations and 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 policy 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 Associate Dean for Students.

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 Associate Dean for Students, 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, Committee, 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
Color	Age	Sexual Harassment	Sexual Preference
National Origin	Creed	Marital Status	Disability
Veteran's Status	Vietnam Era Veteran Status	Disabled Veteran Status	

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: _____

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 expressed by word, or evidenced by the victim’s actions or deeds, or it 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 D 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:

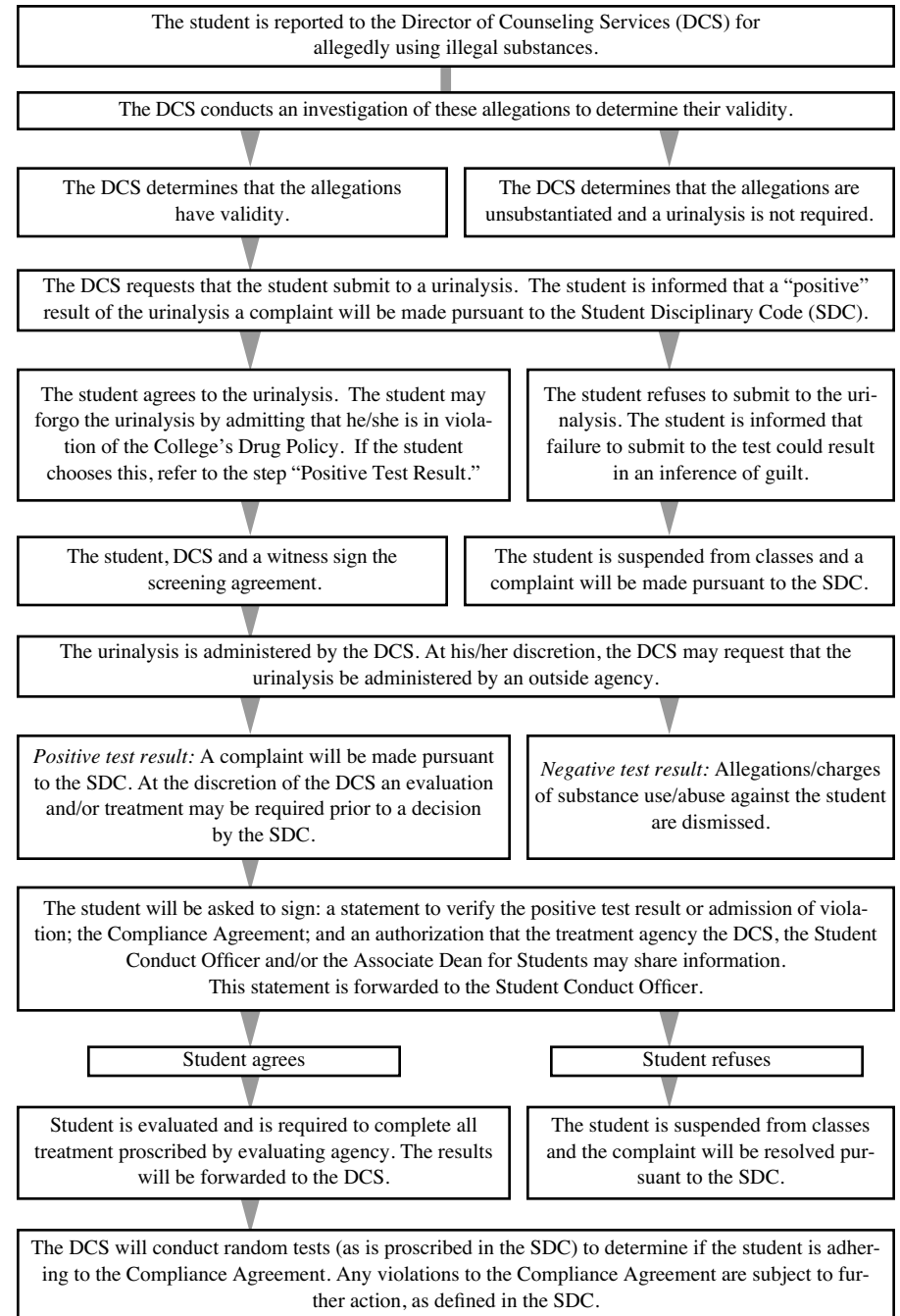
1. Knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's 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.

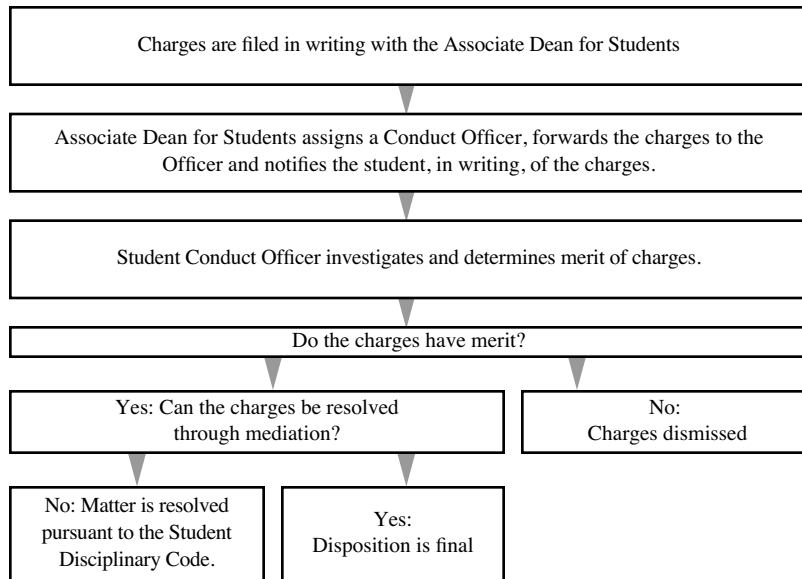
FLOWCHART OF SUBSTANCE ABUSE PROCEDURES FOR REFERRAL AND INTERVENTION

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 associate dean for students or the assistant vice president for student services, 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



HONOR CODE

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Preamble and Definitions

Preamble

Students studying to enter the health care professions should exemplify honorable behavior and maintain a high level of integrity in their work. This Honor Code recognizes standards of professionalism; identifies examples of academic dishonesty and other unprofessional behavior and provides procedures by which claimed violations of this Honor Code are to be evaluated, and, when found to have occurred, to be dealt with in an appropriate manner. During new student orientation students will be acquainted with the Honor Code. Every student shall be on his or her honor to abstain from unprofessional conduct and academic dishonesty as defined in this Honor Code. Each new student of the Albany College of Pharmacy will affirm as follows:

I, (name), agree to abide by the ideals of professionalism and integrity in accordance with Albany College of Pharmacy's Honor Code.

Definitions

When used in this Code:

- “College” means Albany College of Pharmacy.
- An assignment is work required of a student and includes, but is not limited to a test, examination, paper, quiz, homework, laboratory requirement or course requirement
- “Student” means and includes all persons taking courses at the college, both full-time and part-time, pursuing undergraduate or postgraduate studies.
- “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.
- “College official” includes any person employed by the College, performing assigned administrative or professional responsibilities.
- “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 Associate Dean for Students.
- The Term “Faculty Co-Advisor” refers to each of the two Faculty members chosen by the Faculty Senate to perform the duties of a Faculty Co-Advisor as set forth in this Code. Each Faculty Co-Advisor shall serve for a two year term and may be re-appointed for further terms. Faculty Co-Advisors shall serve staggered terms.

- The Term “Faculty Representative” refers to each of the two Faculty members chosen by the Faculty Senate to perform the duties of a Faculty Representative as set forth in this Code. Each Faculty Representative shall serve for a two year term and may be re-appointed for further terms. Faculty Representatives shall serve staggered terms.
- The Term “Faculty Alternate Representative” refers to each of the two Faculty members chosen by the Faculty Senate to perform the duties of a Faculty Alternate Representative as set forth in this Code. Each Faculty Alternate Representative shall serve for a two year term and may be re-appointed for further terms. Faculty Representatives shall serve staggered terms.
- The Term “Student Representative” refers to each of the twelve Student Representatives selected by the Student Government Association. Student Representatives may not be members of any of the Student Conduct Committees, and must be deemed by the College as third, fourth or fifth year students. Annually four Student Representatives shall be chosen at the end of their second year and shall serve for three year terms. Further, initially four Student Representatives will be chosen at the end of their third year and shall serve for two year terms, and four Student Representatives will be chosen at the end of their fourth year and shall serve for a one year term. The Student Representatives shall designate two of the twelve Student Representatives to be Student Honor Code Officers.
- The “Honor Code Review Committee” consists of a Faculty Co-Advisor and a student Honor Code Officer chosen by the Faculty Co-Advisors with respect to a particular matter. The role of the Honor Code Review Committee is to attempt to mediate a charge against a student. Should mediation be successful, and Honor Code Hearing will not be held.
- The “Honor Code Hearing Committee” consists of the two Faculty Representatives and five student representatives chosen randomly by the Faculty Co-Advisors. In the event that any Faculty Representative believes he/she should be recused for cause, they will be replaced by a Faculty Alternate. Student members shall also recuse themselves as appropriate. The role of the Honor Code Hearing Committee is to “hear” cases that could not be mediated by the Honor Code Review Committee. At the conclusion of the hearing, the Committee is charged with determining whether or not the student has violated the Honor Code. Should a student be found to be in violation of the Honor Code, the Committee is also responsible for determining the appropriate sanctions from amongst those provided for in this Honor Code.

- 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. The role of the Appellate Board is to consider appeals and make determinations as provided for in this Honor Code.
- Academic Dishonesty means and includes cheating and/or plagiarism.
- Cheating means and includes, but is not limited to, any of the following:
 - Copying from another student's exam or allowing another student to copy from you
 - Taking an exam for someone else or having someone take an exam or complete an assignment for you
 - Acquiring an assignment and submitting it as your own work
 - Feigning illness to avoid a test
 - Studying copy of an exam before taking the make-up exam
 - Providing a student with information prior to completion of an exam
 - Using unauthorized information during an exam when prohibited
 - Reviewing an unauthorized copy of an exam (all exams that are obtained prior to the administration of an exam are considered stolen).
- Plagiarism means the deliberate attempt to give the reader the impression that the work, words or ideas of others are the author's own, without appropriate reference to the original source. Any attempt to plagiarize is an act of Academic Dishonesty and will be in violation of this honor code. Examples of plagiarism include, but are not limited to:
 - Copying information word-for-word without using quotation marks from any source, even if the source is referenced in the test or in the works cited page
 - Paraphrasing or summarizing another author's ideas or research without giving proper credit
 - Submitting your own paper as original work for more than one course
 - Using someone else's production (e.g. artwork, photograph, multimedia, video) as your own without proper citation
 - Purchasing stock or custom-made papers from the Internet
 - Giving incorrect information about the source of a quotation
 - Copying a significant amount of words from a source, so that it makes up most of your work, regardless of whether you cite it or not.

- The Honor Statement is "Submitted with Honor" and shall appear on all graded course work and exams and will be signed by the student unless an incidence of cheating has occurred and shall mean that the student has neither given nor received unauthorized aid on the exam/report/paper, nor has the student witnessed anyone doing so.

Violations

It shall be a violation of this Honor Code to engage or attempt to engage in any act of Academic Dishonesty, whether knowingly or recklessly.

It shall be a violation of this Honor Code to refuse to sign the Honor Statement on any graded coursework and on any a test, examination, paper or quiz without satisfactory explanation.

Accusations, Investigation Process and Mediation

Signature of Honor Statement

Any student who fails to sign the honor statement will be contacted by the faculty member responsible for administering the assignment (i.e. test, exam, paper). The student will be provided the opportunity to explain why the assignment was not signed.

Accusations

Any member of the College Community may file a charge against any student alleging violation of the College's Honor Code.

Any student or faculty member may make an accusation by submitting a signed statement to the Honor Code Box or in person to one of the Honor Code Faculty Co-Advisors. The Honor Code Box can be opened only by an Honor Code Faculty Co-Advisor

Accusations for multiple incidences against the same individual may be reviewed separately or simultaneously. This decision will be made by the Honor Code Review Committee. There is no requirement that an accusation be made within any time period after the alleged violation or to show trends for Academic Dishonesty, and Accusations are deemed timely whenever filed.

Notification of Honor Code Review Committee, Investigation

The process of notifying the Honor Code Review Committee of an alleged violation of the honor code will take place through the following steps:

1. The Honor Code Faculty Co-Advisor informs the Honor Code Review Committee that there has been an accusation made against a student.
2. The name of the accused, the nature of the accusation and the name of the accuser are provided for the Honor Code Review Committee.
3. The Honor Code Review Committee determines if there is merit to the charges. If the Honor Code Review Committee determines there is “no merit,” the charge is dismissed.
4. If the Honor Code Review Committee determines there is merit to the charges, or that more information is needed to determine merit, the Honor Code Review Committee will continue to investigate.

In the investigation process, the Honor Code Review Committee:

1. Is encouraged to contact any individual that may provide information relevant to the charges
2. Should be provided access to all information pertinent to the case

At the discretion of the Honor Code Review Committee, additional information pertinent to the case may be requested. An electronic announcement may be sent to the student body indicating that there has been an alleged violation of the Honor Code. Announcements must maintain the confidentiality of all parties as required by the Federal Educational Rights and Privacy Act. Questions about the content of such announcements can be addressed to the College’s General Counsel. Students and faculty are encouraged to give any information they might have regarding the case in question. Additional information should be signed and submitted to the Honor Code Box or in person to the Honor Code Advisor.

Mediation

Before initiation of a hearing, the Honor Code Review Committee will:

1. Notify the Accused Student, in writing, of the charges against him/her.
2. Meet with the Accused Student to discuss the charges and to attempt to mediate the case.

The Accused Student may have one member of the College Community to serve as an Advisor. This Advisor must be a student or employee of the College.

The Honor Code Review Committee or the Accused Student may request that the case be heard by the Honor Code Hearing Committee. This request may be prior to or following an attempt to mediate.

Should the Accused Student and the Honor Code Review Committee agree on a resolution to the case, the results will be provided in writing to the Accused Student and signed by the Accused Student and the Honor Code Review Committee.

Should the Accused student be determined to be in violation of any aspect of the Honor Code, the Honor Code Review Committee may choose any sanction(s) provided for in this Honor Code.

All decisions reached and sanctions imposed through mediation and agreed to by the Accused Student and the Honor Code Review Committee are final and can not be appealed.

Hearings Before Committee

Decision to Initiate Hearing

In cases, where the Accused Student and the Honor Code Review Committee are not able to reach an agreement through mediation, the case and all relevant documentation will be forwarded to the Honor Code Hearing Committee which shall conduct an Honor Code Hearing.

Scheduling of Hearing

Honor Code Hearings will be scheduled and coordinated by the Faculty Co-Advisor on the Honor Code Review Committee.

Hearings will be scheduled no sooner than five (5) and no later than fifteen (15) College business days from the time the Accused Student is notified in writing, 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 fore-

going 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 Faculty Co-Advisor 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. Any deviation from this timeline must be agreed upon, in writing, by both the Accused Student and the Faculty Co-Advisor of the Honor Code Review Committee.

Private Hearing

Hearings shall be closed and conducted in private. Admission of any person to the hearing shall be at the discretion of the Faculty Co-Advisor of the Honor Code Review Committee, provided, however, that the Complainant, Accused Student and their advisor, if any, shall be allowed to attend the entire portion of the hearing at which information is received (excluding deliberations).

Hearings of Multiple Students

In hearings involving more than one Accused Student, the Faculty Co-Advisor of the Honor Code Review Committee, his or her discretion, may permit the hearings concerning each Accused Student to be conducted separately or jointly.

Right to an Advisor

The Complainant and the Accused Student have the right to be assisted by an advisor they choose from within the College community. Advisors are not permitted to speak or to participate directly in the hearing.

Witnesses

The Complainant, the Accused Student and the Honor Code Hearing Committee may identify witnesses who can give testimony relevant to the facts in dispute. The Complainant, and/or the Accused Student, shall:

1. Identify such requested witnesses at least two (2) business days prior to the hearing
2. Include in request a written summary of the proposed testimony and a statement as to why it is relevant to the facts in dispute.

The Faculty Co-Advisor of the Honor Code Review Committee shall determine in his/her sole discretion those persons who will give testimony at the hearing.

The Faculty Co-Advisor of the Honor Code Review Committee 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 business days prior to the hearing.

Non-expert witnesses are only permitted to testify about facts they observed and not their opinions about these facts.

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 have submitted a notarized affidavit which:

1. Sets forth their availability
2. Confirms their willingness to participate by conference call.
3. Offers a telephone number at which they can be reached during the hearing

Expert Witnesses

When special knowledge in a particular field might be helpful to the Honor Code Hearing Committee, a person having special training or experience in that field, hereafter called an “expert witness,” may, in the sole discretion of the Faculty Co-Advisor of the Honor Code Review Committee, 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.

When an Accused Student or the Honor Code Hearing Committee seeks to offer expert testimony, they shall give at least three (3) business days notice to the Faculty Co-Advisor of the Honor Code Review Committee. This notice will disclose in reasonable detail:

1. The subject matter on which the subject is to testify
2. The substance of the facts that the expert assumes in reaching his or her opinion
3. The opinion and the reasons therefore
4. The qualifications of the expert witness

The Faculty Co-Advisor of the Honor Code Review Committee shall immediately provide copies of notice of expert witness to all other parties and the Honor Code Hearing Committee.

Procedural Questions and Evidence

Witnesses will provide information to and answer questions from the Honor Code Hearing 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 Faculty Co-Advisor of the Honor Code Review Committee 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 Faculty Co-Advisor of the Honor Code Review Committee determines in his/her sole discretion whether to pose any suggested questions to the witness, or to modify or alter such suggested questions.

Pertinent records, exhibits, affidavits and written statements may be accepted as evidence for consideration by an Honor Code Hearing Committee at the discretion of the Faculty Co-Advisor of the Honor Code Review Committee.

Any educational records of the Accused Student or other student, if admitted into evidence, shall not be shown or published to persons other than the Honor Code Hearing Committee or other persons authorized by law to see such records, except with the consent of the student whose records are being admitted.

The Faculty Co-Advisor of the Honor Code Review Committee shall instruct all persons given access to educational records of the legal prohibitions concerning redisclosure.

Additional Rights of the Committee

At the discretion of the Faculty Co-Advisor of the Honor Code Review Committee, the Associate Dean for Students may be present at the hearing to assist with procedure.

The Faculty Co-Advisor of the Honor Code Review Committee, the Honor Code Review Committee and the Associate Dean for Students reserve right to consult with College Counsel at any time, and College Counsel, at the discretion of the Faculty Co-Advisor of the Honor Code Review Committee, may be present at Hearing for consultation on both substantive and procedural matters.

Record of Proceedings

There shall be a single verbatim recording, such as a tape recording, of the hearing. The recording, together with pertinent records, exhibits, affidavits 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.

Deliberations and Findings

After the Hearing, the Honor Code Hearing Committee shall determine, by majority vote, (The Faculty Co-Advisor of the Honor Code Review Committee shall participate in deliberations but shall not have a vote), for each alleged violation of the Honor Code the Accused Student is charged with, whether the Accused Student so acted and thereby violated the charged section of the Honor Code, and the appropriate sanction(s) for the violation.

The Honor Code Hearing Committee's determination shall be made on the basis of whether it is more likely than not that the Accused Student violated the Honor Code.

Decisions made by an Honor Code Hearing Committee and/or a Faculty Representative of the Honor Code Review Committee shall be final, unless appealed.

Should an Accused Student be found in violation of the Honor Code, a public announcement will be made: "A student in the (blank) year was found to be in violation of the Honor Code in (blank) class and following sanctions have been imposed: (blank)." This announcement should not be made until the time period for an appeal has expired.

Absence of the Accused

No Accused Student may be found to have violated the Honor Code solely because the Accused Student failed to appear before an Honor Code Hearing Committee. In all cases, the evidence relevant to the charges shall be presented and considered even in the absence of the Accused Student.

Safety

The Faculty Representative of the Honor Code Review Committee 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 Faculty Representative of the Honor Code Review Committee.

Appeals

Written Appeal

The Accused Student may appeal the decision of the Honor Code Hearing Committee by making a written appeal within five College business days of receipt of the Committee's original decision. This appeal must be signed and must be submitted to the Faculty Co-Advisor of the Honor Code Hearing Committee. The Faculty Co-Advisor of the Honor Code Hearing Committee will forward the appeal and all relevant documentation to the administration member of the Appellate Board.

The Appellate Board

Proceedings before the Appellate Board, and the rules governing those proceedings, shall be as specific in Article IV (D) of the Student Disciplinary Code.

Decision

The Appellate Board decision will be made within thirty (30) days from the receipt of the written letter of appeal.

Appeal to the President

A decision reached by the Appellate Board may be appealed by the Accused Student in writing to the President within five College business days of the receipt of the Appellate Board's decision. 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.

Sanctions

Appropriate Sanctions

In determining appropriate sanctions, the Honor Code Review Committee and Honor Code Hearing Committee may consider past violations of the Honor Code and Student Code of Conduct by the Accused Student.

The following Sanctions may be imposed upon any student found to have violated the Honor Code, by either the Honor Code Review Committee or the Honor Code Hearing Committee.

First Offense:

- Warning - A notice in writing to the Accused Student that the student has violated the Honor Code. Any additional violations will result in additional sanctions.
- Reduction of Grade - The Student's grade for the particular assignment(s) can be lowered, at the discretion of the Committee.
- Re-assignment - The Accused Student can be required to complete the same or a similar assignment.
- Assignment Failure - The Student is assigned a grade of "F" on the assignment.
- Course Failure - The Student is assigned a grade of "F" for the course.
- Discretionary Sanction - Any additional sanction at the discretion of the Committee or the Appellate Board, as the case may be.
- Suspension - The Student may be suspended from the College for a designated period of time.
- Expulsion - The Student may be permanently expelled from the College.

Second Offense - Any student that is found in violation of the Honor Code a second time will receive a minimum sanction of "Course Failure." If the student was assigned a "Course Failure" for their First Offense, the student may be "Expelled" from the College for a Second Offense.

Third Offense - Any student that is found in violation of the Honor Code a third time will be permanently expelled from the College.

Deviation From Procedures

Deviation

Deviation from the above 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.

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 shall also determine whether the accused student gave adequate notice of the alleged procedural deviation.

Where staggered terms are provided for herein, the appointing body may adjust initial terms of service as needed to effect such staggered terms.

Revision

Revision to Honor Code

This Honor Code shall be reviewed and revised as deemed necessary.

EMERGENCY PHONE NUMBERS

Fire and Emergency Services	9-1-1
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	694-7307
Office of Student Services	694-7118

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