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Dear Students,

Optometry is an ever-changing and dynamic health care profession, and our goal at the State University of New York College of Optometry is to be innovative, bold and impactful in the ways in which we accomplish our mission. SUNY Optometry is dedicated to the education of optometrists, the advancement of eye and vision care through research and graduate education and the care of our community through comprehensive visual health services. The College is the only institution of its kind in the region. In fact, we’ve educated approximately 60 percent of all practicing optometrists in New York State.

The University Eye Center (UCE), the College’s patient care facility, supports nearly 75,000 patient visits each year. In addition to primary eye care, the UEC is renowned for its specialty clinical services, including traumatic brain injury, infant vision, pediatrics, visually-related learning disabilities, vision rehabilitation, ocular disease and imaging, vision therapy, and specialty contact lenses. Moreover, an extensive array of clinical satellites and extramural programs further broaden the scope and diversity of the patients we serve and, along the way, extend our reach to underserved populations while enhancing the clinical experiences of our students.

A hallmark of SUNY Optometry is its commitment to leading the advancement of vision care through research. The College offers a PhD in vision science, both independently and in conjunction with the Doctor of Optometry degree, as well as an OD/MS program. Our Graduate Center for Vision Research oversees basic, translational and clinical research conducted by members of our faculty and professional staff—some of the leading optometric researchers working today. In addition, our faculty, students, research partners and members of our community work together to advance vision care at our Clinical Vision Research Center. This commitment to research not only leads to breakthroughs in patient care, but also provides opportunities for our students—the next generation of cutting-edge researchers—to be directly involved in this important, often groundbreaking, work.

Located in the heart of New York City, opposite the historic New York Public Library and beautiful Bryant Park, SUNY Optometry’s home is an 18-story facility whose historical facade serves as a graceful reminder of the past and the entrance into a contemporary and pioneering educational institution.

Sincerely,

David A. Heath, OD, EdM
President
Introduction
Federal and state laws require that institutions of higher learning in New York State provide students with information regarding health, safety, rights of privacy, affirmative action policy, academic policies, financial aid information and policies related to students with disabilities. This Student Handbook is a compilation of policies and other information pertinent to your educational experience at the SUNY College of Optometry.

The SUNY College of Optometry and the State University of New York reserve the right to change programs, policies and requirements published in this handbook. As changes occur, supplemental material or announcements will be made to inform students.

Nondiscrimination Policy
Pursuant to SUNY policy, the College is committed to fostering a diverse community of outstanding faculty, staff and students, as well as ensuring equal educational opportunity, employment and access to services, programs and activities, without regard to an individual’s race, color, national origin, religion, creed, age, disability, sex, gender identity, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status or criminal conviction. Employees, students, applicants or other members of the College community (including but not limited to vendors, visitors and guests) may not be subjected to harassment that is prohibited by law, or treated adversely or retaliated against based upon a protected characteristic.

The College’s policy is in accordance with federal and state laws and regulations prohibiting discrimination and harassment. These laws include the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972, and the New York State Human Rights Law. These laws prohibit discrimination and harassment, including sexual harassment and sexual violence. Inquiries regarding the application of Title IX and other laws, regulations and policies prohibiting discrimination may be directed to: Title IX Coordinator, Mr. Doug Schading; (212) 938-5882 or dschading@sunyopt.edu

Inquiries may also be directed to:
The United States Department of Education’s Office for Civil Rights,
32 Old Slip 26th Floor,
New York, NY 10005-2500;
Phone: (646) 428-3800
Email: OCR.NewYork@ed.gov
College Information and Policies

The Optometric Oath

With full deliberation I freely and solemnly pledge that: I will practice the art and science of optometry faithfully and conscientiously, and to the fullest scope of my competence. I will uphold and honorably promote by example and action the highest standards, ethics and ideals of my chosen profession and the honor of the degree, Doctor of Optometry, which has been granted me.

I WILL provide professional care for those who seek my services, with concern, with compassion and with due regard for their human rights and dignity.

I WILL place the treatment of those who seek my care above personal gain and strive to see that none shall lack for proper care.

I WILL hold as privileged and inviolable all information entrusted to me in confidence by my patients.

I WILL advise my patients fully and honestly of all which may serve to restore, maintain or enhance their vision and general health.

I WILL strive continuously to broaden my knowledge and skills so that my patients may benefit from all new and efficacious means to enhance the care of human vision.

I WILL share information cordially and unselfishly with my fellow optometrists and other professionals for the benefit of patients and the advancement of human knowledge and welfare. I will do my utmost to serve my community, my country and humankind as a citizen as well as an optometrist.

I HEREBY commit myself to be steadfast in the performance of this my solemn oath and obligation.

(The Optometric Oath was standardized and adopted by the American Optometric Association (AOA) and the Association of Schools and Colleges of Optometry (ASCO) in 1986 as a means of encouraging professional ethical behavior.)

This oath is taken by all graduates of the SUNY College of Optometry during their commencement. It is, therefore, incumbent upon each student at the College to exhibit these same qualities and attributes, while matriculating at our institution. Honesty, integrity, professionalism, compassion, unselfishness, competence, decency and a concern for the rights and dignity of all students, faculty, staff and patients will be expected and demanded of students advancing through our curriculum.

Student Code of Ethics

This “Student Code of Ethics” was established by the students of the SUNY College of Optometry in 1999 as a way to share a mutual understanding and responsibility for conduct befitting a student of optometry. The intent of this code is to establish the highest standards of ethical conduct for our student body. The student by signing this code will agree to adhere to its principles and demonstrate the professional and ethical qualities that are expected of a student in a health professional program.

It shall be the Ideal, the Resolve and the Duty of Professional Optometric Students:

TO TREAT fellow students, faculty, patients and staff with the respect and dignity that is the right of every human being;
TO HONOR AND ADHERE to the qualities of honesty and integrity as they interact in the classroom, the clinic and in daily routine;
TO KEEP the visual welfare of the patient uppermost at all times;
TO PROMOTE in every possible way, as a group and individually, better care of the visual needs of humankind;
TO ENHANCE continuously their educational and technical proficiency to the end that their patients shall receive the benefits of all acknowledged improvements in visual care;
TO ADVISE the patient whenever consultation or referral seems advisable;
TO HOLD in professional confidence all information concerning a patient and to use such data only for the benefit of the patient;
TO CONDUCT themselves as exemplary citizens;
TO ACT in a fashion that is consistent with the ethics and ideals of a learned profession;
TO PROMOTE and maintain cordial and unselfish relationships with fellow students, faculty, staff and members of their own profession and other professions for the exchange of information to the advantage of humankind;
TO UPHOLD professionalism as has been defined and revered as the standard for all health practitioners.

Formal Complaint Procedure for Students

Formal complaints that are not academic in nature are addressed in the SUNY College of Optometry’s “Formal Complaint Procedure for Students,” below.

In most instances, grievances or issues of concern that students have at the College are addressed informally, often with the assistance of the vice president for student affairs and international programs or another college faculty or staff member. However, a formal complaint may be initiated by any student.

- A formal complaint must be in writing, dated, signed by the complainant and addressed to the vice president for student affairs and international programs. (Please note that only written, dated and signed submissions will be processed as formal complaints; verbal and electronic submissions will not be processed.)
- The vice president for student affairs and international programs has the authority to forward those complaints with merit. If the complaint is against the vice president for student affairs and international programs, the formal complaint can be made to the president of the College.
- Upon receipt, the vice president for student affairs and international programs will forward the complaint to an appropriate College authority, usually another vice president, who has the authority to address the complaint. In certain situations, the vice president for student affairs and international programs may be deemed the appropriate authority to address a particular formal complaint.
- An acknowledgement of the complaint will be sent in writing by the appropriate College authority to the complainant (and a copy will be sent to the vice president for student affairs and international programs) within 10 business days of the date the written complaint is received by the vice president for student affairs and international programs.
- The appropriate College authority will provide a written response to the complainant (and a copy will be sent to the vice president for student affairs and international programs) within 20 business days of the date the written complaint is received by the vice president for student affairs and international programs.
- The complainant has the right to redirect the complaint to the vice president for student affairs and international programs for further action if he or she is not satisfied with the initial response from the appropriate College authority.

Every effort will be made to resolve the complaint in a confidential manner and as expeditiously as possible, however, complete confidentiality cannot always be guaranteed. In the process of handling complaints, certain information may be distributed to appropriate administrators, respondents and/or witnesses in order
to investigate, institute remedial actions or to informally resolve the complaint.

**Note:** Due to the nature of the allegations being brought forth in certain instances, the vice president for student affairs and international programs may determine that certain complaints constitute alleged violations of the “Student Code of Ethics” (as outlined in this Student Handbook.) To resolve these cases, the College’s Judicial Committee may be called upon to conduct interviews, collect statements and possibly conduct hearings. These are not legal proceedings.

**Records of Formal Complaints:**
Records of formal complaints will be kept for a minimum of five years by the vice president for student affairs and international programs. For each formal complaint received, the following information will be logged and maintained as part of the College’s formal complaint log:
- The date the formal complaint was submitted to the vice president for student affairs and international programs;
- The nature of the formal complaint;
- Copies of the acknowledgment and response (recorded by date) provided to the student from the appropriate College authority and the steps taken by the College to resolve the formal complaint;
- The College’s final decision regarding the formal complaint, including any referral to outside agencies;
- Any other external actions initiated by the student to resolve the formal complaint, if known to the College (such as a lawsuit, EEOC investigation, etc.)

**Judicial Policy and Procedure For Dealing With Unethical and/or Unprofessional Student Conduct**

Unethical and unprofessional conduct will not be tolerated. Unethical conduct includes, but is not limited to, cheating, plagiarism or falsifying documents. Unprofessional conduct is any action towards or against a fellow student, faculty member, staff or patient that is generally deemed socially or professionally inappropriate and/or which is not in keeping with the expectations as outlined in the “Student Code of Ethics” above, as well as other sections of this handbook. Students found responsible for unethical or unprofessional conduct will be subject to discipline by the vice president and dean for academic affairs which may include dismissal from the College.

**Procedures for Formation and Operation of the Judicial Committee for Standards of Professional Behavior**
- When a student, staff member, patient or faculty member believes that a breach of ethics serious enough to warrant action by the vice president and dean for academic affairs may have occurred, he or she will submit the matter to the vice president for student affairs and international programs. The individual reporting the possible occurrence of unethical and/or unprofessional conduct shall submit a signed, written statement specifying in detail its basis to the vice president for student affairs and international programs who may dismiss the charges with the concurrence of the one(s) making the charge. The vice president for student affairs and international programs may also offer mediation with the concurrence of the one(s) making the charge and the one(s) being charged. Mediation is not appropriate in the case of sexual violence.
- In the event that mediation is unsuccessful, the vice president for student affairs and international programs shall forward the statement of charges to the chairperson of the Judicial Committee. Within five working days of receiving the statement, the chairperson shall notify the party named by registered mail to the student’s address of record and provide him or her with a written copy of the statement and a copy of the procedural rules described herein.
- The Committee’s responsibility shall be to ascertain, as best as it can, the facts of the matter, decide if unethical and unprofessional conduct has occurred, determine if the person charged has committed the
act and recommend a course of action to the vice president and dean for academic affairs.

- The chairperson shall obtain from both parties all evidence or knowledge of evidence that will support or refute the allegation. Students charged with a violation of the “Policy on Ethical and Professional Student Conduct” shall have access to all documentary evidence and a list of all witnesses to be presented at the hearing. Students charged shall have adequate time to prepare for the hearing.

- The chairperson shall convene an initial organizational meeting (see next section) of the Judicial Committee within 10 working days of notification from the vice president for student affairs and international programs of the possible occurrence of unethical and/or unprofessional conduct.

**The Organizational Meeting**

- At the organizational meeting of the Committee, the chairperson will advise the members concerning the nature of the evidence obtained in order to assist them in determining the need to gather additional information relating to the matter to be heard. Minutes of the organizational meeting will be taken.

- Procedures, conclusions and recommendations will be carried by a majority vote of the voting members of the Committee or in the event of a tie by the vote of the chairperson. Voting in procedural matters will be by a show of hands unless a member of the Committee requests a secret ballot.

**Rules Governing the Committee’s Hearings**

- Each party named in the statement may present any additional evidence which they have relating to the allegations at the hearings of this Committee. All presentations and inquiries by both parties, witnesses and members of the Committee during the hearings of the Committee shall be upon the recognition by and through the chairperson.

- The Committee may ask witnesses to appear before it. The Committee shall direct the chairperson to obtain, if possible, such additional evidence or witnesses as may provide evidence concerning the allegations of the hearing of this Committee. Witnesses shall be interviewed individually.

- Each party named in the statement shall have the right to be present at any or all of the Committee’s proceedings when evidence is being presented.

- Since this is not a legal proceeding, each party named in the statement does not have the right to legal representation.

- The Committee shall complete its hearings with all due deliberate speed.

- Unless the chairperson decides an extension is warranted, within five working days of completing its hearings the Committee shall prepare and present to the vice president and dean for academic affairs a written report of its conclusions and recommendations. Individual voting Committee members may also present their own opinions if they so choose.

- Conclusions of the Committee that unethical and unprofessional conduct did or did not occur and recommendations of the Committee to the vice president and dean for academic affairs will be carried by majority vote of the voting members of the Committee. Conclusions will be based upon the “preponderance of evidence.” In the matter of the Committee’s conclusions and recommendation, voting will be by secret ballot. The chairperson shall only vote in the event of a tie. A report of the conclusions and recommendations will be sent to the vice president and dean for academic affairs. The individual(s) making the charge, the accused student and the vice president for student affairs and international programs shall receive a brief summary of the Committee’s conclusions and recommendations.

- All records of the Committee will be maintained in a confidential manner within the Registrar’s office. After the vice president and dean for academic affairs has taken action, these documents will be sealed and opened only in the event of a formal review or pursuant to a court order or subpoena of the case. These documents will be maintained for at least six years following the student’s departure from the institution.

- The student who was charged can appeal the decision of the vice president and dean for academic affairs to the president of the College.
Health Policy

The University Eye Center is licensed as an Article 28 Diagnostic and Treatment Center regulated by the New York State Hospital Code in accordance with Public Health Law 2803. Below is a summary of regulations pertinent to your role as a student-provider of health care services at the University Eye Center:

- In accordance with New York State Department of Health regulation an annual health status assessment must be provided by all staff (including students) to assure freedom from a health impairment, which is of potential risk to patients. The assessment must include documentation of a Tuberculosis status by PPD (Mantoux skin test) or other means annually and a health status assessment.
- Services must be provided without regard to age, race, color, sexual orientation, marital status, religion, sex, national origin or sponsor.
- A method for promptly handling patient complaints must be followed. (Note: All written patient complaints should be forwarded to your respective clinical supervisor.)
- Prompt follow-up action must be taken for patients with abnormal test results or physical findings.
- Cases of suspected child abuse or maltreatment must be identified, assessed, reported and referred; victims of domestic violence must be identified and treated.
- Patients must be granted access to their health care records in accordance with the provisions of Section 18 of the Public Health Law. (Note: Under no circumstances is staff to provide copies of any portion of a health care record directly to a patient or qualified person.)
- Participation is required in the University Eye Center’s quality assurance activities at the request of your clinical supervisor.
- Report any occurrences that disrupt the provision of patient care services or cause harm to patients or staff, equipment malfunctions during treatment or diagnosis or patient transfers to a hospital.

THE INFORMATION PROVIDED HEREIN IS ONLY REPRESENTATIVE OF THOSE REGULATIONS IMPOSED ON OUR FACULTY PURSUANT TO THE NEW YORK STATE PUBLIC HEALTH LAW AND IS NOT INTENDED TO BE EXHAUSTIVE. PLEASE DIRECT ANY QUESTIONS TO CLINICAL ADMINISTRATION.

Mandatory Student Immunizations for Measles, Mumps and Rubella

All SUNY College of Optometry students will be required to provide proof of adequate immunization against measles, mumps and rubella as a condition of enrollment at the College. The mandatory health policy was instituted to comply with New York State Public Health Law 2165, which was passed in June 1989, requiring full-time students attending colleges and universities in New York State to demonstrate proof of immunity against measles, mumps and rubella. Proof of immunity consists of a certificate of immunizations signed by a physician or health care provider which documents measles, mumps and rubella immunity. The certificate must specify the type of vaccine and the dates (month, day, year) of administration or the date of disease diagnosis, if any, or the date of serologic testing and results, if any. A student health record from a previously attended school, which properly documents the immunization history previously described, is acceptable as proof of immunity.

Requirements for registration and attendance include completion of the SUNY College of Optometry Student Health Form containing the following information:

- Medical history
- Physical examination
- Tuberculin test (within one year)
- If tuberculin test is positive, a chest x-ray recording the results, date and place of the examination is required.
- Proof of two doses of measles vaccine, and one dose each of mumps vaccine and rubella vaccine or
serological evidence of antibodies.

- The Hepatitis B vaccine (three shots) is strongly recommended but not required. You are, however, required to notify the College if you have received the vaccine, if you will be receiving the vaccine or if you do not wish to receive the vaccine.

*If a student does not comply or does not present acceptable evidence of compliance, the College must refuse to allow the student to continue in attendance.*

**Information about Hepatitis B and the Vaccine (Recombinant)**

All students should be aware of the signs and preventability of Hepatitis B. Since medical history and examination cannot reliably identify all patients infected with Hepatitis B (HBV) or other blood-transmissible pathogens, barrier safeguards should be used by all individuals that provide care to patients at the University Eye Center.

Hepatitis B (serum hepatitis) is a disease that is more common in hospital workers than it is in the general population. Those at the highest risk are those whose jobs may result in direct contact with blood, such as patient care workers in emergency rooms and dialysis units, as well as technicians in blood banks and coagulation laboratories.

Though optometric student interns are not in this “highest risk” category, they are entering into a profession in which direct patient contact is necessary. This will be true as you rotate through the various clinics at the University Eye Center and various satellite facilities. Since there is always the possibility of infection, no matter how slight, and because this particular disease has received considerable public health attention, the College wishes to make you aware of the options available, should you wish to avail yourself to them.

Most individuals who get Hepatitis B have either no symptoms or only a mild illness. Many, however, will be sick enough to be temporarily disabled and a few will have severe life-threatening illness. In addition, some people who recover from the attack will become carriers of the virus (a condition in which they may infect others) and some will develop chronic hepatitis or cirrhosis.

In the trials of the Hepatitis B vaccine, it was given to several thousand individuals. The major side effects were mild soreness at the injection site and slight fever. Rash, nausea, joint pain and fatigue were rarely reported. Reactions were seen no more frequently than when a placebo (an injection that did not contain vaccine) was given. However, it is possible that unanticipated side effects may appear that were not seen when the vaccine was under study. These side effects may be unimportant or serious, but there is a very real danger that without vaccination, a substantial number of people will develop Hepatitis B and some have serious complications from that disease.

For effective immunity, a total of three injections are needed (two primary injections and one booster). The first two injections are given one month apart and the booster is given six months after the first injection. More than 95 out of 100 people who receive all three injections will become immune to Hepatitis B. Experience indicates that the immunity lasts at least five years and may be lifelong, though it is too early to be sure. Those who do not respond to the vaccine will be susceptible to Hepatitis B.

If you are **allergic to yeast**, you may not receive the vaccine. Also, if you have a **low grade virus** (i.e. aches, fatigues, etc.), it is better to wait until your symptoms pass before getting the vaccine. If you are **pregnant or a nursing mother** you may not wish to get the vaccine because Pregnancy Category C Animal Reproduction studies have not been conducted and it is not known whether the vaccine is excreted in human milk.

It is recommended that you consult with your physician for more information about this disease and the vaccine.
Alcohol and Drug Policy

The service and consumption of alcoholic beverages at SUNY College of Optometry are governed by the New York State Alcohol Beverage Control law and other laws of the State of New York. Based on such laws, campus policy is as follows:

- Alcoholic beverages may not be brought into the College’s building unless formal, written approval is obtained in advance from the vice president for student affairs and international programs.
- No person shall be served alcoholic beverages on campus to consume on campus or elsewhere:
  - If that person is, or appears to be, under the age of 21;
  - If that person is, or seems to be, intoxicated or is known to the server to be a problem drinker.
- The individual group or groups sponsoring an event at which alcoholic beverages are served (the sponsor) shall be responsible to make sure that all New York State laws and regulations and all SUNY College of Optometry rules and regulations regarding the sale, use, service and consumption of alcoholic beverages are observed at such an event. This responsibility shall include, without being limited to, the following:
  - Items in this policy as stated above;
  - Instruction by the sponsor to the person or persons actually serving alcoholic beverages at the event that they shall not serve or sell alcoholic beverages to any person who is or appears to be intoxicated, who is known by the server to be a problem drinker or who is or appears to be under the legal drinking age.

This policy is applicable to all events at which alcoholic beverages are served at the SUNY College of Optometry. In addition, specific policies, procedures and regulations governing particular facilities or populations will be developed by the persons or offices authorized to do so, in conjunction with the Office of Student Affairs and International Programs or Human Resources.

College Policy Statement On Drug and Alcohol Use by Students

The SUNY College of Optometry is committed to the development and maintenance of a drug-free environment. In accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, the College will not tolerate the abuse of alcohol or the unlawful possession, distribution and use of controlled substances and alcohol on the SUNY Optometry campus.

It is the position of SUNY Optometry that the abuse of alcohol and/or the illegal possession or use of other drugs adversely affects the College community’s pursuit of its educational and patient care goals. Furthermore, as a state-supported institution, it is the responsibility of the College to uphold both state and federal laws.

Compliance with the College Policy on Drug and Alcohol Abuse shall be a condition of attendance at the SUNY College of Optometry.

Any student convicted of any criminal drug statute violation occurring in or on property owned or controlled by the SUNY College of Optometry is required to give a signed, written notice of the conviction to the chief of University Police within five calendar days following the conviction.

Students who violate the policy may be subject to disciplinary action in accordance with the College code of conduct. Possible disciplinary action includes probation or dismissal from the College. Further, violators may be required, as a condition of continued attendance at the SUNY College of Optometry, to participate in an approved drug or alcohol rehabilitation program.
The SUNY College of Optometry will notify the appropriate federal agency, when applicable, within 10 days of notice of a student conviction. In addition to College sanctions, violators may be subject to criminal prosecution under federal and state laws which specify fines or imprisonment for conviction of drug related offenses. Where appropriate or necessary, the College will cooperate fully with law enforcement agencies.

Federal penalties and sanctions for the illegal possession of a controlled substance are detailed in the Controlled Substance Act (21 U.S.C. 811, 844, 853.)

For the first conviction, imprisonment may be imposed up to a year and fines issued of at least $1,000. There are special sentencing provisions for the possession of crack cocaine that mandate at least five years in prison and fines of up to $250,000.

New York State Penal Law Article 220 set criminal penalties for possession or sale of controlled substances considered harmful or subject to abuse. The seriousness of the offense and penalty imposed upon conviction depend upon the individual drug and amount held or sold. Marijuana is placed in Article 221 and is dealt with separately in the Penal Law, as a result of the Marijuana Reform Act of 1977.

Section 220.44 makes criminal sale of a controlled substance in or near educational facility grounds a Class B felony.
220.45 makes criminal possession of a hypodermic instrument a Class A misdemeanor.
220.46 makes criminal injection of another person with a narcotic drug—with consent of that person, a Class E felony.
220.50 bans possession or sale of drug paraphernalia; deals with things that dilute drugs, like dextrose or mannite; and gelatin capsules, plastic envelopes, etc., considered commercial preparation materials, a Class A felony.
220.60 makes criminal possession of certain “precursors” of controlled substances used in their preparation or manufacture, but not the drugs themselves, a Class E felony (for example, ergot or diethylamide).
220.65 makes criminal sale of a prescription for controlled substance a Class C Felony.

The amendments to Article 5 section 65-b and 65-c of the Alcoholic Beverage Control Law (Chapters 225, 586 and 592 of the Laws of 1989) provide:

Effective January 1, 1990, persons under the age of 21 are prohibited from possessing any alcoholic beverage with the intent to consume the beverage. Exceptions are provided for the consumption in an institutional setting and in cases where the alcoholic beverage is provided by a parent or guardian.

Violators are subject to a fine of up to $50 per offense but are not subject to arrest. Alcoholic beverages involved in the alleged violations of this law may be seized by authorized law enforcement officials including University Police officers. Disposal and destruction of the seized alcoholic beverages are also authorized but cannot be carried out until three days after the initial appearance date, unless otherwise ordered by a court. Effective November 1, 1989, persons under the age of 21 who present falsified or fraudulently altered proof of age for the purpose of purchasing or attempting to purchase alcoholic beverages are guilty of a violation, punishable by a fine of up to $100 and a community service requirement of up to 30 hours. In addition, the court may order completion of an alcohol awareness program established pursuant to section 19.25 of the mental hygiene law.
Effective October 19, 1989, a person under the age of 21 who presents an altered New York State drivers license for the purpose of illegally purchasing an alcoholic beverage may be subject to a suspension of that driver’s license for up to 90 days and may also be required to apply to the Department of Motor Vehicles for a restricted use driver’s license following the suspension.

For more information visit: http://ypdcrime.com/abc/article5.htm

**Smoking Policy**

Comprehensive legislation to limit public exposure to second-hand smoke in New York State was enacted into law in 1989, as the “Clean Indoor Air Act.” Smoking is prohibited throughout the entire facility and along the sidewalks adjoining the building on both 42nd Street and 43rd Street.
Emergency Services

If the College is (or will be) impacted by severe weather conditions, or in the event of a major emergency that poses an ongoing or continuous threat to the College community, information will be disseminated in the following manner:

- The College Website - http://www.sunyopt.edu
- Recorded message on the College's main telephone number: 212-938-4000
- First Class Electronic Mail News Alerts
- SUNY Alert Emergency Mass Notification System
- Local news media: WCBS radio: www.wcbsnews.com/closings/orgs

On Campus Emergencies

The University Police should always be notified first for any on-campus emergencies in order to facilitate a proper and prompt response. Moreover, many situations are able to be resolved by University Police officers.

Useful Resources

Dial 5555 for any emergencies, suspicious behavior, accidents, injuries or campus safety issues to contact the University Police.

For non-emergencies, dial 5566

Off Campus Emergencies

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<thead>
<tr>
<th>Situation</th>
<th>Contact</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>Accident</td>
<td>New York City Police</td>
<td>911</td>
</tr>
<tr>
<td>Injury &amp; Medical</td>
<td>NYC Emergency Medical Services</td>
<td>911</td>
</tr>
<tr>
<td>Crime in progress</td>
<td>NYPD</td>
<td>911</td>
</tr>
<tr>
<td>Rape or Sexual Assault</td>
<td>Report Hotline</td>
<td>(212) 267-7273</td>
</tr>
<tr>
<td>Crime Victim</td>
<td>Victim Services</td>
<td>(212) 577-7700</td>
</tr>
<tr>
<td></td>
<td>Claims</td>
<td>(718) 923-4325</td>
</tr>
<tr>
<td>Terrorism Tips Hotline</td>
<td>1-888-NYC-SAFE</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1-866-SAFE-NYS</td>
<td></td>
</tr>
</tbody>
</table>
Campus Safety Information
Campus crime statistics for the past three years can be found on the College's website here: http://www.sunyopt.edu/offices/university_police/crime_report. All members of the College community are urged to report criminal incidents, emergencies and suspicious activities to the University Police Department. The College's emergency number is 5555. Incidents can be reported as follows:

- When you dial x555, a University Police Officer will immediately respond to investigate and act upon the emergency that you report. Once the emergency has been stabilized, the officer will take a statement from the person reporting as part of an official University Police “Service and Regulatory Report.” This report will then be kept on file.
- Incidents can also be reported in person to an officer at the University Police desk located on the first floor. A University Police Officer will immediately respond to apprehend the perpetrators, if a crime has been committed. A “Crime Incident Report” will be completed for all criminal offenses. In some instances, depending on the severity of the crime, the New York City Police Midtown Precinct South will be called for assistance.

Security and Access to the SUNY College of Optometry
There are two entrances into the College, one from 42nd Street and one from 43rd Street. Both entrances are secured by University Police personnel. The main entrance is on 42nd Street. The 43rd Street entrance closes at 7pm on weeknights and throughout the weekend. All students, faculty and staff are issued identification cards that must be shown when entering the building and worn on their outermost garment. Visitors are checked against the expected guest list for the day. The desk officer then issues a visitor's pass after a visitor is cleared. Patient’s access into the college is limited to the clinical floors only. Patients are issued color-coded passes, which differentiate them from other visitors to the building.

The college is open as follows:
Monday - Friday, from 7:00am – 10:00pm
Saturday, 8:00am – 5:00pm
Sundays (only during academic session), 10:00am – 6:00pm

The College is closed on all New York State holidays

SUNY University Police Officer Status and Responsibilities:
SUNY University Police Officers are responsible for enforcing applicable city, state and federal laws as well as SUNY policies and College regulations. In order to do so, University Police Officers have full police officer status and have undergone required basic training for police officers through standards set by the Municipal Police Training Council and the State University of New York. Officers have been trained as first responders to both medical and non-medical emergencies, conflict resolution and undergo continuous training to upgrade their skills.

A University Police Officer has the power to make an arrest on the College’s premises up to the perimeter of the building. If an individual is arrested at the College, the NYPD Midtown Precinct South will be contacted for assistance to transport the arrested individual to be fingerprinted and photographed at the precinct. A “Crime Incident Report” will be filled out at the College and forwarded to the appropriate authorities. Communication is made to students and employees on how to handle and report crimes through the offices of Student Affairs and International Programs, Human Resources and the University Police.

The SUNY College of Optometry maintains a memorandum of understanding with the NYPD regarding mutual assistance and cooperation with investigation and enforcement of laws. Criminal activities that occur off campus should be reported to the NYPD precinct with jurisdiction in the local area.
The memorandum of understanding with the NYPD details mutual cooperation with each institution during incidents of missing persons and violent felony crimes. Areas of cooperation include investigations, information sharing and reporting. Firearms and dangerous weapons of any type are not permitted on campus. It is a violation of State law and College policy to intentionally use, possess or sell firearms or any dangerous weapon on campus.

**Sensitive and/or Personal Crimes:**
An annual awareness talk on prevention of crimes, importance of support services and assistance to victims of sexual assault and other personal crimes is presented by the University Police.

**Emergency Response and Evacuation Procedures**
The College’s emergency Response Plan is available on the University Police website: http://www.sunyopt.edu/offices/university_police/emergency_response

**Sexual Harassment**
Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment prohibited by Title IX.

Sexual Harassment is a form of sexual discrimination that violates Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments Act of 1972, as clarified by the Civil Rights Restoration Act of 1988. Sexual harassment takes many forms, from constant joking to physical assault. It includes sexually oriented verbal kidding or abuse, including derogatory or dehumanizing gender references, such as whistling, catcalls or sexual remarks or jokes. It may be subtle overt pressure for sexual activity; physical contact such as patting, pinching or constant brushing against another’s body.

Sexual violence refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX.

Hostile environment is unwelcoming and demeaning behavior that creates a hostile, intimidating or offensive environment, or unreasonably interferes with an individual’s work or academic performance. For Title IX purposes, the conduct must be sufficiently serious that it adversely affects (denies or limits) a student’s ability to participate in or benefit from the school’s program based on sex.

Pursuant to SUNY policy, the College is committed to fostering a diverse community of outstanding faculty, staff and students, as well as ensuring equal educational opportunity, employment and access to services, programs and activities, without regard to an individual’s race, color, national origin, religion, creed, age, disability, sex, gender identity, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status or criminal conviction. Employees, students, applicants or other members of the College community (including but not limited to vendors, visitors and guests) may not be subjected to harassment that is prohibited by law, or treated adversely or retaliated against based upon a protected characteristic.

The College’s policy is in accordance with federal and state laws and regulations prohibiting discrimination and harassment. These laws include the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972, and the New York State Human Rights
Law. These laws prohibit discrimination and harassment, including sexual harassment and sexual violence. Inquiries regarding the application of Title IX and other laws, regulations and policies prohibiting discrimination may be directed to Title IX Coordinator
Mr. Doug Schading, director of human resources and affirmative action
Phone: (212) 938-5882
Email: dschading@sunyopt.edu.
Inquiries may also be directed to the United States Department of Education’s Office for Civil Rights
32 Old Slip 26th Floor,
New York, NY 10005-2500
Phone: (646) 428-3800
Email OCR.NewYork@ed.gov.

Sexual Assault, Rape, Stalking and Domestic Violence
New York State statutes define sexual assault in various degrees. Sexual assault, of any kind is a crime. Sexual assault is any actual or attempted nonconsensual sexual activity including but not limited to, forcible anal or oral sex, attempted intercourse, sexual touching, exhibitionism by a person(s) known or unknown to the victim.

Rape is the act of sexual intercourse with a person against one’s will and consent, whether their will is overcome by force or fear resulting from the threat of force, or by drugs administered without consent, or when they are unconscious, intoxicated or otherwise physically unable to communicate willingness. Be aware that having sex with someone who is unable to give consent by being mentally incapacitated or unconscious (passed out) is rape. If you are a victim of a rape or sexual assault, seek medical attention immediately. It is also suggested that you do not: bathe or douche, change clothing, comb your hair, or brush your teeth or disturb the area in which the crime occurred. These actions destroy physical evidence that may be necessary to apprehend or convict the attacker.

Stalking occurs when a person intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct is likely to cause reasonable fear of harm to the health, safety or property of such person, a members of such person’s family or a third party with whom such person is acquainted.

Domestic violence is a pattern of coercive tactics which includes physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an adult intimate partner with the goal of establishing and maintaining power and control over the victim. Intimate partner includes: persons legally married to one another; persons formerly married to one another; persons who have a child in common, regardless of whether such persons are married or lived together at any time; couples who live together or persons who are dating or who have dated in the past, including same sex couples.

For more information about the College’s Domestic Violence Policy and Prevention Procedures, please visit: http://www.sunyopt.edu/offices/human_resources/policies_and_procedures

University Police Sexual Assault Response Policy
Sexual assaults, including date/acquaintance rape, are of very serious concern to University Police. If you feel you are the victim of a sexual assault on campus, the University Police Department will do the following:
• We will meet with you privately, at a place of your choice, to take a complaint report.
• We will not release your name to the public or to the press.
• We will treat you and your case with courtesy, sensitivity, dignity and professionalism.
• We will assist you in arranging for hospital treatment or other medical care.
• We will assist you in privately contacting counseling, and other available resources.
• We will fully investigate your case. This may lead to the arrest and full prosecution of a suspect. You will be kept up-to-date on the progress of the investigation and/or prosecution.
• We will be available to you to answer your questions and to explain the judicial system and processes involved to you.
• We will take your case seriously regardless of your gender.

If you believe you are a victim of sexual assault, call the University Police Department at 5555. University Police wants to help make the campus safe for students, faculty, staff and visitors. All calls will be kept strictly confidential.

**Procedure for Disciplinary Action**
In cases of alleged sexual assault, procedures are in place to file a written complaint and to pursue disciplinary action against the offender (refer to “Formal Complaint Procedure for Students” above). The offender may also be subjected to criminal prosecution under the New York State Penal law statute.

**Registered Sex Offenders**
The New York State Division of Criminal Justice Services (DCJS) maintains a sex offender registry. DCJS will notify University Police if and when a registered sex offender enrolls at or becomes employed by the SUNY College of Optometry. Any member of the College community interested in obtaining this information should inquire at the University Police information desk. The DCJS’ Sex Offender Registry Subdirectory is available for public view at: [http://criminaljustice.state.ny.us/nsor/search_index.htm](http://criminaljustice.state.ny.us/nsor/search_index.htm),

**Important Phone Numbers**
- Sex Crimes Report Hotline 212-267-7273
- Crime Victim’s Hotline 646-610-RAPE
- Crisis Counseling and Referral Hotline 212-532-2400
- Safe Horizon 212-227-3000
- NYS Crime Victims Board 800-247-8035
Health Services

Immunization

New York City Department of Health provides some immunization services at walk-in clinics free of charge:

<table>
<thead>
<tr>
<th>Clinic Name</th>
<th>Address</th>
<th>Services</th>
<th>Operating Hours</th>
<th>Transportation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corona Health Center</td>
<td>34-33 Junction Blvd - 3rd Fl. Queens, New York 11372</td>
<td>Adults only W,F 8:30 am - 2:00 pm #7 train to Junction Boulevard</td>
<td>Adults only W,F 8:30 am - 2:00 pm #7 train to Junction Boulevard</td>
<td>#7 train to Junction Boulevard</td>
</tr>
<tr>
<td>Chelsea Health Center</td>
<td>303 Ninth Avenue - 1st floor New York, NY 10001</td>
<td>C or E train to W. 23rd or 1 train to W. 28th St. 212-676-2273 Call 311 or (212)676-2273</td>
<td>C or E train to W. 23rd or 1 train to W. 28th St. 212-676-2273 Call 311 or (212)676-2273</td>
<td>Call 311 or (212)676-2273</td>
</tr>
<tr>
<td>Homecrest Health Center</td>
<td>1601 Avenue S -1st Fl. Brooklyn, New York 11229</td>
<td>Q train to Ave. U or B or Q train to Kings Highway 718-420-1028</td>
<td>Q train to Ave. U or B or Q train to Kings Highway 718-420-1028</td>
<td>718-339-6243</td>
</tr>
<tr>
<td>Richmond Health Center</td>
<td>51 Stuyvesant Place - 2nd Fl. Staten Island, New York 10301</td>
<td>M 8:30am - 2:30pm</td>
<td>M 8:30am - 2:30pm</td>
<td>Near the Staten Island Ferry Terminal</td>
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</tbody>
</table>

General Health Services

The following centers have clinics which offer physical exams and general ambulatory care. The fee scale is sliding based on income. The telephone numbers listed are general numbers. When you call, you will need to ask specifically for the clinics which offer physical exams or general ambulatory care.

**Manhattan**

Cabrini Haven Plaza Family Medical Practice offers general family medicine, including pediatrics, adolescent medicine, well-baby care and women's health services. The services they provide are routine check-ups, immunizations, school physicals, breast examinations and diabetes management. A medical hotline is available for after office hours guidance. Medicaid, Medicare and other insurances are accepted.

Cabrini Haven Plaza Family Medical Practice
1 Haven Plaza (Avenue C and 12th Street)
New York, NY
(212) 677-2280

Bellevue Hospital Center
462 First Avenue
New York, NY 10016
(212) 562-4141

Metropolitan Hospital Center
1901 First Avenue
New York, NY 10029
(212) 423-6262

Harlem Hospital Center
Diagnostic and Treatment
506 Lenox Avenue
New York, NY 10037
(212) 939-1000; (212) 932-6500

Renaissance Health Care Network
Diagnostic and Treatment Center
215 West 125th Street
New York, NY 10027
Brooklyn
Coney Island Hospital  Cumberland Diagnostic and Treatment Center
2601 Ocean Parkway  100 North Poland Avenue
Brooklyn, NY 11235  Brooklyn, NY 11205
(718)616-3000  (718)260-7500

Kings County Hospital Center  East New York Diagnostic and Treatment Center
451 Clarkson Avenue  2094 Pitkin Avenue
Brooklyn, NY 11203  Brooklyn, NY 11207
(718)245-3131  (718)240-0400

Woodhull Medical & Mental Health Center
760 Broadway
Brooklyn, NY 11206
(718)963-8000

Queens
Elmhurst Hospital Center  Queens Hospital Center
79-01 Broadway  82-68 164th Street
Elmhurst, NY 11373  Jamaica, NY 11432
(718)334-4000  (718)883-3000

Flushing Hospital and Medical Center
4500 Parson’s Blvd
Flushing, NY 11355
718-670-5000

Mental Health Practitioners
The New York Psychotherapy Group is an organization of experienced therapists throughout Manhattan who offer a full range of services at moderate cost. Fees are based upon a sliding scale. Call 212-673-0884 for an appointment.

Stress Management
Feeling lonely, anxious or pressured? The Training Institute for Mental Health has therapists available Monday through Saturday, days and evenings. Please call an intake specialist to make an appointment.
Training Institute for Mental Health
15 West 27th Street, 4th Floor New York, NY 10001-6217
*between 6th ave. and 7th ave. on 27th st
(212)627-8181
Health Insurance Program Options

The SUNY College of Optometry strongly recommends that students maintain adequate health insurance coverage while attending the College. Students have a few choices when choosing the program that best suits their needs, as outlined below:

- Students can purchase their own health insurance plans or attain coverage through someone else’s policy (usually that of a parent or spouse);
- Since many of our students have little or no income while attending the College, they can often qualify for Medicaid through the Affordable Care Act, which provides very good coverage for little or no cost. For more information on eligibility, coverage and how to apply, students may contact: Ms. Mei Chen, Enrollment Counselor/Specialist at The Henry Street Settlement (212) 471-2400 x214 mchen@henrystreet.org
  or
  Mr. Carlos Tapia, Social Service Counselor at West Side Campaign Against Hunger (212) 362-3662 x119 ctpia@wscah.org

International students are not eligible (see below.)

More information about Medicaid can also be found here: www.medicaid.gov

- Austin & Co., Inc. Student Accident and Sickness Insurance Plan: for students under the age of 25, annual enrollment is $2,248 and for students age 25 and over, the annual enrollment is $3,372. For more information on eligibility, coverage, and how to apply, students may contact:
  Ms. Katrina Papa
  Senior Claims Specialist
  Austin & Co, Inc.
  518-465-3591

- International students are required to have health insurance coverage. The State University of New York has a mandatory health insurance plan for all international students (automatically charged to international students’ bills by the Bursar’s Office.) International students may be waived from this comprehensive plan if they provide the College with verification from their health insurance carrier detailing the coverage that they have. For more information on eligibility, coverage, and how to apply, students may contact:
  Mr. Kingsley Osei
  Associate Council
  State University of New York
  518-320-1854

Dental Insurance

New York University College of Dentistry
The NYU Stu-Dent Plan
345 East 24th Street
(212) 998-9870
www.nyu.edu/dental/stu-dent.html

Enrollment Fee: $235. Information is available in the Office of Student Affairs.
Student Housing
Moving to New York City is an exciting transition that allows students to experience the benefits of living in one of the greatest cities in the world. We also understand that moving to NYC can seem daunting. With that in mind, the Office of Student Affairs and International Programs has compiled a collection of helpful resources that will help you with the transition. You can find this on our website here: http://www.sunyopt.edu/education/admissions/new_york_city

Housing Committee
The Housing Committee was created to provide information that will better shape your understanding of the apartment search process in New York City. Students set their priorities regarding cost, space, distance and area, and the Housing Committee assists the student in locating and securing suitable housing to meet his/her specific needs.

The Committee is available to provide advice, maps of the city, directions, use of our telephones and online services and any other assistance you may require. The Housing Committee operates under the direction of the Office of Financial Aid and functions between April and September.

Housing Day
SUNY also sponsors a “Housing Day” in July where students will get more information about apartments. Students will have the opportunity to speak to upper-class students about living in the different boroughs and will often receive a list of available apartments or sublets.
Professional Standards of Dress

Appearance is important, especially in a clinical setting. It is the policy of the SUNY College of Optometry and the University Eye Center that all students present a neat, clean and professional appearance.

Specifically, the University Eye Center has the following guidelines for students who are interacting with patients and/or the public:

- All items of clothing should be neat, clean and properly laundered, dry cleaned or pressed. Stockings or socks should be worn at all times. Laboratory coats/jackets should be be clean and worn where provided or required.

The following items may not be worn while on duty at the UEC:

- T-shirts with logos, shorts, sweat pants/shirts, faded, bleached or torn/frayed jeans or other clothing, low-back or backless tops or dresses and tank tops.
- Wearing jewelry is appropriate as long as it does not interfere with patient care (such as dangling or sharp objects).
- No headwear (hats, scarfs, etc.) is permitted expect for headwear that is of a religious origin.

Other Personal Habits:
Refrain from chewing gum when dealing directly with patients. Eating or drinking is prohibited in patient care/public areas.

Identification Tags:
Your identification name badge must be worn in patient care areas at all times.

The requirements listed above are not all-encompassing. Circumstances may arise which are not covered by this policy. Any decision on the interpretation of this policy is at the discretion of your supervisor, your clinical instructor, the service chief, the chief of staff or the vice president for clinical affairs.

Failure to comply with these standards may result in a failing grade. Inappropriately attired individuals are also subject to dismissal from clinic and charged with an unexcused absence.
Introduction

Computer, networking and electronic mail facilities and services are offered by the Office of Information Technology (IT) in support of the teaching and learning, research and public service functions of the College. Access to the computer systems and networks owned and operated by the SUNY College of Optometry is a privilege, not a right, and imposes certain responsibilities for appropriate use, in accordance with College policy. Users should recognize that the primary intention of providing network service is to support the mission of the College and the conduct of its daily business.

For information and policies related to Information Technology and its use at the College please visit: http://www.sunyopt.edu/offices/information_technology_services/policies
Academic Information and Policies
This handbook contains regulations of importance to your enrollment and status at the College. You will be responsible for familiarizing yourself with the information contained herein. It is the objective of the SUNY College of Optometry to provide a sound educational experience with emphasis on the needs of the students as individuals while they pursue a rigorous course of study. The following policies are determined by faculty committees and are subject to change.

Course Description
Abbreviated course descriptions are presented on the College’s website. At the commencement of each course, students will be provided with a full course outline or syllabus indicating the course objectives and goals, a list of required and recommended readings, a grading policy, the method(s) of student evaluation, assessment, and examination, a list of course topics to be covered and a statement of classroom attendance requirements. In addition, all students are required by the college to complete course and instructor evaluations as part of the course requirements.

Excused Absences
The attendance policy for didactic courses is set by the instructor of record (IOR) for each course and put forth in the course syllabus. Attendance is mandatory for all clinical assignments.

Students wishing to attend international, national or state-wide optometric activities or major academic meetings on days when classes and/or clinics are scheduled must request an excused absence for the activities they will be missing. Students must make the request in writing at least four weeks in advance to the course IOR and/or respective service chief(s) (for internal clinics), or primary clinic supervisor (for external clinics.)

Students with excused absences are still responsible for any missed material or assignments and may be required to switch sections to make up a missed lab or clinic. Any excused absence will be granted at the discretion of the instructor of record (IOR), service chief or external site supervisor, and may be denied if it coincides with a written test, quiz or practical assessment, or if the student’s course performance is determined to be unsatisfactory. Any change in class or testing schedule to accommodate an excused absence is at the discretion of the IOR. If a large percentage of the class seeks permission to attend an activity at the same time, the instructor may elect to reschedule or hold class at his or her discretion. Students are responsible for making up any examinations or assessments that may be missed during their absence.

Students observing religious holidays on days when classes and/or clinics are scheduled will be excused attendance on those days. However, to be excused, students must notify the IOR of these dates at the beginning of the semester or as soon as the syllabus is available. Students are responsible for any missed material, requirements, labs or clinics, and it is the responsibility of the student to ensure that any missed examinations or assessments are made up.

Students may appeal a decision on a request for excused absence in writing to the dean for academic affairs.

Examinations
The SUNY College of Optometry examination policy is designed to minimize conflicts between examinations and other assessments of students during a given semester. For this policy, an examination is defined as a written assessment that requires a full class session for completion. A quiz is considered to be a single short
Grading System
In each course, including laboratories and clinical internships, there will be established criteria for the
written or oral assessment used to contribute not more than 10% to a final grade and that does not require
a full class session for completion. A lab practical/assessment is essentially a non-written assessment
of laboratory concepts that takes place during the laboratory portion of the course using materials or
procedures taught in the laboratory. Written assessments of laboratory concepts, whether they are in the
laboratory or classroom, are considered to be examinations or quizzes, depending on scope, and will be
administered according to the following policy statements:

- All procedures for student assessment and the determination of the final grade for each course must be
clearly defined in the course syllabus.
- All course syllabi must be posted on Moodle prior to the beginning of the semester and communicated to
the students on the first day of class.
- The dates and times of all examinations and lab practicals, and whether there is a midterm or final
examination, must be clearly stated in the syllabus. Defined dates for quizzes are recommended but not
required.
- All examination and lab practical dates are fixed and registered in a master calendar at the beginning of
the semester and may not be changed without a written request from the IOR/course coordinator and
approval from the Office of Academic Affairs.
- The dates and times of all midterms and finals are determined by the registrar and, once finalized, are not
subject to change. Midterms and finals weeks are posted on the Academic Calendar, which is available
prior to each Academic Year.
- With the exception of lab practicals, no examinations or quizzes are permitted the weeks before or
after midterms week, or the week before finals week. If a course has a midterm and/or final, it must be
scheduled during midterm or final weeks.
- In order to ensure that the overall schedule of assessments during any given semester is as reasonably
balanced as possible, the Office of Academic Affairs will examine the schedule of assessments at
the beginning of the semester and may initiate discussions with instructors regarding the timing
of assessments. It is understood, however, that there may be days when scheduling more than one
assessment, or scheduling assessments on back-to-back days, is unavoidable.
- For security, all examination grades must only be posted electronically via Moodle. (Final course grades
will be posted through the student portal on my.sunyopt.edu.)

Academic Progress and Degree Requirements

**Doctor of Optometry (OD) Program:** Students must achieve passing grades in all courses before advancing
to the next academic year. If other than a passing grade is received (an “F,” “U” or “I” see below for
information about the grading system), it must be remediated as outlined under “Student Grievances and
Appeals of Final Grade” later in this handbook, or by the Committee on Course and Standing and the dean for
academic affairs. These decisions may be modified on an individual basis by appeal upon recommendation of
the chairperson and with the final approval of the dean for academic affairs.

**MS in Vision Science:** For graduation, a student must complete 40 hours of course credits at a 3.0 level or
above, with a minimum of 30 hours at a G200 or above level. The student must complete a minimum of
nine credits of research. The student must also complete a paper in publication form, based on the student’s
research and approved by the Master of Science Thesis Committee.

**PhD in Vision Science:** The student must successfully complete a specialty area examination, 80 hours of
course credits and submit and successfully defend a dissertation based on original research. The dissertation
must be completed and defended within five years of admission to candidacy.

**Grading System**
In each course, including laboratories and clinical internships, there will be established criteria for the
assignment of grades. Faculty will provide timely, informative feedback from assignments, exams and other assessments as soon as possible and before the final, summative grade is issued. In addition, the IOR in collaboration with the Committee on Course & Standing and the Office of Academic Affairs, will identify and communicate with students considered by course IORs to be at risk after the midterm period. Student course performance shall be reported on transcripts as:

A  Superior or Excellent
B  Very Good (above average)
C  Average (minimally competent)
D  Below Average (marginally competent)
F  Failure
X  Credit by exemption (not used in calculating GPA)
NC  No Credit (not used in calculating GPA)
W  Withdrawn voluntarily (no credit, not used in calculating GPA)
U  Unsatisfactory/Failure (no credit, not used in calculating GPA)
P  Pass (credit, not used in calculating GPA)
H  Pass with honors (credit, not used in calculating GPA)
J  In Progress (temporary grade assigned when a course extends across terms and is replaced by a permanent grade at completion of the entire course)
I  Incomplete (student failed to complete the requirements of the course in the required time)

Course Remediation
Students may not proceed in the program with grades of “F,” “U,” and “I” in required courses. These grades must be remediated within four weeks following the end of the academic term unless a student is placed into a special academic program determined by the Committee on Course & Standing working with the dean for academic affairs.

For grades of “F,” “U,” or “I,” it is the student’s responsibility to contact the instructor to arrange for equivalent course work, including the scheduling of an appropriate examination for credit and a final grade for the course. If there are difficulties because the IOR is unavailable, the student must contact the appropriate department chair. If the student is unable to comply with this requirement in a clinical sequence because of problems with clinic scheduling, he/she may petition the instructor for an extension with the concurrence of the appropriate department chair and dean for academic affairs.

The new grade will appear on the student’s transcript with indication of the original grade. All grades for any repeated portion of the professional curriculum will remain on the transcript. Both grades will be used to calculate the grade point average (GPA) except in the circumstances that the student repeats a portion of the professional curriculum, resulting in his/her anticipated date of graduation being delayed by a year. In this case, the grade(s) in the repeated course(s) and not the original grade(s) will be used to calculate the grade point average. Under such circumstances, the student will be ineligible for college scholarships that are based on GPA. Any grade received during and after the repeated portion of the professional curriculum will remain on the transcript and will be calculated in the GPA and all policies regarding academic eligibility and course and standing will apply.

For students on academic probation with special programs, the dean for academic affairs, in conjunction with the Course & Standing Committee, may mandate specific criteria (such as a specified GPA or minimum course grades) for the student to advance following the repeated portion of the academic program.
Student Grievances and Appeals of Final Grade
Students who have an academic grievance for any reason should proceed as follows:

- Students should first attempt to resolve disputes concerning grading, course work, clinic or other academic policies at the level at which the dispute occurred (IOR, clinic supervisor, service chief, etc.)
- For disputes involving clinic, the student is encouraged to seek the assistance of the appropriate faculty (IOR for Third Year Clinic, IOR for Fourth Year Clinic, externship directors.)
- If a satisfactory result or a final decision cannot be reached, the student may bring the issue to the attention of the appropriate department chair (Biological and Vision Sciences, or Clinical Education.)
- The student has the right to appeal a decision of the department chair by applying, in writing, to the dean for academic affairs who will review the case and make a final decision.

A student may appeal a grade if he/she believes it is in error. The initial appeal must be made to the IOR within one week of receiving that grade. This period may be extended by appeal to the dean for academic affairs in extraordinary circumstances.

No grade appeal, under any circumstance, will be accepted from a third party, including a students' parents. This policy conforms to the privacy requirements outlined in the Family Educational Rights and Privacy Act of 1974 (FERPA). See the section on “Records Policy” below for more information about FERPA.

In the event that the IOR is unavailable to change a grade, or if a student wishes to appeal a decision by the IOR not to change the final grade, the student must contact the appropriate department chair in writing who will review the case and make a decision. The student may appeal a grade decision of the department chair by applying in writing to the dean for academic affairs who will review the case and make a final decision.

All official communications about grade appeals will be sent to students by electronic mail (with delivery confirmation) so that a record of delivery exists, and appropriate faculty members will be similarly notified.

Dean’s List
The Dean’s List recognizes those students whose term GPA is 3.25 or higher. Students on academic probation will not be eligible. Eligible students will be notified, in writing, by the Office of Academic Affairs after each term in which they qualify.

Grade Posting
Student grades are posted in accordance with the policy on examinations described above and in a manner that will maintain confidentiality. There shall be no unauthorized disclosure of grades.

Academic Probation: Professional Program
The dean for academic affairs, in consultation with the Committee on Course & Standing, may place a student on academic probation if the student's current level of achievement is deemed seriously deficient. Academic probation is mandatory; however, when:

- The term GPA falls below 2.00; or,
- The cumulative GPA falls below 2.00; or,
- A grade of “F” is earned for any clinic (third- or fourth-year clinics), whether on or off campus; or,
- Two grades of “F” are earned in an academic term; or,
- Three grades of “D” or below are earned in an academic term.

(*If a student fails any course that has a clinical laboratory component, consideration of academic probation is mandatory.)
Placement on probation will appear on the academic transcript.

Ineligibility to Advance: Professional Program
The dean for academic affairs, in consultation with the Committee on Course & Standing, may determine that a student is ineligible to advance in the Professional OD Program when he/she is deemed incapable of fulfilling institutional or academic requirements in a timely manner. Ineligibility to advance in the professional program, however, is automatic when:

- Two grades of “F” are earned in the same course, regardless of whether the course was remediated or retaken; or
- Two consecutive grades of “F” are earned in clinic (third- and fourth-year clinics), whether on or off campus; or
- The term or cumulative GPA is less than 2.00 after having been on probation for three consecutive quarters/two semesters; or
- The term GPA is 1.00 or less

(* A student who is ineligible to advance in the Professional Program is subject to academic dismissal or may be required to satisfactorily repeat portions of the curriculum.)

Academic Dismissal
Dismissal is reserved for those situations where the student is deemed incapable of fulfilling institutional or academic requirements in a timely manner. When the Committee on Course & Standing is considering a student for academic dismissal, the student shall be notified in writing by the Office for Academic Affairs that such a recommendation is to be considered. The student shall, at his/her option, have the opportunity to (a) voluntarily withdraw from the program, (b) submit a written statement of mitigating circumstances to the Committee for its consideration, or (c) appear personally to explain any mitigating circumstance before the Committee on Course & Standing makes its recommendation to the dean for academic affairs. The student will have the opportunity to meet with the dean for academic affairs to review his/her case.

Appeal of Academic Dismissal
A student who wishes to appeal the decision of academic dismissal may do so to the president of the College within one week following his or her verbal or written notification of dismissal by the dean for academic affairs, whichever is earlier. The president will consider a written appeal by the student.

Readmitted Student
For a student who is separated from the College because of academic problems or voluntarily leaves and then is readmitted, the following will apply:

- The student’s transcript will contain his or her complete academic record at the College. A notation will appear indicating the date and the reason for separation, (e.g. leave of absence, withdrawal, dismissal, etc.), as well as the notation and date of readmittance;
- Grades for all years attended, including unsuccessful year(s), will remain on the transcript. All grades will be utilized in calculating the cumulative GPA;
- If a student is readmitted, the Committee on Admissions or the Committee on Course & Standing may recommend the conditions under which the student is readmitted, (e.g., all courses repeated, exemptions granted for course(s) previously passed, etc.).

Students Repeating A Year Of Study
For students that are required to repeat a full year(s) of study, the following will apply:

- A notation will be made on the transcript indicating the year(s) being repeated.
• All courses that are being repeated will be indicated with a “Y” after the grade received.
• Grades for all years attended will remain on the transcript. All grades, with the exception of the initial grade in repeated courses, will be utilized in calculating the cumulative GPA.

**Disciplinary Action**

Students are subject to disciplinary action, including dismissal from the College, for actions deemed inappropriate according to the Student Code of Ethics and the Judicial Policy and Procedure For Dealing With Unethical and/or Unprofessional Student Conduct, as adopted by the College Council and distributed to all students herein.

**Leave of Absence**

Upon petition in writing to the dean for academic affairs, a student in good standing may be granted up to a one-year leave of absence for extenuating circumstances.

For students in the Professional Program:
• If the requested leave is during the first three years of study, the student will normally be required to take leave for an entire year unless an alternative plan is approved by the dean.
• Leave during the fourth year may be granted for one or more quarters. The student will be required to make up the quarter(s) during the next academic year. Make-ups will be overseen by the Department of Clinical Education, and specifically by the fourth year IOR or director of externships depending upon whether external rotations were missed.

The dean will give final approval for the leave and will contact the registrar once the plan has been finalized. The student is required to get a Leave of Absence form from the Office of Student Affairs and get all necessary signatures from the Office of the Registrar, Office of Financial Aid, and Office of the Bursar.

For graduate students:
Petitions for leave of absence from graduate students must include a detailed plan approved by the associate dean for graduate studies and research.

**Exemption from Course Requirements**

The requirements for exemption are at the discretion of the IOR. The basis of the determination is typically either (a) evidence of prior satisfactory completion of equivalent coursework or (b) the passing of a prerequisite examination. Upon the granting of an exemption, the instructor should forward a written statement to the registrar indicating the basis of the exemption. Such students will receive the letter “X” on their transcript in place of a grade for the course.

**Auditing Courses**

Permission to audit a course may be granted by the instructor for a period not to exceed one academic term. The decision on whether or not to admit a potential auditor to a course is solely at the discretion of the instructor of the particular course. Auditors pay no tuition or fees and no record of their attendance is maintained by the College. If a person auditing a course is not a member of the College faculty, staff or student body, they must conform to all College policies and procedures concerning guests and visitors.

**Transfer Credit**

In certain circumstances, the SUNY College of Optometry will accept transfer credits in accordance with the registrar, the vice president and dean for academic affairs and the Office of Admissions. Transfer credits will
be accepted for joint degree programs, the OD/MBA Certificate program, CSTEP and Advanced Standing.

**Student Coursework**
If the student is required to take coursework totaling more than 12 credits, during the first or second half of a semester, the student is responsible for the full semester tuition. If a student attends less than 12 credit hours they will be charged the per-credit-hour fee.

**Degrees**
The SUNY College of Optometry confers the Doctor of Optometry (OD), Doctor of Philosophy in Vision Science (PhD) and the Masters of Science in Vision Science (MS) degrees. The conferral of degrees will be to students who satisfactorily complete all academic requirements, are not on probation and do not have outstanding financial obligations.

**National Board Examination for the Doctor of Optometry**
The National Board examination shall not be considered a substitute for the standards and criteria set by the College for promotion within or graduation from the Doctor of Optometry program at the College. The faculty of the College reserves the right--indeed has the responsibility--to set standards for promotion and graduation which are independent of external testing agencies such as the National Board of Examiners in Optometry. However, the National Board examinations are required by most state boards in lieu of the written state examinations for optometric licensure. All students who register for and take the examinations offered by the National Board of Examiners in Optometry (NBEO) will be required to request, on their NBEO application form, that scores be sent to the SUNY College of Optometry. All scores will be kept confidential and will only be used for conducting institutionally approved educational research. Such studies will only report statistical information and will not, in any way, identify individuals. Requests for exceptions to this policy should be directed to the vice president and dean for academic affairs. For more information about the NBEO, please visit: www.optometry.org

**National Board Examination Part III Travel Policy**
For the National Board Examination Part III (Clinical Skills Exam), students will travel to an off-site location to complete the clinical portion of the exam. Students will be allowed two days of excused absence from their assigned clinic. If a third day is necessary, then the time would have to be made up with no penalty. All students are responsible for informing and communicating travel arrangements with their clinic supervisor to ensure clinic operations are not impacted.

**State Licensure for the Doctor of Optometry**
Each state has regulations and requirements that govern the licensure of optometry. Satisfactory completion of the OD program will be required to qualify for state licensing examinations in any of the 50 states. Further information on state board examinations and licensure can be obtained from the individual state boards, the NBEO website or from the Office of Student Affairs and International Programs.

**Commencement**
Commencement exercises will be held annually at the conclusion of the spring term.

**Registration and Maintenance of Matriculation**
Every student must file a Student Registration Form prior to the beginning of the Fall Term each year. Registration may be denied if the prior terms’ Bursar invoices have not been paid. Since the OD program is a full time, lock-step curriculum, all students are automatically registered for courses offered in their particular
year of study. There is no opportunity to add/drop courses in the OD program. However, students can add/drop courses when registering for electives.

To maintain active status in the graduate program, full time students normally must be registered for at least 12 credits each term. OD/MS or OD/PhD program students normally must be registered for at least one graduate course (including research credit) each term. Students may register for graduate credit during the summer session, however this is not necessary to maintain active status. Failure to maintain active status, without a formal leave of absence, for more than one term consecutively shall result in dismissal from the graduate program.

In addition to the Student Registration Form, a Graduate Student Course Registration Form must be approved, in writing, by the student’s advisor and filed with the associate dean for graduate studies and research, the registrar and the Business Office before the beginning of the summer term for the academic year.

Graduate courses may be added during the first two weeks of the term; courses may be dropped during the first four weeks of the term. An add/drop form must be completed, signed by your advisor and filed with the associate dean for graduate studies and research, and the registrar.

Course and Faculty Evaluation
Students are given the opportunity and expected to provide formal and informal input about the curriculum, courses, clinic and faculty. Students are required by the College to complete formal course and instructor evaluations as an official requirement for course completion. Grades may be withheld by the administration if evaluations are not completed.

Formal course and instructor evaluations are distributed electronically to students at the conclusion of each term. Results of these evaluations are analyzed through the Office of Academic Affairs and summaries are distributed anonymously to the instructional faculty and department chairs.

In addition to formal course and instructor evaluations, students may be asked to participate in surveys on various topics in order to provide important feedback for analysis and planning. Participation on these surveys is optional. The vice president and dean for academic affairs meets informally with each class periodically, and the dean and department chairs also meet each term with the class officers to discuss academic issues and provide students with an informal forum to discuss issues and concerns.

Records Policy
Educational Rights & Privacy Act
All policies with regard to student records shall conform with the Family Educational Rights and Privacy Act (FERPA) 1974. Specific policies described below are intended to supplement the rights and assure the safeguards provided by FERPA and to clarify student records policy at the SUNY College of Optometry.

Public Records
A. The following information related to a student is considered “directory information” and the College reserves the right to disclose it to anyone inquiring without the student’s consent unless the student, within 10 days of the beginning of each academic year, informs the Office of Student Affairs and International Programs, in writing, that this information is not to be made public. Directory information is name, permanent address and telephone, local address and telephone.

B. Disclosure of Information
1. The student directory information is made available to students, faculty and administrative staff of the College for their own use only. It may not be duplicated or disseminated in any way by the recipient.
2. The Student Directory, in full or in part, is not disseminated to outside agencies, business concerns, or private individuals without the consent of the vice president for student affairs and international programs.
3. No office maintaining an educational record of a student will disclose any personally identifiable information from that record to anyone other than the student him/herself without the written consent of the student, except as provided below.
4. The records of the student will be disclosed without his/her written consent to academic and administrative officers within the College who have a legitimate educational interest in the information. “Legitimate educational interest” means the demonstrated need to know by those persons who act in the student’s educational interest. This includes the following persons and their professional and clerical staff acting under their instructions:
   a. Vice president and dean for academic affairs or associate dean for graduate studies and research for the program involved,
   b. Staff of the Office of Student Affairs and International Programs,
   c. President,
   d. Committees on Course & Standing,
   e. Faculty of each class only for students under academic difficulties,
   f. Someone from an outside party with a legitimate right to know as defined by the FERPA.
5. The records of a student will be disclosed without his/her written consent to those federal and state government agencies and officials only as provided by law.
6. The records of a student will be disclosed without his/her written consent to an agency to which the student has applied or from which he/she has received financial aid or which has made decisions concerning eligibility, amount, conditions or enforcement of terms of such aid.
7. The records of a student will be disclosed without his/her written consent to certain educational agencies and institutions only as permitted by law.
8. The College reserves the right to furnish to parents or guardians of financially dependent students any information relating to such students’ academic status.
9. The records of a student will be disclosed without his/her written consent to comply with a judicial order or subpoena.
10. The records of a student will be disclosed without his/her written consent in a health or safety emergency.

Confidential Records
A. Submission of Grades:
   1. Instructors submit grades to the Registrar electronically via the mysunyopt.edu portal.
   2. Supplemental grades such as completions for “I” grades or repeat courses for “F” grades must be submitted on an official Grade Change Form. Grade changes must be signed by the instructor, department chair and the vice president and dean for academic affairs before submission to the Office of the Registrar.
B. Confidentiality of Grades
   1. Grades of individual students, in any identifiable format, may not be published or posted. This prohibition includes the listing of grades by social security number. This does not preclude the posting of the grade distribution for a course by the instructor as long as grades are not identified by student
   2. All persons with access to grades must not divulge individual student grades to anyone either verbally or in written form.
C. Availability for use by faculty and Committees on Course & Standing.
   1. At the request of the vice president and dean for academic affairs or associate dean for graduate
studies and research, transcripts, grade reports and written instructor comments may be made available at the end of the semester faculty meetings and at meetings of the Course & Standing Committee.

2. Transcripts of grades at prior institutions attended, copies of standardized test scores and letters of recommendation may be requested by the Course & Standing Committee by majority vote of the committee members present. No other documents may be requested.

3. The registrar shall be responsible for the distribution and collection of all documents, and copies thereof, which are utilized at faculty Course & Standing meetings. All such documents and copies must be returned to the registrar.

4. The chairperson at each meeting where student records are discussed must inform all present about the maintenance of confidentiality of all student records and of the proceedings of that meeting.

D. Availability for faculty, professional staff and outside use.

1. Student grades may only be made available to individuals and/or agencies conducting bona fide educational research.

2. Proposals for educational research involving the use of student grades or test scores must include:
   a. a statement of the objective of the study,
   b. the qualifications of the individual or group conducting the study,
   c. a description of the methodology to be employed,
   d. a signed statement assuring confidentiality of all data,
   e. assurance that data will only be reported as group data or if published as individual data, there will be no possible way of identifying the individual,
   f. all student data supplied must be returned at the conclusion of the project.

Availability of Records to Students

A. Inspection and Review of Records

1. Any student may inspect and review his/her education records upon written request to the registrar. The registrar will comply as soon as possible; under the law this must be done within 45 days after the request.

2. The student has the right to review and inspect all the documents in his/her folder except:
   a. confidential evaluations and letters of recommendation filed before January 1, 1975;
   b. evaluations and recommendations after that date if the student has waived his/her right to see them;
   c. financial records and statements of his/her parents;
   d. those documents classified by the law as non-educational.

3. If, after inspecting and reviewing his/her records, the student has any questions about them, he/she may request an oral or written explanation and interpretation of them.

4. The student may also secure a copy of every document in his/her folder open to him/her. These will be made by the College under the same terms, conditions and charges as for a copy of a transcript, i.e. $5 for each document. If an original or source document exists elsewhere (e.g. records of other schools), copies will not be sent to a third party.

B. Transcripts:

1. Students can view their term reports at the end of each term and whenever a grade change is made via the my.sunyopt.edu student portal.

2. Students with no outstanding financial obligation are entitled, upon request, to one free official transcript after graduation.

3. Students must pay the current transcript fee for each transcript ordered.

4. All requests for official transcripts must be made in writing on a Transcript Request Form, available in the Office of Student Affairs and International Programs or student portal. Transcripts will not be sent until the fee is paid.

5. Official transcripts will be mailed from the registrar. Under special circumstances, an official transcript
will be given to the student in a sealed envelope stamped by the Office of the Registrar.

C. Elements of one transcript
1. The registrar maintains records of overall class standing and grade point averages and all calculations related to the student’s academic standing.
2. Cumulative and term GPA, quality points, occasions on probation and other information relative to the student’s academic standing are reported on the college transcript.

The Retention of Records
A. The SUNY College of Optometry adheres to the State University of New York system and the American Association of Collegiate Registrars and Admissions Officers standards for the retention of records. Detail on the length of time each document is maintained is available from the Office of the Registrar.
Academic Support Services

Pre-Personal Counseling
Pre-personal counseling is available for students through the Office of Student Affairs and International Programs. Pre-personal counseling may be sought from the vice president for student affairs and international programs, the registrar or the director of career development and minority enrichment. Students may be referred to the Department of Social Work or an appropriate external healthcare provider.

Students in need of personal counseling should seek services directly from the Department of Social Work:

Iris Rosen, LCSW-R
Director of Social Work
SUNY College of Optometry
Room 843
33 W 42nd Street
New York, New York 10036
212-938-4039
irosen@sunyopt.edu

Amy Donoghue, LCSW-R
Social Worker
SUNY College of Optometry
Room 522
33 W. 42nd Street
New York, NY 10036
212-938-4041
adonoghue@sunyopt.edu

Career Counseling
The Career Development Center (CDC), established in 2012, was created to meet the career needs of SUNY Optometry students, residents and alumni. Through its signature programs and events like the Family of Mentors Program and the Annual SUNY Optometry Career Symposium, the CDC creates opportunities for busy students and professionals to connect and create meaningful relationships important to career development and career advancement. Many individualized services are also available for the College community including career counseling, help improving interviewing and resume writing skills as well as others services. Students seeking career advice, planning, guidance and/or resources may contact the director of career development and minority enrichment:

Francisco Lucio, JD
Director of Career Development and Minority Enrichment
Room 1125
212-938-5505
flucio@sunyopt.edu

Minority Enrichment
Minority students seeking advice, guidance and/or resources may contact the director of career development and minority enrichment:

Francisco Lucio, JD
Director of Career Development and Minority Enrichment
Room 1125
212-938-5505
flucio@sunyopt.edu

Tutoring
Students who need assistance in one or more courses should seek out the instructor(s) as a first step. Peer tutoring can also be a valuable resource and is available at no cost to the student. In all cases, it is essential
to request assistance as early as a need is identified. Students in need of tutoring services may contact the director of tutoring:

Francisco Lucio, JD  
Room 1125  
212-938-5505  
flucio@sunyopt.edu

**Academic Faculty and Administration**

Students having difficulty with course material are strongly encouraged to discuss such issues with their instructor(s). Faculty may provide tutorial assistance or make recommendations and referrals to services that can assist you. The academic department chairs and the vice president and dean for academic affairs or associate dean for graduate studies and research are also available to discuss academic support issues.

**Harold Kohn Vision Science Library**

The Harold Kohn Vision Science Library is one of the largest vision science libraries in the country. It seeks to meet the information needs of the College community through the selection, acquisition, organization and delivery of materials and services, as well as provision of the technology, instruction and support necessary to ensure access to information. The Kohn Library contains approximately 40,000 volumes and maintains a comprehensive website with links to electronic journals and databases, as well as a wide range of online reference, vision science and general health resources.

(212) 938-5690  
Fax (212) 938-5696  
Website: http://www.sunyopt.edu/library  
Hours: Monday - Friday 8:00am - 9:30pm  
Saturday - 10:00am 5:00pm  
Sunday (academic year only) 10:00am 6:00pm

The library is closed on regular College holidays. Since weekend hours are staffed solely by work-study students, we recommend that you call prior to arriving at the library to ensure that regular hours are in operation.

Summer hours are 8:00am - 8:00pm Monday - Friday, 10:00am - 5:00pm Saturdays, and closed on Sundays  
Food, drink, smoking and cell phone use are prohibited in the library.

**Circulation**

Books: The student loan period is four weeks; faculty, residents and staff may borrow circulating books for one quarter. All books may be renewed unless they have been requested by another user.

Reserve: Reserve materials circulate in the library for two-hour intervals. They also may be borrowed overnight after 4:00pm (or after 3:00pm on Fridays.) Overnight loans must be returned by noon of the following day or by noon of the following Monday in the case of Friday loans. A fine of $2 per hour will be charged for late returns on reserve items, up to $10 per day.

Journals: Journals do not circulate outside the library.

Audiovisuals: Audiotapes may be borrowed by all users for a period of one month. With the permission of library staff, slides and audiovisual materials may be borrowed for use within the College. Videos may circulate overnight at the discretion of the library staff.
Returns: Books from the main collection may be returned at the circulation desk or deposited in the book drop located just outside the library. Reserve books and audiovisual materials may NOT be deposited in the book drop but must be returned at the circulation desk.

Reference: Research assistance and personalized electronic information alerting services can be provided by speaking with the Library Director.

Interlibrary loan: Books and journal articles unavailable in the library may be obtained through interlibrary loan (ILL). Referrals also can be made to other local holding libraries if materials are needed immediately. Please ask a staff member for assistance.

Electronic Databases: The library offers a wide variety of health, medical, education, business, and social science databases on its website. Librarians have access to a variety of other electronic databases that can be searched upon request.
Clinical Programs and Policies

University Eye Center and Satellite Clinics

The University Eye Center, the patient care facility of the SUNY College of Optometry and an Article 28 diagnostic and treatment center, has been a vital resource to the New York City region for decades, providing cutting-edge eye and vision care to an expanding patient base within our community and beyond. Your clinic responsibilities begin when you arrive at the College. It is the policy of SUNY Optometry that all patients must be treated with the utmost dignity and respect.

Listed below, are excerpts of several key policies. Students, faculty and staff are required to comply with all portions of the entire University Eye Center Policy and Procedure Manual, which is available in each service manager's and chief's offices and online.

A more detailed Student Clinic Manual is distributed during student's third-year orientation to the clinics.

Confidentiality

It is the policy of the University Eye Center and the SUNY College of Optometry, to maintain patient confidentiality. As such, the College is compliant with the Federal Health Insurance Portability and Accountability Act of 1996 (HIPPA) Federal regulations which include training of staff, students and faculty providers. The new privacy rules adopted as part of HIPPA as well as the HITECH Act establishing standards for the release of medical information.

Procedure

• Results of clinical findings are given to patients by clinicians in the privacy of an examination room or consultation room.
• The content of a medical record should only be discussed with the patient by individual providing the service or the provider's supervisor.
• All conversations concerning information of a clinical nature or matter of patient privacy are conducted in an office, consultation or examination room.
• Requests for medical records to be sent to outside agencies, physicians, optometrist's offices or to the patient, are handled through the Medical Records Department only. An authorization signed by the patients is needed.
• Medical records are maintained securely in the University Eye Center's Medical Records Department and in the electronic medical record.
• Release of HIV-related information is in compliance with state regulation, effective February 1, 1989.
• All clinical and support staff who handle patient records are required to sign a "Statement of Confidentiality" form.

Examinations of Family Members

• Students may not schedule family members or friends for themselves when they are not assigned to a Service without permission.
• The student must obtain a prior commitment from the service chief and from a faculty member who must supervise and sign the medical record and the encounter form.
• The student must arrange for a room assignment through the chief or manager of the respective service.
• All patients (even family members) must be registered and given a medical record number in the University Eye Center scheduled with an appointment. This can be done via the front desk in the clinic. Each visit to the service must be documented in the patient’s medical record.
• Encounter forms must be clearly marked, “No Charge - Family Member of_____” or “Discount - Family
A more convenient method for a student to examine a family member is to contact the appointment desk directly and arrange for an appointment with the student when the student is assigned to the appropriate service. Refer to “Employee Discounts” below to determine which fees, if any, are to be charged for the appointment.

**Employee Discounts**

The following discount policy has been established for both the employees and matriculated students of the SUNY College of Optometry. This discount policy also applies to the immediate families of the above named individuals. “Immediate families” is defined as spouses, domestic partners, dependent children (under the age of 26) and parents. All individuals covered under this discount policy are required to inform the University Eye Center of their optical and/or major medical (managed care) insurance. Individuals eligible for these services will be extended a 40 percent discount on all material fees (glasses and contact lenses.) However, if the individual has optical coverage, all material fees not covered by his/her plan will be the responsibility of the individual (e.g. the 40 percent discount will not be applicable.) Deposits will be required before materials are ordered and materials must be paid for in full prior to the materials being dispensed. These individuals will be given professional courtesy of all non-materials professional services that are not covered by the member’s insurance except for LDU evaluations, evening/Saturday visual therapy, and elective refractive surgery. Insurance carriers typically exclude providers from submitting bills for the examination of their own immediate family members. If providers wish to have their immediate family members examined in the UEC, they should either schedule them with another provider or if they choose to examine them themselves, the provider must apply a 100% discount with the reason “Immediate Family Member.” The policy of the UEC is to document every encounter that occurs and then apply the appropriate discount. Providers who wish to examine their own family members must schedule these appointments at times when they are not assigned to clinic.

Exceptions to this policy must be approved in advance by the vice president for clinical affairs.
Taking Care of Business at SUNY

College Office Hours

Faculty members are available for conferences with students during established hours and by special appointment each week. Conferences may be requested either by instructors or students. Be sure you know each faculty member’s office hours at the beginning of each quarter.

The Office of Administration and Finance is open from 9:00 am – 5:00 pm. Students seeking to pay bills, conduct Faculty Student Association business, receive refunds or work study checks may see the Bursar during this time. It can be reached by calling 800-291-3937.

Tuition, Bursar & Financial Aid

Updated information about tuition and fees for the OD Program are available on our website: http://www.sunyopt.edu/education/admissions/od_program/tuition_and_fees

PLEASE NOTE:
FINANCIAL AID CANNOT BE DISBURSED UNTIL YOU HAVE ENROLLED IN AUGUST. INSTRUMENT EXPENSES WILL BE REQUIRED PRIOR TO THE FIRST DAY OF CLASS, THUS INITIAL FINANCIAL AID DISBURSEMENTS WILL NOT BE AVAILABLE FOR THOSE PURPOSES.

Standards of Satisfactory Academic Progress for the Determination of Eligibility for Student Financial Aid

The College reserves the right to determine if a student in the professional optometry program is making satisfactory academic progress. Such determinations are made by the vice president and dean for academic affairs in consultation with the faculty Committee on Course and Standing. All students in the professional optometry program who continue to be enrolled in the academic programs of the College meet this standard for being eligible for Student Financial Aid.

Payment Procedures

Payment in full on or before the first day of each term is required unless by this same date payment is officially deferred by the Office of Student Affairs. The foreign student health insurance fee may not be deferred. Graduate students - please contact the Bursar if you are unsure of your first day of class. It is the student’s responsibility that mailed payments arrive in the Bursar’s Office by the due date.

Students are encouraged to use the online method to remit payment via credit card, (Mastercard, VISA, American Express and Discover are accepted)- by visiting my.sunyopt.edu. Select “Finances” and then select “My Account Balances” to view the balance due and make a secure payment.

If paying by check, they should be made payable to SUNY Optometry and mailed to:
SUNY College of Optometry
ATTN: Bursar’s Office, Room 935
33 West 42nd Street
New York, NY 10036

Students may make payments in person by check, cash or credit card by visiting the Bursars Office between 9:00 am and 5:00 pm.

Late Payment of Tuition

Unless there is a deferment, students whose accounts are not fully paid by the due date will be assessed a
$30 late payment fee for balances up to $999.99; a $40 late payment fee for balances between $1,000 and $1,999.99; and a $50 late payment fee for balances of $2,000 or more. Furthermore, those who have not paid their tuition in full by the due date are subject to action according to SUNY Administrative Policy. This may include being denied subsequent registration and denied release of transcript and/or diploma.

**Deferment of Tuition**
Deferments must be approved by College administration. Deferments expire two weeks after the first day of class. A late payment fee will be assessed to accounts that are not fully paid after this date with an amount based on the late payment policy above.

**Tuition for Students on an Approved Medical Leave**
When a student is approved for a medical leave of absence either in the first or second module of a semester, he or she is charged full tuition for that semester. In the module of their last semester, he or she is not charged tuition (only fees) since the student is making up coursework that was paid for in a previous semester.

The student would pay the entire fall semester (summer rotation, May - August and fall rotation, August - November) tuition when he or she returns and then would not pay for their last rotation in summer (May - August) because he/she would be making up the summer rotation in the next academic year.

**Tuition for Students Remediating Coursework**
If the student is required to retake coursework totaling more than 12 credits, during either of the modules, the student is responsible for the full semester tuition. If a student attends less than 12 credit hours in a module they will be charged the per-credit hour fee.

**Eligibility and Disbursement of Financial Aid**
Eligibility for financial aid is determined through the Office of Financial Aid with the use of information from your FAFSA Form. Parents’ income is required for all grant programs and certain loan programs. Forms and applications are available in the Office of Financial Aid.

Students are encouraged to sign up for direct deposit of their refunds. Once refunds are available, the Bursar’s Office will notify you; and, if you have not opted for direct deposit, then you may pick up your check in the Bursar’s Office. No funds are available in the Office of Financial Aid.

Any financial aid that has an asterisk on the statement is pending and may not include bank origination or other fees. Once pending funds arrive, the actual amounts are credited to student accounts. Students expecting other financial aid are required to have deferments approved by the director of financial aid and submitted to the bursar on or before the date indicated on the invoice.

**Change of Address**
Students are responsible for informing the Office of Student Affairs and International Programs of any change in address.
Appendix A

Students with Disabilities Under the Americans with Disabilities Act (ADA)
The SUNY College of Optometry is committed providing students with disabilities equal access to all of its programs and services by providing reasonable accommodation, as governed by the Americans with Disabilities Act (ADA), SUNY policy, and notwithstanding the Functional Requirements for the Profession of Optometry.

If a newly admitted or current student or newly admitted student has historically been provided accommodations in school, he or she may wish to consider disclosing his or her disability and to formally applying for accommodations at SUNY Optometry.

If a student receives a new diagnosis from a licensed medical professional or psychologist while studying at SUNY College of Optometry, and if reasonable accommodations are recommended by this provider, he or she may also wish to disclose the disability and to formally apply for accommodations at the College.

IMPORTANT: It is the student’s right and sole responsibility to disclose or not disclose a particular disability. Disclosure must always be done in writing, as outlined below.

Requesting a Reasonable Accommodation Under ADA
Formal requests for reasonable accommodations must be submitted to the vice president for student affairs and international programs six weeks before the student needs a particular accommodation, or as soon possible. The vice president for student affairs and international programs will make every effort to keep the matter confidential, but complete confidentiality cannot be always guaranteed. Students do not have to discuss their diagnoses with their faculty members, however, unless they choose to.

Students will be notified by the vice president for student affairs and international programs, in writing, when a final decision is made to grant or deny a request for a reasonable accommodation. The college registrar will notify college faculty when a student has been approved for a specific accommodation. The registrar will also notify the College’s director of human resources/Title IX officer, who maintains records of the accommodations granted for SUNY system compliance.

The SUNY College of Optometry reserves the right to verify the information provided by a student and to request additional information, as necessary, until a decision is reached by the vice president for student affairs and international programs.

Typically, students with learning or psychological disabilities are required to undergo adequate testing or examination by a licensed and qualified medical doctor or psychologist, disclose their diagnosis and verify that they are being properly medicated (if applicable) for the condition in question. Also, it is important for the attending physician or psychologist to provide a statement that recommends the accommodation(s) that the student needs and to explain how the provision of the particular accommodation will help the student be more successful in a College program.

Types of Accommodations
The SUNY College of Optometry historically has provided the following reasonable accommodation to students who have been approved, in advance, to receive them:
• Extended time to take an examination
• The ability to take a written examination in a quiet environment
- Special classroom seating
- Tape recording of lectures (with instructor’s permission)
- Peer note taker
- Tutoring Services
- Assistive listening device, e.g. FM system

Students who have been approved for testing accommodations must notify their professors of their needs at the beginning of each semester. It is also a good idea to remind these professors one week prior to a scheduled exam. **If a student waits to notify their faculty members, last minute requests for accommodations cannot be guaranteed.**

**Behavioral Concerns**
The ADA does not excuse the inappropriate behavior of students.
- A student is not qualified for accommodations if he/she cannot comply with the College’s Code of Ethics or if he/she poses a serious risk of harm to others.
- An institution may discipline a student with a disability for engaging in misconduct if it would impose the same discipline on a student without a disability.
- Misconduct due to not taking prescribed medication does not have to be accommodated.

**Grievance Procedures**
Students have 10 business days from the date a decision is rendered by the vice president of student affairs to appeal the decision to the SUNY College of Optometry’s director of human resources/Title IX officer.

The appeal or complaint must be presented to the director of human resources/Title IX officer, *in writing*, within 10 business days following the decision being appealed so that documents can be reviewed and interviews can be conducted, as necessary, to determine if reasonable accommodations can be provided to the student.

The vice president for student affairs and international programs is available, by appointment, to discuss the process for requesting reasonable accommodations under ADA with interested students.
Appendix B

Functional Requirements for Succeeding in Optometry School and as a Doctor of Optometry

In an effort to inform students of the personal skills that are required to practice the profession of optometry, the following functional standards were developed by the Association of Schools and Colleges of Optometry:

Functional Standards for Didactic and Clinical Optometric Education

The SUNY College of Optometry must ensure that students demonstrate satisfactory knowledge and skills in the provision of optometric care. The Admission Committee, therefore, must consider a candidate’s capacity to function effectively in both the academic and clinical environments, as well as a candidate’s academic qualifications and personal attributes.

To provide guidance to those considering optometry as a profession, the Association of Schools and Colleges of Optometry (ASCO) has established functional standards for optometric education. The ability to meet these standards, along with other criteria established by SUNY Optometry, is necessary for graduation from our Doctor of Optometry program.

The functional standards for optometric education require that the candidate/student possess appropriate abilities in the following areas: 1) observation; 2) communication; 3) sensory and motor coordination; 4) intellectual-conceptual, integrative and quantitative abilities; and 5) behavioral and social attributes. Each of these areas is described in this document.

In any case where a student’s abilities in one of these areas are compromised, he or she must demonstrate alternative means and/or abilities to meet the functional requirements. It is expected that seeking and using such alternative means and/or abilities shall be the responsibility of the student. Upon receipt of appropriate documentation of a disability, to the Office of Student Affairs and International Programs, the College will be expected to provide reasonable assistance and accommodation to the student.

Observation Abilities

The student must be able to acquire a defined level of required knowledge as presented through lectures, laboratories, demonstrations, patient interaction and self-study. Acquiring this body of information necessitates the functional use of visual, auditory and somatic sensation enhanced by the functional use of other sensory modalities. Examples of these observational skills in which accurate information needs to be extracted in an efficient manner include:

Visual Abilities (as they relate to such things as visual acuity, color vision and binocularity):
- visualizing and reading information from papers, films, slides, video and computer displays
- observing optical, anatomic, physiologic and pharmacologic demonstrations and experiments
- discriminating microscopic images of tissue and microorganisms
- observing a patient and noting non-verbal signs
- discriminating numbers, images, and patterns associated with diagnostic tests and instruments
- visualizing specific ocular tissues in order to discern three-dimensional relationships, depth and color changes
Auditory Abilities
• understanding verbal presentations in lecture, laboratory and patient settings
• recognizing and interpreting various sounds associated with laboratory experiments as well as diagnostic and therapeutic procedures

Tactile Abilities
• palpating the eye and related areas to determine the integrity of the underlying structures
• palpating and feeling certain cardiovascular pulses

Communication Abilities
The student must be able to communicate effectively, efficiently and sensitively with patients and their families, peers, staff, instructors and other members of the health care team. The student must be able to demonstrate established communication skills using traditional and alternative means. Examples of required communications skills include:
  • relating effectively and sensitively to patients, conveying compassion and empathy
  • perceiving verbal and non-verbal communication such as sadness, worry, agitation and lack of comprehension from patients
  • eliciting information from patients and observing changes in mood and activity
  • communicating quickly, effectively and efficiently in oral and written English with patients and other members of the health care team
  • reading and legibly recording observations, test results and management plans accurately
  • completing assignments, patient records and correspondence accurately and in a timely manner

Sensory and Motor Coordination Abilities
Students must possess the sensory and motor skills necessary to perform an eye examination, including emergency care. In general, this requires sufficient exteroception sense (touch, pain, temperature), proprioceptive sense (position, pressure, movement, stereognosis, and vibratory) and fine motor function (significant coordination and manual dexterity using arms, wrists, hands and fingers). Examples of skills required include:
  • instillation of ocular pharmaceutical agents
  • insertion, removal and manipulation of contact lenses
  • assessment of blood pressure and pulse
  • removal of foreign objects from the cornea
  • simultaneous manipulation of lenses, instruments and therapeutic agents and devices
  • reasonable facility of movement

Intellectual, Conceptual, Integrative and Quantitative Abilities
Problem solving, a most critical skill, is essential for optometric students and must be performed quickly, especially in emergency situations. In order to be an effective problem solver, the student must be able to accurately and efficiently utilize such abilities as measurement, calculation, reasoning, analysis, judgment, investigation, memory, numerical recognition and synthesis. Examples of these abilities include being able to:
  • determine appropriate questions to be asked and clinical tests to be performed
  • identify and analyze significant findings from history, examination, and other test data
  • demonstrate good judgment and provide a reasonable assessment, diagnosis and management of patients
  • retain, recall and obtain information in an efficient manner
  • identify and communicate the limits of one’s knowledge and skill
Behavioral and Social Attributes
The student must possess the necessary behavioral and social attributes for the study and practice of optometry. Examples of such attributes include:

• satisfactory emotional health required for full utilization of one’s intellectual ability
• high ethical standards and integrity
• an empathy with patients and concern for their welfare
• commitment to the optometric profession and its standards
• effective interpersonal relationships with patients, peers and instructors
• professional demeanor
• effective functioning under varying degrees of stress and workload
• adaptability to changing environments and uncertainties inherent in patient care
• positive acceptance of suggestions and constructive criticism
Appendix C
Article 130 – Sex Offenses from NYS Penal Law

Section 130.00 Sex offenses; definitions of terms.

1. “Sexual intercourse” has its ordinary meaning and occurs upon any penetration, however slight.
2. (a) “Oral sexual conduct” means conduct between persons consisting of contact between the mouth and the penis, the mouth and the anus, or the mouth and the vulva or vagina.
   (b) “Anal sexual conduct” means conduct between persons consisting of contact between the penis and anus.
3. “Sexual contact” means any touching of the sexual or other intimate parts of a person for the purpose of gratifying sexual desire of either party. It includes the touching of the actor by the victim, as well as the touching of the victim by the actor, whether directly or through clothing, as well as the emission of ejaculate by the actor upon any part of the victim, clothed or unclothed.
4. For the purposes of this article “married” means the existence of the relationship between the actor and the victim as spouses which is recognized by law at the time the actor commits an offense proscribed by this article against the victim.
5. “Mentally disabled” means that a person suffers from a mental disease or defect which renders him or her incapable of appraising the nature of his or her conduct.
6. “Mentally incapacitated” means that a person is rendered temporarily incapable of appraising or...
controlling his conduct owing to the influence of a narcotic or intoxicating substance administered to him without his consent, or to any other act committed upon him without his consent.

7. “Physically helpless” means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

8. “Forcible compulsion” means to compel by either:
   (a) use of physical force; or
   (b) a threat, express or implied, which places a person in fear of immediate death or physical injury to himself, herself or another person, or in fear that he, she or another person will immediately be kidnapped.

9. “Foreign object” means any instrument or article which, when inserted in the vagina, urethra, penis or rectum, is capable of causing physical injury.

10. “Sexual conduct” means sexual intercourse, oral sexual conduct, anal sexual conduct, aggravated sexual contact, or sexual contact.

11. “Aggravated sexual contact” means inserting, other than for a valid medical purpose, a foreign object in the vagina, urethra, penis or rectum of a child, thereby causing physical injury to such child.

12. “Health care provider” means any person who is, or is required to be, licensed or registered or holds himself or herself out to be licensed or registered, or provides services as if he or she were licensed or registered in the profession of medicine, chiropractic, dentistry or podiatry under any of the following: article one hundred thirty-one, one hundred thirty-two, one hundred thirty-three, or one hundred forty-one of the education law.

13. “Mental health care provider” shall mean a licensed physician, licensed psychologist, registered professional nurse, licensed clinical Social worker or a licensed master social worker under the supervision of a physician, psychologist or licensed clinical social worker.

§ 130.05 Sex offenses; lack of consent.
1. Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim.

2. Lack of consent results from:
   (a) Forcible compulsion; or
   (b) Incapacity to consent; or
   (c) Where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or Incapacity to consent, in which the victim does not expressly or impliedly acquires or in the actor’s conduct; or
   (d) Where the offense charged is rape in the third degree as defined in subdivision three of section 130.25, or criminal sexual act in the third degree as defined in subdivision three of section 130.40, in addition to forcible compulsion, circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor’s situation would have understood such person’s words and acts as an expression of lack of consent to such act under all the circumstances.

3. A person is deemed incapable of consent when he or she is:
   (a) less than seventeen years old; or
   (b) mentally disabled; or
   (c) mentally incapacitated; or
   (d) physically helpless; or
   (e) committed to the care and custody of the state department of correctional services or a hospital, as such term is defined in subdivision two of section four hundred of the correction law, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital. For purposes of this paragraph, “employee” means

   (i) an employee of the state department of correctional services who performs professional duties in a state correctional facility consisting of providing custody, medical or mental health services, counseling services, educational programs, or vocational training for inmates;
(ii) an employee of the division of parole who performs professional duties in a state correctional facility and who provides institutional parole services pursuant to section two hundred fifty-nine-e of the executive law; or

(iii) an employee of the office of mental health who performs professional duties in a state correctional facility or hospital, as such term is defined in subdivision two of section four hundred of the correction law, consisting of providing custody, or medical or mental health services for such inmates; or

(iv) a person, including a volunteer, providing direct services to inmates in the state correctional facility in which the victim is confined at the time of the offense pursuant to a contractual arrangement with the state department of correctional services or, in the case of a volunteer, a written agreement with such department, provided that the person received written notice concerning the provisions of this paragraph; or

(f) committed to the care and custody of a local correctional facility, as such term is defined in subdivision two of section forty of the correction law, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such facility. For purposes of this paragraph, “employee” means an employee of the local correctional facility where the person is committed who performs professional duties consisting of providing custody, medical or mental health services, counseling services, educational services, or vocational training for inmates. For purposes of this paragraph, “employee” shall also mean a person, including a volunteer or a government employee of the state division of parole or a local health, education or probation agency, providing direct services to inmates in the local correctional facility in which the victim is confined at the time of the offense pursuant to a contractual arrangement with the local correctional department or, in the case of such a volunteer or government employee, a written agreement with such department, provided that such person received written notice concerning the provisions of this paragraph; or

(g) committed to or placed with the office of children and family services and in residential care, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to or placed with such office of children and family services and in residential care. For purposes of this paragraph, “employee” means an employee of the office of children and family services or of a residential facility who performs duties consisting of providing custody, medical or mental health services, counseling services, educational services, or vocational training for persons committed to or placed with the office of children and family services and in residential care; or

(h) a client or patient and the actor is a health care provider or mental health care provider charged with rape in the third degree as defined in section 130.25, criminal sexual act in the third degree as defined in section 130.40, aggravated sexual abuse in the fourth degree as defined in section 130.65-a, or sexual abuse in the third degree as defined in section 130.55, and the act of sexual conduct occurs during a treatment session, consultation, interview, or examination.

§ 130.10 Sex offenses; limitation; defenses.

1. In any prosecution under this article in which the victim’s lack of consent is based solely upon his or her incapacity to consent because he or she was mentally disabled, mentally incapacitated or physically helpless, it is an affirmative defense that the defendant, at the time he or she engaged in the conduct constituting the offense, did not know of the facts or conditions responsible for such incapacity to consent.

2. Conduct performed for a valid medical or mental health care purpose shall not constitute a violation of any section of this article in which incapacity to consent is based on the circumstances set forth in paragraph (h) of subdivision three of section 130.05 of this article.

3. In any prosecution for the crime of rape in the third degree as defined in section 130.25, criminal sexual act in the third degree as defined in section 130.40, aggravated sexual abuse in the fourth degree as defined in section 130.65-a, or sexual abuse in the third degree as defined in section 130.55 in which incapacity to consent is based on the circumstances set forth in paragraph (h) of subdivision three of section 130.05 of this article it shall be an affirmative defense that the client or patient consented to such conduct charged after having been expressly advised by the health care or mental health care provider that such conduct was...
not performed for a valid medical purpose.
4. In any prosecution under this article in which the victim's lack of consent is based solely on his or her incapacity to consent because he or she was less than seventeen years old, mentally disabled, or a client or patient and the actor is a health care provider, it shall be a defense that the defendant was married to the victim as defined in subdivision four of section 130.00 of this article.

§ 130.16 Sex offenses; corroboration.
A person shall not be convicted of any offense defined in this article of which lack of consent is an element but results solely from incapacity to consent because of the victim's mental defect, or mental incapacity, or an attempt to commit the same, solely on the testimony of the victim, unsupported by other evidence tending to:
(a) Establish that an attempt was made to engage the victim in sexual intercourse, oral sexual conduct, anal sexual conduct, or sexual contact, as the case may be, at the time of the occurrence; and
(b) Connect the defendant with the commission of the offense or attempted offense.

§ 130.20 Sexual misconduct.
A person is guilty of sexual misconduct when:
1. He or she engages in sexual intercourse with another person without such person's consent; or
2. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent; or
3. He or she engages in sexual conduct with an animal or a dead human body.
Sexual misconduct is a class A misdemeanor.

§ 130.25 Rape in the third degree.
A person is guilty of rape in the third degree when:
1. He or she engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than seventeen years old;
2. Being twenty-one years old or more, he or she engages in sexual intercourse with another person less than seventeen years old; or
3. He or she engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.
Rape in the third degree is a class E felony.

§ 130.30 Rape in the second degree.
A person is guilty of rape in the second degree when:
1. Being eighteen years old or more, he or she engages in sexual intercourse with another person less than fifteen years old; or
2. He or she engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.
It shall be an affirmative defense to the crime of rape in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.
Rape in the second degree is a class D felony.

§ 130.35 Rape in the first degree.
A person is guilty of rape in the first degree when he or she engages in sexual intercourse with another person:
1. By forcible compulsion; or
2. Who is incapable of consent by reason of being physically helpless; or
3. Who is less than eleven years old; or
4. Who is less than thirteen years old and the actor is eighteen years old or more.
Rape in the first degree is a class B felony.

§ 130.40 Criminal sexual act in the third degree.
A person is guilty of criminal sexual act in the third degree when:
1. He or she engages in oral sexual conduct or anal sexual conduct with a person who is incapable of consent by reason of some factor other than being less than seventeen years old;
2. Being twenty-one years old or more, he or she engages in oral sexual conduct or anal sexual conduct with a person less than seventeen years old; or
3. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person’s consent where such lack of consent is by reason of some factor other than incapacity to consent.
Criminal sexual act in the third degree is a class E felony.

§ 130.45 Criminal sexual act in the second degree.
A person is guilty of criminal sexual act in the second degree when:
1. Being eighteen years old or more, he or she engages in oral sexual conduct or anal sexual conduct with another person less than fifteen years old; or
2. He or she engages in oral sexual conduct or anal sexual conduct with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.
It shall be an affirmative defense to the crime of criminal sexual act in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.
Criminal sexual act in the second degree is a class D felony.

§ 130.50 Criminal sexual act in the first degree.
A person is guilty of criminal sexual act in the first degree when he or she engages in oral sexual conduct or anal sexual conduct with another person:
1. By forcible compulsion; or
2. Who is incapable of consent by reason of being physically helpless; or
3. Who is less than eleven years old; or
4. Who is less than thirteen years old and the actor is eighteen years old or more.
Criminal sexual act in the first degree is a class B felony.

§ 130.52 Forcible touching.
A person is guilty of forcible touching when such person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor’s sexual desire. For the purposes of this section, forcible touching includes squeezing, grabbing or pinching.
Forcible touching is a class A misdemeanor.

§ 130.53 Persistent sexual abuse.
A person is guilty of persistent sexual abuse when he or she commits the crime of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree, as defined in section 130.55 of this article, or sexual abuse in the second degree, as defined in section 130.60 of this article, and, within the previous ten year period, has been convicted two or more times, in separate criminal transactions for which sentence was imposed on separate occasions, of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree as defined in section 130.55 of this article, sexual abuse in the second degree, as defined in section 130.60 of this article, or any offense defined in this article, of which the commission or attempted commission thereof is a felony.
Persistent sexual abuse is a class E felony.
§ 130.55 Sexual abuse in the third degree.
A person is guilty of sexual abuse in the third degree when he or she subjects another person to sexual contact without the latter’s consent; except that in any prosecution under this section, it is an affirmative defense that
(a) such other person’s lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and
(b) such other person was more than fourteen years old, and
(c) the defendant was less than five years older than such other person.
Sexual abuse in the third degree is a class B misdemeanor.

§ 130.60 Sexual abuse in the second degree.
A person is guilty of sexual abuse in the second degree when he or she subjects another person to sexual contact and when such other person is:
1. Incapable of consent by reason of some factor other than being less than seventeen years old; or
2. Less than fourteen years old.
Sexual abuse in the second degree is a class A misdemeanor.

§ 130.65 Sexual abuse in the first degree.
A person is guilty of sexual abuse in the first degree when he or she subjects another person to sexual contact:
1. By forcible compulsion; or
2. When the other person is incapable of consent by reason of being physically helpless; or
3. When the other person is less than eleven years old.
Sexual abuse in the first degree is a class D felony.

§ 130.65-a Aggravated sexual abuse in the fourth degree.
1. A person is guilty of aggravated sexual abuse in the fourth degree
   when:
   (a) He or she inserts a foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than seventeen years old; or
   (b) He or she inserts a finger in the vagina, urethra, penis or rectum of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than seventeen years old.
2. Conduct performed for a valid medical purpose does not violate the provisions of this section.
   Aggravated sexual abuse in the fourth degree is a class E felony.

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

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

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

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

§ 130.80 Course of sexual conduct against a child in the second degree.
1. A person is guilty of course of sexual conduct against a child in the second degree when, over a period of time not less than three months in duration:
   (a) he or she engages in two or more acts of sexual conduct with a child less than eleven years old; or
   (b) he or she, being eighteen years old or more, engages in two or more acts of sexual conduct with a child less than thirteen years old.
2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.
   Course of sexual conduct against a child in the second degree is a class D felony.

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

§ 130.90 Facilitating a sex offense with a controlled substance.
A person is guilty of facilitating a sex offense with a controlled substance when he or she:
1. Knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or
substance that requires a prescription to obtain and administers such substance or preparation, compound,
mixture or substance that requires a prescription to obtain to another person without such person's consent
and with intent to commit against such person conduct constituting a felony defined in this article; and
2. Commits or attempts to commit such conduct constituting a felony defined in this article.
Facilitating a sex offense with a controlled substance is a class D felony.

§ 130.91 Sexually motivated felony.
1. A person commits a sexually motivated felony when he or she commits a specified offense for the purpose,
in whole or substantial part, of
his or her own direct sexual gratification.
2. A "specified offense" is a felony offense defined by any of the following provisions of this chapter:
   assault in the second degree as defined in section 120.05, assault in the first degree as defined in section
   120.10,
   gang assault in the second degree as defined in section 120.06,
   gang assault in the first degree as defined in section 120.07,
   stalking in the first degree as defined in section 120.60,
   strangulation in the second degree as defined in section 121.12,
   strangulation in the first degree as defined in section 121.13,
   manslaughter in the second degree as defined in subdivision one of section 125.15,
   manslaughter in the first degree as defined in section 125.20,
   murder in the second degree as defined in section 125.25,
   aggravated murder as defined in section 125.26,
   murder in the first degree as defined in section 125.27,
   kidnapping in the second degree as defined in section 135.20,
   kidnapping in the first degree as defined in section 135.25,
   burglary in the third degree as defined in section 140.20,
   burglary in the second degree as defined in section 140.25,
   burglary in the first degree as defined in section 140.30,
   arson in the second degree as defined in section 150.15,
   arson in the first degree as defined in section 150.20,
   robbery in the third degree as defined in section 160.05,
   robbery in the second degree as defined in section 160.10,
   robbery in the first degree as defined in section 160.15,
   promoting prostitution in the second degree as defined in section 230.30,
   promoting prostitution in the first degree as defined in section 230.32,
   compelling prostitution as defined in section 230.33,
   disseminating indecent material to minors in the first degree as defined in section 235.22,
   use of a child in a sexual performance as defined in section 263.05,
promoting an obscene sexual performance by a child as defined in section 263.10,
promoting a sexual performance by a child as defined in section 263.15,
or any felony attempt or conspiracy to commit any of the foregoing offenses.

§ 130.92 Sentencing.
1. When a person is convicted of a sexually motivated felony pursuant to this article, and the specified felony is a violent felony offense, as defined in section 70.02 of this chapter, the sexually motivated felony shall be deemed a violent felony offense.
2. When a person is convicted of a sexually motivated felony pursuant to this article, the sexually motivated felony shall be deemed to be the same offense level as the specified offense the defendant committed.
3. Persons convicted of a sexually motivated felony as defined in section 130.91 of this article, must be sentenced in accordance with the provisions of section 70.80 of this chapter.

§ 130.95 Predatory sexual assault.
A person is guilty of predatory sexual assault when he or she commits the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, and when:
1. In the course of the commission of the crime or the immediate flight there from, he or she:
   (a) Causes serious physical injury to the victim of such crime; or
   (b) Uses or threatens the immediate use of a dangerous instrument; or
2. He or she has engaged in conduct constituting the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, against one or more additional persons; or
3. He or she has previously been subjected to a conviction for a felony defined in this article, incest as defined in section 255.25 of this chapter or use of a child in a sexual performance as defined in section 263.05 of this chapter.
Predatory sexual assault is a class A-II felony.

§ 130.96 Predatory sexual assault against a child.
A person is guilty of predatory sexual assault against a child when, being eighteen years old or more, he or she commits the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, and the victim is less than thirteen years old.
Predatory sexual assault against a child is a class A-II felony.