ALBANY COLLEGE OF PHARMACY AND HEALTH SCIENCES

2026-2027 Student Handbook

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Albany College of Pharmacy and Health Sciences Overview

In 1878, Dr. Willis G. Tucker, of the Albany Medical College faculty, and Mr. Gustavus Michaelis, of the Albany Pharmaceutical Company called a meeting at which about 20 Albany pharmacists convened and started to plan the establishment of a school of pharmacy. It wasn't until 1880, however, when Dr. Tucker and Mr. Michaelis along with Archibald McClure, Esq., a wholesale druggist, Dr. Jacob S. Mosher, then Registrar and Professor at the Medical School, and Joseph W. Russell, from the Board of Trustees of Albany Medical College proposed to establish a Department of Pharmacy of Union University that things really got underway. A plan of organization was drawn up by Dr. Tucker and presented to Dr. E.N. Potter, then President of Union University. He excitedly approved the project, and at the annual meeting of the Board of Trustees held on June 21, 1881, Albany College of Pharmacy was created to constitute the Department of Pharmacy of Union University. A Board of Trustees was appointed, and the school was incorporated as the Albany College of Pharmacy, conforming to the laws of the state, on August 27, 1881, from Union University. In 2008, to better reflect its expanding range of academic programs, the College officially changed its name to Albany College of Pharmacy and Health Sciences.

College Mission Statement

We educate the next generation of leaders to improve the health of our society.

College Vision Statement

ACPHS strives to be a global leader in preparing students for transformative health careers to solve problems that change the world.

Core Values
Student-centered, integrity, respect, collaboration, community and excellence

The Division of Student Experience Mission Statement
The Division of Student Experience promotes positive transformative experiences that extend learning beyond the classroom.

Contact Us
Toll Free: 1-888-203-8010
Telephone: 518-694-7200
Fax: 518-694-7202

Emergency
Fire and Emergency Services: 911
University Heights Association Public Safety (first call for all student emergencies) 518-244-3177
Albany Police and Fire Department (non-emergency) 518-438-4000
Albany County Mobile Crisis: 518-447-9650
Suicide and Crisis Lifeline: 988

About the Student Handbook
This student handbook provides information about the Albany College of Pharmacy and Health Sciences' policies, procedures, and resources available to students. The College rules, regulations and guidelines pertain to all students, and it is each student's responsibility to be familiar with the regulations and abide by them. Additional information about academic programs and requirements can be found in the College Catalog. Information in this handbook is subject to change at any time with little or advance notification. The College reserves the right to change or add any policies, rules, regulations, fees or other information. Consult the vice president for the Student Experience Office or a particular office for the latest information. To the degree possible, substantive changes will only be made between academic years. Any changes will be updated on the ACPHS website.

Notice Of Non-Discrimination
The Albany College of Pharmacy and Health Sciences is committed to promoting a learning environment where discrimination is not tolerated. This policy shall apply regardless of race, color, religion, creed, ethnicity, national origin, gender, age, sexual orientation, gender identity or expression, familial status, veteran status, disability, predisposing genetic characteristics, domestic violence victim status, or other basis identified in federal or state law. Complaints under this policy involving students will be addressed through the Student Code of Conduct. For further information on this notice of non-discrimination as related to federal laws from the U.S. Department of Education, Office for Civil Rights, please visit the Department of Education web page to find the address and phone number of the office that serves your area or call 1-800-421-3481.

Student Services
The College reserves the right to adjust health and safety requirements and conditions for events, programs and activities.

Athletics, Recreation, & Intramurals
All full-time students are eligible to participate in intercollegiate athletics at ACPHS.

ACPHS students are also involved in a variety of intramural activities. The campus community also can enjoy the Albert M. White Gymnasium, running track and turf soccer field, as well as the ACPHS Fitness Center. ACPHS' fitness center offers free group fitness classes for all ACPHS students and has a wide

array of cardio and strength equipment. Anyone interested in participating in intercollegiate, intramural or recreational activities should contact the College's Director of Athletics and Recreation. For more information, please visit the Department of Athletics and Recreation website at www.acphsathletics.com.

Center for Student Success
The Center for Student Success (CSS) consists of three functional areas: Career Services, Advising, and Academic Support Services. The mission of CSS is to empower students to achieve their goals by providing quality academic, career and support services.

Office Location: Library Building, Suite 310
E-mail: student.success@acphs.edu
Phone: 518-694-7661

Career Services
The Center for Student Success, in tandem with stakeholders, including academic departments, alumni, and employers, offers ACPHS students methods of career research and education to empower them to develop lifelong career planning and job search skills.

Building employer, community and campus partnerships to create career opportunities:

- Offer high-quality career counseling, resources and technology to meet all diverse and changing needs
- Provide resources and assistance to students in the cultivation and enhancement of skills to explore career options, job search techniques and strategies, and how to research employment opportunities
- Support students ability to create personal satisfaction and fulfillment on their career path
- Enhance students overall ACPHS

Commitments
Career counseling and education on an individual, as-needed basis, either in person or using current technologies. Continual development of resources and reference materials to help students identify career goals and explore career options. Professional skill development training, including resume writing, interviewing techniques, networking skills, etc. Offering opportunities for alumni and employers to network with students regarding internship and professional employment, including on-campus recruitment, networking programs, and an annual Career Fair. Employment opportunity postings and career events are available on our Handshake page.

Academic Advising
The Center for Student Success provides students with the opportunity to build partnerships with their advisors to gain assistance in planning their educational careers, learning the skills needed for academic success, and accessing the resources, services and opportunities that are available to them on our campus.

Advising at ACPHS is an ongoing, intentional collaborative process whereby students and their advisors partner to promote student academic success. This advisor-advisee partnership requires the participation and involvement of both the advisor and the student and is built over the advisee's entire educational experience at the College.

Triangle and Diamond of Success
The Triangle of Success is a three-person advising group—an Academic Advisor, a Faculty Advisor, and a Program Director—that partner with each student to promote their success at ACPHS and beyond.

The Diamond of Success refers to a tailored academic advising strategy primarily utilized by the microbiology and pre-med departments. It provides a structured path designed to ensure students complete all prerequisites for medical school and health-related professions. Key pillars of this framework include: Academic Advising, Peer and Professional Tutoring, Writing and Communication Center, and Student Success Series.

Academic Advisors
CSS advisors work closely with faculty to monitor student progress and conduct outreach to students who are experiencing academic difficulties. Advisors develop programs and events that connect students with campus resources and promote academic success.

Academic advisors connect students to resources supporting students in the areas critical to personal, professional, and academic success: time management, procrastination, motivation, goal setting, study strategies, learning styles, test-taking skills and more. Through live and online workshops, skill assessments and one-on-one coaching, students will benefit from learning techniques specifically geared toward their unique needs.

Faculty Advisors
The faculty advisor will provide direction on matters such as course selection, program requirements for curriculum, research and leadership opportunities. Students in years one through five are required to meet with their faculty advisors at least once a semester. Details of this requirement are communicated to faculty and students at the beginning of each semester. Failing to meet this requirement could result in a hold on your account, preventing class registration for the following semester.

Program Directors
Program directors guide students through their respective ACPHS journeys, often approving major decisions and/or working with students whose situations fall outside of "the norm." They are experts in curriculum, requirements and expectations.

Academic Support Services
The Center for Student Success offers support services that inspire confidence, increase student self-efficacy, and create self-reflective independent learners in a friendly, welcoming environment through the following comprehensive programs: Peer and Professional Tutoring Program, the Writing Center. A variety of tutoring services, individualized assistance and resources ensure that every student's learning needs are met.

Peer Tutoring Program
The Peer Tutoring Program provides academic assistance to all students enrolled in core science and math courses. The primary goal of the Peer Tutoring Program is to encourage, promote and foster students' independent learning. This is accomplished through small group and individual tutoring sessions. Tutors are current ACPHS students who have been successful in their courses, have all received training and are academic leaders of their class. Tutors are available during walk-in hours, group learning sessions, or by appointment. Students may schedule appointments with tutors and access additional resources through our online scheduling system, Penji.

Professional Tutoring
The Professional Tutoring Program is dedicated to maximizing student academic potential and building student confidence through a comfortable and collaborative learning environment. Professional tutors provide assistance for first and second year (undergraduate) students in the basic science and math courses through one-on-one and small group tutoring. Tutors are available during daytime hours on a walk-in basis. Hours are posted outside r, Room 308 in the library building or on Penji.

Peer Mentor Program for First-Year Students
The Peer Mentor Program partners upper-class ACPHS students with new, first-year students with the goal of creating a sense of community, cultivating support networks, and connecting students to important resources. With a mentor, students experience improvements in their motivation, transition, and academic success at ACPHS. The Transfer Peer Mentor Program pairs students who transfer into the College (at the second year or later) with an experienced transfer student as a peer mentor. Transfer Peer Mentors are available to guide and support incoming transfer students as they enter the ACPHS community.

The Writing Center
The Writing Center consists of writing center consultants as well as, a professional writing tutor, and a writing program director who all support written and oral communication development and implementation across disciplines. Writing Center consultants work with students one-on-one, in small groups and in workshops to assist students to become confident, independent, impactful, and self-reflective writers and speakers. All members of the Writing Center strive to create nonjudgmental spaces wherein students feel comfortable seeking and receiving feedback on their writing and communication skills. The Professional Writing tutor, located in Library 303, specializes in working with English Language Learners and graduate students. Writing Center consultants have been successful in their communication courses and are trained by the Writing Program director to work effectively online and in-person; with students of all different backgrounds and abilities; with English Language Learners; and with students in specialized courses. Writing Center consultants are available during drop-in hours online or in-person in the Center for Student Success and their schedule is available on Penji.

Testing Center
Through the Center for Student Success, students have access to a secure and confidential testing center for approved examinations. CSS works collaboratively with faculty and department administrative assistants to coordinate exam scheduling and provide testing support across all academic programs.

Counseling and Wellness
The Office of Counseling and Wellness at ACPHS is located on the second floor of the Student Center and offers Leadership and mental health services to all students. Services include individual counseling for various issues, including mood and anxiety disorders; adjustment and interpersonal problems; stress-related difficulties; eating and substance use disorders; and many other concerns. These services are free, and all counseling, consultations and referrals are kept strictly confidential, in accordance with legal and professional guidelines. Full-time licensed clinicians are on staff and, when clinically warranted, can coordinate admission to a local, or a student's hometown psychiatric center.

Dining Services/Meal Plans
ACPHS food service provider, Chartwells, offers four meal plans to students. Students are not charged tax for their meal plan purchases, which results in an 8 percent savings for the students. For specific information on meal plan options, go to www.dineoncampus.com/acphs/.

All resident students in South Hall are automatically enrolled in the Gold Plan. This is mandatory, as there are no cooking facilities in this residence hall. Non-resident students and those residing in Holland/Princeton Suites have the option of a meal plan. Meal plan service consists of breakfast through dinner seven days a week. Should the College close due to inclement weather, the dining hall will operate according to weekend hours. All schedules are subject to change.

Each plan includes both "value meals" and "flex dollars." The meal plan works on a value meal/declining balance system. Each time the card is used the balance is reduced by either a value meal or the amount purchased in flex dollars. A designated percentage of the "flex dollars" can be used at off-campus

locations (specific amounts for each meal plan can be found at www.dineoncampus.com/acphs/). Should a student's meal plan balance expire before the end of the semester, ten additional value meals may be purchased, and flex dollars may be added directly with Chartwells management by check or cash. Value meals left over from the fall semester will not carry over into the spring semester. Flex dollars left over from the fall semester will carry over into the spring semester if you have a plan for the spring semester. Balances remaining after the spring semester are forfeited.
Non-resident students and residents of Holland/Princeton Suites who have opted for a meal plan will have only the first week of the fall semester to change their meal plan. After the first week, all contracts are final, except for extenuating circumstances, which the College and Chartwells management will evaluate on a case-by-case basis. If a student (excluding South Hall residents) chooses not to participate in the spring semester meal plan, written notification must be sent to the Office of Student Accounts by December 1st. All balances remaining at the end of the fall semester will be forfeited. This policy will be strictly enforced. Meal plans are billed to the student's account. To use the meal plan, students must present their college ID card at the register at the time of purchase.

Accessibility Services
Students who seek "reasonable accommodation" under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act are responsible for notifying the Director of Counseling and Wellness of their disability. There is an established procedure to follow when seeking accommodations. This information can be found on the Office of Counseling and Wellness web page on the ACPHS Intranet. Students requesting accommodations are encouraged to read this before meeting with or submitting materials to the Director of Counseling and Wellness.

While a student can request a specific type of accommodation, it is the College that determines how to meet a particular need. Therefore, alternative accommodations may be provided other than those requested by the student seeking accommodation. Together with the request for accommodation, the student seeking accommodation must submit documentation of disability, which will be kept on file with the director of Counseling and Wellness. Such documentation is subject to the provisions of the HIPAA Privacy and Security Rules (Health Insurance Portability and Accountability Act). The documentation must support the accommodation request by demonstrating by competent qualified opinion that the student requesting accommodation has a physical, mental, or learning impairment that substantially limits a major life activity and sets forth the nature, manner and duration of that limitation. The College reserves the right to request further evaluation.

Health Insurance Requirements
ACPHS strives to provide the best possible academic experience for all of our students. As stewards of the school, the administration recognizes that the promotion of health and Leadership is vital to academic success. ACPHS requires all full-time students to have health insurance, either through a family employee plan, a private insurer or the quality, low-cost sickness and accident plan offered by the College. The student health insurance policy is provided. Students must demonstrate adequate health coverage, or they will be enrolled in and billed for the College plan. Those who wish to waive the College's plan must provide insurance information to the college's insurance broker, Haylor, Freyer and Coon, by August 1, or they will be billed for the school plan on their student account. Students will not be permitted to waive coverage after this date.

International Students
The associate vice president for Diversity, Equity and Inclusion serves as the Primary Designated School Official (PDSO). Services provided by the P/DSO's include issuing Form I-20s, advising students in matters related to their F-1 status, responding to questions related to program extensions, travel policies, curricular practical training (CPT), optional practical training (OPT), transfer requests, obtaining a driver's license, on-campus employment, and maintaining F-1 student status.

Veterans
Under Title 38 US Code 3679 subsection (e), ACPHS adopts the following additional provisions for any students using U.S. Department of Veterans Affairs (VA) Post 9/11 G.I. Bill® (Ch. 33) or Vocational Rehabilitation and Employment (Ch. 31) benefits, while payment to the institution is pending from the VA. ACPHS will not:

- Prevent nor delay the student's enrollment
- Assess a late penalty fee to the student
- Require the student to secure alternative or additional funding
- Deny the student access to any resources available to other students who have satisfied their tuition and fee bills to the institution, including but not limited to access to classes, libraries, or other institutional facilities

Library Services
The library provides high-quality resources, services, and educational experiences to meet students' information needs. We support educational and research activities through access to quality resources in a variety of formats. The library provides ample hours of service throughout the year and comfortable and engaging study spaces. Professional librarians are readily available to provide one-on-one research assistance to students via video conferencing phone, email, and instant messaging. For more information visit our website, library services or send email to library@acphs.edu.

Residence Life
ACPHS has a variety of residence halls to meet the needs of students.

South Hall has rooms in that are two-, three-, and four-person occupancy with private bathrooms, heating and air conditioning. Each room is furnished with a bed, dresser, desk and desk chair for each student. In addition, the rooms in South Hall are equipped with refrigerators and microwave ovens.

Holland and Princeton Suites are at the campus entrance and consist of 73 fully furnished apartments that house 300 students. They include two-, four- and five-bedroom apartments. Holland and Princeton Suites apartments are for students in years three through six based on availability and space. Each of the College's residence halls provide wireless and hard-wired internet service, cable television and laundry (all are included in the room cost).

The Residence Life staff consists of the director of Residence Life, assistant director, two resident directors (RDs) and 15 resident assistants (RAs). They help to ensure resident safety, enforce rules and regulations, offer advice and assistance to resident students, and assist in broadening the college experience for resident students with community-building and educational programming. Each residence hall has an RA scheduled to be "on duty" monitoring the building, checking in visitors and ready to assist in cases of emergency. RAs are on duty 4:30 pm to 8:30 am daily, and all day during the weekend.

South Hall is closed during Thanksgiving, inter-semester, and spring breaks. Students are not permitted to remain in any residence hall without prior permission from their resident director. All residence facilities are secured with fob access doors and 24-hour monitored security. They also have closed-circuit television cameras at all entries, exits, and parking lots around the facility. Emergency Blue Light telephone systems are located throughout the campus.
Note: Occupancy in College-owned or operated residence halls is required for all traditional-aged, first- and second and 3rd year students (for Fall 2026 class), unless they are commuting from their permanent home address, where they live with a parent/guardian and that needs to be within a 30-mile radius from ACPHS.

Please refer to the On-Campus Housing Policies listed in the Student Disciplinary Code for all residence hall guidelines.

Student Government Association (SGA)
SGA is the student-led organization that oversees all class officers, student clubs, student chapters of professional organizations, and class programming at ACPHS. Executive Board officers and Senate members are elected annually. The SGA Executive Board is advised by the Office of Student Life. SGA Senate members attend regular meetings to participate in discussions on events and news, to vote on important matters affecting students, and to report all information back to their class constituents. Leaders of student clubs attend the governing body called Clubs Congress, to learn and discuss information and to vote on important matters related to the leadership of clubs.

Leaders of student chapters of professional organizations attend the governing body called Professional Organizations Council, to learn and discuss information and to vote on important matters related to the leadership and professional organizations.

The Senate also includes At-Large positions to ensure the voices of transfer students, international students and student athletes are represented and heard. Two Programming Representatives are elected from each class (Y1, Y2, Y3/P1, Y4/P2, P3, plus one P4 representative). These Programming Representatives help to develop and run activities specific to their class (such as Half-Way, All-the-Way, and Graduation Week).

Students, staff, and faculty are welcome to attend any of the open SGA meetings and are encouraged to participate in any of the forums for open discussion. To become involved in SGA, or to find out more information, do not hesitate to contact SGA@acphs.edu, or see Office of Student Life.

Student Clubs and Organizations
Clubs are overseen by the Student Government Association (SGA) and Clubs Congress to provide opportunities centered around social, cultural, recreational, and special interest themes. All clubs are co-educational and open to all students who are interested. Please use the contact information provided for more information or specific meeting times and locations. If there is interest in starting a unique club that does not share the same interests as those listed, please contact clubs@acphs.edu.

Professional Organizations are college chapters of national pharmacy, health care, service, and academic honor organizations. Overseen by the SGA (Student Government Association) and the POC, these organizations work closely with their faculty advisors providing specialized opportunities to develop connections with national organizations, including specialized education, mentorship, service, and outreach in their respective fields. Membership and participation in some organizations is based on academic achievement and application. For more information, email POC_Albany@acphs.edu.

Student Programming
The Campus Activity Programming Board (CAPB) is a group of students responsible for designing, planning, advertising, and hosting large-scale events and programs. Some all-school events include Stress Relief Weeks, Spring Fest and more. Students are always welcome to attend and contribute ideas or volunteer at events. The CAPB is advised by the Director and Assistant Director of Student Engagement and Leadership.

In addition to CAPB, two Programming Representatives are elected from each class (Y1, Y2, Y3/P1, Y4/P2, P3, plus one P4 representative). These Programming Representatives help to develop and run activities specific to their class (such as Half-Way, All-the-Way, and Senior Week).

Campus Information

Address Change
The registrar should be notified immediately of any changes of address, either local or permanent. Students may email change of address information to the registrar at registrar@acphs.edu.

Common Hour
Common Hour is a specific time during the week free of formal academic events such as classes, examinations, reviews, and formal office hours. The common hour's intent is to provide times when faculty and students are available to hold meetings or other non-academic events.

Event and Facilities Scheduling
ACPHS 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 use.

Students must work with their faculty advisor and student organizations with the Club Congress of POC Chairs to reserve space. Athletic and recreational facilities are reserved by contacting the Director of Athletics and Recreation. Student gathering spaces can be reserved through the Office of Student Life.

Classrooms, lecture halls, student study space, etc. are all reserved through Outlook Calendar. Students and/or organizations are required to make all necessary arrangements through the Events Office for special needs related to their activities/events such as tables and chairs, Information Technology assistance, parking, and food service.

Identification Cards
All students are issued a Student Identification Card (ID card) during or immediately following Orientation. Students, faculty, and staff must have their photo taken in the ITS Office in SC212 to receive their card. All students, faculty and staff must always have their ID card with them on campus and present it, if requested by a college official or Public Safety Officer. For students enrolled in a College Meal Plan, the ID card also serves as their Meal Card. ID Cards are also required for participation/registration of most student activities on campus. Lost cards can be replaced in the Student Support Center. There is a $10 replacement fee.

Lost and Found
If an item is found anywhere on campus, the item needs to go immediately to Public Safety. Students will be notified when the item is found if it is identifiable.

Mailroom
A central mailroom for resident students is in the lobby of Holland/Princeton Suites (84 Holland Avenue). The mailroom is open from 9 am to 4 pm, Monday through Friday and 9 am to 1 pm. Saturday during fall and spring semesters, and 8:30 am to 1 pm, Monday through Friday during intercessions and summer.

Mailroom and services are closed Sundays and weekends over the summer, holidays, and days of school closings. All resident students are assigned a mailbox, which they will keep the entire time that they remain a resident student at ACPHS. Mailboxes are accessible from 7 am until 11 pm for non-Holland/Princeton Suites residents. HS/PS students can access mailboxes 24 hours a day. Students who receive packages which do not fit in their mailbox will be notified via email from mailroom@acphs.edu that they have a package ready for pick up. Packages may be picked up during the above stated times. Students must present their ACPHS Student ID to retrieve packages.

Incoming and outgoing US Postal Service mail will be received and delivered daily. Letters/packages requiring a signature will be accepted as well. A limited amount of USPS stamps may be purchased from the mailroom during hours of operation. FedEx and UPS overnight, second day, etc. shipping services are available. Students must complete a shipping form, which requires a credit card number for billing purposes. FedEx and UPS outgoing packages must be received in the mailroom by 2 pm for packaging and labeling. FedEx and UPS supplies are available in the mailroom. For FedEx and UPS, shipper must provide the name, address, city, state, zip, and phone number of the recipient. FedEx and UPS do not deliver to PO boxes. For more information, contact the Mailroom at mailroom@acphs.edu.

Parking

Student parking permit registration and payment is coordinated by the Office of Administrative Operations. Parking permits are distributed during Orientation and during the first three days of classes or during the academic year, as needed. Parking regulations are posted, distributed, and enforced. Fines are levied by the Office of Public Safety. Fines are charged to student accounts through ACPHS Office of Student Accounts. Continuous and/or multiple violations of parking regulations will result in the towing of vehicles and the withdrawal of the parking permit. Students living in the independently owned and operated University Heights College Suites (UHCS) facility must park in designated University Heights College Suites parking lots. Students residing in UHCS are prohibited from parking in ACPHS parking lots. UHCS parking information is available from the College Suites management office.

Parking Policy

Students with vehicles must purchase a valid parking permit from the Office of Administrative Operations and register their vehicle. They are to park only in the student designated residence hall parking lots. Parking in a Visitor, Handicap, Fire Lane, or Faculty, Administration, Staff lot/space is a violation of the parking regulations of the College. Students are required to follow all College parking regulations.

Due to inclement weather and maintenance requirements, vehicles sometimes need to be moved to alternate parking lots. Students who do not comply with these requests, when made, may have their vehicle towed at the discretion of the College. The College is not responsible for any damages, fines, fees, etc., incurred due to or during the towing process.

ACPHS has several parking lots available for resident and commuter students. These lots include the Student Center and BRB for commuter students, as well as South Hall, BRB and Holland/Princeton Suites lots for resident students.

Personal Property

ACPHS is not responsible for the loss of personal property. This includes, but is not limited to, personal property in residence halls, vehicles parked on campus and at rotation sites. Students are cautioned to keep valuable possessions in their sight or in properly safeguarded containers and should seek personal property insurance coverage. Students are encouraged to contact their homeowner's insurance carrier to ensure the student's belongings are covered by renter's insurance while they live on or off campus.

Signs and Flyers

A sign is any non-permanent written or graphic material on paper, cardboard, chalkboard, cloth or other, placed on public display for advertising or information dissemination. A flyer is considered a sign, as defined above, except distributed individually, i.e., through the student mailboxes. Signs or flyers must not contain anything of a nature directly maligning any group or person or pictures associated with alcohol, drugs, tobacco products, sexual exploitation, etc. ACPHS 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 it, and the date of posting. The sign or flyer must also include the date of the event.

Before posting, all club and organization signs and flyers must be approved by the Office of Student Life and be submitted no later than one week prior to the advertised. Approved signs/flyers should be posted in an area designated (one sign per event, per bulletin board). Signs remaining on bulletin boards must be removed by the groups that posted them within one school day following the event.

Signs placed in ACPHS residence halls are at the discretion of the building Resident Director and must comply with these rules.

ACPHS prohibits the advertising, marketing, or merchandising of credit cards on campus to students.

Student Complaints

In the event, a student feels mistreated by the College or a member of the faculty, staff or administration, the student should follow the student complaint procedure outlined at Student Grievances - Albany College of Pharmacy and Health Sciences to resolve the issue(s).

Student E-Mail

ACPHS has established email to send official information to students enrolled in credit courses. To support this objective, the College has provided an email account to all ACPHS students. All accounts are subject to the ACPHS Computer Policy.

The College has the right to expect such communications to be received and read promptly. Students are expected to check their college e-mail frequently and consistently to ensure they are staying current on all official communications.

The Chief Technology Officer is responsible for implementing and enforcing this policy. ACPHS-Information Technology (IT) is responsible for distributing and maintaining official ACPHS e-mail addresses. Students are expected to maintain their e-mail accounts so that they do not become full. Deleting and/or saving old e-mails are the responsibility of the students. Any student on the Albany Campus needing help maintaining their account can come to the Computing and Technology Support Center in Room 212 of the Student Center.

A student cannot have email redirected from their official ACPHS address (firstname.lastname@acphs.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.

Student email accounts are generally deactivated once a student leaves the ACPHS community. The deactivation process varies depending on specific circumstances outlined below:

- Graduation: The Registrar's Office communicates the effective graduation date to IT. Following this communication, IT arranges for graduated students' email accounts to remain active for one semester beyond their graduating semester (i.e., spring graduates will retain email accounts until the end of the fall semester). Graduated students will also receive an invitation to activate an ACPHS alumni email account.
- Leave of Absence/Academic Suspension/College Disciplinary Suspension: Student email accounts will remain active during these temporary periods of absence. Students who do not return to the College following this temporary period will have their account deactivated 30 days after their scheduled return.

- Academic Dismissal or Withdrawal: The Registrar's Office will communicate the effective date of dismissal/withdrawal to IT and collaborating offices across campus and the account will be deactivated 30 days following the effective date. Expulsion: The Vice President for Student Experience will communicate the effective date of expulsion to IT and the account will be deactivated immediately. Student transcripts will be updated by the Registrar's office accordingly.

Campus Safety and Security
Public safety services for ACPHS are provided by the University Heights Association's Office of Public Safety. The University Heights Association is a consortium of three colleges –Albany Law School, ACPHS, and Russell Sage College – which share contiguous campuses. In both emergency and non-emergency situations, the Office of Public Safety may be reached at 518-244-3177.

The Office of Public Safety provides uniformed, radio-dispatched patrols 24 hours a day, on a seven-day-a-week basis. Among the services provided by the Office of Public Safety are: Preventive patrol, by vehicle, foot, and bicycle; emergency response; crisis management; law enforcement; incident reporting and Annual Security and Fire Safety Report (ASFSR); investigations; medical emergency response; traffic control and parking enforcement; crime prevention awareness and training; liaison with public sector public safety agencies.

Note: Public Safety officers are security guards licensed by the State of New York. They are trained to the standards and requirements set by the New York State Division for Criminal Justice Services and the Department of State. The Office of Public Safety staff is assisted by several technologies intended to enhance the safety and security of students, faculty, and staff across all campuses. Those technologies include: "Blue light" emergency telephones that connect directly to the Public Safety dispatch center placed at strategic locations around campus. Closed-circuit television systems place cameras at many locations, both inside and outside, around campus. The cameras are monitored in the dispatch center and are recorded for investigatory and evidentiary purposes. Fob access to exterior doors of all academic and residence buildings, which notifies Public Safety when doors are opened outside of normal business hours or when they are propped open.

Authority of Campus Public Safety Officers
Public Safety Officers are trained to the standards and requirements set by the New York State Division for Criminal Justice Services and the Department of State. As security guards, their authority to arrest is the same as a citizen; they may make warrantless arrests for a felony "in fact committed" or any offense "in fact committed" in their presence. They may not make warrant arrests or arrests based on reasonable cause.

Selected Public Safety Officers attend a regional Campus Public Safety Officer Academy at the Zone 5 Regional Law Enforcement Academy, which is certified by NYS DCJS. Graduates of that Academy are eligible for appointment, upon request of the Board of Trustees, as a private college security officer. Such appointment grants authority, restricted to the geographical area of authority, to make a warrantless arrest for an offense committed in his presence, or a crime when he has reasonable cause to believe that such person has committed such crime. Public Safety Officers have extensive authority due to their role and responsibility. This authority includes requesting identification from all persons on campus, determining the reason for their presence on campus, and issuing UHA tickets for parking violations and moving offenses on any UHA campus.

Bias-Related Offenses
Bias related offenses are investigated, adjudicated and sanctioned pursuant to the ACPHS Affirmative Action Policy. Such conduct may also be a violation of law like New York's Hate Crimes Act of 2000, Article 485 of the New York State Penal Law. See New York State's law at www.nysenate.gov/legislation/laws/PEN/P4TYA485. Article 485 provides that a person commits a hate

crime when they commit a crime and either: intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation of a person, regardless of whether the belief or perception is correct, or intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation of a person, regardless of whether the belief or perception is correct.

In addition to such sanctions imposed pursuant to the ACPHS Affirmative Action Policy, a person convicted of a hate crime may be subject to penalties pursuant to New York State law which provides that when a person is convicted of a hate crime the hate crime shall be deemed to be one category higher than the specified offense the defendant committed. Penalties for violation of New York's Hate Crimes Act of 2000, article 485 of the New York State penal law, available on New York State's website: www.nysenate.gov/legislation/laws/PEN/P4TYA485.

Students are encouraged to notify any College official if they are the victim of any bias-related offense and may file charges under the ACPHS Affirmative Action Policy. Students are also encouraged to seek counselling through the Office of Counseling and Wellness at the College. The Director of Counseling and Wellness can also inform students of the additional support services that are available in the Capital District. Students may also report and file charges with the Albany Police Department.

Crisis Management Plan

To assist all members of the ACPHS community in dealing with an emergency, the College has developed an Emergency Management Plan and committee. Although a specific emergency cannot be predicted, we can anticipate that the College community may encounter a wide range of emergency situations over the course of a school year. By following the guidelines that are contained in this plan, the College will be able to handle an emergency most effectively, thus maintaining the safest and best possible learning environment for our students and working environment for our employees. Each emergency is different and may be handled in a different manner. The Emergency Management Committee, made up of College administration and staff, along with UHA Public Safety, will determine how the crisis will be handled. When required, the committee will defer oversight to law enforcement agencies and/or governmental entities. The guidelines in this plan do not supersede any of the College's rules and regulations or the Student Code of Conduct. They are simply guidelines that will enable members of the College community to effectively deal with an emergency and/or crisis.

Disclosing Information to The Community

Information related to reported crime and emergencies is essential to a safe campus. The Office of Public Safety has several means of sharing this important information with the community.

In the event of a serious incident that poses an immediate threat to members of the community, a message will be disseminated through the Alert media emergency system advising people of the incident and providing instructions that should be followed. This system will be used for "all hazards," regardless of the nature of the incident. It may be used for crimes, weather emergencies, hazardous material incidents, terrorist incidents or natural disasters. Alert media will also be used to update the community and provide an "all clear" message when the incident has been resolved.

The Office of Public Safety will also provide "timely warnings" when crimes occur that pose a continuing threat to members of the community. A continuing threat occurs when a suspect in a crime is not yet identified or is identified but remains at large. These warnings are generally shared by email, voicemail, ACPHS Intranet announcement or by posted flyers. If a threat is both immediate and continuing, Alert media may also be used. All crimes reported to the Office of Public Safety will be recorded in the crime log. This chronological log of crime on campus is updated each business day and shows crimes occurring

over the most recent 60 days. It contains information such as the crime's nature, location, date and time, and the case's disposition.

A fire safety log is also available at the Office of Public Safety. It includes information about all fires occurring at ACPHS, including the nature of the fire, its location, date, and time. It is updated each business day and shows any fires occurring over the most recent 60 days.

Other sources of information about crimes and fires include the following tables in this document: Crime Statistics, Hate Crimes and Fires. Incident reports may be available to the community in the Office of Public Safety, contingent upon confidentiality requirements and the need for investigative integrity. The U.S. Department of Education also offers campus safety information for all colleges and universities in the country. This information is available at https://surveys.ope.ed.gov/campussafety/.

The City of Albany crime-mapping program which shows the types and locations of crimes occurring throughout the city, is available at https://data.albanyny.gov/.

Emergency Notification System

In the event of an emergency, the College will determine the appropriate notifications that should be made to the College community. The College utilizes an assortment of notification systems. In addition to notification by traditional means such as fire alarms, public address systems and notification by campus security and or College staff, the College also may notify the community by posting notices on the Internet and /or Intranet; e-mail, and telephone or texting through our emergency notification system (ENS).

Our ENS is an emergency notification system, which communicates emergency information to the College community. ENS enables the College to rapidly alert students, faculty, staff, and administration to emergency situations on or around the campus. The system allows participants to enter multiple methods of contact information into a single system. By doing so, ENS helps increase the likelihood that students, faculty, and staff will receive timely notification of emergency situations, regardless of their location. All students, faculty and staff are automatically enrolled in ENS via their ACPHS email account. All community members are encouraged to register multiple contact numbers into the ENS system, but the system is voluntary. In the event of an emergency, ENS simultaneously contacts all numbers and e-mail addresses which you have entered into the system. Messages detailing the nature of the event and/or where to receive additional information are delivered instantly via text, e-mail or through an automated voice message, depending on the device. This is an "emergency" system and is intended to be used for time-sensitive situations and is also used to communicate weather-related delays or closures. It will not be used to communicate "everyday" information. At the beginning of each academic year, new members of the College community will be provided with details of how to provide contact information and returning students are offered the opportunity to update their existing contact information.

Fire Safety and Statistics

In partnership with the New York State Office of Fire Prevention and Control (OFPC) and the University Heights Association's Office of Public Safety, ACPHS has a comprehensive fire safety program. Annual inspections conducted by the OFPC are thorough and intensive and result in the certification of our facilities as completely compliant with state and local fire codes. Training programs for students, faculty and staff are available through UHA Public Safety. Resident Assistants and Directors attend mandatory fire safety training at the beginning of each academic year. Policies are in place, in student and employee handbooks, that prevent sources of fire. Evacuation policies are practiced regularly through fire drills.

Fire safety systems for ACPHS residence halls are as follows:

South Hall has extensive emergency lighting and exit signage throughout the building. It has heat detectors and smoke detectors in each room, as well as in common areas, that trigger audible alarms and strobe lighting when activated. The alarms are monitored by a private sector alarm monitoring company who reports the activation of a fire alarm to the Albany Fire Department and UHA Public Safety. South Hall does not have a sprinkler system. Holland Suites has extensive emergency lighting and exit signage throughout the building. It has heat detectors and smoke detectors in each room, as well as in common areas, that trigger audible alarms and strobe lighting when activated. The alarms are monitored by a private sector alarm monitoring company who reports the activation of a fire alarm to the Albany Fire Department and UHA Public Safety. The building also has a sprinkler system with heads in each room and throughout common areas.

Princeton Suites has extensive emergency lighting and exit signage throughout the building. It has heat detectors and smoke detectors in each room, as well as in common areas, that trigger audible alarms and strobe lighting when activated. The alarms are monitored by a private sector alarm monitoring company who reports the activation of a fire alarm to the Albany Fire Department and UHA Public Safety. The building also has a sprinkler system with heads in each room and throughout common areas.

Laboratory Safety Officer
The Laboratory Safety Officer (LSC) is responsible for developing and implementing policies and practices that promote a safe work environment for faculty, staff, and students at the College. The Committee coordinates training and disseminates other pertinent information that helps ensure that research and teaching are conducted as safely as possible. The Committee is also responsible for seeing that appropriate safety equipment is available and that prudent practices are employed in the operation of laboratories at the College. Students may access the LSC web page by logging onto ACPHS Intranet, clicking on the Health and Safety tab, then on the appropriate header. Laboratory Safety can be contacted by email at laboratory.safety@acphs.edu.

Institutional Security Policies and Campus Crime Statistics
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 law, known as ASFSR, requires educational institutions to publish and distribute an annual security report containing campus security policies and procedures as well as campus crime statistics. This report is available on the College's website at Title IX in compliance with this act. The ASFSR requires that those crimes be further reported according to where the incidents occur. There are four categories for location of criminal activity, defined as follows:

"Campus" means any building or property controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution, and used by the institution in direct support of, or in a manner related to the institution's educational purposes, including residence halls and, property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students and supports institutional purposes (such as a food or other retail vendor).

"Non-campus building or property" means any building or property controlled by a student organization recognized by the institution, and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students and is not within the same reasonably contiguous geographic area of the institution.

"Public property" means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

"Residence hall" means residential facilities for students on campus

The Act also requires that crimes that single out an individual because of actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability are to be reported according to the category of prejudice and that the number of arrests or referrals to the campus judicial process for violation of alcohol, drug and weapons policies be reported.

Hate Crime
Certain crimes that single out an individual because of actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, nationality, or disability are to be reported according to the category of prejudice. Those crimes include all the crimes enumerated above in the "Crime Statistics" section of this report, as well as the crimes of larceny-theft, simple assault, intimidation, destruction/damage/vandalism to property and any other crime involving bodily injury.

Public Safety Advisory Committee
This committee is comprised of faculty, administration, staff, and students. It addresses safety and security issues. This committee is required by New York State Education Law. The committee is chaired by the University Heights Association director of public safety and reports directly to the president. This committee meets during the fall and spring semester and holds more meetings as needed. Faculty members are selected by the Faculty Senate. Students are selected by the Student Government Association. Administration and staff are appointed by the president.

Reporting Criminal Activity, Emergencies and Suspicious Behavior
All students, staff, and faculty of ACPHS are encouraged to immediately report any criminal activity, emergency or hazardous situation or suspicious person or behavior as follows: Emergencies may be reported by dialing 518-244-3177, or by using any of the emergency phones located directly beneath blue lights. For your safety and protection, all calls made to 518-244-3177 are recorded and are available for investigative purposes. Although the Public Safety Dispatch Center has direct communication with the 911 Centers in both Albany and Rensselaer counties, emergencies may also be reported directly to the Albany Police or Fire Departments by dialing 911 from any campus telephone. Under certain circumstances, confidential reporting of incidents may be available to victims.

ACPHS and the UHA Office of Public Safety encourage that all criminal activity also be reported to the local police department. Public Safety Officers will assist victims or witnesses in that effort.

Community members may also report criminal offenses to any of the following College administrators:

- Associate Vice President, Diversity, Equity, and Inclusion
  518-694-7132
- Vice President for Student Experience
  518-694-7307
- Director of Counseling and Wellness
  518-694-7262
- Director of Human Resources
  518-694-7278
- Title IX Coordinator
  518-694-7855

- Director of Residence Life
  518-694-7155

Beginning with the College's New Student Orientation program, students are informed of the numerous actions that the College takes to provide a safe campus for students, faculty, staff and visitors. Included in this Orientation programming is a session offered by the University Heights Association's Office of Public Safety (UHAPS) for the Albany campus. Throughout the school year, UHAPS will also provide notices, information sessions and advice on public and campus safety. Also, Residence Life Staff include information about residence hall safety, personal safety, and substance use and abuse as it relates to safety in their programs.

Sex Offender Registry and Access to Related Information
The federal Campus Sex Crimes Prevention Act enacted in 2000 went into effect October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders required to register in a State to provide notice, as required under state law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. The New York State sex offender registry may be accessed at www.criminaljustice.state.ny.us/nsor/index. In addition, the City of Albany maintains a sex offender registry that may be accessed by "Entities of Vulnerable Population." The University Heights Association's Office of Public Safety (which provides Public Safety services for ACPHS) has been declared such an entity and the registry may be accessed through the Director of Public Safety.

Sexual Assault Prevention Education and Training for Students and Employees
It is the policy of ACPHS to offer multiple methods of educational programming to all students and employees each year to assist in the prevention of relationship violence, sexual assault (including stranger and known offender assaults), and stalking. ACPHS has adopted a comprehensive student onboarding and ongoing education campaign to educate members of ACPHS' community about domestic violence, dating violence, stalking, and sexual assault, in compliance with applicable federal and state laws.

As part of this campaign, ACPHS requires all new first-year and transfer students who enroll in ACPHS, whether first-year or transfer, undergraduate, graduate, or doctoral, to receive training during their onboarding.

ACPHS will require student leaders and officers of student organizations recognized by or registered with ACPHS, as well as those seeking recognition by ACPHS, to complete training on domestic violence, dating violence, stalking, or sexual assault prevention prior to receiving recognition or registration. ACPHS will also require each student-athlete to complete training on domestic violence, dating violence, stalking, or sexual assault prevention prior to participating in intercollegiate athletic competition.

ACPHS will also offer training on bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of relationship violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Additionally, all employees and students are offered information regarding risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims to promote safety and help individuals and communities address conditions that facilitate violence.

ACPHS regularly assesses programs and policies established pursuant to federal and state law to determine effectiveness and relevance for students and employees. For more details on programs and policies please refer to the Sexual Harassment Policies and Procedures Policy at www.acphs.edu/titleix.

Public Awareness and Advocacy Events
ACPHS may from time-to-time schedule primary prevention, public awareness, and advocacy programs for students or employees, which may include the following:

- RAD (Rape Aggression Defense) Training for Women
- Title IX training - including training on roles as mandated reporters
- Training on how to appropriately respond to victims of sexual assault
- In Her Shoes- Domestic Violence Empathy exercise
- Active Bystander training
- Healthy Relationship training
- Sex Signals

Information regarding educational programs can be found at www.acphs.edu/titleix/.

Note: If an individual discloses information through a public awareness event such as candlelight vigil, protest, or other public event, ACPHS is not obligated to begin an investigation based on such information. However, ACPHS may use the information provided at such an event to inform its efforts for additional education and prevention efforts.

Sexual Harassment Policies & Procedures
Note: any policy changes/updates will be reflected on the ACPHS website

ACPHS is committed to creating and maintaining an academic and workplace environment free of illegal sexual misconduct and sexual harassment for all its students and employees. "Sexual Misconduct," which includes Sexual Assault, Non-consensual Sexual Activity, Stalking, Dating Violence, Domestic Violence, and Sexual Exploitation; and Sexual Harassment, all of which are defined in the Title IX Policy and are strictly prohibited. Violation of the Sexual Harassment Policies and Procedures for Students and Employees will result in responsive action, as prescribed under applicable law and college policies, which may include suspension, dismissal, or termination from the College.

ACPHS remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule. Only incidents falling within the Title IX Grievance Policy's jurisdiction elements will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy. To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, ACPHS will investigate and adjudicate the allegations under the policies and procedures defined within the Student Disciplinary Code and the Employee Prohibition of Discrimination, Harassment and Retaliation Policy through a separate grievance proceeding.

Discrimination and Harassment
A. Introduction

Statement Of Nondiscrimination
Albany College of Pharmacy and Health Sciences ("ACPHS") does not discriminate and prohibits discrimination against any individual based on any category protected under applicable federal, state, or local laws.

Accordingly, ACPHS does not discriminate, and strictly prohibits unlawful discrimination on the basis of race (including traits historically associated with race, such as hair texture and protective hairstyles), color, religion, creed, national origin, ancestry, sex (including pregnancy, childbirth, or related medical conditions), gender, gender identity or expression, age, sexual orientation, physical or mental disability, citizenship, genetic information or predisposing genetic characteristics, marital status, familial status, domestic violence victim status, caregiver status, military status, including past, current, or prospective service in the uniformed services, or any other category or characteristic protected by applicable law.

When brought to the attention of the ACPHS, any such discrimination will be appropriately addressed by the ACPHS according to the procedures below and any applicable collective bargaining agreement.

The protections in this policy apply regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction.

Title IX of the Education Amendments of 1972
ACPHS does not discriminate in its admissions practices except as permitted by law, in its employment practices, or in its educational programs or activities on the basis of sex. As a recipient of federal financial assistance for education activities, ACPHS required by Title IX of the Education Amendments of 1972 to ensure that all of its education programs and activities do not discriminate on the basis of sex. Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, gender identity, gender expression, sexual orientation, and pregnancy or related conditions. Pregnancy or related conditions include pregnancy, childbirth, termination of pregnancy, lactation; medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; and recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

ACPHS also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process, whether internal or external to the institution. Sex-based harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination, which are prohibited under Title IX and ACPHS policy.

Section 504/Americans with Disabilities Act
In both practice and policy, ACPHS adheres to the requirements of the Americans with Disabilities Act of 1990, as amended 2008 (ADAAA); Sections 504 and 508 of the Rehabilitation Act of 1973, as amended; and all other federal and state laws and regulations prohibiting discrimination on the basis of disability. ACPHS is committed to providing individuals with disabilities equal access and opportunity and strives in its policies and practices to provide for the full participation of individuals with disabilities in all aspects of ACPHS life.

Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point relating to the implementation of this policy, including making a disclosure or report, and initiating a grievance procedure. Accommodations will be granted if they are appropriate and do not fundamentally alter the process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the parties, even where the parties may be receiving accommodations in other ACPHS programs and activities. With the consent of the impacted student or employee, the Title IX Coordinator will work collaboratively with the appropriate personnel/office to ensure that approved reasonable accommodations (disability-related) are honored as applicable throughout any process related to this policy.

Purpose of This Policy

This policy identifies and defines conduct prohibited under this policy, the procedures for reporting harassment and discrimination, and the process that will be used to respond to allegations of Prohibited Conduct.

ACPHS will act on all notices of allegations of discrimination, harassment, or retaliation. It will take necessary measures to end conduct that is in violation of this policy, prevent its recurrence, and remedy its effect on individuals and the community. Within any process related to this policy, ACPHS provides reasonable accommodations to persons with disabilities and reasonable religious accommodations, when that accommodation is consistent with state and federal law.

Situations involving other conduct that may be in violation of other ACPHS student or employee conduct policies should be reported to the Student Conduct Administrator for matters involving students, or Human Resources for matters involving faculty or staff. Situations involving other conduct relating to nonaffiliates should be reported to either Human Resources or the Title IX Coordinator.

Scope and Jurisdiction

To Whom This Policy Applies
This policy applies to the entire ACPHS community, including, but not limited to, all students; student organizations; College employees and contractors, including staff, faculty, and administrators; and all other persons that participate in the College's educational programs and activities, including third-party visitors on campus. This policy prohibits the conduct set forth in Section VI regardless of the Complainant and Respondent's relationship status, sex, gender, gender identity, gender expression, or sexual orientation.

Albany College of Pharmacy and Health Sciences may investigate any alleged violation of this Policy that occurs in the context of a College program, or activity (including academic, educational, extracurricular, study abroad and internships, and other College programs), or that otherwise affects the working, living or learning environments, regardless of whether that conduct occurred on or off campus. Regardless of where the conduct occurred, the College will review complaints to determine whether the conduct occurred in the context of its employment or educational program or activity or has continuing effects on campus or in an off-campus sponsored program or activity, or whether the College otherwise has a substantial interest in the allegations. A substantial interest includes:

1. Any action that constitutes a criminal offense as defined by law (This includes, but is not limited to, single or repeat violations of any local, state, or federal law.);
2. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual; or
3. Any situation that is detrimental to the educational interests or mission of the College.

All actions by a student that involve the use of the College's computing and network resources from a remote location, including but not limited to accessing email accounts, will be deemed to have occurred on campus.

If the Respondent is unknown or is not otherwise subject to sanctions imposed by the College, the Title IX Coordinator will offer the Complainant supportive measures, remedies, and resources, such as, identifying appropriate campus and local resources and support options or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report. Although the College may not, in certain instances, be in a position to conduct an investigation, it may provide appropriate resources or support to impacted individuals and where appropriate, the broader the

College community. Members of the ACPHS community are expected to provide truthful information in any report, meeting, or proceeding under this policy.

Any respondent who is not an ACPHS student, faculty member, or staff member is generally considered a third party. ACPHS's ability to take appropriate corrective action against a third party may be limited and will depend on the nature of the third party's relationship, if any, to ACPHS. When appropriate, the Title IX Coordinator will refer such allegations against third-party respondents to the appropriate office. The status of a party may impact which resources and remedies are available to them, as described in this policy.

What is Prohibited by This Policy

This policy prohibits discrimination, harassment, and retaliation as defined below. These acts shall also be referred to as Prohibited Conduct under this policy.

Discrimination

Discrimination is defined as treating members of a protected category less favorably because of their actual or perceived membership in that category or as having a policy or practice that adversely impacts the members of one protected category more than others.

Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Discriminatory Harassment

Discriminatory Harassment is subjecting an individual to unwelcome conduct, whether verbal or physical, that creates an intimidating, hostile, or abusive working, learning or campus living environment; that alters the conditions of employment or education; or unreasonably interferes with an individual's work or academic performance on the basis of someone's actual or perceived membership in a protected category.

Harassment may include, but is not limited to: verbal abuse; epithets or slurs; negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; insulting or obscene comments or gestures; and the display or circulation of written or graphic material (including in hard copy, by email or text, or through social media) that denigrates or shows hostility or aversion toward an individual or group members of a protected category. Calls, texts, emails, and social media usage that occurs on or off campus can contribute to a hostile work, learning, or living environment.

ACPHS will determine whether the conduct was discriminatory based on both subjective and objective factors, based on the totality of the circumstances surrounding an alleged incident or course of conduct, including, the frequency, nature, and severity of the conduct, and whether a reasonable person would find the conduct discriminatory. Harassment need not be severe or pervasive to be unlawful and can be any harassing conduct that consists of more than petty slights or trivial inconveniences.
Protected categories include race, religion, hearing status, color, sex, pregnancy, political affiliation, religion, creed, ethnicity, national origin (including ancestry), citizenship status, physical or mental disability, body size, age, marital status, family relationship, sexual orientation, gender, gender identity or expression, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, domestic violence victim status or any other protected category under applicable local, state or federal law.

Sex-Based Harassment

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy

or related conditions, sexual orientation, and gender identity. Sex-Based Harassment includes the following:

a. Quid pro quo harassment: An employee, agent, or other person authorized by ACPHS to provide an aid, benefit, or service under ACPHS' education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

a. Hostile environment sex-based harassment: Consistent with state law, hostile environment sex- based harassment is a form of sex discrimination and a form of discriminatory harassment. Unwelcome sexual advances, requests for sexual favors, requests for sexual contact, sexual comments, physical or visual conduct of a sexual nature, and sharing or displaying sexual images constitute sex-based harassment.

This includes when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic, co-curricular, or campus life activities; or Submission to or rejection of such conduct by an individual is used as the basis for academic, student life, or employment decisions affecting that individual; or
- Such unwelcome conduct is intentional or serves no legitimate purpose; or
- It involves unwelcome contact with parts of another individual's body which may cause that person to feel degraded or abused; or
- The unwelcome behavior is for the purpose of gratifying the actor's sexual desire; or
- The unwelcome conduct constitutes more than "petty slights or trivial inconveniences;" or
- Such unwelcome conduct has the purpose or effect of unreasonably interfering with another person's academic or work performance or creating an intimidating, hostile, demeaning, or offensive working, learning, campus, or living environment.

The following describes acts that may be unlawful sex-based harassment and are strictly prohibited:

- Unwelcome touching, pinching, patting, grabbing, brushing against another's body; o Subtle or obvious pressure for unwelcome sexual activities;
- Unwelcome requests for sexual favors accompanied by implied or overt threats concerning performance evaluations, promotion, etc.;
- Unwelcome images, texts, social media posts, or other images or materials that are sexually demeaning or pornographic (this does not include images shown solely for the purposes of academic instruction or research); or
- Unwelcome sexually oriented gestures, noises, remarks, jokes or comments about a o person's sexuality or sexual experience, which create a hostile environment

Sexual assault is an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Specifically, this includes:

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

Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

Dating violence: violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - The length of the relationship;
    - The type of relationship; and
    - The frequency of interaction between the people involved in the relationship.

Emotional and psychological abuse do not constitute violence for this definition.
Domestic violence is a felony or misdemeanor crime of violence committed by a person who:

- Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of ACPHS, or a person similarly situated to a spouse of the victim;
- Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- Shares a child in common with the victim; or
- Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

Emotional and psychological abuse do not constitute violence for the purposes of this definition.

Stalking: Engaging in a course of conduct, on the basis of sex, directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

Sexual Coercion: The application of unreasonable pressure, including emotionally or physically manipulative actions or statements, or direct or implied threats, in order to compel the person to engage in sexual activity.

Sexual Exploitation is the abuse or exploitation of another person's sexuality without consent, for the perpetrators own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited. Sexual Exploitation includes, without limitation, causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over that person; causing the prostitution of another person; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds or images of another person; allowing third parties to observe sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and/or knowingly transmitting a sexually transmitted infection, including HIV, to another person.

Retaliation: Retaliation is any materially adverse action taken against an individual because they were involved in the disclosure, reporting, investigation, or resolution of a report of Prohibited Conduct. Retaliation includes threats, intimidation, harassment, coercion, discrimination, violence, or any other conduct against any person by ACPHS, a student, or an employee or other person authorized by ACPHS to provide aid, benefit, or service under ACPHS' education program or activity, for the purpose of interfering with any right or privilege secured by this policy or by law, including Title IX or its regulations. Adverse action does not include perceived or petty slights, or trivial annoyances.

The prohibition against retaliation applies to any individuals who participates (or refuses to participate) in any manner in an investigation, proceeding, or hearing, and to any student who refuses to participate in an investigation, proceeding, or hearing. Retaliation may occur even where there is a finding of "not

responsible" under this policy. Good faith actions lawfully pursued in response to a report of Prohibited Conduct are not Retaliation.

Delegation of Duties Under This Policy
Obligations in this policy assigned to a particular title, such as the Title IX Coordinator, may be designated as appropriate by ACPHS, including to external professionals.

Academic Integrity
ACPHS is dedicated to an uncompromising standard of academic excellence and an unwavering commitment to academic freedom, freedom of inquiry, and freedom of expression in the search for truth. This policy and procedures are not intended to inhibit or restrict free expression or exchange of ideas, abridge academic freedom, or prohibit educational content or discussions inside or outside of the classroom that includes germane, but controversial or sensitive subject matters protected by academic freedom.

Members of the ACPHS community are free to express their views on any academic subject — regardless of whether those viewpoints are provocative or controversial. Before proceeding with or continuing an investigation of any report of harassment or retaliation that involves an individual's speech or other communication, ACPHS will take care to distinguish between protected speech and hostile environment harassment. The Title IX Coordinator will take action as needed to restore or preserve a person's access to ACPHS' education program or activity.

Title IX Coordinator
ACPHS is committed to promoting a diverse, equitable, and inclusive working and learning environment free from discrimination and harassment. The Title IX Coordinator is charged with monitoring compliance with Title IX; providing education and training; and coordinating ACPHS' response, investigation, and resolution of all reports of Prohibited Conduct under this policy. The Title IX Coordinator acts with independence and authority and oversees all resolutions under this policy free from bias and conflicts of interest. The Title IX Coordinator, Amanda Castiani, is available to meet with any student, employee, or other individual to discuss this policy or the accompanying procedures and can be contacted at TitleIX@acphs.edu or 518-694-7855.

Conflicts of Interest or Bias
Any individual carrying out any part of this policy shall be free from any actual conflict of interest or demonstrated bias that would impact the handling of a matter. Should the Title IX Coordinator have a conflict of interest, the Title IX Coordinator is to immediately notify the Vice President for Student Affairs or designee who will either take, or reassign, the role of Title IX Coordinator for purposes of carrying out the handling and finalization of the matter at issue. Should any investigator, Decisionmaker, or Appeals Panel have a conflict of interest, the investigator, Decisionmaker, or Appeals Panel is to notify the Title IX Coordinator upon discovery of the conflict so that the Title IX Coordinator may reassign the role as appropriate. This policy will note where parties have the opportunity to challenge the participation of any individual implementing this policy based on actual conflict of interest or demonstrated bias.

Crime and Incident Disclosure Obligations
The Clery Act is a federal crime and incident disclosure law. It requires, among other things, that ACPHS report the number of incidents of certain crimes, including some of the Prohibited Conduct in this policy, that occur in particular campus-related locations. The Clery Act also requires ACPHS to issue a warning to the community in certain circumstances.

In the statistical disclosures and warnings to the community, ACPHS will ensure that a complainant's name and other identifying information is not disclosed. The Title IX Coordinator will refer information to the Clery Officer or to the official or office designated by ACPHS to collect crime information when

appropriate for a determination about Clery-related actions, such as disclosing crime statistics or sending campus notifications.

Coordination Among Multiple Institutions
When such conduct involves students or employees from two or more institutions, such institutions may work collaboratively to address the conduct provided that such collaboration complies with the Family Educational Rights and Privacy Act.

Consensual Relationship and Conflicts of Interest
Expectations With Respect to Consensual Sexual Relationships

Sexual relationships between faculty and students and staff and students are problematic due to the inherent power differential. Therefore, sexual or romantic relationships between faculty and students and between staff and students are absolutely prohibited. Similarly, sexual or romantic relationships between a supervisor or manager and any person with lesser authority within the chain of command are absolutely prohibited.

B. **Reporting Harassment and Discrimination Employee Reporting Obligations**
ACPHS believes it is important to be proactive in taking reasonable steps to identify and prevent incidents of harassment or discrimination. All employees, with limited exceptions as identified by ACPHS, are required to promptly provide to the Title IX Coordinator all complaints or reports of sex discrimination, including sex- based harassment to the Title IX Coordinator and share all information reported or made available to the employee. If an employee in a supervisory capacity has direct knowledge of an incident of harassment or discrimination on the part of, or directed toward, any employee of the Title IX Coordinator community, that supervisor is required to bring the matter to the attention of the Title IX Coordinator.

Researchers conducting IRB-approved human subjects research study designed to gather information about sex discrimination are not required to report to the Title IX Coordinator disclosures made in the course of that study.

ACPHS also encourages employees who themselves experience harassment, discrimination, sex-based harassment and sexual and interpersonal violence to bring their concerns to the Title IX Coordinator though they are not required to do so.

When providing this information to the Title IX Coordinator, the employee must include their own name and contact information, and all known details about an incident, which may include, if known, the dates, times, locations, names of involved individuals and the nature of the incident.

Aside from this reporting obligation, employees will, to the fullest extent possible, maintain the privacy of an individual's information, consistent with FERPA.

In addition, any employee or student of or volunteer for the Albany College of Pharmacy and Health Sciences (ACPHS) who witnesses or has reasonable cause to suspect any sexual abuse of a child occurring on ACPHS property or while off campus during official ACPHS business or College-sponsored events shall have an affirmative obligation to report such conduct to UHA Public Safety at 518-244-3177 immediately. Such a report should include the names of the victim and assailant (if known), other identifying information about the victim and assailant, the location of the activity, and the nature of the activity. Upon receiving such a report, UHA Public Safety shall promptly notify local police department and the vice president of Student Affairs who shall report such incidents to the president for periodic reporting to the Board of Trustees.

In addition, to aid in the prevention of crimes against children on ACPHS property and/or during official ACPHS business at events sponsored by ACPHS, employees must complete mandatory training on the identification of such crimes and proper notification requirements. Vendors, licensees, or others who are given permission to come onto campus or to use College facilities for events or activities that will include participation of children shall ensure that they have in place procedures for training, implementation of applicable pre-employment screening requirements and reporting of child sexual abuse.

For purposes of this policy, the applicable definitions of child sexual abuse are those used in:
NYS Penal Law in Articles 130 and 263 and Section 260.10 and "child" is defined as an individual under the age of 17.

Public Awareness Events
Employees are required to report to the Title IX Coordinator information about sex discrimination they learn about at public awareness events such as Take Back the Night or other similar events. The Title IX Coordinator is not obligated to respond directly to any identified complainant in a report of sex-based harassment disclosed at a public awareness event that takes place on-campus or in a school-sponsored online platform unless there is an imminent and serious threat to someone's health or safety. The Title IX Coordinator must respond to reports of conduct that could constitute sex discrimination other than sex-based harassment if disclosed at public awareness events, wherever they occur. In all cases, ACPHS must use the information to inform its efforts to prevent sex-based harassment, including by providing tailored training to address alleged sex-based harassment in a particular part of its education program or activity or at a specific location when information indicates there may be multiple incidents of sex-based harassment.

How to Make a Report to ACPHS
All complaints of violations of this policy will be taken seriously and in good faith. The Title IX Coordinator will provide information and guidance regarding how to file a complaint with ACPHS and/or local law enforcement, as well as information and assistance about what course of action may best support the individual(s) involved and how best to address the complaint.

Every reasonable effort will be made to maintain the privacy of those making a report to the extent possible. In all cases, ACPHS will give consideration to the party bringing forward a report with respect to how the matter is pursued. ACPHS may, when necessary to protect the community, initiate an investigation or take other responsive actions to a report, even when the person identifying a concern chooses not to participate in a resolution process and/or requests that ACPHS not initiate an investigation.

Employees, students, guests, or visitors who believe that this policy has been violated should promptly contact the Title IX Coordinator or another member of the Title IX Office as follows:

- Amanda Bastiani
- Title IX Coordinator
- TitleIX@acphs.edu

There is no timeline for making a report of harassment or discrimination, however, ACPHS encourages the prompt reporting of a complaint as the ability of ACPHS to pursue the complaint to conclusion may be hindered by the passage of time.

Additional information about reporting matters involving conduct by an employee may be found by contacting Human Resources: humanresources@acphs.edu or 518-694-7888.

Policy for Alcohol and/or Drug Use Amnesty
The health and safety of every student at ACPHS is of the utmost importance. ACPHS recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at a time that violence (including but not limited to domestic violence, dating violence, stalking, or sexual assault) occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. ACPHS strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to ACPHS officials. A bystander or complainant acting in good faith who discloses any incident of domestic violence, dating violence, stalking, or sexual assault to ACPHS officials or law enforcement will not be subject to discipline under ACPHS's Policy Against Drugs and Alcohol for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault. This policy does not provide amnesty for drug dealers or those who use drugs or alcohol as a weapon or to facilitate Prohibited Conduct. Under ACPHS's Amnesty for Drug and Alcohol Policy, personal drug use and possession, whether it is intentional or accidental, will not form the basis of faculty student disciplinary charges. A bystander is someone who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules or policies of an institution.

Privacy and Confidentiality
ACPHS values the privacy of its students, employees, and other community members. Community members should be able to seek the assistance they need and access this policy without fear that the information they provide will be shared more broadly.

References made to privacy mean ACPHS offices and employees who cannot guarantee confidentiality, but will maintain privacy to the greatest extent possible, relaying information as necessary to investigate or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. ACPHS will limit the disclosure as much as practicable.

All activities under these procedures shall be conducted in the privacy interests of those involved. While ACPHS will take all reasonable steps to protect the privacy of individuals involved in a complaint, it may be necessary to disclose some information to individuals or offices on campus in order to address a complaint or provide for the physical safety of an individual or the campus. Thus, ACPHS cannot, and does not, guarantee that all information related to complaints will be kept confidential.

In order to maintain the privacy of evidence gathered as part of any resolution process, access to materials under the procedures in this policy will be provided only by a secure method and parties and advisors are not permitted to make copies of any documents shared or make use of the documents outside of the processes described in this policy. Parties may request to review a hard copy of materials, and ACPHS will make that available in a supervised or monitored setting. Inappropriately sharing materials provided during this process may constitute retaliation and result in disciplinary action. Nothing in this policy prohibits parties from discussing or disclosing the outcome of the matter, consistent with the prohibition on retaliation.

Individuals may speak confidentially with a Confidential Resource. Confidential Resources (e.g., licensed mental health care providers, physicians) may not report to Title IX Coordinator any identifying information about conduct that may violate ACPHS' policies against harassment and discrimination without the written consent of the individual who supplied the information, unless required by law. Such disclosures will not be reported to the Title IX Coordinator or initiate any process under this policy.

ACPHS employs types of employees who are not required to report information about sex discrimination to the Title IX Coordinator:

- Privileged and confidential employees whose communications are privileged or confidential under Federal or State law. The employee must be hired for and function within the scope of their duties to which the privilege or confidentiality applies. For example, counselors in The Office of Counseling and Wellness are all confidential employees. Disclosures made to these employees means that information cannot be disclosed to anyone internal or external to the university without the expressed permission from the individual disclosing the information.

State law requires professional counselors to report: (i) when a patient is likely to engage in conduct that would result in serious harm to the patient or others; (ii) if there is reasonable cause to suspect that a minor has been sexually abused.

A list of resources may be found in Appendix A.

Protective Orders

ACPHS' Public Safety or other officials will assist members of the campus community in obtaining an order of protection or, if outside of New York state, an equivalent protective or restraining order from any state or federally recognized tribal court. If ACPHS receives an order of protection of equivalent, an institution representative or other appropriate person will reach out and provide a copy of the order. Upon request they can also provide an explanation of the order, including the consequences for violating these orders, and answer questions about it. Public Safety will provide assistance in effecting an arrest when an individual violates an order of protection.

Reporting to the Police

Some Prohibited Conduct may constitute a violation of both the law and ACPHS policy. ACPHS encourages students to report alleged crimes promptly to local law enforcement agencies and/or state police. All persons have the right to file with law enforcement, as well as the right to decline to file with law enforcement. The decision not to file shall not be considered as evidence that there was not a violation of ACPHS policy.

Criminal investigations may be useful in the gathering of relevant evidence, particularly forensic evidence. The standards for finding a violation of criminal law are different from the standards for finding a violation of this policy. Conduct may constitute Prohibited Conduct under this policy even if law enforcement agencies lack sufficient evidence of a crime and decline to prosecute.

Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. However, when a complaint is made to ACPHS as well as to law enforcement, ACPHS may delay its process if a law enforcement agency requests that ACPHS delay its process for a reasonable amount of time to allow law enforcement to gather evidence of criminal misconduct. These temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay. Criminal or legal proceedings are separate from the processes in this policy and do not determine whether this policy has been violated.

All investigations and hearings under this policy will be thorough, reliable and impartial, and will seek to collect evidence and names of witnesses to gather information that is directly or substantially relevant to whether the alleged policy violation occurred, and will not be based on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

In the case of an emergency, where the physical well-being of a member of ACPHS community or the safety of ACPHS as an institution is threatened, any individual with such knowledge should promptly inform Public Safety. ACPHS may take any immediate steps as may be necessary and appropriate under the circumstances to ensure the well-being of the ACPHS community and ACPHS as an institution.

Emergency Access to Information & Resources
At any time, one of the following resources trained in interviewing victims of sexual assault will be available to provide information about options to proceed, and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, and detailing that the criminal justice process utilizes different standards of proof and evidence and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the district attorney. These individuals will also explain whether they are authorized to offer the reporting individual confidentiality or privacy, and shall inform the reporting individual of other reporting options:

Title IX Coordinator: Amanda Bastiani TitlieIX@acphs.edu

The College Counseling Services:
518-210-5298 http://www.acphs.edu/student-life/health-safety/

Additional resources can be found in Appendix A.

Responding to a Report
The following process will be used following the receipt of a report of harassment or discrimination. Initial Contact Following receipt of a report alleging a potential violation of this policy, the Title IX Coordinator will contact the complainant to meet with the Title IX Coordinator for an initial intake and assessment meeting, and will provide the following:

- An invitation to meet to offer assistance and explain their rights, resources, and options under this policy
- Access to this policy
- Information regarding available campus and community resources for counseling, health care, mental health, or victim advocacy. Upon request, information regarding legal assistance, visa and immigration assistance, student financial aid and other available services may be provided
- The availability of Supportive Measures regardless of whether a complaint is filed and/or any resolution is initiated
- The options for resolution (no action, prevention, agreement, investigation) and how to initiate such resolution processes
- The right to notify law enforcement as well as the right not to notify law enforcement; o The importance of preserving evidence and, in the case of potential criminal misconduct, how to get assistance from Public Safety or local law enforcement in preserving evidence
- The right to bring an advisor of choice, if applicable, during ACPHS proceedings under this policy including the initial meeting with the Title IX Coordinator
- A statement that retaliation for filing a complaint, or participating in the complaint process, is prohibited
- Information on how to initiate the Investigation or Resolution-Based Agreement process
- Ensure that the Complainant receives a written explanation of all available resources and options and is offered the opportunity to meet and discuss the resources and options, including information about STI's, forensic exams, and resources available through NYS Office of Victim Services

Initial Intake & Assessment

The Initial Assessment process seeks to gather information about the nature and circumstances of the report to determine whether this policy applies to the report and, if so, which resolution process may be appropriate, as well as which section of the grievance procedures apply based on the conduct and the status of the parties. The Title IX Coordinator may also determine that the provision of supportive measures is only the appropriate response under the policy. The initial assessment is not a finding of fact or responsibility. If the individual bringing forward the complaint is not the actual complainant, the Title IX Coordinator will limit communication to general information on policies and processes.

Should the complainant wish to initiate a resolution process, the Title IX Coordinator will determine whether this policy applies and, if so, the appropriate process under this policy. The Title IX Coordinator will communicate to the complainant this determination.
If the information provided does not suggest a potential violation of this policy, the Title IX Coordinator will provide the complainant written notice that the matter is being referred for handling under a different policy, and/or to another appropriate office for handling.

Requests for Confidentiality or No Further Action
When a complainant requests that ACPHS not use their name as part of any resolution process, or that ACPHS not take any further action, ACPHS will generally try to honor those requests. However, there are certain instances in which ACPHS has a broader obligation to the community and may need to act against the wishes of the complainant. In such circumstances, the Title IX Coordinator will notify the complainant in writing of the need to take action. The factors the Title IX Coordinator will consider when determining whether to act against the wishes of a complainant include:

1. The complainant's request not to proceed with initiation of a complaint
2. The complainant's reasonable safety concerns regarding initiation of a complaint
3. The risk that additional acts of Prohibited Conduct would occur if a complaint were not initiated
4. The severity of the alleged Prohibited Conduct, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence
5. The age and relationship of the parties, including whether the respondent is an employee of ACPHS, or whether the impacted person is a minor
6. The scope of the alleged discrimination, including information suggesting a pattern, ongoing discrimination, or discrimination alleged to have impacted multiple individuals
7. The availability of evidence to assist a Decisionmaker in determining whether discrimination occurred
8. Whether ACPHS could end the alleged discrimination and prevent its recurrence without initiating its grievance procedures under this policy
9. Whether the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other persons, or that the conduct as alleged prevents ACPHS from ensuring equal access on the basis of sex to its education program or activity
10. Whether the accused has a history of violent behavior or is a repeat offender
11. Whether the incidents represent an escalation on the part of the person accused
12. Whether the accused used a weapon or force
13. Whether available information reveals a pattern of perpetration at a given location by a particular group

Emergency Removal
For sex discrimination and sex-based harassment, ACPHS retains the authority to remove a respondent from ACPHS's program or activity on an emergency basis, where ACPHS (1) undertakes an individualized safety and risk analysis, (2) determines that an immediate and serious threat to the health or safety of a complainant or any student, employee, or other individual arising from the allegations of sex

discrimination justifies a removal, and (3) ACPHS provides the respondent with notice of and an opportunity to challenge the decision immediately following the removal.

The respondent may challenge the decision immediately following the removal, by notifying the Title IX Coordinator in writing. ACPHS will designate an impartial individual, not otherwise involved in the case, to consider the challenge to the removal and determine if the emergency removal was reasonable.

For all other Prohibited Conduct, ACPHS may defer to its interim suspension policies for students and administrative leave for employees.

Administrative Leave

ACPHS retains the authority to place an employee respondent on administrative leave during a pending complaint process under this policy, with or without pay as appropriate. Administrative leave may be a supportive measure, emergency removal, consistent with any employee process or guidelines. Administrative leave implemented as a supportive measure or as emergency removal is subject to the procedural provisions above, including the right to challenge the decision to implement that measure.

Dismissal of a Complaint

Before dismissing a complaint, ACPHS will make reasonable efforts to clarify the allegations with the complainant.

ACPHS may dismiss a complaint if:

- ACPHS is unable to identify the respondent after taking reasonable steps to do so
- The respondent is not participating in ACPHS' education program or activity and is not employed by ACPHS]
- The complainant voluntarily withdraws their complaint in writing and the Title IX Coordinator declines to initiate a complaint
- The complainant voluntarily withdraws some but not all allegations in a complaint in writing, and the ACPHS determines that, the conduct that remains alleged in the complaint would not constitute Prohibited Conduct under this policy
- ACPHS determines the conduct alleged in the complaint, even if proven, would not constitute Prohibited Conduct under this policy

Upon dismissal, ACPHS will promptly notify the complainant in writing of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then ACPHS will notify the parties simultaneously in writing. If a dismissal of one or more allegations changes the appropriate decision-making process under these procedures, the Title IX Coordinator will include that information in the notification.

ACPHS will notify the complainant that a dismissal may be appealed on the basis outlined in the Appeals section. If dismissal occurs after the respondent has been notified of the allegations, then ACPHS will also notify the respondent that the dismissal may be appealed on the same basis. If a dismissal is appealed, ACPHS will follow the procedures outlined in the Appeals section of these procedures.

When a complaint is dismissed, ACPHS will, at a minimum:

- Offer supportive measures to the complainant as appropriate
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate

- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that discrimination does not continue or recur within ACPHS' education program or activity

A complainant who decides to withdraw a complaint or any portion of it may later request to reinstate it or refile it.

Referrals for Other Misconduct
ACPHS has the discretion to refer complaints of misconduct not covered by this policy for handling under any other applicable ACPHS policy or code. As part of any such referral for further handling, ACPHS may use evidence already gathered through any process covered by this policy.
Should there be a conflict between the provision of this policy and other ACPHS policies, procedures, rules, regulations, or terms or conditions of employment, the provisions of this policy will govern unless specifically stated otherwise.

This policy and these procedures are separate from ACPHS's student disciplinary processes, by which ACPHS may bring a discipline charge against a student for violating ACPHS policy according to the provisions found in ACPHS Student Handbook, which can be found on the current students page.

Consolidation of Cases
ACPHS may consolidate complaints under this policy as appropriate: for example, if there are multiple complaints where the allegations of Prohibited Conduct arise out of the same facts or circumstances, or there are multiple complaints with overlapping parties.

ACPHS also reserves the right to use this policy to adjudicate other allegations and conduct charges as defined by policies outside of the scope of this policy in instances when the conduct is associated with an alleged issue of Prohibited Conduct under this policy. The Title IX Coordinator will address these consolidated complaints in collaboration and coordination with other appropriate offices, such as Student Conduct and Human Resources. Allegations of a violation of a separate policy are not required to be handled using the procedural requirements set forth in this policy.

Student Withdrawal or Employee Resignation while Matters are Pending
If a student or employee respondent permanently withdraws or resigns from ACPHS with unresolved allegations pending, ACPHS will consider whether and how to proceed with the resolution process. ACPHS will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s) and any ongoing effects of the alleged harassment, discrimination or retaliation.

A student respondent who withdraws or leaves while the process is pending may not return to ACPHS without first resolving any pending matters. Such exclusion applies to all ACPHS campuses and programs. Admissions will be notified that the student cannot be readmitted. They may also be barred from ACPHS property or events. If a student respondent withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely, and that student is not permitted to return to ACPHS unless and until the matter is fully resolved.

An employee respondent who resigns with unresolved allegations pending is not eligible for rehire with ACPHS and the records retained by the Title IX Coordinator will reflect that status. All ACPHS responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

Options For Resolution
There are multiple ways to resolve a complaint or report of harassment and discrimination. Whenever possible, ACPHS will utilize the resolution method chosen by the complainant. During the resolution of a

complaint, the Title IX Coordinator will determine whether to implement reasonable supportive measures designed to assist all parties (complainants and respondents) and community members in maintaining access to and participation in ACPHS programs, services and activities during the resolution of the complaint.

This section includes information on Support-Based Resolution, Agreement-Based Resolution, and Investigation, or Investigation and Hearing Procedures.

Support-Based Resolution
A support-based resolution is an option for a complainant who does not wish ACPHS to take any further steps to address their concern, and when the Title IX Coordinator determines that another form of resolution, or further action, is not required. Some types of support that may be appropriate include adjustments or changes to class schedules; moving from one residence hall room to another; adjusted deadlines for projects or assignments; adjustments to work schedule or arrangements; escorts to and around campus; or counseling.

A support-based resolution does not preclude later use of another form of resolution, for example if new information becomes available to ACPHS and the Title IX Coordinator determines there is need for additional steps to be taken, or the complainant later decides to pursue a Resolution Agreement or investigation, or investigation and hearing.

Agreement-Based Resolution
Agreement-Based Resolution is an alternative to the investigation and decision-making procedures where the Parties each voluntarily agree to resolve the complaint in a way that does not include an investigation and does not include any finding of responsibility. Agreement-Based Resolution is a voluntary, structured interaction between or among affected parties that balances support and accountability. If ACPHS offers Agreement-Based Resolution to the parties, and they voluntarily consent to engage in that process, the Title IX Coordinator must still take other prompt and effective steps as needed to ensure that discrimination does not continue or recur within the education program or activity.

Any party may design a proposed agreement between the parties. The Title IX Coordinator must approve of the use of the Agreement-Based Resolution process and approve the final agreement between the parties. Agreement-Based Resolution may be initiated at any time prior to the release of the final determination. Because Agreement-Based Resolution does not involve an investigation, there is not any determination made as to whether a respondent violated this policy.

The Title IX Coordinator has the discretion to determine that Agreement-Based Resolution is not an appropriate way to address the reported conduct, and that the matter must instead be resolved through the Investigation or Investigation and Hearing process.

Initiating the Agreement-Based Resolution Process
Prior to the initiation of Agreement-Based Resolution, the Title IX Coordinator will provide the Parties written notice that includes:

- The specific allegation and the specific conduct that is alleged to have occurred; o The requirements of the Agreement-Based Resolution process
- Any consequences resulting from participating in the Agreement-Based Resolution process, including the records that will be maintained or could be shared, and whether ACPHS could disclose such information for use in a future ACPHS grievance process, including an investigation and resolution process arising from the same or different allegations, as may be appropriate
- Notice that an agreement resulting from the Agreement-Based Resolution process is binding only on the parties and is not subject to appeal

- Notice that once the Agreement is finalized and signed by the Parties, they cannot initiate or continue an investigation procedure arising from the same allegations. o A statement indicating that the decision to participate in the Agreement-Based Resolution process does not presume that the conduct at issue has occurred
- A statement that the respondent is presumed not responsible for violating this policy, unless respondent admits to violations of this policy
- An explanation that all parties may be accompanied by an advisor of their choice, who may be a parent, colleague, friend, or attorney
- A statement that any party has the right to withdraw from the Agreement-Based Resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution
- The date and time of the initial meeting with staff or the Title IX Coordinator, with a minimum of three days' notice
- Information regarding Supportive Measures, which are available equally to the parties
- The potential terms that may be requested or offered in an Agreement-Based Resolution agreement

Facilitating an Agreement

If all Parties are willing to explore Agreement-Based Resolution, the Title IX Coordinator will then meet separately with each party to discuss the Agreement-Based Resolution process and facilitate an agreement. If an agreement cannot be reached, either because the Parties do not agree, determine they no longer wish to participate in the Agreement-Based Resolution process, or the Title IX Coordinator does not believe that the terms of the agreement or continuing the Agreement-Based Resolution process is appropriate, the Title IX Coordinator may decide that the reported conduct will instead be addressed through the investigation or investigation and hearing process. The Title IX Coordinator will inform the Parties of such decision, in writing.

Agreement-Based Resolution processes are managed by facilitators who do not have a conflict of interest or bias in favor of or against complainants or respondents generally or regarding the specific parties in the matter. The Title IX Coordinator may serve as the facilitator, subject to these restrictions. The investigator or Decisionmaker for the matter may not facilitate an Agreement-Based Resolution in that same matter.

Any party may craft or create the terms of their agreement and will be asked for their suggestions or ideas. Examples of agreements may include but are not limited to:

- An agreement that the respondent will change classes or housing assignments
- An agreement that the Parties will not communicate or otherwise engage with one another
- An agreement that the Parties will not contact one another
- Completion of a training or educational project by the respondent
- Completion of a community service project by the respondent
- An agreement to engage in a restorative justice process or facilitated dialogue
- Discipline agreed upon by all parties

In order to facilitate Agreement-Based Resolution, information shared by any party will not be used in any related resolution process of the same complaint under this policy. No evidence concerning the allegations obtained within the Agreement-Based Resolution process may be disseminated to any outside person, provided that any party to the Agreement-Based Resolution process may generally discuss the allegations under investigation with a parent, advisor, or other source of emotional support, or with an advocacy organization. An admission of responsibility made during an Agreement-Based Resolution process, however, may not be incorporated into the investigation and adjudication proceeding.

Finalizing the Resolution Agreement

Once the final terms of the Resolution Agreement have been agreed upon by all parties, in writing, and approved by the Title IX Coordinator, the matter will be considered closed, and no further action will be taken. Once signed, no appeal is permitted. The Agreement-Based Resolution process is generally expected to be completed within thirty (30) days and may be extended by the Title IX Coordinator as appropriate. All parties will be notified, in writing, of any extension and the reason for the extension. Records of an Agreement-Based Resolution process can be shared with other offices as appropriate. Any violations of the terms of the Resolution Agreement may result in disciplinary action.

Investigation & Decision-making Resolution

This policy includes two types of investigation and decision-making procedures:

- All prohibited conduct matters except for sex-based harassment involving a student as a party
- Sex-based harassment involving a student as a party

The following information applies to both types of investigation and decision-making procedures.

Acceptance of Responsibility

If a respondent accepts responsibility for all or part of the Prohibited Conduct alleged, the designated sanctioning officer will issue an appropriate sanction or responsive action as to those violation(s) and continue processing any remaining allegations of Prohibited Conduct, if any.

Assignment of the Investigator and/or Decisionmaker

ACPHS will assign a trained investigator and/or Decisionmaker to conduct an adequate, reliable, and impartial investigation and hearing, if applicable, in a reasonably prompt timeframe. ACPHS reserves the right to utilize internal or external investigators, Decisionmakers, or hearing officers.

All parties have the option to participate in the investigation and/or hearing, and each have the same rights during the resolution process including the right to an advisor, to submit relevant witness names and evidence, and to review the evidence gathered by the investigator prior to the investigator providing the final report to the Decisionmaker. In cases where there is a hearing, all parties have the same rights at the hearing, including the right to review any evidence that will be considered by the Decisionmaker prior to the hearing.

The investigator will establish deadlines for submission of names of relevant witnesses and submission of evidence and communicate those deadlines to the parties in writing.

Conflict of Interest or Bias

After a Notice of Investigation is issued to all parties, any party may object to the participation of the Title IX Coordinator or designated investigator on the grounds of a demonstrated bias or actual conflict of interest. All parties will have three days from the date of the Notice of Investigation to object to the selection of the investigator or the Title IX Coordinator. Objections to the Title IX Coordinator are to be made, in writing, to the Vice President of Student Affairs. Objections to the appointment of the investigator are to be made in writing, to the Title IX Coordinator. All objections will be considered, and changes made as appropriate. If the objection is substantiated as to either the Title IX Coordinator or the Investigator, that individual shall be replaced. Any change will be communicated in writing.

Timeline

In those cases that do not include a hearing, ACPHS strives to complete the investigation process within 90 days from the date of the Notice of Investigation. In those cases that include a hearing, ACPHS strives to complete the investigation process within 60 days from the date of the Notice of Investigation and complete the hearing within 60 days of the Notice of Hearing.

The timeline for any part of the resolution process may be extended for good cause by the Title IX Coordinator. All parties shall be notified, in writing, of any extension to the timeline that is granted, the reason for the extension, and the new anticipated date of conclusion of the investigation and/or hearing. Good cause reasons for extension may include ensuring availability of witnesses and other participants and ensuring participants have sufficient time to review materials.
ACPHS shall not unreasonably deny a student party's request for an extension of a deadline related to a complaint during periods of examinations or school closures. The investigator and/or Title IX Coordinator shall provide the Parties with periodic status updates, in writing.

Burden and Standard of Review
ACPHS has the burden of conducting an investigation that gathers sufficient evidence to determine whether Prohibited Conduct occurred. This burden does not rest with any party, and any party may decide to limit their participation in part or all of the process, or to decline to participate. This does not shift the burden of proof away from ACPHS and does not indicate responsibility. The standard of proof used in any investigation and decision-making process is the preponderance of the evidence standard, which means more likely than not.

Written Notice of Meetings
ACPHS will provide to a party or witness whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time to prepare to participate.

Evidence Gathering

Interviews
The investigator will interview all parties and relevant witnesses and gather relevant documentary evidence provided by the parties and any identified witnesses. Interviews may be conducted in person, or via video conference. When a party meets with an investigator, the investigator will ask questions related to the allegations in the complaint and a party is given the opportunity speak to the allegations and related events. Parties may identify fact witnesses and provide evidence that is relevant to the allegations and not otherwise impermissible. This will include inculpatory evidence (that tends to show it more likely that someone committed a violation) and exculpatory evidence (that tends to show it less likely that someone committed a violation). The investigator ultimately determines whom to interview to determine the facts relevant to the complaint.

Impermissible Evidence
The following types of evidence, and questions seeking that evidence, are impermissible. This means this information will not be accessed or considered, except by ACPHS to determine whether one of the exceptions listed below applies. This information will not be disclosed or otherwise used, regardless of relevance:

- Evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality
- Evidence provided to an employee designated by ACPHS as exempt from internal reporting under this policy, unless the person who made the disclosure or otherwise provided evidence to that employee has voluntarily consented to re-disclosure
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless ACPHS obtains that party's or witness's voluntary, written consent for use in its grievance procedures

- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to alleged sex-based harassment. The fact of prior consensual sexual conduct between the parties does not by itself demonstrate or imply the complainant's consent to other sexual activity or preclude a determination that Prohibited Conduct occurred.
- Under New York state law, parties have the right to exclude their own prior sexual history with persons other than the other party in the investigation and decision-making process or their own mental health diagnosis and/or treatment from admittance in the institution disciplinary stage that determines responsibility.

Investigation & Decision-making Procedures for All Prohibited Conduct Except Sex-Based Harassment

Involving a Student Party
This procedure is for all matters of Prohibited Conduct being investigated and determined under this policy except for sex-based harassment involving a student as a party. ACPHS will assign a trained investigator and/or trained hearing officer to conduct an adequate, reliable, and impartial investigation and hearing in a reasonably prompt timeframe. ACPHS reserves the right to utilize internal or external investigators and hearing officers.

All parties have the option to participate in the investigation and/or hearing, and each have the same rights during the resolution process including the right to an advisor, to submit relevant witness names and evidence, and to review the evidence gathered by the investigator prior to the investigator's making any findings. In the event of a hearing, all parties have the same rights, including the right to review any evidence that will be considered by the Hearing Officer prior to the hearing.

Notice of Investigation
Prior to the start of an investigation, the Parties will be provided a written Notice of Investigation communicating the initiation of an investigation. Should additional allegations be brought forward, or information regarding location or date of the incident(s), a revised written Notice of Investigation shall be provided to all parties.

The Notice shall include, at a minimum:
- ACPHS' resolution procedures, including the applicable determination procedure, and any alternative resolution process, with a link to the full procedures
- The specific allegations, including the identity of the parties, and dates and location if known
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), a description of the facts alleged to constitute Prohibited Conduct, the type of Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s)
- A statement that Retaliation is prohibited
- Contact information for the assigned investigator and Decisionmaker, as well as the process for raising a challenge to the appointed investigator, Decisionmaker, or Title IX Coordinator, and the deadline for doing so
- Expected length of the major stages of the resolution process, as well as any applicable deadlines
- Whether the Investigator, or another individual, shall serve as the Decisionmaker
- A statement that the respondent is presumed not responsible for Prohibited Conduct until a determination is made at the conclusion of the investigation and decision-making procedures.

Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial Decisionmaker
- The parties may have an advisor of their choice who may be a friend, colleague, therapist, or attorney
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence, and to provide a response
- A statement that ACPHS prohibits knowingly making false statements or knowingly submitting false information during grievance procedures, with a link to the relevant policy(ies)
- The date and time of the initial interview with the investigator, with a minimum of five days' notice

Individual Interviews
The investigator will hold individual interviews with parties and witnesses to ask relevant and not otherwise impermissible questions and follow-up questions, including questions exploring credibility. Only the investigator and the party or witness may attend each individual interview. A party's advisor may attend these meetings, subject to the rules described in this policy. Additional attendees may be permitted at the discretion of the Title IX Coordinator in connection with an approved disability-related accommodation. All persons present at any time during any part of the investigation or resolution process are expected to maintain the privacy of the proceedings and not discuss or otherwise share any information learned as part of those proceedings and may be subject to further ACPHS discipline for failure to do so.

ACPHS may also adopt and apply other reasonable rules regarding decorum, provided they apply equally to the parties.

The individual interviews may be conducted with all participants physically present in the same geographic location, or, at ACPHS' discretion, with all participants joining virtually through a video conferencing option.

ACPHS will share expectations of decorum to be observed at all times in any meeting or proceeding under this policy. These expectations are applied equally to all parties and advisors. ACPHS has the discretion to remove, with or without prior warning, from any meeting or proceeding an involved party, witness, or advisor who does not comply with these expectations and any other applicable ACPHS rules.

Evidence Review
At the conclusion of all fact-gathering, the investigator will provide each party and their advisor, if any, the opportunity to review all relevant and not otherwise impermissible evidence gathered. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation, to submit any additional relevant evidence, and the names of any additional witnesses with relevant information. This is the final opportunity to offer evidence, or names of witnesses. Given the sensitive nature of the information provided, ACPHS will facilitate this review in a secure manner. None of the parties nor their advisors may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any student or employee who fails to abide by this may be subject to discipline. Any advisor who fails to abide by this may be subject to discipline and/or may be excluded from further participation in the process.

The parties will have a minimum of 5 days to inspect and review the evidence and submit a written response in writing to the investigator. ACPHS will provide access to copies of the parties' written responses to the investigator to all parties and their advisors, if any. The Title IX Coordinator shall have the discretion to extend the evidence review period based on the volume and nature of the evidence. At

the conclusion of the evidence review, when deemed appropriate by the investigator, the investigator shall then conduct any additional fact-gathering as may be necessary. If new, relevant evidence is gathered during this second fact- gathering period, the new evidence will be made available for review by the parties and their advisors. The parties shall have 5 days to provide a response to the newly-gathered evidence. No new evidence will be accepted as part of any response, except that the investigator shall have the discretion to accept relevant evidence that was not previously available or known to exist, and that was not previously discoverable with the exercise of reasonable diligence.

The investigator will consider the parties' written responses before finalizing the investigation report. The parties may each submit a written impact statement prior to the conclusion of the resolution process. The impact statement is not evidence and will be reviewed only after a determination of responsibility is reached.

Investigation Report

The investigator, who may also serve as the Decisionmaker, shall evaluate the relevant and not impermissible evidence and make a factual determination regarding each allegation, and also determine whether a violation of the policy occurred. The investigator may choose to place less or no weight upon statements by a party or witness who refused to respond to questions deemed relevant and not impermissible or declined to participate. The investigator will not draw an inference about whether sex-based harassment occurred based solely on a party's or witness's refusal to respond to questions.

The investigator shall prepare a report which shall include:

- A description of the allegations of Prohibited Conduct
- Information about the policies and procedures used to evaluate the allegations
- A description of the procedural steps taken from the receipt of the complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, and methods used to gather other evidence
- An evaluation of the relevant and not otherwise impermissible evidence and the rationale for that evaluation
- Findings of fact for each allegation, with rationale
- Conclusions regarding which section of this policy or other ACPHS policy, if any, the respondent has or has not violated, with rationale

This report shall be provided to the Title IX Coordinator. In the event that the Decisionmaker has determined that a violation of university policy has occurred, the Title IX Coordinator shall then provide the report to the appropriate Sanctioning Officer to determine the sanction, and the Title IX Coordinator shall then determine the appropriate remedy(ies) for the complainant and any impacted parties. Past findings of responsibility relating to this policy or any other ACPHS policy are admissible in the sanctioning stage only.

The Title IX Coordinator shall then provide the parties and their advisors, if any, with a written Notice of Outcome. The Notice of Outcome shall include:

- A statement of, and rationale for, any disciplinary sanctions ACPHS imposed on the respondent
- A statement as to whether remedies will be provided to the Complaint
- For the complainant, a description of any remedies that apply to the complainant
- ACPHS' procedures and the permitted reasons for the parties to appeal, including identifying the Appeals Panel
- How to challenge participation by the Appeals Panel for bias or conflict of interest, which the Title IX Coordinator will resolve in their sole discretion

The determination regarding responsibility becomes final either on the date that ACPHS provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

Investigation & Decision-Making Procedures in Cases of Sex-Based Harassment Involving a Student

The following describes the investigation and decision-making procedures for matters of sex-based harassment in which a student is either a complainant or respondent, regardless of the status of the other party.

Notice of Investigation

Prior to the start of an investigation, the Parties will be provided a written Notice of Investigation communicating the initiation of an investigation. Should additional allegations be brought forward, or information regarding location or date of the incident(s), a revised written Notice of Investigation shall be provided to all parties.

The Notice shall include, at a minimum:

1. ACPHS' investigation procedures, including the applicable determination procedure that will be used in this investigation and resolution, and a link to the relevant policies
2. Information about the agreement-based resolution process, with a link to the full procedures
3. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), a description of the facts alleged to constitute Prohibited Conduct, the specific type of Prohibited Conduct alleged under the policy, and the date(s), time(s), and location(s) of the alleged incident(s)
4. A list of possible sanctions
5. A statement that retaliation is prohibited
6. Whether the investigator, or another individual, shall serve as the Decisionmaker
7. Expected length of the major stages of the resolution process, as well as any applicable deadlines
8. The Notice will inform the parties that the investigator will establish and communicate, in writing, all investigation deadlines, including the final deadlines for submitting names of witnesses, evidence, and relevant questions to ask a party or witness. These deadlines may be extended by the Title IX Coordinator for good cause, and any changes will be provided, in writing, to the parties, along with the rationale for the revised deadline(s)
9. The process for raising a challenge to the appointed resolution officer or Title IX Coordinator, and the deadline for doing so
10. A statement that the respondent is presumed not responsible for Prohibited Conduct until a determination is made at the conclusion of the resolution process. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial Decisionmaker
11. A statement that the parties may have an advisor of their choice who may be a friend, parent, therapist, colleague, or attorney
12. The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an investigation report that accurately summarizes this evidence
13. ACPHS' Code of Conduct and/or Title IX Policy prohibits knowingly making false statements or knowingly submitting false information during grievance procedures, include the following knowingly making false statements or knowingly submitting false information during the grievance procedures. An individual found to have knowingly made a false complaint or report, or to have knowingly given false information during a process under this Policy, may be subject

to disciplinary action, up to and including termination of employment or dismissal from the College's academic programs.

14. The date and time of the initial interview with the Investigator, with a minimum of five days' notice

Individual Interviews

The investigator will hold individual interviews with parties and witnesses to ask relevant and not otherwise impermissible questions and follow-up questions, including questions exploring credibility, and to request of the parties the names of relevant witnesses and relevant evidence. Only the investigator and the party or witness may attend each individual interview. A party's advisor may attend these meetings, subject to the rules described in this policy. Additional attendees may be permitted at the discretion of the Title IX Coordinator in connection with an approved disability-related accommodation. All persons present at any time during any part of the investigation or resolution process are expected to maintain the privacy of the proceedings and not discuss or otherwise share any information learned as part of the grievance process and may be subject to further ACPHS discipline for failure to do so. The investigator will then gather from parties, witnesses, and other sources, all relevant evidence.

ACPHS will share expectations of decorum to be observed at all times in any meeting or proceeding under this policy. These expectations are applied equally to all parties and advisors. ACPHS has the discretion to remove, with or without prior warning, from any meeting or proceeding an involved party, witness, or advisor who does not comply with these expectations and any other applicable ACPHS rules.

The individual interviews may be conducted with all participants physically present in the same geographic location, or, at ACPHS' discretion, with all participants joining virtually through a video conferencing option. The investigator will determine, in their sole discretion, whether parties and witnesses are likely to provide relevant information about the allegations and has the sole discretion to determine which parties and witnesses to call to an interview. The investigator may conduct follow-up interviews as they deem appropriate.

Investigator Determination of Relevance

The investigator will determine whether parties and witnesses are likely to provide relevant information about the allegations and has the sole discretion to determine which parties and witnesses to call to individual follow-up meetings.

The investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance. Character evidence is not relevant evidence and therefore will not be considered.

Evidence Review

At the conclusion of all fact-gathering, the investigator will provide each party and their advisor the opportunity to review all relevant and not otherwise impermissible evidence gathered. In the event that an audio or audiovisual recording is shared, the recording will only be made available at an in-person and monitored meeting on campus, and will not otherwise be transmitted for review, so as to maintain the privacy of those participating in the process. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation, to submit any additional relevant evidence, and the names of any additional witnesses with relevant information. This is the final opportunity to offer evidence or names of witnesses. Evidence not provided during the investigation process will not be considered by the Decisionmaker. Given the sensitive nature of the information provided, ACPHS will facilitate this review in a secure manner. None of the parties nor their advisors may copy, remove, photograph, print, image, videotape, record, or in any

manner otherwise duplicate or remove the information provided. Any student or employee who fails to abide by this may be subject to discipline. Any advisor who fails to abide by this may be subject to discipline and/or may be excluded from further participation in the process.

The parties will have a minimum of five days to inspect and review the evidence and submit a written response in writing to the investigator. The Title IX Coordinator shall have the discretion to extend the evidence review period based on the volume and nature of the evidence.

When deemed appropriate by the investigator, the investigator shall then conduct any additional fact-gathering as may be necessary. If new, relevant evidence was submitted as part of evidence review or is gathered during this second fact-gathering period, the new relevant evidence will be made available for review by the parties and their advisors. The parties shall have five days to provide a response to the newly- gathered evidence. No new evidence will be accepted as part of any response, except that the investigator shall have the discretion to accept relevant evidence that was not previously available or known to exist, and that was not previously discoverable with the exercise of reasonable diligence.

The investigator will consider the parties' written responses before finalizing the investigation report.

Determination and Investigation Report
The investigator will prepare a written report summarizing all of the relevant evidence gathered and all steps taken during the investigation process. The investigator will also include as an attachment all relevant evidence gathered during the investigation, as well as all interview notes.

Conclusion of Investigation, Notice of Hearing
Once the investigation report is final, the report together with all attachments shall be provided to each party and to their advisor, if any, in a secure manner (e.g., by providing digital copies of the materials through a protected, "read-only" web portal). Each party shall have ten (10) days to provide a response. The response, if any, shall be provided to the Hearing Officer.

Following conclusion of the investigation, each party shall be provided with a Notice of Hearing, which shall include information regarding the date of the hearing, the identity of the Hearing Officer, the process to be used at the hearing, deadlines for submission of evidence, names of witnesses, or questions to be reviewed by the Hearing Officer to ensure they are relevant to the allegations. The hearing shall be scheduled no less than ten (10) days from the date of the Notice of Hearing.

Within three days of receipt of the Notice of Hearing, either party may object to the Hearing Officer on the basis of a demonstrated bias or actual conflict of interest. Any objection is to be in writing and sent to the Title IX Coordinator. Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator shall remove the Hearing Officer and appoint another.

Hearing Procedures
The purpose of a hearing is for a Hearing Officer to determine whether the conduct occurred as alleged, and if so, whether that conduct violates this policy. ACPHS expects that all individuals who participate in the hearing process do so truthfully and that all who have a responsibility for carrying out one or more aspects of the hearing process do so fairly and without prejudice or bias. Hearings may be conducted in person or via videoconferencing. The Title IX Coordinator may determine that the hearing will continue in the absence of any party or any witness.

ACPHS will appoint a Hearing Officer, who may be the same person as the investigator, who will determine whether a violation of ACPHS policy has occurred. The Hearing Officer shall have the authority to determine the relevance of evidence submitted, and of questions asked, to limit the time allotted to any phase of the hearing, and/or to limit the time allotted to the full hearing. The Hearing Officer shall

not draw an inference about the determination regarding responsibility based solely on a party's absence from the hearing or refusal to answer questions posed.

Each hearing shall be recorded by ACPHS and this recording will be considered the only official recording of the hearing. No other individual is permitted to record while the hearing is taking place. The recording is the property of ACPHS but shall be available for listening until the conclusion of the appeals process to complainant, respondent, their respective advisors, Hearing Officer, and Appeal Officer by contacting the Title IX Coordinator.

Prior to the Hearing

The parties and the Hearing Officer all have the right to call witnesses. Witnesses participating in the hearing must have information relevant to the allegations. Parties who wish to call witnesses must submit the name of the witness at least five days in advance of the hearing.

Only witnesses who participated in the investigation will be permitted to participate in the hearing, unless the witness was otherwise unknown or not known to have relevant information during the course of the investigation. If the witness did not participate in the investigation, the party must also provide the reason the witness was not interviewed by the investigator, and what information the witness has that is relevant to the allegations. The Hearing Officer will then determine whether the witness has relevant information and if there is sufficient justification for permitting the witness to participate. The Hearing Officer may instead send the case back to the investigator to interview the newly proffered witness prior to the hearing taking place.

A list of witnesses approved by the Hearing Officer will be provided to the parties at least three days prior to the hearing. Three days prior to the hearing, each party shall submit to the Hearing Officer a preliminary list of questions they wish to pose to the other party, or to a witness. If the Hearing Officer determines that any questions are not relevant or seek otherwise impermissible evidence, the Hearing Officer shall exclude the question and explain the reason for the exclusion of the question at the hearing. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The Hearing Officer must give a party an opportunity to clarify or revise any question that the Hearing Officer has determined is unclear or harassing and, if the party sufficiently clarifies or revises a question, and the question is relevant, the question will be asked. Advisor

Each party is entitled to be accompanied by one advisor at the hearing. The role of the advisor is to assist the party with understanding and navigating the proceedings. The advisor may not advocate for, respond for, or otherwise speak on behalf of, a party during the hearing. In the event that a party does not appear for the Hearing, the advisor for that party may not participate in the hearing or submit questions to be asked on behalf of the party.

Hearing Participation Guidelines

The Hearing Officer shall have the authority to maintain order and decorum at the hearing, including responding to disruptive or harassing conduct, and when necessary to adjourn the hearing or exclude the disruptive person. In the event the Hearing Officer removes an advisor, the Hearing Officer will have the discretion to appoint another advisor for the remainder of the hearing. The Hearing Officer also has the authority to determine whether any questions are not relevant, abusive, intimidating, or disrespectful, and will not permit such questions. The Hearing Officer cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing.

Statements, Questioning and Presentation of Evidence

During the hearing, each party will be permitted to provide an introductory statement. Following introductory statements, the Hearing Officer will call parties and witnesses for questioning. The order of questioning shall be determined by the Hearing Officer. The Hearing Officer will pose questions to the

parties and witnesses including the questions the Hearing Officer approved to be asked that were submitted by each party prior to the hearing. Each party will then be provided an opportunity to submit follow-up written questions to the Hearing Officer for the Hearing Officer to pose to the other party or witnesses. If the Hearing Officer determines that any questions are not relevant to the allegations, or seek otherwise impermissible evidence, the Hearing Officer shall exclude the question and explain the reason for the exclusion of the question at the hearing and offer an opportunity to the party to reframe or resubmit the question. Questions that are unclear or harassing of the party or witness being questioned will not be permitted.

Only the Hearing Officer is permitted to ask questions of parties and witnesses. Neither party may directly question the other party or witness. Advisors are not permitted to question the other party or witness directly or indirectly.

Following the questioning of parties and witnesses, each party will be permitted to provide a closing statement. An advisor is not permitted to provide a closing statement on behalf of their party.

Hearing Officer's Report
Following the hearing, the Hearing Officer shall prepare a determination report. All findings shall be made by a preponderance of the evidence, meaning more likely than not. To the extent credibility determinations need to be made, such determinations shall not be based on a person's status as complainant, respondent, or witness.

The determination report will include:

- A description of the sex-based harassment
- A reference to the policies and procedures used to evaluate the allegations
- Description of all procedural steps taken to date
- The Hearing Officer's evaluation of the relevant and not otherwise impermissible evidence along with the finding of facts
- Determinations for each allegation, with the rationale
- Sanction determination (if applicable)
- Whether remedies will be provided
- The procedures for an appeal

The Hearing Officer's report shall be provided to the Title IX Coordinator. If the Hearing Officer determines that there is no finding of responsibility, the Title IX Coordinator shall communicate the findings to each party, and their advisor should the party wish the advisor to receive it, a written Notice of Outcome along with a copy of the Hearing Officer's report, to the parties, together with procedures for appeal.

If there is a finding of responsibility, the Title IX Coordinator shall contact the appropriate sanctioning officer who will determine the sanction and notify the Title IX Coordinator of the sanctioning determination. The Title IX Coordinator will then provide each party, and their advisor should the party wish the advisor to receive it, a written Notice of Outcome regarding the Hearing Officer's decision, including the Hearing Officer's report. The Title IX Coordinator will also provide written communication to the complainant regarding any appropriate remedies.

Past findings of responsibility relating to this policy or any other ACPHS policy are admissible in the sanctioning stage only.

Appeals
Determinations may be appealed in writing by either party. Appeals will be sent to the Title IX

Coordinator, who will then send the appeal to the Appeals Panel assigned to conduct a written review of the appeal(s) and to make a final determination. Appeals must be in writing and filed within 10 days following the issuance of the outcome letter.

When an appeal is filed, the other party shall be notified and provided with a copy of the filed appeal within one day and have five days to respond to the appeal in writing. Any party's decision not to submit a reply to an appeal is not evidence that the non-appealing party agreed with the appeal.
Within three days of an Appeal Officer being assigned, either party may provide written objection to the Appeal Officer on the basis of an actual bias or conflict of interest. Any objection is to be sent to the Title IX Coordinator. Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator will appoint another Appeal Officer.

Appeals may be filed only on the following three grounds:

- Procedural Error: A procedural error occurred and would change the outcome. A description of the error and its impact on the outcome of the case must be included in the written appeal
- New evidence: New evidence or information has arisen that was not available or known to the party during the investigation or hearing, that would change the outcome. Information that was known to the party during the resolution process but which they chose not to present is not considered new information. The new evidence, an explanation as to why the evidence was not previously available or known, and an explanation of its potential impact on the investigation findings must be included in the written appeal
- Actual Conflict of Interest or Demonstrated Bias: The Title IX Coordinator, investigator, or others with a role in the process with an actual conflict of interest or demonstrated bias for or against complainants or respondents generally, or the individual complainant or respondent, that would change the outcome. Any evidence supporting the alleged conflict of interest or demonstrated bias must be included in the written appeal.

The Appeal Officer will make a determination regarding the appeal and communicate that decision, along with a rationale for the decision to the Title IX Coordinator who will communicate the Appeal Officer's decision to the Parties. The decision of the Appeals Panel is final.

Failure to Complete Sanctions/Comply with Responsive Actions
All responding parties are expected to comply with conduct sanctions/responsive actions/ corrective actions within the timeframe specified by ACPHS. Responding parties needing an extension to comply with their sanctions must submit a written request to the Title IX Coordinator stating the reasons for needing additional time.

Failure to follow through on conduct sanctions/responsive actions/corrective actions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions/responsive actions/corrective actions, such as suspension, expulsion, termination, or a transcript notation. Students who fail to comply will be referred to the Student Conduct Administrator in accordance with ACPHS's Student Handbook.

Transcript Notations
ACPHS has a policy of making a notation on a transcript related to outcomes for crimes of violence as defined by the Clery Act. Upon conclusion of any appeal process, a transcript notation will be indicated on the respondent's record for cases resulting in suspension, expulsion or in cases where the respondent withdraws from ACPHS during the investigation and decision-making process. Notations on transcripts will be indicated as follows:

- "Suspended after a finding of responsibility for a code of conduct violation"
- "Expelled after a finding of responsibility for a code of conduct violation"

- "Withdrew with conduct charges pending"

Transcript notations for a student who is suspended or who chooses to withdraw with a pending investigation will remain on a transcript for a minimum of one year. After one year's time, a student may request to have the transcript notation removed by filing an appeal with the vice president of Student Affairs.

Transcript notations for students expelled are permanent and cannot be removed.
If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

E. Record Retention

In implementing this policy, records of all reports and resolutions will be kept by the coordinator in accordance with the applicable ACPHS records retention schedule. All records will be afforded the confidentiality protections required by law, including but not limited to the Family Educational Rights and Privacy Act governing confidentiality of student information.

F. Additional Enforcement Information

The U.S. Equal Employment Opportunity Commission (EEOC) investigates reports of unlawful discrimination and harassment in employment.

The U.S. Department of Education, Office for Civil Rights (OCR) investigates complaints of unlawful discrimination and harassment of students and employees in education programs or activities. For more information, contact the nearest office of the EEOC or OCR.

US Department of Education Office for Civil Rights Contact information
U.S. Equal Employment Opportunity Commission (EEOC) https://www.eeoc.gov/contact-eeoc

G. Policy Review & Revision

These policies and procedures will be reviewed and updated regularly by the Title IX Coordinator. The Title IX Coordinator will submit modifications to this policy in a manner consistent with institutional policy upon determining that changes to law, regulation or best practices require policy or procedural alterations not reflected in this policy and procedure. Procedures in effect at the time of its implementation will apply. The policy definitions in effect at the time of the conduct will apply even if the policy is changed subsequently, unless the parties' consent to be bound by the current policy.

This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon posting to the ACPHS website.

D. Key Definitions

Advisor: Each party has the right to choose and consult with an advisor of their choice at their own expense. The advisor may be any person, including a friend, family member, therapist, or an attorney. ACPHS will not limit their choice of advisor. Parties in this process may be accompanied by an advisor of choice to any meeting or proceeding to which they are required or are eligible to attend.
Except where explicitly stated by this policy, advisors shall not participate directly in the process. ACPHS will provide the parties with equal access to advisors; any restrictions on advisor participation will be applied equally.

The advisor may not represent, advocate, or speak on behalf of a complainant or respondent. An advisor may not disrupt or impede any resolution proceeding.

Affirmative Consent, Coercion, and Force

Affirmative Consent: Sexual contact must be consensual at all times, and sexual contact is considered consensual only after affirmative consent has been given. Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

The following are principles that apply to the above definition of affirmative consent:

- Consent to any sexual act or prior consensual sexual activity does not necessarily constitute consent to any other sexual act
- Consent is required regardless of whether the person initiating the act is under the influence of drugs or alcohol
- Consent may be withdrawn at any time
- When affirmative consent is withdrawn or can no longer be given, sexual activity must stop

A person is incapable of affirmative consent when they are:

- Less than seventeen years of age
- Incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm

Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats and intimidation (implied threats) that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," "Okay, don't hit me, I'll do what you want."). Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced.

Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Coercion: Coercion is intimidation or conduct that would compel an individual to do something against their will by:

a. expressed or implied threats of physical, emotional, property, or reputational harm, or
b. pressure that would cause a reasonable person to fear such harm

Coercion is more than an effort to persuade or attract another person to engage in sexual activity. In assessing whether coercion was used, the frequency, duration, and intensity of the pressure applied will be taken into consideration.

Complaint: A complaint means an oral or written request to Title IX Coordinator that objectively can be understood as a request for ACPHS to investigate and make a determination about alleged discrimination under this policy. A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail (email), by using the contact information listed on the Title IX/Equal Opportunity website

(LINK), or as described in this policy. Individuals who would like more information about filing a complaint are invited to contact the T Title IX Coordinator for additional information.

Complainant: Any individual who has reported being or is alleged to be impacted by Prohibited Conduct as defined by this policy, and who was participating in an ACPHS program or activity at the time of the alleged misconduct.

Confidential Resources: any individual identified by the university who receives information about conduct prohibited under this policy in their confidential capacity and who are privileged under state law will not report prohibited conduct disclosed to them without written consent. Designation as a confidential resource under this policy only exempts such individuals from disclosure to the Title IX Coordinator. It does not affect other mandatory reporting obligations under state child abuse reporting laws, the Clery Act as a campus security authority, or other laws that require reporting to campus or local law enforcement.

Days: any reference to days refers to business days when ACPHS is in normal operation.

Decisionmaker: Trained professional designated by ACPHS to decide responsibility, sanction, or appeals. A Decisionmaker may be one person, or a panel of multiple people as determined by ACPHS. When there is no hearing, the investigator may be appointed as the Decisionmaker.

Disclosure or Report: A disclosure or report may be made by anyone, whether they learned about conduct potentially constituting discrimination or harassment under this policy, or whether they personally experienced such conduct. A person making a disclosure or report may or may not be seeking to initiate an investigation.

Education Program or Activity: ACPHS's "education program or activity" includes all campus operations, including off-campus settings that are operated or overseen by ACPHS, including, for example, field trips, online classes, and athletic programs; conduct subject to ACPHS' disciplinary authority that occurs off-campus; conduct that takes place via ACPHS-sponsored electronic devices, computer and internet networks and digital platforms operated by, or used in the operations of, ACPHS. Conduct that occurs outside of the education program or activity may contribute to a hostile environment within the program or activity.

Finding: a written conclusion by a preponderance of the evidence, issued by an Investigator, that the conduct did or did not occur as alleged.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing and informed consent (e.g., to understand the "who, what, when, where, why, and how" of their sexual interaction). Incapacitation is determined through consideration of all relevant indicators of a person's state and is not synonymous with intoxication, impairment, or being under the influence of drugs or alcohol. This policy also covers a person whose incapacity results from temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs, or who are sleeping.

Under this policy, ACPHS will consider whether a respondent knew or should have known the complainant to be incapacitated, based on an objective, reasonable person standard that assumes the reasonable person is both sober and exercising sound judgment. The fact that the respondent was unaware of the complainant's incapacity due to the respondent's own drug or alcohol use shall not be considered as an excuse.

No-Contact Directive: A No Contact Directive shall mean an administrative directive to both the reporting individual and accused or respondent to refrain from direct contact whether in person or through other means. This includes all contact made which can be considered verbal, nonverbal, physical, written, or via telecommunications devices, including electronic mail and text messages. In addition, this request extends to all action which may occur as a result of third parties acting on the student's behalf.

Notice: All notices under this policy are written and sent to the student or employee's assigned ACPHS email address or delivered via Certified Mail to the local or permanent address(es) of the parties as indicated in official ACPHS records or personally delivered to the intended recipient.
Party/parties: Referring to complainant(s), respondent(s), or both/all complainant(s) and respondent(s).

Remedies: Remedies means measures provided, as appropriate, to a complainant or any other person ACPHS identifies as having had their equal access to ACPHS' education program or activity limited or denied by discrimination or other prohibited conduct covered by this policy. These measures are provided to restore or preserve that person's access to the education program or activity after an ACPHS determines that discrimination occurred. Only the complainant will be informed of any remedies pertaining to them. Some examples are academic support and/or opportunity to retake a class or resubmit work or time extensions on course or degree completion, or non-academic support such as counseling, or changes to work assignments or locations. The Title IX Coordinator is responsible for the implementation of remedies.

Respondent: an individual, or group of individuals such as a student organization, who has been reported to be the perpetrator of conduct that could constitute Prohibited Conduct under this policy; or retaliation for engaging in a protected activity.

Sanctions: One or more sanctions or disciplinary steps may be imposed on a respondent who is found responsible for a violation of ACPHS's policies. Sanctions or disciplinary steps not listed in Appendix E of this policy may be imposed in consultation with the Title IX Coordinator. The form of sanction or discipline used will depend on the nature of the offense, as well as any prior disciplinary history. Such discipline or sanction will be imposed pursuant to and in accordance with any and all applicable ACPHS rules, policies, and procedures. To see a full list of sanctions, please see Appendix

E: Possible Sanctions for Students and Employees

Student: Any person who has (or will have) attained student status by way of:

1. Admission, housing, or other services that require student status
2. Registration for one or more credit hours
3. Enrollment in any non-credit, certificate or other program offered by the university

Supportive Measures: Individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- Restore or preserve that party's access to ACPHS' education program or activity, including measures that are designed to protect the safety of the parties or ACPHS' educational environment; or
- Provide support during ACPHS' grievance procedures or during an alternative resolution process.no

Supportive measures may include but are not limited to: counseling; extensions of deadlines and other course- related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a

comparable alternative; no-contact directives (which may be mutual or unilateral at the discretion of the Title IX Coordinator); and training and education programs related to sex-based harassment. Supportive measures are non-disciplinary and non-punitive. Supportive Measures will also be offered to respondents when they are notified of the allegations. Any Supportive Measures put in place will be kept confidential, except when doing so impairs the ability of the institution to provide the Supportive Measures.

ACPHS will offer and coordinate supportive measures as appropriate for the parties as applicable to restore or preserve their access to ACPHS' program or activity or provide support during ACPHS' alternative resolution process or grievance procedures. Prohibited Conduct under this policy have the right to request supportive measures from ACPHS regardless of whether they desire to make a complaint or seek alternative resolution.

A party may challenge ACPHS' decision to provide, deny, modify, or terminate supportive measures when such measures are applicable to them. An impartial employee will be designated to consider modification or reversal of ACPHS' decision to provide, deny, modify, or terminate supportive measures. When the individual providing Supportive Measures is a Deputy Title IX Coordinator or other individual identified by the Title IX Coordinator to provide Supportive Measures, the Title IX Coordinator will be designated to consider the challenge regarding supportive measures. The impartial employee will typically respond to the challenge within five days.

The Title IX Coordinator has the discretion to implement or modify supportive measures. Violation of the parameters of supportive measures may violate existing codes or handbooks.

Appendix A: Resources

On Campus Confidential Resources (and exempt from employee reporting):
The College Counseling Services: 518-210-5298

Off Campus Confidential Resources for Students, Faculty, and Staff:

1. Albany County Crime Victims and Sexual Violence Center: 518-447-7716
2. Equinox Domestic Violence Services: 518-432-7865
3. The Legal Project Campus Violence Connection: 518-435-1770

Anonymous reporting to Confidential Hotlines for students and employees provided by New York agencies and not-for-profit entities:

- NYS Office of Victim Services: 1-800-247-8035 Note: Information regarding STIs, forensic exams, and resources available through the NYS Office of Victim Services
- New York State Domestic and Sexual Violence Hotline: 1-800-942-6906
- Equinox Hotline: 518-432-7865
- Unity House Hotline: 518-272-2370
- The National Domestic Violence Hotline: 1-800-799-7233
- The National Sexual Assault Hotline: 1-800-656-4673
- Safe Horizon Hotlines: 800-621-4673 (domestic violence), 866-689-4357 (victims of other crimes, 1-212-227-3000 (rape & sexual assault victims)

Appendix B: New York State Student Bill of Rights

All students have the right to:

1. Make a report to local law enforcement and/or state police
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously

3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident
8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution
9. Access to at least one level of appeal of a determination
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution

Appendix C: Additional Rights Regarding a Report of Sexual Misconduct

Anyone reporting an incident of sexual assault, domestic or dating violence, or stalking has the right to:

- Notify campus security authorities, as identified in the annual Campus Safety Report, local law enforcement, or the New York State Police;
- Emergency access to a Title IX Coordinator or other appropriate official trained in interviewing victims of sexual assault who shall be available upon the first instance of disclosure by a reporting individual and who can provide information, including:
- Options to proceed, including the right to report to College officials, local law enforcement, and/or the New York State Police, or choose not to report; to report the incident to the College; to be protected by the College from retaliation for reporting an incident; and to receive assistance and resources from the College;
- Where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible;
- That the criminal justice process utilizes different standards of proof and evidence than the College's misconduct procedures and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the district attorney;
- Whether the person they are reporting to is authorized to offer confidentiality or privacy; and
- Any other reporting options.
- Disclose the incident confidentially to College representatives, who may offer confidentiality pursuant to applicable laws and can assist in obtaining services for Complainants.
- Disclose the incident confidentially and obtain services from the state or local government.
- File a report of sexual assault, domestic violence, dating violence, and/or stalking and consult with the Title IX Coordinator and other appropriate College personnel for information and assistance. Reports shall be investigated in accordance with College policy. A Complainant's identity shall remain private if that is what the Complainant wishes. However,

privacy is not the same as confidentiality and private information can be shared as necessary to implement and fulfill the College's obligations under the law and its policies and procedures.

- If the accused is a College employee, disclose the incident to Human Resources or request a confidential or private employee to assist in reporting to Human Resources.
- Receive assistance from appropriate College representatives if interested in initiating legal proceedings in family court or civil court. Such assistance consists of facilitation in contacting appropriate local agencies who can provide direct assistance with court proceedings.
- Withdraw a complaint or involvement from the College process at any time, with the understanding that in appropriate cases, the College may nonetheless be required to continue investigating and appropriately resolving cases even if the reporting individual does not wish the case to continue.
- Reporting Individuals will be protected from retaliation for reporting an incident.

Appendix D: Penal Law of the State of New York

Sexual Assault and the Law
Albany College of Pharmacy and Health Sciences has programs in place to protect all members of the ACPHS community from sexual assault. NYS Law contains the following legal provisions defining the crimes related to sexual assault:

Section 130.20 – Sexual Misconduct
This offense includes sexual intercourse without consent, oral or anal sexual conduct without consent or engaging in sexual intercourse with an animal or a dead body. The penalty for violation of this section includes imprisonment for a definite period to be fixed by the court up to one year.

Section 130.25/.30/.35 – Rape
This series of offenses includes sexual intercourse with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes sexual intercourse with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

Section 130.40/.45/.50 – Criminal Sexual Act
This series of offenses includes oral or anal sexual conduct with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes oral or anal sexual conduct with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed 25 years.

Section 130.52 – Forcible Touching
This offense involves the forcible touching of 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. Forcible touching includes the squeezing, grabbing, or pinching of another person's sexual or other intimate parts. The penalty for violation of this section includes imprisonment for a period of up to one year in jail.

Section 130.55/.60/.65 – Sexual Abuse
This series of offenses includes sexual contact with a person by forcible compulsion, or with a person who is incapable of consent due to physical helplessness, or due to the person being under the age of

consent. The penalties for violation of these sections range from imprisonment for a period not to exceed three months up to imprisonment for a period not to exceed seven years.

Section 130.65-a/.66/.67/.70 – Aggravated Sexual Abuse
This series of offenses occurs when a person inserts a finger or a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the other person is under the age of consent. The level of this offense is enhanced if the insertion of a finger or foreign object causes injury to the other person. The penalties for violation of these sections range from imprisonment for a period not to exceed seven years up to imprisonment for a period not to exceed 25 years.

Appendix E: Possible Sanctions for Students and Employees
One or more of the sanctions or disciplinary steps listed here may be imposed on a respondent who is found responsible for a violation of ACPHS's policies. Sanctions or disciplinary steps not listed here may be imposed in consultation with the Title IX Coordinator.

The form of sanction or discipline used will depend on the nature of the offense, as well as any prior disciplinary history. Such discipline or sanction will be imposed pursuant to and in accordance with any and all applicable ACPHS rules, policies, and procedures. Factors considered when determining a sanction/responsive action may include:

- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous grievances or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, or retaliation
- The need to remedy the effects of the discrimination, harassment or retaliation on the victim and the campus community

Student sanctions imposed are implemented when the decision is final (after an appeal, or, if there was no appeal, after the appeals period expires).

Faculty found responsible for violating this policy may be referred to as the appropriate academic official for any other applicable processes.

Possible sanctions and disciplinary steps for student respondents include, but are not limited to the following (common sanctions that may be imposed upon students or organizations singly or in combination):

- Warning: A formal statement that the conduct was unacceptable and a warning that further violation of any ACPHS policy, procedure, or directive will result in more severe sanctions/responsive actions
- Required Counseling: A mandate to meet with and engage in either ACPHS-sponsored or external counseling to better comprehend the misconduct and its effects
- Probation: A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from

co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.

- Suspension: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at ACPHS, a notation of this suspension is put on their transcript.
- Expulsion: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend ACPHS-sponsored events. This sanction will be noted permanently as a Conduct Expulsion on the student's official transcript.
- Withholding Diploma: ACPHS may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation
- Revocation of Degree: ACPHS reserves the right to revoke a degree previously awarded from ACPHS for fraud, misrepresentation, and/or other violation of ACPHS policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- Organizational Sanctions: Deactivation, loss of recognition, loss of some or all privileges (including ACPHS registration) for a specified period of time
- Other Actions: In addition to or in place of the above sanctions, ACPHS may assign any other sanctions as deemed appropriate

Possible sanctions and disciplinary steps for staff and faculty respondents include, but are not limited to:

- Warning – Verbal or Written, Performance Improvement Plan/Management Process, Enhanced Supervision, Observation, or Review
- Required Counseling
- Required Training or Education
- Probation
- Denial of Pay Increase/Pay Grade
- Loss of Oversight or Supervisory Responsibility, Demotion, Transfer, Reassignment
- Delay of tenure track progress, Assignment to new supervisor
- Restriction of stipends, research, and/or professional development resources o Suspension with pay, Suspension without pay, Termination
- Other Actions: In addition to or in place of the above sanctions/responsive actions may assign any other responsive actions as deemed appropriate

Possible sanctions for VAWA Crimes (domestic violence, dating violence, sexual assault and stalking, including (but not limited to):

- College warning (except in cases of sexual assault/violence), Suspension/expulsion, Probation
- Termination of employment
- Other steps to address the impact of harassment or discrimination on the Reporting Party, any witnesses, and the College community

Student Disciplinary Code

Albany College of Pharmacy and Health Sciences community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life, and the principle of student freedom coupled with an acceptance of full responsibility for individual action. Dedicated to an educational and developmental philosophy, the College adheres to a process that balances the interests of individual students with the interests of the College community. The purpose of the Student Disciplinary Code is to establish behavioral expectations of students, to protect the interests of the community, and to challenge those whose behavior is not in accordance with our policies. When the

student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in the community. The student conduct process is different from criminal and civil court proceedings; it is designed to be grounded in an educational and developmental approach. Procedures and rights in student conduct procedures are conducted with "fundamental fairness" in mind. They do not include the same protections of due process afforded by the courts. Students, like all members of the College, assume responsibility to conduct themselves respectfully and in compliance with the policies and standards of the conduct established by the College.

Jurisdiction

The jurisdiction of the College discipline system can include both on-campus and off-campus incidents at the discretion of the Vice President for Student Experience or a designee. This includes conduct which occurs on the College's premises or as part of the College's sponsored or sanctioned off campus activities and premises (i.e., University Heights College Suites, co-curricular activities, rotations, off campus trips, etc.) and College related international travel experiences. Additionally, any incident involving a student that harms the College's interest will be reviewed by the Student Conduct Administrator to determine if College conduct action is warranted. Any off-campus incident that endangers another member of the College community (i.e., sale or dispensation of illegal drugs, infliction or threat of bodily harm, sexual assault, assault, harassment, or threat with a deadly weapon) would be considered harmful to the interest of the College.

When College disciplinary proceedings have been instituted against a student also charged with violation of a federal, state or local law, proceedings under this Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus, at the discretion of the Vice President for Student Experience or a designee. The Student Conduct Administrator is responsible for the administration of this Code and when there may be charges of violations of multiple policies, will assign the processing of charges appropriately.

Jurisdiction allows any College official to enter on-campus rooms to investigate possible violation(s) of policies and may confiscate contraband, such as alcohol or stolen property, when deemed appropriate. Confiscated items become property of the College and may be disposed of at the discretion of college officials when possession of these items violates policies and regulations. Students must comply with requests from college officials to open rooms when acting in an official College capacity. Failure to cooperate may result in disciplinary action including dismissal from residence and/or the College.

Definitions

"Appeal" means a formally written statement requesting a review of the outcome of a hearing and subsequent sanctioning.

"Appellate Board" means those persons selected to act as the Appellate Board of the College.

"College" and "Institution" mean Albany College of Pharmacy and Health Sciences.

"College document" means any College record, written communication, or form.

"College official" includes any person employed by the College, performing assigned administrative or professional responsibilities.

"College premises" and "College property" also referred to as the campus, includes all land, buildings, facilities and other property in the possession of or owned, leased, operated, used, or controlled by the College (including adjacent streets and sidewalks), and includes the common areas of the University Heights Campus.

"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.

"Hearing" means any formal meetings with a designated College official concerning alleged policy violations.

"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 Vice President for Student Experience.

"Organization" means an association formed by its members, some of whom 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 Government Association (SGA).

"Policy" is defined as the written regulations, rules, and procedures of the College (i.e., the Student Disciplinary Code, the Academic Integrity Policy, the Professionalism Code for PharmD, the Student Housing Occupancy Contract, the College Catalog, or any content on the College website, etc.).

"Referred Individual" includes all persons who have been documented as allegedly violating a college policy and will proceed through the Student Conduct Process.

"Student" includes all persons taking courses at the College, both full-time and part-time, pursuing undergraduate or graduate studies. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the College are considered "students."

"Student Conduct Administrator" (SCA) means the person appointed by the Vice President for Student Experience to coordinate conduct cases. The SCA may delegate, on a case-by-case basis, these responsibilities when potential conflicts of interest or other conflicts arise.

"Student Conduct Committee" means those persons selected by their respective constituencies who convene to hear cases of alleged disciplinary code violations.

"Student Conduct Officer" means a member of the Student Conduct Committee authorized on a case-by-case basis by the Student Conduct Administrator to perform the duties of the Student Conduct Officer under this Code. Nothing shall prevent the Student Conduct Administrator from authorizing the same individual to act as a Student Conduct Officer in several or all cases.

General Rights and Responsibilities of ACPHS Community Members

ACPHS is an academic community promoting the rights and responsibilities of individuals within that community. The following rights and responsibilities govern the conduct of students, faculty, administration, staff and visitors on campus and College property, as well as off campus at College sponsored events and programs:

- The right to freedom of speech, press, political belief and affiliation, freedom from discrimination, freedom to peaceful assembly and an appeal for redress of grievances
- The right to pursue lawful activities
- The right to freedom from verbal and physical force, violence, harassment, assault, and abuse, either as individuals or groups
- The right to privacy of personal information as provided by law

Responsibilities
(Compliance with Article 129-A of the New York State Education Law)
All people must behave in a way that will contribute to the purpose of the College. The primary purpose of the College is the cultivation of the intellect. The College cannot condone behavior inconsistent with its purpose or which the College deems inappropriate or unsafe for the College community.

So that the College may achieve its purpose, maintenance of public order on the College campus and College property must be ensured. The laws regarding public order will be enforced by the proper officials. When laws regarding public order are violated, a college official will call the proper law enforcement officials to assist in maintaining public order. Ejection of violators of laws of public order may be necessary. In the case of a student or faculty violator, other penalties may include suspension, expulsion, or other appropriate disciplinary action. No person, student, faculty, or staff member may have in his possession upon the College property any rifle, shotgun, pistol, revolver or other firearm or weapon. Nothing contained in these rules and regulations is intended to limit freedom of speech or peaceful assembly. Any action or situation which 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 is prohibited and will be subject to appropriate College discipline, including possible suspension or expulsion. Any organization which authorizes such conduct contained in #5 shall be denied permission to operate on campus.

Student Conduct Process
The College has established regulations and procedures consistent with its purpose as an educational institution. In the spirit of fairness, the disciplinary process is intended to be as flexible as possible and chiefly concerned with the best interest of both the student involved and the College community. The process was designed to honor a student's rights while assuring responsibility for one's own actions. For detailed information regarding the process, please refer to Judicial Procedures of the Conduct Committee section of the Handbook.

Student Conduct Referral
Anyone may refer a student for judicial action when it is believed they have violated a college policy. Referrals are made to the Student Conduct Administrator either by written documentation and/or verbal communication.

Responding Individual's Rights
The following guidelines are intended to assure individual rights and fairness. The responding individual has a right to:

- Receive a notice of alleged policy violations
- Prepare and present defense in their behalf
- Obtain legal counsel in an advisory, non-representative capacity 4. Receive notice of decisions and sanctions, if any
- Request an appeal if criteria are met

In addition:
Consideration may be made to bypass any or all the above criteria when:

- The charge is criminal in nature and is referrable to local, state, or federal officials
- There is concern for the personal safety of others
- The persons making the referral may select procedures outside the College
- The case is particularly sensitive, i.e., involving confidential materials
- Hearings are closed
- Individuals having a bearing on the case will be called as needed by the Student Conduct Administrator

The student conduct officer may question referred individual and witnesses either together, in groupings, or individually as the officer deems appropriate. During school year breaks and summer, all efforts will be made to hear the case promptly.

Student Rights in the Conduct Process

Not all students who participate in the Student Conduct Process are documented individuals, such as victims, bystanders, and observers. Should a student report an incident that requires disciplinary action, the student that initiated the report may be required to attend and/or participate in the Student Conduct Process. Should a victim be required to participate in the Student Conduct Process, the following guidelines are intended to assure individual rights and fairness. A victim has a right to and thus may:

- Receive an explanation of all procedures
- Be accompanied by an advisor throughout all proceedings
- Be provided with a comfortable waiting area prior to the hearing
- Remain in the hearing throughout the proceedings
- Request that discussion of history or behavior be limited to that which is relevant to the case

The College cannot disclose the outcome of the hearing to the reporting individual, but the College can let the reporting individual know that the incident went through the Student Conduct process. If sanctions relate to the reporting individual, they will be notified.

Welfare of the Community Policy (Amnesty Policy)

ACPHS is committed to the health and safety of all its students. Students are encouraged to care for themselves and other community members. The College is aware that, in a situation involving alcohol or other drugs, students may be reluctant to call for assistance because of the fear that to do so might result in disciplinary action. To ensure that students receive prompt and appropriate attention when there is a safety concern or in which medical attention is warranted, the College has a Welfare of the Community (Amnesty) policy in place. In those instances, in which a student seeks help, no formal judicial action will be taken against the individual in need (nor the persons reporting the incident) unless the individuals involved demonstrate a repeated lack of care concerning their wellbeing and the well-being of the campus community.

The individuals involved may be required to meet with members of the College community to discuss educational and support options. When necessary, the Student Conduct Administrator or designee will render the final decision regarding whether the Welfare of the Community (Amnesty) policy applies and if any required follow-up is necessary in a particular case. The Welfare of the Community (Amnesty) policy only applies to safety concerns related to alcohol and other drug use and does not apply to other prohibited conduct. This process is not intended to address possible violations of criminal laws or their consequences outside of the College. In cases where an individual or organization fails to seek emergency medical assistance when it is clearly indicated, formal judicial action will be taken against the individual(s) or organization.

College Policies

Academic Integrity

Academic integrity is violated by any dishonest act which is committed in an academic context. Academic dishonesty may occur in courses, in experiential settings (professional rotations, research laboratories, clinics) or other associated academic activities. Violations of the standards of academic integrity cannot be listed exhaustively, but some of the most common examples are listed below.

Plagiarism
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. Examples of plagiarism include, but are not limited to:

- Copying, from any source (other students, faculty, electronic or print publications) information word-forward without using quotation marks, even if the source is referenced in the text or in the works cited page
- Paraphrasing or summarizing another author's ideas or research without giving proper credit
- Submitting a paper or other assignment as original work for more than one course
- Using someone else's production (e.g., writing, artwork, photograph, multimedia, video) without proper citation
- Giving incorrect information about the source of a quotation

Unauthorized Assistance in Course Assessments: The use or attempted use of unauthorized aids.

- Electronic or other, or assistance from others on examinations or other assignments submitted for evaluation, or unauthorized collaboration in completing assignments or examinations.
- Reviewing an unauthorized copy of an exam. (The term "unauthorized" refers to using an old exam explicitly not allowed by the faculty teaching the course or reviewing an exam or exam questions prior to it being given).
- Allowing others to copy or use work. Any action that aids another in violating academic integrity.

Communicating False or Dishonest Information

- Violating the confidentiality of academic communication
- Intentionally making a false report of academic dishonesty
- Dishonesty in requests for make-up exams, extensions of deadlines, or other course matters

Falsification of Records or Identity

- Falsification of records, reports, or documents associated with the educational process
- Misrepresentation of one's own or another's identity in an academic context
- Fabrication, falsification, or misrepresentation of data, results, or sources for papers or reports
- Actions that destroy or alter another student's or colleague's work

Abuse and Intimidation

Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, bullying and/or other conduct including by electronic means (social media) that threatens or endangers the health or safety of any person, or which adversely affects the College community and/or the pursuit of its objectives is prohibited.

Abuse of Student Conduct System

Abuse of the student conduct system, including but not limited to:

- Failure, without good cause, to obey the written direction of the Student Conduct Officer or Student Conduct Committee to provide evidence at a hearing, provided there is proof that such direction was received in a timely manner
- Falsification, distortion, or misrepresentation of information before a Student Conduct Officer or Student Conduct Committee
- Disruption or interference with the orderly conduct of a judicial proceeding
- Attempting to discourage an individual's proper participation in or use of the judicial system
- Attempting to improperly influence the impartiality of a member of a Student Conduct Officer/Committee prior to and/or during the course of the hearing by communications which are not part of the official documentation
- Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Committee prior to, during and/or after a judicial proceeding
- Failure to comply with the sanction(s) imposed under the Student Disciplinary Code
- Influencing or attempting to influence another person to commit an abuse of the judicial system
- Furnishing a false charge or other information to any College official, faculty member or office

Acts of Complicity
Acts of complicity, aiding, abetting, attempting, conspiring, hiring, willfully encouraging or being an accessory to any violation of the Student Disciplinary Code are prohibited.

Alcohol
Alcohol as it Relates to Underage Students
If a student is under the age of 21 (hereafter referred to as an "underage student"), the possession, consumption, or distribution of any amount of alcohol is prohibited.

- Underage students shall not possess, consume, or distribute alcoholic beverages
- Underage students shall not furnish or sell any alcoholic beverage
- Underage students shall not be in the presence of alcohol with the exception of College-sponsored events in which each student ID is properly checked, and appropriate wristbands are worn (i.e., Snowball Dance, Halfway and All the Way Dances, etc.).
- Underage students shall not be incapacitated by the influence of alcohol

Alcohol as it Relates to Excessive Drinking
Excessive drinking (or "binge-drinking") is prohibited. No student, regardless of age, is not permitted to be intoxicated or incapacitated by alcohol.

Alcohol as it Relates to Paraphernalia
All students shall not possess any drinking paraphernalia that promotes rapid consumption of alcohol including, but is not limited to funnels, beer pong materials, and shot gunning supplies.

Regardless of age, possession and/or consumption of any form of alcohol in an open container is prohibited outside. All unauthorized alcohol containers and paraphernalia will be confiscated and disposed of.

Building Access and Security

Building Access & Security as it Relates to Secure Areas

No person may:

- Be on the roof of any campus building
- Climb into windows on campus
- Sit in windows or on ledges
- Sit on heating/cooling units

Building Access & Security as It Relates to Keys and ID Cards
Students may not loan their own or use another student's key or College identification for any reason. Failure to show a proper student identification or other identification to a college representative is prohibited. Students should not provide unauthorized access to any College facility which is otherwise secured.

Building Access & Security as It Relates to Unauthorized Entry
Forcible entry or any unauthorized entry into any room or building on the College premises or at any College related function is prohibited.

Cell Phones
Any unauthorized use of electronic or other devices to take a photo, record audio, or video of any person while on college premises without their consent, except where activities recorded are public behavior, are prohibited. The College prohibits the taking of pictures of another person in the gym, locker rooms, bathrooms, or other places on or off campus where a person has a reasonable expectation of privacy. No cell phone can be used while driving when on college business. Students who violate this policy may be subject to criminal or civil penalties for related violation of federal, state, or local laws.

College Documents
Forging, transferring, altering, or otherwise misusing any student record, official College document, record, identification card or other college identification is prohibited.

Computer Ethics
Users of computer systems and networks at the Albany College of Pharmacy and Health Sciences must read, understand, agree to comply with and sign the ACPHS Computing Ethics Policy. This policy applies to all members of the College Community (students, faculty, and staff).

Copyright and P2P File Sharing
This policy (also referred to as the P2P Policy), sets forth ACPHS' procedures to reduce the illegal uploading and downloading of copyrighted works through peer-to-peer (P2P) file sharing. ACPHS uses a wide variety of methods to inform students, faculty, and Staff about copyright law. This Policy should be read in conjunction with ACPHS' Computer Use Policy.

Damage to College Property
Attempted or actual damage to college property or other personal or public property is prohibited.

Demonstrations
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, is prohibited.

Digital/Electronic Misuse
Theft or other abuse of digital or electronic resources is prohibited. Including but not limited to:

- Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose
- Unauthorized transfer of a file
- Use of another individual's identification and/or password
- Use of computing facilities and resources to interfere with the work of another student, faculty member or College Official
- Use of computing facilities and resources to send obscene or abusive messages
- Use of computing facilities and resources to interfere with normal operation of the College computing system
- Use of computing facilities and resources in violation of copyright laws

Disorderly Conduct
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 is prohibited. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other College activities, including the College's public-service functions on or off campus, or other authorized non-College activities when the act occurs on college premises is prohibited.

Drugs
Use, possession, manufacture or distribution of marijuana, heroin, narcotics, illicit drugs, or other controlled substances except as expressly permitted by law is prohibited. This includes prescription drugs being used or possessed by an individual without a valid prescription for that drug.

Drugs As It Relates to Possession, Consumption, Distribution, and Sale

Possessing, consuming, distributing, or selling illegal or illicit drugs is prohibited.

Students shall not:
- Be in the presence of illegal or illicit drugs, nor will they be present where illegal or illicit drugs are being used, had been used, or were suspected of being used
- Be incapacitated by the influence of illegal or illicit drugs or substances

Additionally, the odor of marijuana in corridors, lounges, public areas, or student rooms in conjunction with the possession of a fan, towel, or any other element used to mask the smell will result in participation in the Student Conduct process.

Drugs As it Relates to Paraphernalia
Possession of any drug paraphernalia, or any item designed or intended for the purpose of preparing, smoking, injecting, ingesting, inhaling or otherwise using illegal drugs, or in the illicit use of legal drugs, or disguising drug use, is prohibited.

Students shall not:
- Possess any drug paraphernalia, including, but not limited to bongs, bowls, hookahs, pipes and scales
- Possess any items that are designed for the use of drugs
- Any items that are fashioned for the purpose of facilitating or disguising drug use will also be considered a violation of this policy

All drugs and drug paraphernalia will be confiscated and disposed of.

Students found in violation of the drug policy and/or drug paraphernalia policy may be removed from campus housing and/or the College depending on the severity of the incident.

Failure To Comply
Failure to comply with reasonable and lawful requests or 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 is prohibited.

False Reporting
Falsely reporting an emergency, such as falsely reporting a bomb, fire or other emergency in any building, structure, or facility on college premises or at any College related function by activating a fire alarm or by any other means is prohibited.

Federal/State/Local Laws
Conduct which allegedly violates federal, state and/or local laws is considered a violation of college policy and is prohibited.

Fire Safety
Any attempt to start a fire intentionally or recklessly or cause an explosion and/or contribute to an unauthorized fire is prohibited. In the case of emergency or emergency drills, refusal to leave, or the prevention of a college official to evacuate a building is prohibited. Activation of false alarms and tampering with fire safety equipment, (i.e., fire alarms, door alarms, exiting through emergency doors in a non-emergency, fire extinguishers, exit signs, emergency phones, fire doors, sprinklers, or smoke or heat sensors) either accidentally or maliciously, is a violation of law and can result in a criminal penalty as well as student conduct action.

Should a fire alarm sound, students must evacuate the building immediately and may not return until they receive permission from a college official, Public Safety, or Albany Fire Department official.

E-Bike and Scooters
E-Bike and Scooters Safety remains a top priority at Albany College of Pharmacy and Health Sciences for students, faculty and staff. As part of these efforts, ACPHS prohibits the use, parking, and charging of electric scooters, electric bikes, and similar micro-mobility devices inside any ACPHS facilities. Use, parking, and charging of these devices inside presents fire, safety, and accessibility hazards. This includes all on-campus housing, dining halls, academic buildings and other ACPHS facilities.

Furnishing False Information
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 is prohibited.

Gambling
All gambling or betting activities, with the exception of small, private card or other games, which do not involve monetary bets or involve monetary bets of small amounts (less than $5.00) are prohibited in accordance with state and civil law.

Harassment
Harassment of any type is strictly prohibited. Students shall not:

- Take any action with the intent to alarm or disturb another individual, or to breach the peace of an individual

- Engage in, or participate in, any action which is unwanted and results in an individual being fearful for imminent bodily harm and/or the emotional/mental disruption of a person's daily life or educational environment
- This includes willful and repeated harm inflicted through the use of computers, cell phones, cameras, and other electronic devices

Anti-Hazing Policy
Investigation and Adjudication

An investigation process related to the reported hazing will be completed by the appropriate college office(s) in accordance with their applicable procedures. Based upon the parties involved and the nature of the allegations, these offices may include, but are not limited to, Student Conduct, Human Resources, and Public Safety.

Sanctions and Other Consequences
Hazing is a serious offense and is therefore subject to the full range of sanctions (warning, disciplinary probation, suspension, and expulsion). In addition, other educational activities (i.e., community service, participating in an anti-hazing workshop, etc.) or opportunities may be required as conditions of the sanction. An individual, organization or group may be subject to other outcomes in accordance with the applicable outside constituents, academic processes, group in which the student is involved, or their governing bodies. The College has the right to act regardless of the actions of a governing body.

Sanctions for Students
When a student is found to have violated this policy, potential sanctions pursuant to the ACPHS Student Handbook include, but are not limited to, the following:

- Warning
- Supervision
- Loss of privileges
- Disciplinary probation
- Suspension for a period
- Expulsion
- Other appropriate educational opportunities or sanctions

Notice will be provided to the student if a sanction becomes part of their academic transcript (and will be noted in the student's final outcome/determination letter).

Sanctions for Student Organizations
When a student organization is found to have violated this policy, potential sanctions pursuant to the ACPHS Student Handbook include, but are not limited to the following:

- Warning
- Deactivation
- Loss of selected privilege(s)
- Suspension for a period
- Other appropriate educational opportunities or sanctions

Sanctions for Employees
When an employee is found to have violated this policy, corrective actions may be taken pursuant to the appropriate HR policy.

Consequences for Alumni, Consultants, and Other Volunteers

When alumni, consultants or volunteers violate this policy, ACPHS reserves the right to take appropriate action to address the individual's conduct and that of the organization or group.

Law Enforcement and/or Governing Bodies

Violations of this policy may be referred to the appropriate law enforcement or College services, as well as to regional, national, and/or international affiliated offices of student organizations, for additional action and/or prosecution. The College has the right to act regardless of the actions of a governing body or law enforcement. Decisions around culpability and any outcomes or sanctions from law enforcement or governing bodies are independent of any decisions made by the College under this policy.

Appeals

Both parties have the right to appeal. The appeal is not meant to rehear or reargue the same case and is limited to the standards below. Written appeals must meet one or all of the following standards:

- A procedural (or substantive) error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.)
- To consider new evidence unavailable during the original hearing or investigation that could substantially impact the original finding or outcome. A summary of this new evidence and its potential impact must be included.
- Outcomes imposed are grossly disproportionate to the violation(s) committed

Parties may not appeal under the following circumstances:

- Non-attendance at meetings
- Dissatisfaction with a decision and/or outcome

Appeals must be submitted in writing to the vice president for Student Experience. The written appeal must state the specific grounds for the appeal and be received within five days from the date of the outcome letter from the conduct hearing.

Appeals will typically be heard by the vice president for Student Experience. A different appeal officer may be appointed in extenuating circumstances. An in-person meeting with the Appellant or other parties will occur only at the discretion of the person reviewing the appeal. The decision of the appeal officer is final.

All outcomes imposed by the original conduct officer will be in effect during an appeal. A request may be made to the vice president for Student Experience, or designee, to delay implementation of the outcomes until the appeal is decided, but the presumptive stance of the institution is that the outcomes will go into effect immediately.

Graduation, study abroad, internships/ externships, etc. do not constitute exigent circumstances, and students may not be able to participate in those activities during their appeal. In cases where the appeal results in reinstatement to the College or resumption of privileges, all reasonable attempts will be made to restore the respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

Failure to Comply with Outcomes

Individuals that fail to comply and/or complete the assigned outcomes may be charged and an additional conduct hearing will be held. A hold may be placed on the party's record until the incomplete sanction and/or failure to comply case is resolved.

In circumstances where a student organization fails to comply with outcomes, the organization may be charged, and an additional conduct hearing may be held. A hold may be placed on the organizational

record until the incomplete sanction and/or failure to comply case is resolved. The hold may impact the ability to receive funding, housing status or participation in College-recognized events.

Federal and State Hazing Definitions
Hazing (per Federal law)

The term 'hazing,' for purposes of reporting statistics on hazing incidents is defined as any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

1. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization
2. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:
    a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity
    b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity
    c. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances
    d. causing, coercing or otherwise inducing another person to perform sexual acts
    e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct
    f. any activity against another person that includes a criminal violation of local, state, tribal, or federal law
    g. any activity that induces, causes or requires another person to perform a duty or task that involves a criminal violation of local, state, tribal, or federal law

Hazing Per New York State Law:
§ 120.16 Hazing in the first degree

A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct, including, but not limited to, making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury.

Hazing in the first degree is a class A misdemeanor

§ 120.17 Hazing in the second degree.

A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, he intentionally or recklessly engages in conduct including, but not limited to making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury to such other person or a third person.

Hazing in the second degree is a violation.

Federal/State Reporting Requirements

Campus Hazing Transparency Reports ("CHTR")

Beginning July 1, 2025, the College will publish in a prominent location on the public website information with respect to hazing incidents where there has been a finding of responsibility against registered or established groups/organizations. This report will be updated at least twice per year if there are additional findings of responsibility to document. The CHTR will be publicly available on the College webpage.

It will include, at a minimum:

- The period from when the report was last published and ending on the date it is being republished
- Each incident involving a student organization for which a finding of responsibility is issued relating to a hazing violation, including:
  - Name of the organization
  - Dates of incidents
  - Information and description of the violation

The CHTR may include any additional information determined by the College as necessary or reported as required by state law. The CHTR will not include Personally Identifiable Information in the report.

Clery Act and Annual Security Report

The Clery Act is a federal crime and incident disclosure law. It requires, among other things, that the College reports the number of incidents of certain crimes that occur within particular geographic locations (Clery geography). Beginning with the 2026 Annual Security Report, the College must also include hazing incidents reported to have occurred within Clery geography. The first calendar year that will include hazing statistics is 2025. The Clery Act also requires the College to issue a warning to the community in certain circumstances.

In the statistical disclosures and warnings to the community, the College will ensure that a Complainant's name and other identifying information is not disclosed.

The Student Conduct Office will refer information to the Clery Director/Official, when appropriate, for a determination about Clery-related actions, such as disclosing crime statistics or sending campus notifications.

Training and Prevention

In alignment with the prevention and awareness program requirements of the Stop Campus Hazing Act, the College maintains a commitment to not only address incidents of hazing that occur, but also to educate our campus community about hazing and healthy alternatives to prevent this type of harm.

Our training program is provided to new students, applicable clubs and organizations, Greek organizations and athletics, etc.

Learning outcomes include:

- Awareness of anti-hazing policy
- How to recognize and report hazing
- Examples of what does and does not constitute hazing

Training is provided by the associate vice president of Diversity, Equity and Inclusion. To learn more or schedule a training, please contact Jonathan.phipps@acphs.edu.

All students, faculty and staff must complete anti-hazing training upon joining the institution and annually thereafter.

The College will provide ongoing education campaigns, including workshops, speaker events, and social media campaigns throughout the academic year to reinforce anti-hazing policies and encourage a culture of safety.

CAMPUS RESOURCES

1. Office of Student Life: alison.buckley@acphs.edu
2. Campus Safety/University Police: 518-244-3177
3. Title IX/Compliance Office: TitleIX@acphs.edu
4. Counseling and Psychological Services: peter.cornish@acphs.edu
5. Office of Student Experience: studentexperiences@acphs.edu
6. Local Law Enforcement: 518-438-4000

Maintenance of Files and Records
The files of individuals (or any student organization) found responsible for violation of the College Anti-Hazing Policy will normally be retained as a conduct record in the Student Conduct Office. Records maintained to comply with the Clery Act (including the Stop Campus Hazing Act) will be retained for the time period consistent with Clery Act records.

This policy shall be reviewed annually by the Office of Student Experience to ensure compliance with applicable federal and state laws and College standards.

Infliction or Threat of Bodily Harm
Students shall not:

- Inflict bodily harm
- Take any action to inflict bodily harm
- Take any action that creates a substantial risk such that bodily harm could result

Additionally, students shall not threaten to subject another person to:

- Physical harm
- Unwanted physical contact
- Ethnic slurs, personal insults, and/or obscenities at another person or group of people
- Unwanted communication, including, but not limited to in person, phone, email, text message, dating websites, social media* or any other form of electronic communication
- Willful and repeated harm inflicted through computers, cell phones, cameras and other electronic devices

For this policy's purposes, social media is defined as any form of electronic communication through websites, browsers or digital applications. Examples include, but are not limited to X, Facebook, Instagram, Tik Tok, LinkedIn and YouTube.

Obstruction of Movement
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 is prohibited.

Smoking
Smoking and the use of any other tobacco product is strictly prohibited in all College campus buildings, on the grounds of the campus, on off campus properties owned, leased, or rented by the College, and in all College rented vehicles.

Tobacco advertisements are prohibited in College publications.

For this policy, tobacco is defined as any type of tobacco product, including, but not limited to, cigarettes (commercial, handmade, or electronic, vapes), cigars, cigarillos, pipes, hookahs, oral tobacco (spit and spitless, smokeless, chew, snuff), or any other smoking material or device.

Stalking
Stalking including acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property is prohibited. Stalking may include persistent calling, texting, posting on social networking media or physically stalking. When the content of the messages or the nature of the physical stalking is of a sexual nature or arises out of an actual or perceived social relationship of a romantic or sexual nature, the behavior is a form of sexual misconduct.

Student Organization Suspensions
Participation in, or attendance at, events sponsored or conducted, in fact or in name, by a student organization that has been suspended or has been deactivated by the College, is prohibited.

Tampering With the Election
Tampering with the election of any College-recognized student organization is prohibited.

Theft
Attempted or actual theft of the College property, of a member of the College community, or other personal or public property is prohibited. Students shall not: Seize, attempt to seize, or possess public or private property without the consent of the owner or person legally responsible. Obtain or attempt to obtain any service by devious means. Maintain possession of public or private property that is stolen.

Unauthorized Possession
Unauthorized possession, duplication, or use of College identification or keys to any College premise is prohibited.

Weapons
Possessing and/or use of firearms (handguns, rifles, etc.), explosives, explosive device, and/or any other dangerous weapon (including but not limited to: slingshots, paintball guns, pellet guns, bows and arrows, stun guns, either real, imitation, toy or antique weapons, ammunition of any kind, martial arts weapons [chukka sticks, throwing stars, samurai swords, nun chucks], illegal knives, straight bladed knives, swords, BB guns, etc.) is 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 that person to have firearms or other prohibited items on campus or in personal vehicles. If an individual has knowledge of any prohibited items, they are required to advise the Office of Public Safety. Failure to do so will be a violation of College policy. The use or possession of fireworks is prohibited. Any or all chemicals which can either be made to possess, or which inherently possess, volatile, explosive, or dangerous properties are prohibited, except under the academic supervision of a member of the College faculty or a College official.

On-Campus Housing Policies

Assignments And Occupancy

All room assignments/changes must be administered and approved by Residence Life staff. As such, students may not move without completing the appropriate paperwork and receiving prior approval from a professional member of the Residence Life staff or a designee.

The College reserves the right to move students. Residents with unoccupied spaces in their rooms may not refuse a roommate. The College reserves the right to assign a new occupant to fill a vacancy, to make changes in room/suite/apartment assignments, and to reassign a student in the residence halls.

Rooms/Suites/Apartments

Care of individual rooms/suites/apartments is the responsibility of the assigned residents. Damage must be reported immediately to Residence Life or Physical Plant staff. The cost of correcting such damage will be borne by the residents. Residents are required to maintain their rooms/suites/apartments in a condition acceptable to the Residence Life and Physical Plant staff. Residents are also required to maintain building common areas.

The furniture/furnishings provided must remain in the room/suite/apartment in which they are found and must be used in the manner intended. Furniture found in common areas is for the use of all members of the community and, therefore, should not be removed from the area where it is located.

Some windows in the halls contain security screws. Removal of these screws is strictly prohibited, and violators will be charged $25 per student living in the room. Dumping, throwing, or projecting objects from the window is prohibited. Residents may not block or hang items outside of their windows. Signs, pictures, and other postings that can be viewed from the building's exterior may be restricted at the College's discretion.

The College reserves the right to enter and inspect rooms/suites/apartments for repair, maintenance, security, cleanliness, safety, and/or compliance with college rules and regulations. Residents may not be notified in advance of room, suite, apartment, or building inspections, which may take place whether the occupants are present. Items associated with or indicating unauthorized activity will be confiscated if discovered during an inspection. Residents are required to dispose of trash from their rooms/suites/apartments. Trash is to be placed in the dumpster. Any trash bags or boxes left in the hallways/common areas of the residence hall will be charged to the residents responsible at a rate of $25 per box or bag.

No individual or group of individuals may position themselves or any object so that free movement to an exit is restricted or blocked. In addition, room/suite/apartment occupancy limits are set at double the occupancy plus one (i.e., a double room may be occupied by no more than 5 students at a time).

Some areas in the residence halls are restricted and not for general student use. These areas include, but are not limited to, electrical/mechanical closets, storage rooms, physical plant/housekeeping areas, office spaces, roofs, and any area marked as restricted.

Safety And Security

Propping open outside doors at any time is prohibited.
Residents are not permitted to loan their key(s) or access fob to anyone for any reason, unless instructed to do so by a college official. Residents who lose their access fob should immediately notify a member of the Residence Life professional staff to get the fob replaced. There is a $20 charge to replace a lost or missing access fob.

Students are prohibited from participating in activities which are disruptive to residents. This includes, but is not limited to, playing sports, riding bikes, skateboards, etc. in the hallways and common areas of the building.

Fire Safety Regulations and Procedures
Wall coverings, posters, etc. are limited by the City Fire Code to 40% of the available wall space. The amount of coverage is determined at the discretion of a professional member of the Residence Life and/or Physical Plant staff. Students should avoid hanging tapestries above beds, this can create a fire hazard in the room.

- Doors should remain clean and clear without excessive coverage and decoration
- The possession of vapes (e-cigarettes, vapes, Juuls and related paraphernalia) is not permitted in any Residence Hall building
- Hoverboards are not allowed in any residential facilities

Restricted Items
Expressly forbidden are the following in all Residence Halls: candles, incense, oil lamps, unapproved lofts, cement blocks, extension cords, tapestries, open coil heaters, air conditioners, satellite dishes, halogen lamps, personal microwaves, mini-refrigerators, woks, immersion coils, deep-fat and French fryers, rotisseries, hot plates, stoves, and any type of exposed burner, frying appliance, and any type of open flame devices.

Allowed for cautious and limited use in Holland/Princeton Kitchens only: Air Fryers, George Foreman grills, popcorn poppers with the heating element housing in a covered unit, toaster-type closed ovens, crock pots, and electric skillets/fry pans.

Christmas Trees/Flammable Decorations: Real Christmas trees are not allowed in the residence halls. Only potted trees or plants are allowed in student rooms. During holiday seasons and throughout the year, only fire-resistant decorations are permitted at the discretion of a Residence Life professional staff member. In addition, decorative electric lights of any kind are not permitted in residence halls.

In addition, ONLY battery-operated lights are permitted for decoration in the residence halls. Alcohol containers of any kind are not permitted in any residence halls as decorations.

Pets
Pets, other than fish in a small glass bowl of no more than one gallon, are prohibited.

Emotional Support Animal Policy
Albany College of Pharmacy and Health Sciences (ACPHS) is committed to assuring equal access for all students, staff, and faculty.

Definitions:

- Service Animal - A service animal is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

- Emotional Support Animal ("ESA") – An ESA animal is any "indoor-appropriate" animal that provides necessary emotional support to individuals with a documented mental or psychiatric disability and is determined to play an integral part of a person's treatment process. The ESA must demonstrate excellent temperament and reliable, predictable behavior. An ESA must be prescribed to an individual by a physician or mental health professional that the student has had

an existing or on-going relationship with. Online animal certification registries will not be accepted.

If a student is approved to have an ESA in college housing, this does not extend permission for the animal to be in other areas of the College (dining hall, library, student center, academic buildings, athletic facilities, classrooms, labs, etc.).

Guidelines and Requirements

The animal should be in good health, well-groomed and care should be taken for flea and odor control. Animals are not permitted to be groomed or bathed within ACPHS Residence Halls. If the ESA is a dog, the owner must comply with the City of Albany's licensing policy and must provide a copy of the license to the Office of Residence Life. There is a cost of $16 to license a spayed/neutered dog. The animal must be kept under control and the owner must take effective action when it is out of control. If the noise (crying, barking, meowing) is deemed excessive by the Residence Life staff (in the case of the student being present or not being present in the room), it will be grounds to terminate the student's approved animal contract. The owner is responsible for feeding, walking, and disposing of waste. Waste disposal via college plumbing or indoor trash containers is prohibited. Waste must be recovered, bagged, and placed in an outside trash can. ACPHS will not require any additional fees for an ESA in the Residence Halls as it is accessibility-related accommodation. However, the animal's owner will be charged for any damage caused by an ESA to the same extent any student would be charged for damage caused to college property. Certain animals will be excluded from the ESA accommodation. Animals that are inherently dangerous or predatory and wildlife or endangered species will generally be excluded, but exclusion determinations will be made by ACPHS on a case-by-case basis

The student must provide written consent for The Office of Residence Life to disclose information regarding the request for and presence of the ESA to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life personnel, Physical Plant staff and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

The student must provide an emergency contact (outside of the ACPHS community) who can come to campus to take care of the animal if the student has an emergency (example: temporarily hospitalized). This contact must be someone who would arrive to retrieve the animal from campus within 3 hours of notification from the College.

Animal Health Requirements

- The animal must be spayed/neutered
- Documented veterinarian assessment of animal including breed/mix of breed, health, and proof of appropriate vaccinations
- The animal must be on a flea treatment regimen
- If the animal requires a cage, litter box or any device that collects animal waste, it must be cleaned daily
- When exiting the building or outside with the animal, it must be confined in a cage and dogs must be leashed and harnessed

Process

Students wishing to request an ESA, must submit a Housing Accommodation Form. The student must submit the required documentation when submitting the accommodation request. If the ESA request is approved, the student must meet with the Director of Residence Life to sign off on the Terms and Conditions Contact for Approved ESA Animals at ACPHS before the animal comes to campus. ESA

requests must be submitted 45 days prior to the start of the semester and may take up to 30 days to be approved. Requests submitted during the semester will follow the same timeline.

Quiet/Courtesy Hours

Quiet hours are in effect from 10 pm through 9 am Sunday through Thursday. Weekend hours are Friday and Saturday night, beginning at 12 am and ending at 9 am.

When quiet hours are not in effect, noise levels must be maintained to a degree where other residents are not disturbed, as determined in the discretion of Residence Life Staff.

Guest Policy

A resident may have no more than three guests at any given time.

Guests are not to be left unattended in any part of the residence hall facilities.

All residence halls can have guests a maximum of five times per month and no more than two consecutive nights

If a guest violates College rules or regulations of this Agreement, the resident will be responsible for the damage, residence hall sanctions, and/or residence hall fines that are levied. The guest may be required to leave at the discretion of the Residence Life Staff and may lose future visitation privileges.

Overnight guests are permitted. However, the resident student must complete an Overnight Guest Form online at least 48 hours in advance. Residents must also get the approval of those living in their room/suite/apartment. Residents of another building and those in another room in the same building are all considered to be guests, and the host student is required to complete the Overnight Guest Form for these individuals.

The purpose of permitting overnight guests is to provide convenience to resident students that wish to host a friend or family member from outside of the area. Abuse of this policy, as determined by a professional member of the Residence Life staff, could result in revocation of the privilege of hosting overnight guests.

Overnight guests are not permitted if the nature of the visit is Fraternity related.

Alcohol Policy

In Residence Halls , where all residents of the apartment/room are under 21 years old, possession and/or consumption of alcoholic beverages or containers is prohibited. This includes possession and/or consumption by guests or visitors who are of legal drinking age.

If alcohol or alcohol containers are discovered in a room/suite/apartment where they are prohibited and the resident(s) are not present, each resident is in violation of the alcohol policy.

In Residence Halls where not all the residents of an apartment/room are of legal drinking age, those residents over twenty-one years of age may keep alcohol in the apartment/room; however, these students are prohibited from consuming with or in any way providing alcohol to those residents who are not of legal drinking age.

A student of legal drinking age may not possess more than one case of beer, two liters of wine, or one liter of distilled spirits. The use or possession of kegs, beer balls, beer bongs, tap devices, or plastic funnel devices used for the consumption of alcohol is strictly prohibited in or around the residence halls.

Under no circumstances will intoxication be accepted as an excuse for the destruction of property, disorderly conduct, or other objectionable behavior.

Parking Policy

Students with vehicles must purchase a valid parking permit from the Office of Administrative Operations and register their vehicle. They are to park only in the student designated residence hall parking lots. Parking in a Visitor, Handicap, Fire Lane, or Faculty, Administration, Staff parking lot/space violates the College's parking regulations. Students are required to follow all College parking regulations.

Due to inclement weather and maintenance requirements, vehicles sometimes need to be moved to alternate parking lots. Students who do not comply with these requests, when made, may have their vehicle towed at the discretion of the College. The College is not responsible for any damages, fines, fees, etc. incurred due to or during the towing process.

Housing Charges

Students are not permitted to lease, or rent, or otherwise provide their assigned spaces to anyone else. For Residence Hall closings, residents who do not follow check out procedures and do not vacate the halls at the appropriate time will be subject to fines.

Judicial Procedures

Charges and Hearings

Any member of the College community, hereafter referred to as the "Reporting Party" may file charges against any student, hereafter referred to as the "Responding Party" for misconduct. Charges shall be prepared in writing and directed to the Student Conduct Administrator or a designee. In the event the Student Conduct Administrator, by reason of a conflict of interest, should be recused, the Vice President for Student Experience shall perform the duties of the Student Conduct Administrator. Any charge should be submitted as soon as possible after the event takes place and forwarded to the Student Conduct Administrator. The Student Conduct Administrator will notify the Responding Party in writing of the charges.

The Student Conduct Administrator shall designate from the Student Conduct Committee a member to act as the Student Conduct Officer 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 inquiry to determine whether the charges allege a violation of this code and whether evidence exists to support the charges.

The Student Conduct Officer meets with the responding party to adjudicate the alleged conduct violations using the standard of more likely than not that a violation occurred.

A signed resolution shall be final and there shall be no subsequent proceedings; or the case shall be presented to the Student Conduct Committee for decision at the discretion of the Student Conduct Officer.

When it is determined that a case shall be presented to the Student Conduct Committee for decision, the Student Conduct Administrator shall set a time and place for a hearing to be held not less than five nor more than 15 business days after receipt by the Responding Party of notification of the time and place of

the hearing. Time limits for scheduling hearings may be extended or modified at the sole discretion of the Student Conduct Administrator.

The Student Conduct Officer shall preside over the Hearing. The Student Conduct Officer and the Student Conduct Committee have the right to question the Responding Party, the Reporting Party 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:

Hearings normally shall be conducted in private. Admission of any person to the hearing shall be at the discretion of the Student Conduct Officer, provided, however, the Reporting Party, Responding Party, and their consultants, if any, shall be allowed to attend the entire portion of the hearing at which information is received (excluding deliberations).

In hearings involving more than one Responding Party, the Student Conduct Officer, in his or her discretion, may permit the hearings concerning each Responding Party to be conducted separately or jointly.

The Reporting Party and the Responding Party have the right to be aided by an advisor of their choice; provided however, such person shall not be entitled to advocate, or be entitled to ask questions, raise objections, or otherwise communicate to the Student Conduct Committee or other persons present other than counseling and communicating with the party who has chosen them as an aide.

The Reporting Party, the Responding Party and the Student Conduct Committee may identify witnesses who can give testimony relevant to the facts in dispute. The Reporting Party, and/or the Responding Party shall identify such requested witnesses at least two 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.

The Student Conduct Officer shall determine in their sole discretion those persons who will give testimony at the hearing.

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 business days prior to the hearing.

Witnesses will provide information to and answer questions from the Student Conduct Committee. Questions may be suggested to the Student Conduct Officer, by the Responding Party and/or Reporting Party to be answered by each other or by other witnesses. The Student Conduct Officer determines in their sole discretion whether to pose such suggested questions.

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 they have no direct knowledge of the facts in dispute. When a party to the proceeding or the Student Conduct Committee seeks to offer expert testimony, they shall give at least three 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.

Witnesses not available locally during the hearing may provide their testimony by conference call. 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 Responding Party 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.

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 Responding Party is charged with, whether the Responding Party so acted and thereby violated the charged section of the Student Code, and the appropriate sanction(s) for the misconduct. In the event of a tie, the Student Conduct Officer shall cast the deciding vote. In determining appropriate sanctions, the Student Conduct Committee may consider past violations of college policies by the Responding Party.

The Student Conduct Committee's determination shall be made based on whether it is more likely than not that the Responding Party violated the Student Code. The Student Conduct Administrator may be present at the hearing to assist with procedure.

The Student Conduct Officer, Committee and the Student Conduct Administrator 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.

The Student Conduct Officer may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Reporting Party, Responding Party, 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.

Decisions made by a Student Conduct Committee and/or a Student Conduct Officer shall be final, unless successfully appealed.

Student Conduct Committee

The Student Conduct Committee shall consist of a minimum of three faculty or staff members and three students. The faculty and student members shall be appointed by their representative constituencies. Members shall serve until their replacements have been appointed. In the event cases occur at times when the student members are unavailable, the Student Conduct Administrator and/or the Vice President for Student Experience may select students and may limit the selection to those residing within a reasonable distance of the campus. Members of the Student Conduct Committee cannot concurrently sit on any other disciplinary committee. The Appellate Board consists of two faculty or staff members and one student. Members of the Appellate Board cannot concurrently sit on any other disciplinary committee and are appointed by their representative constituencies. One faculty or staff member will be the Appellate Board chair.

Sanctions

When students are found in violation of college regulations, sanctions shall be imposed. Failure to complete an imposed sanction will result in college records being placed on hold, being charged with the policy violation "Failure to Comply" and/or other additional sanctions.

Sanctions for policy violations will be determined, utilizing three main criteria:

- The nature of the offense.
- The precedent established at the College for similar offenses, and

- The previous disciplinary history of the student and their attitude and behavior throughout the disciplinary process.

Sanctions may include, but are not limited to, those described below. Each listed sanction may be imposed alone or in combination with other sanctions.

Apology
The student may be required to provide a written apology to any parties they have harmed. Apologies are to include:

- What happened: a description detailing the harm caused by the incident
- My role: an acknowledgement that the student was responsible for the event
- How I feel: an expression of remorse or regret in causing harm
- What I will not do: A statement of commitment to responsible behavior and causing no further disruptions
- What I will do: A statement of commitment to make amends for the harm caused

Community Service

Volunteering in the community is a way to help others and rebuild the trust lost through misbehavior. Community service is intended to be meaningful and rewarding, potentially becoming a platform for person development.

Academic Counseling Referral
A student may be required to engage with the Center for Student Success and follow any recommendations given by their advisor.

Online Educational Module

The student may be required to complete an educational module through the Judicial Educator.

Supervision
A student may be required to meet regularly with one or more members of the community for mentoring, support, and reassurance to the community that the student is complying with sanctions and College policies.

Parental Notification
As part of the student conduct process, a student's parents may receive notification that their student was found in violation of one of our policies. Parental notification will occur for drug and alcohol violations for students under 21 years old. We encourage students to talk with their parents about violations of the Student Disciplinary Code before being notified by the College.

Educational Program
The student may be required to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with program facilitation to aid in learning about a specific topic or issue related to the violation. Students may be required to complete a research or reflection paper articulating the harm caused by their actions and/or strategies they may adopt to prevent further disruptive behavior.

"No Contact" Directive

A directive requiring avoidable contact with one or more identified persons, in person or through telephonic, electronic, written, or other means. A no contact directive may include additional restrictions and terms.

Counseling Referral
A student may be required to participate in a substance use/abuse screening, anger management counseling, or similar evaluation and/or assistance. The Conduct Officer or board does not diagnose psychological problems or specify treatment; however, they may require the student to seek consultation and follow any recommended treatment plan.

Warning
A written notice that the student is violating or has violated institutional regulations. A warning also indicates that future violations will likely result in a more serious level of sanctioning.

Disciplinary Probation
A written reprimand for violation of specified student disciplinary code regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period. Disciplinary Probation will last at least one semester and any subsequent violations during the probationary period will be viewed as both a violation of college regulations and a violation of the probation.

Loss of Privileges
Denial of specified privileges for a designated period of time. "Privileges" can be determined by the Student Conduct Officer/Committee. Restricted privilege may include the ability to:

- Host guests on campus
- Attend athletic and extracurricular events
- Possess various types of electronic equipment in a residence hall room
- Have contact with specified individuals or organizations in the college community.
- Participate in the room reservation process
- Restrict movement on campus (including any college-owned or leased building/property)

Fines
Requirement to pay a monetary fine.

Restitution
Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

Loss Of Housing Points (First Year Students Only)
First year students may lose housing points. Housing points can be earned during the first year, up until Spring Break and are used to calculate a student's housing score for the second-year housing lottery.

Residence Hall Reassignment
The student may be moved from their current housing assignment to a new room within the building or to a new residence hall on campus.

Residence Hall Suspension
Separation of the student from the residence halls for a defined period of time (but not less than the remainder of the semester). The student may petition the Director of Residence Life for eligibility to return. Conditions for readmission may be specified.

Residence Hall Expulsion
Permanent separation of the Responding Party from the residence halls.

College Disciplinary Suspension
Disciplinary suspension establishes a fixed period during which the student may not participate in any academic or other College activities. During the College disciplinary suspension, students are unable to earn credit for ACPHS required courses. Additionally, students are prohibited from withdrawing from ACPHS and then reapplying to ACPHS as a new transfer student. At the end of the suspension period, the student may be readmitted only upon the recommendation of the Student Conduct Administrator. Conditions for readmission may be specified.

College Expulsion
Permanent separation of the student from the College.

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.

The following sanctions may be imposed upon groups or organizations:

Deactivation
Loss of privileges, including College recognition, for a specified time period.

Loss Of Selected Privileges
Loss of privileges for a specified time period.

Disciplinary violations may be considered by the College when thereafter making educational and/or employment decisions and shall be included in the Responding Party's educational records as follows: Other than College suspension, expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the Responding Party's permanent academic record except when required by local, state or federal law, but shall become part of the Responding Party's disciplinary record.

Interim Suspension
The vice president for Student Experience, or a designee, may impose a college or residence hall suspension prior to the hearing before the Student Conduct Officer or Student Conduct Committee. Interim suspension may be imposed:

- To ensure the safety and well-being of members of the College community or preservation of college property
- To ensure the Responding Party's own physical or emotional safety and wellbeing
- If the Responding Party threatens disruption of or interference with the College's operations

During the interim suspension, the Responding Party shall be denied access to the residence halls and/or to the College premises (including classes) and/or all other College activities or privileges, as the vice president for Student Experience or the Student Conduct Officer may determine to be appropriate. The interim suspension will be in place until either the conclusion of the conduct proceedings or it is removed by the vice president for Student Experience, or their designee.

Appeals

An appeal may be made (to the appellate board, or the vice president for Student Experience) for one or more of the following purposes:

- A procedural error occurred that significantly impacted the outcome of the investigation
- New evidence unavailable during the original investigation may substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included in the appeal.
- The sanctions imposed are substantially disproportionate to the severity of the violation

A decision reached by the Student Conduct Officer/Conduct Committee may be appealed by the Responding Party 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 Administrator, indicating which appeal criteria have been met and the reasons for requesting a reversal of the decision.

The Student Conduct Administrator shall provide a copy of the appeal and documentation records to the chair of the Appellate Board within five days of receiving the appeal.
The Appellate Board will endeavor to render a decision to be made by majority vote within twenty (20) business days of receipt of the documentation.

If an appeal by the Responding Party is upheld by the Appellate Board, other than by reason of the existence of new evidence, 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 by the Appellate Board. The originally assigned Student Conduct Officer will be notified by the Student Conduct Administrator of any changes to the original decision.

Transcript Notation
For crimes of violence, including but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII), institutions shall make a notation on the transcript of students found responsible after a conduct process that they were "suspended after a finding of responsibility for a code of conduct violation." For the respondent who withdraws from the institution while such conduct charges are pending, and declines to complete the disciplinary process, institutions shall make a notation on the academic transcript of such students that they "withdrew with conduct charges pending."

Individuals seeking removal of a transcript notation for suspension may make that request in writing to StudentAffairs@acphs.edu no earlier than one year after the conclusion of the suspension. The request will be reviewed by the vice president for Student Experience (and/) or their designee.

Appeal to the Vice President for Student Experience
A decision reached by the Appellate Board may be appealed by the Responding Party within five business days of the decision. Such appeals shall be in writing and shall be delivered to the Student Conduct Administrator, indicating which appeal criteria have been met and the reasons for requesting a reversal of the decision. The Vice President for Student Experience shall be provided a full copy of all records associated with the case and a copy of the decision of the Appellate Board. The Vice President for Student Experience may take such action, including but not limited to reversing the determinations below, or upholding in whole or in part such determinations. The Vice President for Student Experience may void, lessen, or increase any sanctions imposed. The Vice President for Student Experience will endeavor to render a decision within twenty (20) business of receipt of the documentation of all records associated with the case. If the Vice President for Student Experience acted as the Student Conduct Administrator due to a conflict, the appeal will move the vice president for Student Experience.

Interpretation and Revision

Any question of interpretation regarding the Student Disciplinary Code shall be referred to the Student Conduct Administrator or their designee for final determination.

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.
The Student Disciplinary Code shall be reviewed at least every five years or sooner as circumstances may prescribe under the direction of the Student Conduct Administrator who shall solicit comments and recommendations from the Student Conduct Committee and the Student Government Association.

General Campus Policies
Alcohol and Drug-Free Workplace/School Policy Definitions
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 College Suites.
Drugs means any substance which produces a psychoactive effect. The term drug is used generically to include tobacco and herbal cigarettes, alcohol, pharmaceutical drugs, illicit drugs, image and performance enhancing drugs, inhalants and shall include any illegal drug, hallucinogenic drug, prescription drug (in the possession of an individual without a valid prescription), narcotic drug, amphetamine, barbiturate, marijuana, or any other controlled substance (as the same is defined pursuant to the Federal Controlled Substances Act, 21 USC 811 and 812 and in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812).

Psychoactive effects mean effects produced by a drug or substance that alter mental processes including mood, cognition, thinking or behavior.

Alcohol means and shall include any form of alcohol for consumption, including beer, wine, wine coolers or distilled liquor.

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 employees at the employee's cost; and the penalties that may be imposed upon students, faculty, and staff for violations of this policy.

Policy
ACPHS recognizes that controlled substance abuse is illegal, and that illegal drug consumption and illegal alcohol consumption 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.

This policy applies to all members of the College community (students, faculty, and staff) while on campus or participating in a college sponsored activity.

It is a condition of each person's employment that the employee: become familiar with the provisions of this policy and acknowledge in writing having read this policy after commencing their employment; abide by the terms of this policy; and notify the College of any criminal drug or alcohol 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 or alcohol 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 10 days of receiving notice of an employee's conviction on any criminal drug or alcohol violation occurring in the workplace.

Students must also abide by the terms of this policy. Any student who violates the terms of this policy shall be subject to such disciplinary actions as set forth in the Student Disciplinary Code in the Student Handbook.

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

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

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 the State Liquor Authority through the College's Food Service Provider.

Alcohol will not be permitted at ACPHS athletic events.

In compliance with State law, individuals under the age of 21 are not allowed to purchase, possess or consume alcoholic beverages on campus.

Only the College's Food Service Provider is authorized to sell or provide alcoholic beverages on campus. Guests will not be allowed to bring alcohol to an event.

Positive proof of age is required at any event at which alcohol is served and or consumed.

The College's Food Service staff and the sponsor or host are all responsible for implementing reasonable measures to ensure that alcohol is not served or made available to persons under age 21 or who are intoxicated.

Faculty or staff-sponsored events where admission is charged, or where there is any charge for food or beverages, must receive permission from Administrative Operations 30 days in advance if they wish to serve alcohol on campus. The organization must make necessary arrangements with the College's Food Service Provider. Student organizations must receive permission from the vice president for Student Experience 30 days in advance if they wish to serve alcohol on campus. The organization must make necessary arrangements with the College's Food Service Provider to serve alcohol.

Service of alcohol is at the discretion of the College 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, and such other factors as the College shall reasonably deem pertinent. Alcohol service also depends on the State Liquor Authority granting an appropriate permit.

Individuals are not allowed to remove an alcohol container (i.e., cup, can, bottle) from the designated area that the beverages are being served.

Each individual member of the campus community is responsible for their 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 himself/herself with applicable laws.

Students, faculty, and staff are responsible for adhering to all local, state, and federal laws related to alcohol and drug use, possession, consumption, and/or distribution for their own jurisdiction.

New York State Statutes Regarding Alcohol Liability
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.

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 persons under 21 to purchase alcohol; possess with intent to consume by person under age 21. Exceptions are alcohol given pursuant to educational curriculum or by a person's parent or guardian. Posting of signs is required by licensed seller.

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 age 21. 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.
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 (DWI) or while ability impaired by drugs are misdemeanor offenses and are punishable by a six-month 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 (DWAI) 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 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 30 days in a penitentiary or county jail or by both fine and imprisonment. Two or more subsequent convictions shall be punished by a fine of not less than $500 nor more than $1,500, or by imprisonment of not more than 90 days in a penitentiary or county jail or by both fine and imprisonment.

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

Computer Use and Computing Ethics Policy

Users of computer systems and networks at the Albany College of Pharmacy and Health Sciences must read, understand, and agree to comply with the Computing Ethics Policy. This policy applies to all members of the College Community (students, faculty, and staff). These resources are vital for the fulfillment of the academic, research and business needs of the College community. Their use is provided as a privilege. If the chief technology officer asks you to cease an activity on the computer, you must stop that activity immediately. Each individual faculty member, staff member, and student must exercise responsible, professional, and ethical behavior when using these resources. You are responsible for your actions. That responsibility exists regardless of what security mechanisms are in place. Access to the system is a privilege, not a right.

It is your responsibility to promptly report any violation of this policy or other College code, policy, or guideline. In addition, you must report any information relating to a flaw in or bypass of resource security to the system administrator. Upon notification of a claim that any material resident on the system infringes a copyright or other intellectual property right the College reserves the right to remove, or disable access to, the material that is claimed to be infringing or to be the subject of infringing activity. The College reserves the right to remove, or disable access to material, which in the College's determination, contains defamatory, obscene, or pornographic material or otherwise, violates any provisions of this policy or adversely affects the College's mission. Illegal activities may be reported to local, state, or federal authorities, as appropriate, for investigation and prosecution.

Privacy

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

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

Your password is the only means you have of keeping your account and files secure from unauthorized access. It is possible for your password to be stolen when using the Internet, so you are encouraged to change it often. Do not consider email private or secure.

ACPHS Security

ACPHS information security best practices are those steps that the College and you can take on your own to help secure the computing resources that you use. Best practices are a combination of information security tips, tools, and techniques that you can use to protect your resources and data. Mobile computing devices are devices such as tablets, smart phones, e-readers, and laptop computers. The very features that make these devices useful (portability, access connectivity, data storage, processing power) also make them a security risk to users and to ACPHS when they contain College data. Major features of mobile devices that cause a risk to the user and potentially the College include their small size (they can be easily lost, stolen, or misplaced); weak user authentication mechanisms that can be easily compromised or simply disabled by the user; and their ease of interconnectedness. As mobile devices become more powerful and ubiquitous, they need to be treated with the same or greater care than personal computers. This document explains general end-user security measures that can be taken on mobile devices. Acting to personally ensure computer security helps protect everyone from data and identity theft, viruses, hackers, and other threats. Every member of the ACPHS community who uses a computing device makes ACPHS's computing environment more secure by following these best practices.

Mobile devices purchased by the College and personally owned Mobile devices connected to or accessing ACPHS' password protected network (hereafter covered mobile devices) must comply with the following mandatory compliance: Compliance with the ACPHS HIPAA Security Policy in accordance with the HITECH statute and implementing regulations.

Security software to be installed on covered mobile devices prior to deployment. If a device is already deployed, and it does not have the security software, IT must be contacted to install the software on the device. It violates the College's security policy of the security software is uninstalled by the end user. Covered mobile devices must be password protected and auto lock enabled. Disable Simple Passcode to allow the use of longer, alphanumeric, passcodes.

Covered mobile devices must be encrypted.

- Android - need to turn on the encryption
- Windows 8 Phones – need to turn on encryption
- iPhone - has built in hardware encryption, but you need to turn on the password feature for it to be functional

Enable a "remote wipe" feature if available. This also includes features that delete data stored on the mobile device if a password is not entered correctly after a certain number of specified tries.

Jailbreaking is the process of removing the limitations on devices installed by the manufacturer. Jailbreaking permits root access to the operating system, allowing the download of additional applications, extensions, and themes that are unavailable through the official source. You may not circumvent security features or otherwise "jailbreak" your mobile device.
Before disposing of a covered mobile device, the IT department must securely delete the data.

The IT department needs to be contacted if a mobile device is lost, stolen, or misplaced so it can be remotely wiped.

General Security Best Practices

Always keep your mobile devices with you or store them in a secure location when not in use. Do not leave your mobile devices unattended in public locations (e.g., airport lounges, meeting rooms, restaurants, etc.).

Standard security protocols should be followed. This includes ensuring your device has current anti-virus software and all operating system and application updates and patches. Firewalls should be enabled if possible.

Lost, stolen, or misplaced mobile devices should be immediately reported to the police. If your mobile device contains ACPHS data, also inform the ITS department about a lost, stolen, or misplaced device.

Transmission Security
Where possible, data transmissions from mobile devices should be encrypted.

Wireless access, such as Bluetooth, Wi-Fi, etc., to the mobile device should be disabled when not in use to prevent unauthorized wireless access to the device. In general, keep your wireless connection in a hidden mode unless you specifically need to be visible to others.

If available wireless access should be configured to query the user for confirmation before connecting to wireless networks. For example, when Bluetooth is on, select the "check with me before connecting" option to prevent automatic connections with other devices.

Application and Data Security
Do not install software from unknown sources as they may include software harmful to your device. Research the software that you intend to install to make sure that it is legitimate.

When installing software, review the application permissions. Modern applications may share more information about you than you are comfortable with, including allowing for real time tracking of your location. Be careful when storing your personal data on your mobile device. If you lose the device, you could lose your data.

Use of System Resources - Do's
You must take all reasonable precautions, including password maintenance and file protection measures, to prevent use of your account by unauthorized persons. You must not share your password with anyone else or provide access to ACPHS network resources to unauthorized persons.
Individuals authorized to access sensitive or institutional data are prohibited from divulging that data to any other individual unless they are also authorized to use it. Individuals are only permitted to access data as authorized. Yet if a file is readable, do not assume you may read it unless explicitly granted authority to do so. Even if a file is updatable, do not modify it unless explicitly granted authority to do so.

Keep all valuable digital media in a secure place. When throwing out digital media make sure no sensitive information can be found on them.

The College is not responsible for information, including photographic images and musical recordings, published on or accessible through personal web pages, including personal home pages. The College does not monitor the contents of these personal web pages. The individual or group creating or maintaining personal web pages is solely responsible for the content of the web page and may be held civilly and criminally liable for the materials posted on the website.

The College reserves the right to remove or disable access to any material stored on any College resources or connected to college resources.

Use Of System Resources - Don’ts

You may not use College resources for your own commercial gain, or to operate or support a non-college related business or charity, or for other commercial or charitable purposes not officially approved by the College’s President. You may not use College resources inconsistent with the College's contractual obligations to suppliers of those resources or with any published College policy.

You may not use College resources in a manner inconsistent with the norms of professional performance and conduct appropriate to your position with the College.

Game playing is not allowed on computers owned by the College. Game playing is allowed on student computers if it does not deteriorate system performance.

You may not move or take any hardware without explicit permission from the designated owner of that hardware. You may not destroy or vandalize any hardware, cable or service provided by the campus. You may not authorize or allow another person or organization to use your computer accounts or ACPHS network resources.

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

Causing personal or emotional injury including: harassment or threats to specific individuals, or a class of individuals; transmitting unsolicited information that contains obscene, pornographic indecent, lewd or lascivious material or other material which explicitly or implicitly refers to sexual conduct; using e-mail or newsgroups to threaten or stalk someone; transmitting unsolicited information that contains profane language or panders to bigotry, sexism, or other forms of prohibited discrimination.

Computer fraud.

Computer invasion of privacy - unauthorized examination of files.

Damage or impairment of college resources or the resources of others. Use of any resource irresponsibly or in a manner that adversely affects the work of others. This includes intentionally, recklessly or negligently (1) damaging any system (e.g., by the introduction of any so-called "virus", "worm", or "trojan-horse" program), (2) damaging or violating the privacy of information not belonging to you, or (3) misusing or allowing misuse of system resources including use of College resources for non-College related activities that unduly increase network load (e.g., chain mail, network games and spamming).

Causing denial of computer services (i.e.: run a virus that renders a network unusable).
Preventing others from using computer services.

Interference or impairment to the activities of others, including creating, modifying, executing or retransmitting any computer program or instructions intended to (1) obscure the true identity of the sender of electronic mail or electronic messages, such as the forgery of electronic mail or the alteration of system or user data used to identify the sender of electronic e-mail, (2) bypass, subvert, or otherwise render ineffective the security or access control measures on any network or computer system without the permission of the owner, or (3) examine or collect data from the network (e.g., a "network sniffer" program).

Unauthorized access and use of the resources of others, including use of: College resources to gain unauthorized access to resources of this or other institutions, organizations, or individuals; providing false or misleading information for the purpose of obtaining access to unauthorized resources; accessing, altering, copying, moving, or removing information, proprietary software or other files (including programs, libraries, data and electronic mail) from any network system or file; modification or destruction of programs or data other than your own personal files.

Unauthorized transfer of software or data. The Internet is a global network, and the importing and exporting of software may fall under the jurisdiction of the United States Department of Commerce. Exporting can occur when hardware or software is provided to persons or entities outside the United States and may require a license. The exportation of networking code or encryption code is restricted. You may not allow access to a restricted machine to persons or entities outside of the United States. Please be aware when posting information to a bulletin board, that data will probably cross the border. If you have any questions on the legality of transmissions over the borders of the United States, please seek legal counsel.

Violating any laws or participating in the commission or furtherance of any crime or other unlawful or improper purpose, including use of system resources to commit a crime (embezzlement, harassment, blackmail etc.); theft of computer related materials; theft of computer services (for example you may not use any pay service without paying); cracking passwords.

Violating copyrights and other intellectual property rights. Whenever you are shipping software from one place to another, you must consider intellectual property and license issues. You should assume all software, graphic images, music, and the like are copyrighted. Copying or downloading copyrighted materials without the copyright owner's authorization is against the law and may result in civil and criminal penalties, including fines and imprisonment.

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

Violation of these policies may lead to suspension or loss of privilege and may lead to expulsion or termination of employment. Reports of unauthorized use or misuse of the resources will be investigated. If use is determined to be contrary to college policy or applicable law, appropriate measures will be taken. These measures may include, but are not limited to, permanent or temporary suspension of user privileges, deletion of files, disconnection from the ACPHS network, referral to student or employee disciplinary processes, expulsion, or termination of employment.

Copyright And P2P File Sharing in Compliance with the Higher Education Opportunity Act (HEOA)

This policy (also referred to as the P2P Policy), sets forth ACPHS' procedures to reduce the illegal uploading and downloading of copyrighted works through peer-to-peer (P2P) file sharing. ACPHS uses a wide variety of methods to inform students, faculty, and Staff about copyright law and ACPHS policies. This Policy should be read in conjunction with ACPHS' Computer Use Policy. Both Policies provide that violating copyrights and other intellectual property rights is prohibited. You should assume all software, graphic images, music, and the like are copyrighted. Copying or downloading copyrighted materials without the copyright owner's authorization is against the law and may result in civil and criminal penalties, including fines and imprisonment. Upon notification of a claim that any material resident on the system infringes a copyright or other intellectual property right the College reserves the right to: remove, or disable access to, the material that is claimed to be infringing or to be the subject of infringing activity; deny computer privileges and access to the alleged infringer.

Illegal activities may be reported to local, state or federal authorities, as appropriate, for investigation and prosecution. This policy shall be posted on the website. Further, ACPHS shall make an annual disclosure that informs students that: the illegal distribution of copyrighted materials may subject them to criminal and civil penalties; violation of this policy constitutes a violation of the Student Disciplinary

Code and subjects students to the procedures and penalties set forth in that code; violations of this policy will subject faculty and staff to disciplinary action in accordance with the provisions of the Faculty Handbook and the Employee Handbook, respectively.

ACPHS encourages all members of the ACPHS community, students, staff, and faculty to use lawful means of acquiring and distributing copyrighted materials like those in this policy. ACPHS uses technology-based deterrents to combat the unauthorized distribution of copyrighted material. The IT Department shall monitor use of ACPHS internet and intranet resources to detect and report violations of this policy and to determine whether this policy effectively combats the unauthorized distribution of copyrighted material.

ACPHS uses a wide variety of methods to inform students, faculty, and Staff about copyright law and ACPHS policies. Students are informed during orientation about ACPHS policies. Also, ACPHS' IT Department provides a copy of this P2P policy when they receive their computers. This and all ACPHS policies are made part of the Student Handbook.

There are many legal sources for copyrighted material such as music and movies. They have a wide range of business models; some are free, and some charge a nominal fee. The Motion Picture Association of America maintains a compendium of legal sources for films and TV programs. In addition to many available commercial download websites for music, Music Outfitters, Inc.
maintains a compendium of legal sources for downloadable music.

General Student Grievance Procedures
Please visit the student grievances page.

Emergency and Threat Information Dissemination Policy
ACPHS strives to provide a safe and secure environment for learning and working and recognizes that a safe community is an informed community. The following policy will govern the dissemination of information to the community when danger, hazard or crime threatens any segment of the community.

Emergency Notifications
ACPHS will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus. Such incidents may occur on campus, near campus or anywhere that may impact the ACPHS campus.

"Immediately notify" shall mean without delay and as soon as pertinent information is known.
Unless, in the professional judgment of responsible authorities, such notification will compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency.

"Confirmation" means that an official of ACPHS has verified that a legitimate emergency or dangerous situation exists. It does not mean that all pertinent details are known or available. Confirmation shall be accomplished by consultation among ACPHS officials, consultation with UHA Public Safety, consultation with public sector emergency responders, consultation with other local private security and public safety entities and monitoring media accounts of incidents.

"Immediate threat" shall mean imminent or impending and does not mean potential or refer to the future.

Although Clery requires Emergency Notifications only for on-campus incidents, ACPHS recognizes the importance of these notifications wherever an incident may occur and will notify the community appropriately.

Significant emergencies and dangerous situations may include, but not be limited to fires, explosions, weather emergencies, natural disasters, hazardous materials incidents, civil unrest, contagious disease, criminal acts, or acts of terrorism.

Emergency notifications will be made through Alert media, a text messaging phone and email program maintained by ACPHS.

Students' and employees' email addresses will be automatically enrolled in ALERT MEDIA upon entry to ACPHS. Students and employees are strongly encouraged to enter personal phone numbers.

Other methods of notifying the community, such as voicemail, website notices and flyers may be used, when appropriate, at the discretion of ACPHS.

ALERT MEDIA messages shall briefly describe the emergency or danger. ALERT MEDIA messages shall describe actions recipients should take to safeguard themselves from danger. Examples of such actions include:

- evacuate (building or campus)
- shelter in place
- avoid contact
- avoid (building or location)
- lock doors

Emergency Notifications May Be Segmented

"Segmented" means that the notification may be directed to a particular sub-group of the community when a threat or danger is specific to that sub-group.

Every Emergency Notification shall be followed by another message indicating that the threat has been mitigated, resolved or with additional instructions/information.

The following officials of ACPHS (or their designees) shall be authorized to send, or have sent, Emergency Notifications:

- Administrative Operations
- Director of Residence Life
- Director of Public Safety

The following offices of ACPHS shall insure that a sufficient number of employees are trained to send Emergency Notifications; said persons shall be trained and drilled annually in sending Emergency Notifications

- Administrative Operations
- Communications and Marketing
- Student Experience
- Public Safety

The Alert media system shall be tested at least once each semester. The test shall be scheduled in advance, announced to the ACPHS community, documented, and evaluated at its completion for effectiveness.

Documentation shall include

- a description of the test

- date and time of the test
- whether the test was announced or unannounced

Timely Warnings
ACPHS will issue a Timely Warning if a Clery Crime occurs within the institution's Clery geography, is reported to a Campus Security Authority or local law enforcement and poses a serious or continuing threat to students and employees. Clery crimes include murder/non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, auto theft, arson, domestic violence, dating violence and stalking. b. Clery geography includes:

"Campus" means any building or property controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls and, property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

"Non-campus building or property" means any building or property controlled by a student organization recognized by the institution, and any building or property (other than a branch campus) owned or controlled by an institution of higher educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

"Public property" means all public property, all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the faculty is used by the institution in direct support of, or in a manner related to, the institution's educational purposes. "residence hall" means residential facilities for students on campus.

A Campus Security Authority is a person required to report to the official or office designated by ACPHS to collect crime report information, those allegations of Clery Act crimes that they conclude were made in good faith.

Missing Student/Notification Policy
ACPHS seeks to assure the safety and security of its entire community. The following polices shall be followed in the event that a student is reported to be missing from an on-campus student housing facility and may be used in the event that any student or employee is believed to be missing from anywhere.

Definitions
"Reported to be missing" means that any associate of a student is unable to locate that student and seeks the assistance of college officials to locate that student.

"Determined to be missing" means that after a preliminary investigation conducted by UHA Public Safety, the Vice President for Student Experience and the Office of Residence Life, a resident's whereabouts are unknown. Presence in the residence hall, attendance in class, attendance at work, activity on access and meal cards, appearance on CCTV and interaction with friends and family should all be considered in making this determination.

"On-campus housing facility" shall mean any student housing facility that is owned or controlled by ACPHS or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus. It shall include:

- Undergraduate, graduate, and married student housing
- Single family houses that are used for student housing
- Summer school student housing
- Buildings owned by a third party that has a written agreement with the institution to provide student housing
- Housing for officially and not officially recognized student groups that are owned or controlled by ACPHS or are located on property that is owned or controlled by ACPHS

Consideration
It is often difficult to determine where a person is missing from. Careful consideration must be given in determining if a person is missing from campus, from a residence hall, from an off-campus residence, from a permanent residence, or from a place of employment or recreation. The disappearance of a person may occur under a variety of circumstances, including but not limited to, abduction (by family, by romantic interest, by stranger), intentional flight or concealment (runaway), withdrawal or separation from the institution or when a person becomes lost, disoriented, and unable to "find their way." Until proven otherwise, each case shall be treated as occurring under the most urgent circumstances. Law enforcement agencies may have policies that do not provide for report taking when a person is first thought to be missing. Circumstances such as age, time and place last seen, mental health and personal circumstances may affect their decision to take a report. College students frequently reside in communal situations. Roommates, suitemates, and other residents may have privacy concerns and expectations that should be considered, when appropriate. However, the most important concern is the safety of the missing person. The location from where a person is missing may be a crime scene. It should be treated as such until determined otherwise.

Designated Contact Person
ACPHS shall provide every student, and may provide any student or employee, regardless of age, the opportunity to register one or more persons to be contacted in the event that a person is determined to be missing.

A designated contact person is in addition to an emergency contact person although both can be the same person.

A designated contact person can be anyone.

A student may identify multiple designated contact persons.

The identity of a designated contact person shall remain confidential but become available to the appropriate College officials, and it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. Form (electronic or paper).

When a student is Reported Missing
A student or employee who reasonably believes that a student may be missing from campus without an explanation should report that suspicion to:

- UHA Public Safety at 518-244-3177
- The Vice President for Student Experience at 518-694-7319
- The Director of Residence Life at 518-694-7155

If UHA Public Safety is not the original recipient of the report, the original recipient shall immediately notify UHA Public Safety.

Upon receipt of such a report, the appropriate offices shall begin a collaborative preliminary investigation which addresses the following considerations:

- Is the student missing from campus, his or her permanent home or some other location?
- Is there a witness or physical evidence of an abduction or foul play?
- Is the student mentally and emotionally stable?
- Is the student experiencing academic, personal, or financial problems?
- Has the student disappeared before?
- Is there a substance abuse issue?
- Has the student been recently threatened or warned?
- Have any similar incidents been reported in the area?

The preliminary investigation, conducted by either the vice president for Student Experience, UHA Public Safety or a designee will also:

- Check access systems for use by the student
- Check class attendance and with faculty
- Check with roommates, suitemates, floor mates, teammates, co-workers, etc.
- Check place of employment
- Check with friends
- Check with family

When a Student Is Determined to Be Missing
If a student is determined to be missing, within 24 hours ACPHS shall notify:

Local law enforcement [Once local law enforcement has been notified, interaction between ACPHS, the Police Department and University Heights Association Public Safety shall be governed by the Memorandum of Understanding currently in place among those entities.]

Designated contact persons
If the student is under 18 years of age and is not emancipated, the student's custodial parent or guardian.

Nothing shall preclude ACPHS from making the notifications described above prior to 24 hours of the determination that a student is missing, particularly if foul play, threat, danger, or instability is suspected.

Notification of Rights Under FERPA Policy
The Family Educational Rights and Privacy Act of 1974 (FERPA) affords students certain rights with respect to their education records. They are: The right to inspect and review your student education records within 45 days of the day Albany College of Pharmacy and Health Sciences (ACPHS) 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. ACPHS will respond to reasonable requests for explanations and interpretations of the records.

The right to request an amendment of your student education records that you believe are inaccurate, misleading, or otherwise in violation of your privacy rights. FERPA, however, only allows students to challenge and correct "ministerial errors" in their records, not to bring substantive claims regarding the reasons for a particular notation having been made. Students may ask ACPHS 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 ACPHS decides not to amend the record as requested by the student, ACPHS 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.

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 which permits disclosure without consent is disclosure to ACPHS officials with legitimate educational interests. An ACPHS official is a person employed by ACPHS in an administrative, supervisory, academic, research, or support staff position, or a person or company with whom ACPHS has contracted (such as a database provider, 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 NAPLEX); iParadigms, LLC developers of Turnitin; a person serving on the Board of Trustees of ACPHS; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another ACPHS official in performing his or her tasks. An ACPHS 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.

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:

- name and campus e-mail address
- city, town or village and state or country of residence
- class, anticipated date of graduation, major field of study, including the college, division, department, or program in which the student is enrolled
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- the most recent educational institution attended, and previous educational institutions attended and dates of graduation therefrom
- honors and awards received, including selection to a dean's list or honorary organization
- photographic, video, or electronic images of students taken and maintained by ACPHS
- marital status and spouse's name
- parents' names and city, town or village and state or country of their residence

Any student wishing to exercise this right must inform the ACPHS 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.

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

Family Policy Compliance Office
US Department of Education
400 Maryland Avenue
SW Washington, DC 20202-5920
Phone: 202-260-3887

ALBANY COLLEGE
OF PHARMACY
AND HEALTH SCIENCES

PharmD Professionalism Policy and Procedures

Introduction and Elements of Professionalism

Professionalism is a key element of healthcare and a fundamental expectation at Albany College of Pharmacy and Health Sciences. As students transition into the pharmacy profession, they are expected to develop a professional identity rooted in integrity, respect, service, and continuing professional development. Upholding professionalism ensures that pharmacists serve the needs of patients and communities above self-interest, while promoting trust in the healthcare system.

All members of the ACPHS community, including students, preceptors, faculty, staff and administrators, have a mutual responsibility to create and maintain a culture that supports professionalism throughout our college.

Students

- Embrace the *Pledge of Professionalism*, pledged at the beginning of your program's training
- Choose to adopt the definition and elements of professionalism
- Promote professionalism among yourself, peers and colleagues
- Expect faculty, preceptors, staff and administrators to uphold the principles of
- professionalism
- Seek mentorship and reflect on personal growth
  Pledge the *Oath of a Pharmacist* periodically during your training

Faculty, Preceptors, Staff, and Administrators

- Choose to adopt the elements of professionalism in your professional practice and day-to-
- day life
- Integrate methods to teach professionalism in academic, experiential and co-curricular
- settings
  Expect students and colleagues to uphold the principles of professionalism
  Refer students and colleagues to the resources provided to ensure the values of professionalism are practiced

Professionalism is the continual commitment to attitudes and behaviors that foster trust, compassion, and ethical practice in healthcare. At ACPHS, this includes the following elements:

Respect for Others: Treat others as you would want to be treated.

- Demonstrate respect for others, including faculty, staff, preceptors, fellow students, patients and their families, interprofessional colleagues, etc.
- Instill in your practice empathy, compassion, and respect in all professional endeavors

Altruism: The essence of professionalism; placing the best interest of the patient above your own

- Recognize that the patient's well-being is the top priority. Advocate for the best possible patient outcomes; Unselfishly give your time and expertise for the welfare of patient care

Professional Presence and Stewardship: Instill trust through your professional presence

- Demonstrate professional attitude, behavior and appearance in the classroom, practice settings (e.g., practice experiences, health fairs, co-curricular functions), and at professional meetings/conferences, etc.
- Actively engage in worthwhile endeavors in school and organizations in the pharmacy profession
- Work cooperatively in interprofessional teams, supporting shared decision-making and patient care
- Use evidence-based practice to optimize medication use considering effectiveness, safety, cost, and individual needs

Honor and Integrity: Display honesty and integrity in all that you do

- Be truthful and consistent in keeping one's word and meeting commitments, to build long-term relationships of trust and confidence with our colleagues, patients, and communities
- Uphold honesty, confidentiality, and fairness in all settings, from classroom to bedside
- Adhere to pharmacy laws and ethical standards

Excellence and Accountability: A sustained effort to strive for excellence and to commit to lifelong learning; assume responsibility for your learning by pursuing continuing professional development opportunities

- Seek guidance and mentoring to enhance your professional identity
- Critically reflect on actions/experiences with the aim to transform future practice/behaviors

Violations of Professionalism

Professionalism violations may occur in the classroom, experiential courses, or during co-curricular events. Professionalism violations can undermine patient safety, disrupt the learning environment, and damage the integrity of the profession.

- The following section, "Process for Handling Student Violations of Professionalism", including reporting to Maxient, focuses solely on the process of handling student violations.
- If the accused is a faculty, staff, administrator or other stakeholder of ACPHS, the alleged violation should be reported to the ACPHS Human Resources Department, who will direct the case to the appropriate supervisor.
- If the accused is a preceptor, concerns should be brought forward to the Experiential Education department.

Violations may include, but are not limited to, the following examples:

	Examples
Disrespectful or Disruptive Behavior	- Disrespectful verbal, written, or digital communication - Threatening or intimidating language or behavior - Interrupting or undermining classroom or experiential environments
Dishonesty	- Falsifying attendance on rotation hours, class, or co-curriculum - Misrepresenting information during academic, experiential, co-curricular, or administrative processes
Noncompliance with Experiential or Administrative Requirements	- Missing onboarding deadlines, documentation or requirements (e.g., training, immunizations) -Failure to check and respond to E-mail, Canvas, or CORE ELMS messages and announcements
Unprofessional Representation	- Unprofessional conduct while representing ACPHS (e.g., at conferences, experiential sites, co-curriculum)
Patient Care and Safety Violations	- Unsafe clinical behavior - Breach of HIPAA or patient confidentiality - Lack of cultural sensitivity

Failure to Meet Professional Commitments	- Missing required events (e.g., co-curricular, experiential, advising, or professional development) without notice - Habitual tardiness or absence without communication - Failure to follow-through on assigned responsibilities in team, academic, co-curricular, or clinical settings - Appearing disengaged, inattentive, impaired, or asleep during class or experiential activities
Lack of Communication	- Failure to notify a faculty member or preceptor when unable to attend a required class, lab, or rotation - Not responding to professional emails within a reasonable timeframe (e.g., 48 hours)

Process for Handling Student Violations of Professionalism

Reporting a Violation

At any time during the process, **confidential consultation with the Director of Professional Affairs is encouraged.** This ACPHS internal process does not replace the regulatory definitions of professional misconduct found on the Board of Pharmacy website for pharmacy interns.

Responsible individual(s) for reviewing the alleged incident and reporting to Maxient:

- Didactic Course: Course faculty or course coordinator
- Experiential Course: Preceptor (if applicable) and/or Experiential Education Representative
- Co-curriculum: Organization advisor or faculty/staff/preceptor responsible for the event or activity

The process for the ACPHS individual responsible for reporting the alleged student professionalism incident is to:

1) Complete a review of the alleged incident; collect all necessary information
2) Meet with the alleged student involved within **one week** to hear and document their account of the allegation
3) Determine if the allegation is substantiated
    a. If the allegation is *unsubstantiated*, that will still be documented in Maxient and submitted for filing in the student's academic record with no sanctions or ramifications.
    b. If the allegation is *substantiated*, the representative will determine the appropriate sanction (**see below for example sanctions)** for the unprofessional conduct, document it in Maxient, and discuss their findings and sanction with the accused student.

Link to Maxient system: Maxient Professionalism Code Violation

Student Response to Finding:

1) If the accused student takes responsibility for the allegation, accepts the findings AND sanction(s):
    a. The student will respond using the Maxient *Student Response Form* to indicate their agreement and comply with any assigned sanctions.
    b. Once the student agrees with the initial finding and accepts the sanction, the case is sent to the Director of Professional Affairs, who will work to identify any previous violations of Policy and Procedures at ACPHS.
        i. If this is the first substantiated incident, the case is closed and filed in the accused's academic file.
        ii. In cases of a second or more related violation(s), the Director of Professional Affairs will determine additional sanctions. At this time, the student will be eligible to appeal as below.
2) If the accused student does **NOT** agree with the finding AND/OR the sanction(s):
    a. They have one week to respond using the Maxient *Student Response Form* to appeal for review, finding and/or sanction.
    b. The first appeal will be reviewed by an ad hoc committee of Assistant Dean for
    Academics, School of Pharmacy; Chair of the Academic Integrity Committee; and Chair of the Conduct Committee. They will determine the appropriate committee to hear the appeal. This will be determined on the facts of the case as it relates to the specific strengths of each committee and a majority vote (2/3). Then the appropriate committee will follow their written processes to review and process the case. Once they render a finding, any follow-up or appeal shall follow that committee's formal process.
3) If a student fails to respond to the Maxient *Student Response Form* or complete an appeal within one week of being made aware of the findings, that finding and sanction will be implemented and documented in their academic record.

Accumulation of Professionalism Point/Professional Incident Concerns in Curriculum
Certain courses in the Doctor of Pharmacy curriculum maintain additional policies and procedures for monitoring professionalism concerns, including:

- **Pharmacy Skills Sequence**: In-course Professionalism Point deductions
- **Patient Care Workshop Sequence**: Professionalism Incident Tracking
- **Experiential Education**: Monitors IPPE and APPE professional responsibilities of students, including, but not limited to pre-rotation, rotation, and post-rotation requirements and communication expectations.

All Professionalism Concerns from the above courses will be reported to the Director of Professional Affairs. If a student accumulates **five professionalism point deductions or professional incident concerns across these courses** through their P1-P4 years, a **mandatory meeting** with the student, Director of Professional Affairs, and the student's faculty advisor will be scheduled.

The purpose of this meeting is to identify patterns of concern, clarify expectations, and assess the need for a Professional Success Plan (Appendix A) or other supportive measures. The meeting and supportive measures will be considered a **Professionalism Intervention** and documented in Maxient by the Director of Professional Affairs**.** Depending on the nature and severity of the concerns, this meeting may also result in a formal **Professionalism Code Violation**, which could lead to any of the sanctions outlined in this policy.

Adjustments to the Proposed Timeline for Review and Resolutions of Cases
The process for review and appeal associated with a reported violation of professionalism is expected to be completed in an efficient and expedited manner. In instances where a course or other grade is time-sensitive, grades of "incomplete" may be assigned until the incident can be decided.

Documentation of Violations of the Professionalism Code
All violations of professionalism are documented and filed in the student's academic record in the Maxient system. The data may be used in making decisions regarding student privileges such as committee appointments, honors (including honor and leadership society eligibility), letters of support for internships or post-graduate training/education, and IPPE or APPE placements. All documents and correspondence related to accusations and violations of professionalism will be kept strictly confidential. All individuals involved in the case and with access to the documents are required to comply with FERPA and other confidentiality regulations.

Sanctions for Violations of Professionalism

Sanctions may be imposed based upon any substantiated violation of the above Professionalism policy. Please consult with the Director of Professional Affairs to answer any questions regarding the appropriateness of a sanction.

These sanctions may include, but are not limited to the following:

- ✈ Warning Letter: A notice to the student that they have violated the Professionalism Code and a record of the violation in Maxient.
- ✈ Re-assignment: The student may be required to complete the same or a similar assignment.
- ✈ Reduction of Grade: The student's participation or professionalism grade for the assignment(s) or course may be lowered by the course faculty, per course grading policy
- ✈ Assignment Failure: The student may be assigned a grade of "F" on the participation, professionalism, or content component of a grade.
- ✈ Course Failure: The student may be assigned a grade of "F" for the course or IPPE/APPE.
- ✈ Removal from Office: The student may be removed from office of a professional organization or club.
- ✈ Discretionary Sanction: Any additional sanction at the discretion of the reviewer (i.e. reflection paper, apology letter, cancellation or delay of upcoming IPPE or APPE rotation, ability to select rotations and/or set up IPPE or APPE special arrangements, referral to the Center for Student Success and/or Office of Counseling and Wellness, etc.)
- ✈ Suspension: The student may be suspended from the College for a designated period of time. ✈ Expulsion: The student may be permanently expelled from their Program and/or the College.

In determining appropriate sanctions, the Faculty, Director of Professional Affairs, Student Conduct
Committee, Dean or VPAA may consider past violations of college policy (i.e., Academic Integrity Policy, Student Conduct, Professionalism, Occupancy Agreement, etc.). Multiple violations typically lead to more significant sanctions.

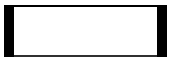
* The elements of professionalism and the challenges to professionalism are adapted from:

1. Dubbai H, Adelstein BA, Taylor S, Shulruf B. Definition of professionalism and tools for assessing professionalism in pharmacy practice: a systematic review. J Educ Eval Health Prof 2019:16:22-33
2. Schafheutle EI, Hassell K, Ashcroft DM, Hall J, Harrison S. How do pharmacy students learn professionalism? IJPP 2012;20:118-128.
3. American College of Clinical Pharmacy. Tenets of professionalism for pharmacy students. *Pharmacotherapy* 2009; 29(6):757-759.

4. American Society of Health-System Pharmacists. ASHP statement on professionalism. *Am J Health-Syst Pharm.* 2022;79(18):1612–1616. doi:10.1093/ajhp/zxac146
5. Covey SR. The 7 habits of highly effective people: Restoring the Character Ethic. [Rev.ed.]. New York: Free Press, 2004.
6. American Pharmaceutical Association Academy of Students of Pharmacy – American Association of Colleges of Pharmacy Council of Deans Task Force on Professionalism. White paper on pharmacy student professionalism. Journal of the American Pharmaceutical Association 2000.40(1):96-102.

APPENDIX A

Professional Success Plan Template



The purpose of this plan is to:

1) bring professional performance deficiencies to the student's attention, 2) provide a structured format for the written sanctions associated with the ACPHS Professionalism Code and 3) provide an opportunity for the student to critically reflect on their personalized plan for success.

Student Name: _____ **Date:** _____

Course: _____

Documented Professional Deficiency (Completed by Faculty/ Administration)
Reasons for Professional Deficiency (Completed by Student - more than 300 words)
Action Plan (Completed by Student) ***Specific actions I will take to improve my future performance to prevent reoccurrence of the deficiency. Please consider bullet points here and not text.***

Self-Reflection (Completed by Student – more than 300 words)

Critically reflect on how implementing this Action Plan in a timely fashion will enhance your personal/professional development as a student pharmacist/pharmacist. Include the following: 1) Evidence of change in perspective or behavior, 2) thorough, thoughtful, detailed and clear. Include any pertinent references.

Professional Success Plans must be completed and returned to the Director of Professional Affairs within 7 days or the agreed upon deadline.

Tobacco Free Policy

Purpose

ACPHS is committed to providing a healthy working and learning environment for the entire College community. The school's tobacco-free policy has been established to help limit the negative effects of tobacco use and promote a culture of health and Leadership. All members of the ACPHS community (including visitors) are expected to exercise respect, cooperation, and compliance with this policy.

Definitions

"Tobacco Products" is defined as all forms of tobacco, including but not limited to, cigarettes (commercial or handmade), oral tobacco (spit and spit less, chew, snuff), cigars, cigarillos, pipes, water pipes
(hookah), electronic cigarettes, smokeless tobacco products, or any other smoking material or device.

"Community Members" refers to all faculty, staff, students, contractors, vendors, volunteers, and visitors conducting business or participating in activities on campus.

"Campus Facilities" is defined as any facility or property owned, leased, used, or occupied by the College, including all college vehicles. This applies to personally owned and rented vehicles when located on campus facilities or used to transport faculty, staff, or students on any College related business, academic or student life activities.

Policy

Effective August 1, 2013, ACPHS is a tobacco-free institution. This policy prohibits community members from using tobacco products on campus facilities. The sale or free distribution of tobacco products on campus is also prohibited.

Procedures

Support And Education

The College will provide programming to educate the College community about the policy and offer access to cessation programs to those who wish to quit the use of tobacco products. The College will promote the tobacco-free policy by placing highly visible signs throughout the College property, as well as having information available online and in designated administrative offices.

Responsibility

Effective implementation of this policy depends on the courtesy, respect, and cooperation of all members of the College community. All community members share the responsibility of adhering to and enforcing the policy and have responsibility for communicating the policy to visitors in a courteous and considerate manner.

Compliance

The primary goal is to achieve voluntary compliance with the tobacco-free policy by educating community members about the existence of the policy, the rationale for the policy, and the availability of tobacco cessation support services both on and off campus. Continuous violators of this policy may be referred to the Student Code of Conduct or the Office of Human Resources for resolution. Visitors

who violate the policy will be educated that the College is a tobacco-free campus. Visitors who refuse to comply with the policy following this education will be asked to leave campus.

College Directory

Visit the ACPHS website for a full listing of ACPHS offices and faculty/staff.