



THE VISION AND MISSION OF LONG ISLAND UNIVERSITY

VISION: Toward a More Peaceful and Humane World

Long Island University envisions a learning community dedicated to empowering and transforming the lives of its students to effect a more peaceful and humane world that respects differences and cherishes cultural diversity; improving health and the overall quality of life; advancing social justice and protecting human rights; reducing poverty; celebrating creativity and artistic expression; rewarding innovation and entrepreneurship; honoring education and public service; and managing natural resources in an environmentally-responsible, sustainable fashion. It aspires to move toward this vision through an institutional culture that is open to all, cherishing and nurturing the expansion of knowledge; intellectual inquiry and critical thought; artistic and creative expression; teaching and learning; and community service as its core values. This vision sustains the University and provides the foundation upon which its mission rests.

MISSION: Excellence and Access

The mission of Long Island University is to provide excellence and access in private higher education to people from all backgrounds who seek to expand their knowledge and prepare themselves for meaningful, educated lives and for service to their communities and the world.

HOW IT ALL BEGAN

Long Island University

Long Island University was chartered in 1926 in Brooklyn, New York, as a non-sectarian, co-educational, private university. Designed to provide education for “all walks of life,” Long Island University today is the seventh largest private university in America, with six campuses, 31,000 students, and more than 560 degree and certificate programs. The University which today bears the motto “Urbi et Orbi,” Latin for “Of the City and Of The World,” is a descriptive phrase about the impact and location of Long Island University.

LIU Brooklyn

LIU began through a half-million dollar endowment from Ralph S. Jonas, who was then president of the Brooklyn Chamber of Commerce. The endowment was made on the condition that no applicant for admission is discriminated against because of religion. A small, rented office in the Consolidated Edison Building with six faculty members, 312 students, a filing cabinet and a desk commenced LIU's quest to help students find truth through education. Today, we've broadened Jonas' ideal to denounce prejudice against incoming applicants on the grounds of color, national origin, disabilities, race, sex and sexual orientation.

With Jonas' help the school grew so much that within a year it was necessary to gain a larger, yet still inadequate place in the Brooklyn Chamber of Commerce Building; it is from this location that the school officially dates its origin. On December 9, 1926 Long Island University was granted a provisional Charter as a College of Liberal Arts and Sciences by the Regents of the University of the State of New York.

By the end of the following year LIU was forced to move to 300 Pearl Street because enrollment had tripled. The State Legislature then authorized LIU to consolidate with any existing academic or professional institution of New York City or Long Island, and thus the Brooklyn School of Pharmacy became LIU's first affiliate in 1929.

The first graduation was held in 1931, the same year we were granted the absolute charter by the State Legislature and became acquainted with Tristram Walker Metcalfe, the New York World Telegram School Editor.

Eventually, the entire Downtown Brooklyn area became the Long Island University Campus since classes were held at the Brooklyn Law School, the Central YMCA and at various rented spaces above bars, pool halls and bowling alleys. Registration continued to climb throughout the 40s from a war-time low of 317 students to well above 5,000 toward the end of the decade.

In the early 1950s William Zeckendorf became Chairman of the Board of Trustees and undertook the job of finding a legitimate campus for Long Island University, which he did, although not in New York City.

Thus the C.W. Post Campus (known today as LIU Post), situated on 123 acres in Brookville, Long Island was born as an independent branch of the University. The graduate school began in 1950. In 1952 Dean Metcalfe was instrumental in purchasing 385 Flatbush Avenue, now Metcalfe Hall to house LIU. In 1953 retired Admiral, Richard L. Conolly became president and gained accreditation by the Middle Atlantic States Association of Colleges and Secondary Schools; thus, necessary funding to build a proper Brooklyn Campus with paved walks, trees, parking facilities, and to establish an extended library resource center came. In 1954 the College of Business Administration began.

Today, the Brooklyn Camps (LIU Brooklyn) is the urban center of Long Island University. We have a current enrollment of approximately 7,500 day, evening, doctorate, graduate, undergraduate and professional students about 770 of whom live in Conolly Hall, Hoyt Residence Hall and Fulton Graduate Apartments. These students come from across the United States and from more than 70 foreign countries. A faculty of more than 250 deans, professors and associates teach in 25 departments, making the faculty-student ratio ideal.

LIU Brooklyn consists of the Richard L. Conolly College of Liberal Arts and Sciences, the Arnold and Marie Schwartz College of Pharmacy, the College of Business, Public Administration and Information Sciences, the School of Education, the School of Health Professions, Honors College, The School of Professional and Continuing Studies and the School of Nursing. Special emphasis is given to academic and career counseling and other guidance services geared to meet the individual needs of each student. In addition, all students are encouraged to engage in any of the various social and academic campus organizations, all of which are designed by both students and faculty advisors to suit the diverse tastes of the Brooklyn Campus student population.

While our 10-acre Campus is located in Downtown Brooklyn, our University is all of New York City.

Within walking distance are Brooklyn's main civic, cultural and shopping centers, and the Barclays Center. The Brooklyn Botanic Gardens, the Brooklyn Museum, the Brooklyn Public Library, the Brooklyn Academy of Music, Metro Tech, Atlantic Center, and the Brownstone Renaissance district of Brooklyn Heights are easily accessible by foot, car, subway or bus. Within a five-minute subway ride are Wall Street, City Hall, the South Street Seaport, and historic New York Harbor; ten minutes farther are Carnegie Hall and Lincoln Center, the Broadway Theater district, a wealth of great museums, and Times Square — the crossroads of the world. LIU Brooklyn being in the great urban area of Downtown Brooklyn provides the perfect setting for a college education. Between the academic opportunities to be seized on campus and the wealth of all that the world's cultural center has to offer, students at the Brooklyn Campus are in for an invaluable life experience.

By the mid-1970s vocation-oriented programs like Nursing and Business Management became immensely popular, thus the curricula expanded to include them, as well as the Honors Program, the television and radio production departments, and the newspaper production facility. There's an atmosphere for education that combines diversified exposure with a successful university environment. Toward the end of the 1970s, LIU became essential to the counties north of New York City by presenting the resources offered by a large university to Westchester. A campus was born there in 1975 and at Rockland in 1980. LIU also includes the Brentwood Campus in Suffolk County. Like all the campuses, these facilities are in direct accordance with LIU's standards, and students there are free to use the materials from any other campus.

The William Zeckendorf Health Sciences Center was opened in 1995 and areas of the old Paramount Theater renovated as the new Student Union. Later the Jeanette and Edmund T. Pratt, Jr. Center for Academic Studies was opened and dedicated as a welcome answer to our need of space for academic studies and for library services. The Kumble Theater opened thereafter, and on February 27, 2006 LIU Brooklyn opened a new Wellness, Recreation and Athletic Center. The \$45 million, 112,000 square-foot complex, the most ambitious construction project in the history of the Campus, provides high-tech athletic facilities and serves as a training ground for the more than 3,000 students in health-related fields who study there. The new building provides the perfect environment for athletes to compete and for students to get in shape. The facility, which was designed by New York based Arquitectonica, features a 17,000 square-foot basketball arena, an eight-lane swimming pool, a therapy pool, two weight rooms, an aerobic room and a rooftop running track and tennis courts, as well as a specially designed wellness area with a separate entrance. It also offers screenings, diagnostic and prevention health care services for the residents of the surrounding community. The opening of this center reaffirms our commitment to remaining a leader in educating professionals in the allied health fields and to playing a vital role in the well-being of our students. In Fall 2011 our all-graduate, apartment-style housing at 490 Fulton Street opened where graduate students at LIU Brooklyn and the surrounding area are able to stay in brand new studio to six-bedroom apartments.

Further expansion is always anticipated because everything grows in Brooklyn...

STATEMENT OF EDUCATIONAL PHILOSOPHY

As an educational community, LIU Brooklyn is dedicated to the pursuit of academic excellence. The faculty and administration are committed to creating an environment where students are encouraged and supported in their intellectual endeavors. As members of this educational community, students are expected to maximize their academic potentials. Student are responsible for their own academic growth. Attendance, class participation, completion of course work, and a resolve to push his/her intellectual capabilities to the fullest potential are the student's primary responsibilities.

Extracurricular and co-curricular activities are vital parts of the fabric of the university and play an important role in a student's educational experience. While important, these activities must complement and not take the place of academic pursuits.

LIU ETHOS STATEMENT

LIU is committed to the advancement of learning and service to society. Its educational mission reflects a commitment to intellectual rigor, social justice, and an active engagement of contemporary issues.

These principles challenge students to strive for excellence, to become men and women in service to others, to integrate curricular and co-curricular learning, to develop talents through discovery and reflection, and to be concerned for the welfare of each person. To achieve these ideals, all students are expected to contribute, through their words, actions, and commitments, to the development and sustenance of a community characterized by respect, caring, responsibility, and honesty. These characteristics are essential to ensure the rights and privileges of all students and to preserve the integrity of our educational community.

Working together as a community, students, faculty, and administrators help foster an atmosphere that furthers the mission of the campus. Students are expected to adhere to the campus ethos. This expectation calls for behavior that demonstrates the five principles of the LIU Student Code of Conduct: respect for oneself, respect for others, respect for property, respect for authority, and honesty.

LIU STUDENT CODE OF CONDUCT

Although no such document can be exhaustive, the purpose of the LIU Student Code of Conduct is to set out standards of conduct, to give notice of expectations and prohibited behavior, and to identify the procedures the University may employ to resolve breaches of those standards. The LIU Student Code of Conduct is founded on the principles of respect for oneself, respect for others, respect for property, respect for authority, and honesty.

Until evidence to the contrary is observed, the campus presumes that students are motivated by the desire to improve their capabilities and to help others to do so, that they possess a sense of honor and are trustworthy, and that they are mature men and women, capable of behaving accordingly. Students who violate the rules and regulations of the LIU campus must expect that appropriate disciplinary action will be taken.

Action involving non-academic conduct is the responsibility of the Office of the Dean of Students and designated Community Standards officers. The Dean of Students and Community Standards officers, or other designated officer or official, at the specific LIU campus may suspend or expel a student under this policy. LIU recognizes that campus disciplinary jurisdiction may extend to off-campus activities. The University has the discretion to exercise jurisdiction over off-campus behavior if it: 1) adversely affects the health, safety, or security of any member of the campus community or 2) adversely affects the interests of the University.

In determining whether to exercise off-campus jurisdiction, the University will consider the seriousness of the alleged harm, the risk of harm involved, whether the victim(s) are members of the campus community or whether the off-campus conduct is part of a series of actions which occurred both on and off campus.

Students are accountable for adhering to all regulations in the LIU Student Handbook. As noted under item “U”, ‘Violation of University or campus policies’ in “Respect for Authority” below, students must understand that they are subject to “all policies communicated elsewhere in this Handbook, University or campus publications, verbal directives by campus officials or as posted by any department”.

LIU students taking classes at other campuses of Long Island University and students from other campuses of Long Island University who are taking classes at another campus of LIU who are involved in disciplinary matters may be subject to disciplinary sanctions on both campuses. The offices of the Dean of Students at the appropriate campuses shall confer in such instances and determine the appropriate course of action and designate an appropriate Community Standards officer as applicable.

RESPECT FOR ONESELF

In accordance with our Ethos Statement, LIU students are expected to demonstrate actions that honor themselves by complying with the principal of **respect for oneself**. Examples of conduct inconsistent with this principal and which will require campus action are:

A. Violence or Threat of Violence

Behavior which jeopardizes the safety or well-being of oneself; this includes but is not limited to causing or subjecting oneself to physical injury.

B. Alcohol and Drugs

1. Violation of Alcohol and Substance Abuse Policy.
2. The sale, purchase, possession, presence of, or use of any illegal drug(s) and/or drug paraphernalia.

C. Conduct Unbecoming of a Student

1. Behavioral characteristics or actions demonstrated by a student, which are contrary to the LIU Ethos Statement.
2. Public Lewdness

D. Violation of the Cyber Community Policy (See Campus Policy Student Handbook)

RESPECT FOR OTHERS

In accordance with LIU Ethos Statement, LIU students are expected to demonstrate actions that reflect consideration and civility by complying with the principal of **respect for others**. Examples of conduct inconsistent with this principal and which will require Campus action are:

E. Stalking and/or Aggravated Stalking

A willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed or molested.

F. Verbal or Physical Harassment

1. Inappropriate physical, verbal or written actions against members of the campus community or their guests, or against visitors to the campus, which interfere with an individual’s personal freedom or privacy, including but not limited to actions of an

offensive nature which target a particular individual or group's national origin or gender identity ("hate crimes"). This includes harassment or an attempt to harass via electronic e-mails, text messages and/or instant messages or the unauthorized use of videotaping.

2. Violation of LIU's Harassment Policy (See Campus Policy section of the LIU Brooklyn Student Handbook).
3. Violation of LIU's Discrimination Policy. (See Campus Policy section of the LIU Brooklyn Student Handbook).
4. Violation of LIU's Profanity in Student Media Policy. (See Campus Policy section of the LIU Brooklyn Student Handbook).
5. Violation of the LIU's Roommate Bill of Rights as listed in the Campus Life Policies. (See Campus Policy section of the LIU Brooklyn Student Handbook).
6. Violation of LIU's Cyber Community Policy (See Campus Policy section of the LIU Brooklyn Student Handbook).

G. Weapons and Dangerous Items

Possession and/or use of weapons and dangerous items, including but not limited to firearms, knives, firecrackers, CO2 weapons, BB weapons, paint ball weapons and equipment, prop, replica, toy or play weapons, simulated weapons or devices, handcuffs, swords, martial arts equipment, pepper gas or spray, snowballs with rocks inside, and propane.

H. Violence or Threat of Violence

1. Behavior which jeopardizes the safety and well-being of other persons; this includes, but is not limited to, physical injury or behavior such as physical assault, threats or intimidation or extortion, and either physical, verbal, or written abuse
2. Sexual Assault or Sexual Abuse. Acts of sexual violence or intimidation, including "date" or "acquaintance" rape
3. Behavior or actions which may indicate domestic violence of any kind
4. Violation of Bias Crime Policy (See Campus Policy section of the LIU Brooklyn Student Handbook).
5. Cyberbullying.

I. Theft and/or Possession of Stolen Property

1. Theft or other misuse of property.
2. Possession of stolen goods.
 - a. Unauthorized possession of university owned furniture or equipment, including but not limited to items taken from residence halls, academic classrooms, or recreational facilities, or from a student's residence hall room.
3. Theft of services: Theft is defined as taking or possessing the property of another without right or permission. Students shall respect the property of the University, its guests, and all members of the University community. Specific violations of this standard include, but are not limited to:
 - a. The unauthorized taking, misappropriation, possession, retention, or disposal of any property owned or maintained by the University, by the Campus Bookstore, or any other Campus vendor; another student, a person attending a University sponsored event, or any other person; or
 - b. The unauthorized taking or use of any University owned or contracted service without paying for such services.

J. Hazing

1. The participation in or encouragement of any action or situation which endangers the

mental or physical health, safety or welfare of another, or involves the forced or coerced consumption of alcohol, a solid substance or drugs for the purpose of initiation into or affiliation with any organization.

2. Violation of the campus Hazing/Pledging policy (refer to the appropriate LIU Post or LIU Brooklyn Campus Life office).
3. Violation of New York State Law on Hazing

K. Fire Safety

1. Intentionally creating smoke or fire.
2. Reporting a false fire alarm.
3. Activating a smoke detector.
4. Activating a sprinkler system.
5. Tampering with fire equipment.
 - a. Inappropriate use or tampering with fire extinguishers, fire hoses, or any other safety apparatus.
 - b. Obstructing a door so as to prohibit or encourage direct entrance to and/or exit from a room or building.
 - c. Covering overhead lights, doorways, smoke detectors, sprinkler system, air conditioning units, walls sockets, etc.
 - d. Wall covering of any kind exceeding 5 'x 7' and/or hanging any item from the ceiling.
 - e. Possessing water filled or lofted beds.
6. Failure to evacuate during a fire alarm.
7. Possession of prohibited items, including but not limited to candles (lit or unlit), incense and incense holder, electric appliances, air conditioning units not approved by the Office of Campus Life and/or Office of Residence Life and Housing, portable heaters, combustible liquids, barbecues, decorative lights, extension cords or any other item deemed unsafe by University Official(s) or New York State/City Fire Safety Officer(s).

L. Disruption of Campus Community

Behavioral or verbal actions that disrupt the campus community.

1. Campus Courtesy Hours
 - a. Disruption of the Campus Life community, including making excessive noise in residential areas, including but not limited to at LIU Post - the Quad, Riggs Park, alcoves and building front steps, parking areas, roadways and other grounds in, adjacent to or around the residence halls and including and not limited to at LIU-Brooklyn – the Courtyard and the lawn, Conolly Hall, Hoyt Hall, and Fulton 490.
 - b. Disruption of academic areas, including the internal and external areas of all academic facilities.
2. Skateboarding or use of skateboarding equipment and the use of equipment that may pose a risk to an individual, community members, or university or personal property including but not limited to activities such as "slacklining" are prohibited.
3. Use or storage of bicycles, bicycle equipment or other items that may obstruct common areas of the residence halls, including hallways, lobby areas, and stairwells, etc., an in the exterior areas, including areas in which egress is jeopardized, is prohibited at all times.
4. Smoking of any kind, or neglect in adhering to LIU Brooklyn's Smoke-free Policy

RESPECT FOR PROPERTY

In accordance with the LIU Ethos Statement, LIU students are expected to demonstrate actions that reflect the responsible use of campus property, environment, and equipment by complying with the

principal of **respect for property**. Examples of conduct inconsistent with this principal and which will require campus action are:

M. Vandalism

1. Destroying Campus property; classroom property; or residential housing property.
 - a. Chalking or defacing of property with various materials.
2. Destroying the property of another person.
3. Littering on campus.
 - a. Improper disposal of any solid or liquid object(s) in any area not identified or authorized for disposal.

N. Computers

1. The use of computers or electronic equipment for the violation of personal privacy or for the committing of crimes.
 - a. Unauthorized use of computers and/or peripheral systems.
 - b. Unauthorized access/alteration to computer programs or files.
 - c. Unauthorized duplicating or use of computer programs files.
 - d. Making unauthorized changes to a computer account, the utilization of a wireless router, or any other or non-deliberate action that disrupts the operation of computer systems serving other students or the University community.

RESPECT FOR AUTHORITY

In accordance with the LIU Ethos Statement, LIU students are expected to demonstrate actions that are respectful to campus officials and support campus regulations by complying with the principal of **respect for authority**. Examples of conduct inconsistent with this principal and which will require campus action are:

O. Illegal Possession of Keys, Access Cards/Codes Unlawful Entry, Exit or Presence

1. Illegal possession, duplication, or unauthorized use of keys, access cards, or access codes.
2. forcible or unauthorized entry/exit of any campus room or facility.
 - a. Entering or exiting through a window.
 - b. Entering anytime or exiting through a residence hall through a side door except in an emergency when directed by authorized University personnel or NYC essential services personnel.
 - c. Using or allowing another person to use a bathroom or shower facility designated for use of the opposite sex.
3. Failure to properly sign in to any campus room, event or facility.
4. Failure to properly sign guest(s) in to any campus room, event or facility.
5. Failure to escort guest(s) at all times on campus.
6. Presence in any campus room, event or facility after the student has been suspended from that room, event or facility.

P. Failure to abide by the Campus Life Visitation Policy (see Campus Policy Section– Campus Life Policies– LIU Post and LIU Brooklyn).

Q. Smoking

1. Violation of Smoking Policy. (See the Smoking Policy in the LIU Brooklyn Student Handbook)

R. Traffic Regulations (LIU Post)

1. Violation of campus traffic regulations.
2. Flagrant and/or frequent traffic offenses.

S. Solicitation/Commercial Activities

Unauthorized soliciting and/or commercial activities by a student or an on-campus or off-campus organization, vendor or business, initiated by either a student or visitor. Those activities which support charitable organizations and do not violate campus contractual obligations may be permitted with the written approval of the Dean of Students or his/her designee.

1. Distribution and/or posting of unauthorized handbills or other materials.
2. Chalking or defacing of property with various materials to solicit off-campus events.
3. Selling unauthorized services or products, seeking funds, signatures, merchandise or supplies.
4. Receiving unauthorized business offers or goods in the residence halls for business purposes of any nature

T. Gambling

Illegal gambling anywhere on the premises or at any campus sponsored function or any of its student groups, organizations or affiliates.

U. Failure to Cooperate

1. Providing false or misleading information to campus officials, including but not limited to Public Safety Officers and Resident Assistants.
2. Failure to cooperate in an investigation.
3. Failure to cooperate with a campus official acting within the scope of his/her duties, including but not limited to failure to provide identification when requested to do so.
4. Disrespectful conduct towards a campus official acting within the scope of his/her duties.
5. Failure to comply with a student conduct sanction, directive or mandate.
6. Participation in an organization and/or demonstration which has not been approved.
7. Failure to comply with the written or verbal directives of campus officials or other authorized individuals, including but not limited to Public Safety officers, Campus Life Coordinators, and Resident Assistants.

V. Violation of University or Campus Policies

This includes all policies communicated elsewhere in this Handbook, University or campus publications, verbal directives by campus officials or as posted by any department.

HONESTY

In accordance with the LIU Ethos Statement, LIU students are expected to demonstrate actions that are honorable and ethical by complying with the principal of **honesty**. Examples of conduct inconsistent with this principal and which will require campus action are:

W. Honesty & Integrity

Dishonest behavior or actions displayed that are contrary to the LIU Ethos statement, including but not limited to plagiarism (the use of another person's words or ideas represented as one's own work) and the reporting of inaccurate information to members of the campus community.

X. Forgery and Falsification of Records

Falsification, forgery, modification or unauthorized use of any official campus document,

record or property, including but not limited to identification cards, transcripts, examinations, registration forms, payroll sheets, parking decals and other any other official University or campus document.

DISCIPLINARY ACTIONS AND SANCTIONS FOR VIOLATIONS

The purpose of disciplinary action is to encourage appropriate student behavior with regard to campus community norms, standards and policies. When imposing sanction(s), the student's past disciplinary record will be taken into consideration to determine the appropriate level of action/sanctioning.

The Dean of Students Offices' designee reserves the right to provide to the student a written directive(s) in lieu of a formal sanction when a preponderance of evidence is not found to find a student responsible for the alleged violation of the LIU Code of Conduct, if the complete adjudication process is unnecessary to compel compliance/clarify concern, or in instances where the safety and welfare of the student(s) involved in the incident require additional directives to be completed or followed by the student(s) involved in the incident.

The following sanctions or directives may be imposed at the discretion of the Dean of Students or designee:

Administrative Warning is a formal notification to a student documenting that a violation of the Code of Conduct has occurred.

A. Verbal Warning

A Verbal Warning may be given to a student indicating that his or her action was in violation of a specific rule. The warning will include an explanation of the rule and possible punishments following a second violation of that rule. Such warnings will be noted in the student's file.

B. Written Warning

A Written Warning is a written notification from a campus official to a student containing a warning that repeated infractions of rules and regulations may result in more severe disciplinary actions, such as suspension. A record of the action is kept by the official writing the letter and in the campus disciplinary files. Examples of violations that would warrant a Written Warning or a more serious sanction include but are not limited to: failure to cooperate, soliciting/commercial activities, ignoring courtesy hours. In most cases, a Written Warning may include restrictions and additional sanctions.

Disciplinary Probation is a formal notification that the activity in question is unacceptable and that if continued or other inappropriate behavior follows more severe action may be taken. Additional violations of the Code of Conduct while on Disciplinary Probation will likely result in higher level of inactive sanction. In most cases, Disciplinary Probation will not exceed one year but may include restrictions and additional sanctions such as:

- A. The terms of probation may include a recommendation for substance abuse/psychological counseling or satisfactory attendance at a substance abuse education workshop, program, group

or the completion of other projects and service to the campus or its related bodies.

- B. Students found responsible for violations of the LIU Code of Conduct and placed on disciplinary probation may not hold student leadership positions; e.g., Resident Assistant, Orientation Leader, Peer Mentor, club officer or other student leadership positions at an LIU campus(es) for the duration of the probationary period.
- C. Students placed on disciplinary probation may be restricted from participating in certain specified events and activities and may be prohibited from entering certain facilities and offices. This may include participation in intercollegiate sports.
- D. Students on disciplinary probation may also be prohibited from living and/or working on campus during the summer.
- E. Probation follow-up may include the scheduling of periodic meetings with the Dean of Students or designee and/or disciplinary status reports from other campus officials.
- F. Violation of any campus regulations during the period of probation will result in further disciplinary action up to and including suspension or expulsion from the residence halls and/or campus. Examples of violations which would warrant Disciplinary Probation or a more serious sanction include but are not limited to those involving: alcohol and/or substance abuse, fire safety, vandalism and on-going repeated violations.
- G. Housing Probation is a higher level of probation status that remains in place for a specified period of time. Housing Probation indicates that any similar or more severe violation of the Code of Student Conduct while on this status will generally result in placement on University Probation and/or the imposition of a suspension or dismissal from University housing.
- H. Suspension from University Housing Requires moving out of housing for the length of time specified at the hearing.
- I. Housing Dismissal requires permanently moving out of housing. The student may not reapply for residency and is permanently banned from university housing.
- J. University Probation is the highest level of probation status, which remains in place for a specified period of time. University Probation indicates that similar or more severe violations of the Code of Student Conduct while on this status will result in the mandatory imposition of a suspension or dismissal from the University, the length being a minimum of the balance of the semester or one full semester. University Probation is a serious matter. While on University Probation, certain privileges may not be available to the student based upon the discretion of the hearing officer.
- K. Delay in Awarding Degrees The University reserves the right to delay the awarding of any degree in instances where an allegation remains pending against a student.
- L. Revocation of Degree A student may have his/her degree revoked, and such revocation would be noted on the student's academic transcript.
- M. Suspension (Held in Abeyance) Suspension, Held in Abeyance, may be for a specific period of time up to a maximum of one year. A person who has been Suspended, Held in Abeyance, may be

permitted to attend classes provided that there be no further violations of LIU's policies. Further violations of LIU's policies will result in the immediate imposition of the sanction of Suspension without further disciplinary proceedings. Suspension, Held in Abeyance, may include Special Conditions or restrictions.

- N. University Suspension Requires that the student no longer be present on any LIU owned or leased property for the time specified at the hearing (minimum of one semester or the balance of the semester). While on suspension, a student may not take courses to advance his or her degree. Students cannot be readmitted until after the date their suspension ends, nor may they register or pre-register for the following semester's courses. The graduation date will be adjusted upon readmission according to the length of the suspension. Students should contact their academic dean's office for additional information about the impact of a University suspension upon their graduation date.
- O. In addition, students who have been suspended from the university may have lost certain privileges upon their return to the University at the discretion of the hearing officer including, but not limited to study abroad and leadership position restrictions. Students returning from University Suspension will have a sanction of University Probation for at least one full semester upon their return to campus.
- P. Dismissal from the University Requires that the student completely and permanently sever any and all connection with LIU's undergraduate, graduate and professional schools. A dismissal for conduct reasons will be indicated on the student's transcript.
- Q. Privilege Sanctions Privilege sanctions limit and/or restrict a student from being able to participate in and/or utilize specified programs, services, and/or processes.
- R. No contact Order/Campus Ban Student is banned from being present on specified areas of the campus.
- S. Restrictions Denial of the use of certain facilities or the right to participate in certain activities or privileges for a specified period of time may be imposed.
- T. Fines Fines will be assessed for some policy violations, including but not limited to: solicitation, unauthorized entry/exit, alcohol and drugs, smoking and fire safety.
- U. Residence Halls Room Re-Assignment One or more students may be required to move to a different space in the residence halls. The student shall be required to move to the new assignment within a specified period of time or be subject to immediate suspension from the residence halls.
- V. Additional Sanctions Additional sanctions such as educational classes, mandatory referrals to the Center for Healthy Living, community service projects, negative service indicator or disciplinary block on the student's account, payment of damages and campus restrictions may be imposed.

EMERGENCY INTERIM ADMINISTRATIVE ACTION

The Dean of Students or designee shall have the authority to immediately suspend a student from the campus or a residence hall, relocate an individual within the residence halls, and restrict activities of the

individual on campus, pending disciplinary procedures, when it is believed that the presence of the student would seriously disrupt the campus or constitute a danger to the health, safety, or welfare of the campus, to property, to others, or to the student. Suspension is for a specified time period and is a complete removal from the campus premises and off premises events. The student will be notified in writing of the emergency administrative action. Parents, academic deans, Public Safety, or other personnel may also be notified of the action. The student must then schedule a hearing and he/she will receive written notification of the charges. Unless otherwise approved, the emergency administrative action will remain in effect on an interim basis pending completion of the student conduct process.

JUDICIAL PROCESS

A. AN INCIDENT OCCURS

This results in a written report by Public Safety, Campus Life/Student Affairs, or any member of the campus community.

B. INVESTIGATION

The object of the investigation is to ascertain facts and determine whether or not charges should be filed against one or more students. It is conducted by the Department of Public Safety and the Dean of Students or designee.

C. FILING OF CHARGES

Depending upon what is discovered in the investigation; a student may or may not be charged with a violation of the Code of Conduct. A charge does not automatically mean responsibility; students who are charged will receive a letter electronically to their my.liu.edu email address which outlines the requirement of an administrative hearing.

D. PROCESS AND TIMELINE FOR HEARING and DECISION

If a violation of the Code of Conduct is alleged, an administrative hearing is held with the Dean of Students or designee.

The judicial process occurs over a period of several days. To facilitate an expedient and consistent system, guidelines have been established according to a timeline of events as follows:

1. The student will receive a letter from the Dean of Students or designee notifying him/her of the alleged charges and requiring the scheduling of an administrative hearing. This Pre-Hearing Letter will be issued electronically to the student's my.liu.edu email address. Failure to check or utilize their email account will not be the responsibility of the Dean of Students or designee serving as the adjudicator of the pending case/investigation.
2. The student has three (3) business days from the electronic issuance of the letter to schedule an appointment with the Student Conduct officer specified in the letter.

The administrative hearing is convened in two phases: The first phase of the administrative hearing will include a discussion of the process and a review of the student's rights. During the second phase the Dean of Students or designee discusses the evidence with the student, and if possible, makes a determination of responsible or not responsible, and determines an appropriate sanction if necessary. Note: The student has a right to proceed immediately from the first to the second phase or to schedule the second phase at a later date.

3. The outcome of the administrative hearing, in conjunction with other evidence, will be

communicated, electronically to the student's my.liu.edu email address, within three (3) to five (5) business days after the hearing in the form of a Decision Letter.

4. If the student wishes to request an appeal to the outcome of his/her case, the student must complete and return the Appeal Request Form, available in the Office of Dean of Students, within three (3) days of the receipt of the outcome letter.
5. The student will be notified, electronically to the student's my.liu.edu email address, within three (3) business days as to whether or not an appeal hearing is granted.
6. If an appeal hearing is granted, the student will be required to schedule an appointment with the appeal officer within three (3) business days.
7. The outcome of the appeal hearing will be communicated electronically to the student's my.liu.edu email address, within five (5) to seven (7) days. (Refer to "Appeals Procedure," below, for further details)

Important notes:

- The judicial process timeline is approximate and may require adjustment due to continuing investigations by the Department of Public Safety, the Dean of Students or designee and/or other campus officials. The timeline may also require adjustment because of the academic calendar; university holidays; availability of the student and/or hearing officer, faculty and staff.
- Every student has the right not attend a hearing. If a student chooses to exercise this right, he or she must do so in writing. A hearing will still be conducted and evidence in support of the charge will still be presented and considered in his/her absence and a decision will be made based on the evidence and without the student's input. The student will be notified of the decision by the Dean of Students or designee to the student's my.liu.edu email address, following the completion of the investigation and subsequent hearing.
- The appeal hearing is not automatic. It must be requested on the basis of the criteria detailed in the section below, "Appeals Procedure."

SANCTIONS

If the student is found responsible for the violation(s), a sanction will be determined by the Dean of Students or designee. The sanction is the action which will be taken against the student. A listing of sanctions utilized by the Dean of Students and/or designee is provided under the Code of Conduct – Disciplinary Actions and Sanctions for Violations section.

Notification of the decision and the sanction(s) will be sent to the student electronically to the student's my.liu.edu email address following the hearing by the Dean of Students or designee.

Important Notes:

- Notification and all correspondences regarding the community standards process are issued electronically to the student's my.liu.edu email address.
- The university reserves the right after 45 days to render a decision when deemed appropriate by the Dean of Students or designee if every reasonable effort has been made to contact the student involved in the community standards process.

The sanction(s) goes into effect immediately. If the student requests an appeal, the sanction(s) may be temporarily suspended or modified at the discretion of the Dean of Students or designee.

APPEALS PROCEDURE

If a student wishes to appeal the sanction of a discipline letter, s/he may request an appeal to the Dean of Students or designee. A request for an appeal must be made to the Dean of Students or designee in writing within three (3) business days of receipt of the decision. Requests for appeals will be granted only if they meet certain criteria. Grounds for an appeal include:

1. Significant procedural rules were not adhered to, to the detriment of the party requesting the appeal.
2. Sanction, only if found to be arbitrary or capricious and not in keeping with the gravity of the violation.
3. New and credible evidence with these stipulations:
 - a. evidence was not knowable at the time of the hearing, and
 - b. evidence reasonably has a material effect on the decision.

Decisions as to whether at least one of the above criteria has been met and whether an appeal hearing will be held are made by the Dean of Students or designee.

The Appeal Request Form may be obtained from the Associate Dean of Students Office, Winnick House, Room 210 at LIU Post or from the Office of Campus Life and Housing at LIU Brooklyn.

The Appeal Request Form for cases which are adjudicated by a Campus Life Coordinator Community Standards Officer may be obtained at the Office of Campus Life.

The Dean of Students or designee hears the appeal and reviews all written materials or statements. A written decision will be sent to the student who made the appeal in a timely manner. The decision of the Dean of Students or designee is final, and no further appeals are permitted.

After a period of one semester has elapsed from the sanction date, a student may submit a written document to request an Administrative Review for possible modification of his/her sanction(s). This request shall be addressed to the Dean of Students or designee and will only be entertained if the student has not been involved in any disciplinary incidents and has demonstrated significant personal progress. The Dean of Students or designee shall consult with the appropriate Associate Dean or designee in all Administrative Review cases to determine the appropriateness of a student request for sanction modification.

STUDENT CONDUCT RECORDS RETENTION POLICY

With the exception of those conduct records which have been successfully appealed by the student, and/or the student was otherwise exonerated of the charges, the existence of all student conduct records and the contents of such records are kept and maintained by the Dean of Students Office or designee in accordance with the Family Educational Rights and Privacy Act of 1974, as amended; and in accordance with the policies and procedures outlined by Long Island University. While most records will be retained for a period of seven years, at its discretion, the University reserves the right to retain student conduct files permanently in accordance with the policies and procedures outlined by the University; and pursuant to U.S. Department of Education, Office of Civil Rights.

Student conduct records are retained by the Dean of Students Office or designee in accordance with the policies and procedures outlined by Long Island University.

STUDENT RIGHTS IN THE CONDUCT SYSTEM

Students have the following rights in the conduct system:

1. To request in writing prior to the Administrative Hearing that any person conducting an Administrative Hearing be disqualified on the grounds of conflict of interest.
2. To be considered innocent of the charges until proven responsible by a preponderance (51%) of evidence.
3. To have prior knowledge of the charges and have the charges explained clearly and fully at every level of the conduct process.
4. To be advised by a person of their choice. Advisors must be members of the campus community. Advisors may not speak during the proceedings and advisors may not be attorneys.
5. To hear testimony and/or see all written statements concerning the charges.
6. To refute oral and written statements made by witnesses.
7. Not to participate in their proceedings, understanding that in their absence, the case will be determined on the evidence presented.
8. To be advised of the appropriate appeal process.
9. If a student is determined to be the victim of violence or threat of violence as defined by the Family Educational Rights and Privacy Act, that student may request written notification of the final sanctions assessed to the student responsible for misconduct.

SPECIFIC CAMPUS POINTS OF CONTACT

Campus	Point of Contact	E-mail Address	Phone Number
LIU Brentwood LIU Post LIU Riverhead LIU Global	Adam Grohman, Associate Dean of Students	Adam.Grohman@liu.edu	516-299-2256
Code of Conduct General E-mail Inquiries		Post-StudentConduct@liu.edu	
LIU Brooklyn LIU Hudson Valley	Pia Haynes, Associate Dean of Students	Pia.Haynes@liu.edu	718-780-6545
Code of Conduct General E-mail Inquiries		Brooklyn-Campuslife@liu.edu	

LIU BROOKLYN SMOKE FREE POLICY

Effective January 1, 2016 the university is a smoke-free campus. Smoking or inhaling any tobacco or other substance, by any method, including, but not limited to cigarettes, cigars, pipes, e- cigarettes, and hookahs is prohibited in the following areas:

- University owned or managed academic, athletic, recreational, and administrative facilities;
- University owned or managed residential facilities, including residence halls;
- University owned and leased vehicles;
- University parking garages and loading docks of university facilities;
- In any university owned outdoor space including, but not limited to, University athletic fields.
- In public space that abuts buildings around campus that are used by the university for academic, athletic, recreational, residential, and administrative purposes;
- Within a minimum of 20 feet of buildings used by the university for academic, athletic, recreational, residential, or administrative purposes.

ALCOHOL AND SUBSTANCE ABUSE POLICY

LIU recognizes that students are adults and expects them to obey the law and Campus Regulations. Students must take personal responsibility for their behavior. Campus administrators/staff will neither police the personal lives of students on campus nor invade their privacy by spying or conducting intrusive searches.

Students will be disciplined or referred for appropriate counseling if their use of alcohol or other illegal substances becomes a danger to themselves or others, or if problems arise such as disorderly conduct, public disturbances, or property damage. Violation of the Campus Policy on Alcohol and Substance Abuse will result in disciplinary action, up to and including expulsion and/or criminal charges.

1. The consumption of alcoholic beverages is not permitted on campus property (exterior grounds) except in areas or functions approved by the Dean of Students or her designee. Exceptions may include but are not limited to residence hall rooms of students over the age of 21.
2. No open containers of alcoholic beverages are permitted in public areas except at approved locations or functions.
3. No person under 21 may acquire, possess, consume or be in the presence of any alcoholic beverage on the campus.
 - a. Persons over 21 may possess alcoholic beverages in moderate amounts (see "c" below) in their individual residence hall rooms or suites with the following limitations which also apply to all members of the community in all areas of the campus: No person shall sell, deliver or give away any alcoholic beverages to
 - i. any person under the age of twenty-one (21) years.
 - ii. any intoxicated person or any person who appears to be under the influence of alcohol.
 - b. Intoxication and/or disorderly conduct resulting from the misuse of alcohol are unacceptable and violations of campus policy hence will result in disciplinary action up

- to and including expulsion from the University.
- c. "Moderate amount" shall be defined as an amount that no more than one or two people can reasonably and responsibly consume during a specified period of time.
4. Parties at which alcohol is served will not be permitted in the residence halls unless express permission is granted by the Dean of Students or her designee. Parties are permitted in other areas of the campus in accordance with established procedures. Regulations for parties may be obtained from the Dean of Students Office.
 5. No person under the age of 21 will be admitted to any event (area) at which alcoholic beverages are served; exceptions must be approved by the Dean of Students or her designee.
 6. Alcoholic beverages will not be served at any student function except with approval of the Dean of Students or her designee.
 7. Outside organizations or groups utilizing campus facilities must secure permission and abide by policies in order to serve alcoholic beverages from the LIU Post Office of Conference Services or LIU Brooklyn Residence Life.
 8. Students who abuse alcohol will be referred to appropriate counseling services.
 9. Disruptive or inappropriate behavior will not be tolerated. Violators are subject to removal from immediate premises and to subsequent disciplinary action, including arrest.
 10. Solicitation and publication of alcohol-related advertisements in student publications and media or anywhere on the campus are prohibited.
 11. All residence hall room/lounge parties should be registered with the Campus Life Coordinator. No alcohol will be allowed at these parties.
 12. Kegs of beer and/or bulk alcohol are not permitted at LIU without appropriate approval. Bulk alcohol is defined as: alcohol in amounts not considered moderate (i.e., more alcohol than could reasonably and responsibly be consumed by one or two people during a specified period of time).
 13. The campus supports Federal, State, and Local laws regarding illegal drugs, narcotics and other controlled substances. Possession or sale of such substances is a violation of campus policy.
 14. Applies to any student or guest of a student in a room, suite, or campus facility, in which one person is twenty-one and the other(s) is/are underage.
 15. Engaging in games designed to promote consumption of alcohol, including, but not limited to, activities such as "beer or liquor pong," is prohibited.
 16. Possessing items designed to promote consumption of alcohol, including, but not limited to, bars, funnels, and beer/liquor pong table(s), is prohibited. Drug paraphernalia includes but is not limited to any device designed or utilized for drug(s) use, hookahs, bong, or smoking devices.

17. No person may acquire, possess, consume or be in the presence of any caffeinated alcohol energy beverage(s) on the campus.
18. No person may acquire, possess, consume or be in the presence of any illegal drug(s), narcotics and other controlled substances including inhalants and other prescription drugs used in non-prescribed methods on the campus.
19. No person may acquire, possess, consume or be in the presence of any item(s) available for purchase over the counter that are utilized in any manner not prescribed, directed, or as originally intended

ENFORCEMENT OF ALCOHOL AND SUBSTANCE ABUSE POLICY

The Dean of Students or her designee is responsible for administration and enforcement of the Alcohol and Substance Abuse Policy. However, all members of the campus community are bound by the regulations set forth in these policies and consequently are responsible for becoming familiar with the provisions of the policy. The Dean of Students is responsible for the dissemination of the policy and will offer information and advice concerning the policy to students, faculty, staff or alumni.

1. Individuals – Individuals who fail to comply with any provisions of the Alcohol and Substance Abuse Policy or who violate any laws or ordinances pertaining to such matters will be charged with a violation of the LIU Code of Conduct and referred to the LIU Post Office of Community Standards or LIU Brooklyn Dean of Students Office. Individuals who violate these policies will be subject to appropriate disciplinary action, up to and including expulsion from the campus. Other requirements may include attendance at a Substance Abuse-Related Workshop, enrollment in an on-going Alcohol/Drug Prevention Program and/or enrollment in a testing or treatment program.
2. Groups – Sponsoring student organizations may also be held responsible for violations of the Alcohol and Substance Abuse Policy. Recognized student organizations may have funding revoked or other penalties imposed. Non-recognized student organizations may be barred from future official SGA recognition. Individuals within the organization may also be held personally responsible. Individuals and organizations sponsoring events at which alcohol is served must follow established procedures to ensure that persons under age 21 are not admitted.
3. Violations by persons or organizations not members of the LIU community may result in their being barred from the campus and/or being subject to arrest for criminal trespass.
4. The campus official in charge of the facility being utilized or responsible for the event (program) will be responsible for determining whether a violation of the policy has occurred. In the event of violations or other circumstances which constitute a threat to the safety of persons or property, campus officials may order an event terminated at any time.
5. Alcohol/illegal substances will be confiscated and will not be returned.

APPLICABLE LOCAL, STATE AND FEDERAL SANCTIONS FOR THE UNLAWFUL POSSESSION OR DISTRIBUTION OF ILLICIT DRUGS AND/OR ALCOHOL

1. Drugs – This category of crime, according to New York State Penal Law, ranges from Class “A” Misdemeanor to Class “C” Felony. The severity of penalties depends upon many factors, such as type of drug, amount, use of, sale of, location, and so forth. Persons convicted of Article 220 (drug violations) are subject to imprisonment depending upon the seriousness of the crime. A recent Federal law requires suspension of aid eligibility for students convicted under Federal or State law of sale or possession of drugs. If you have a conviction or convictions for these offenses call 1-(800) 4 FED-AID (1-800-433-3243) to find out how or if this law applies to you. You may regain eligibility early by successfully completing an approved drug rehabilitation program.
2. Alcohol – There is a range of sanctions for violations of the laws pertaining to alcohol; these include fines, community service and imprisonment.

Examples of sanctions for alcohol violations as per the New York Alcoholic Beverage Control Law are as follows:

- For procuring alcohol for someone under the age of 21: up to \$200 fine and/or up to five days imprisonment.
- Purchasing of alcoholic beverage by person under the age of 21 through fraudulent means: fine up to \$100 and/or community service up to 30 hours; possible revocation of driver’s license for up to 90 days.
- For unlawful possession of alcoholic beverage by person under the age of 21 with intent to consume: peace officer and/or police officer may seize the beverage and may destroy it. The person(s) in possession may be summoned before the court having jurisdiction and may be fined up to \$50.

PHYSICAL AND PSYCHOLOGICAL HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS, ABUSE OF PRESCRIPTION DRUGS AND THE ABUSE OF ALCOHOL

The use of illicit drugs, abuse of prescription drugs and abuse of alcohol involve various psychological and physical health risks, and may result in problematic and/or dangerous behavioral changes.

Psychological effects include: depression (and possible suicide); poor judgment; disorientation; extreme emotions such as fear, anger, etc.; loss of inhibitions; impaired thinking processes; and poor concentration. In addition, frequent drinking to intoxication and/or drug use can result in serious mental health issues, social and familial conflicts, increased stress and isolation.

Behavioral problems may include: sudden changes in mood; abrupt changes in school or work attendance, performance, productivity and/or grades; withdrawal from responsibilities; changes in overall attitude; deterioration of physical appearance and hygiene; stealing or unusual borrowing of money; and secretive behavior.

Physical health risks include:

Drugs: Lethargy and fatigue; poor muscle control, possibly combined with flaccid or rigid muscles; fast or irregular heart beat and the possibility of a heart attack no matter how old you are; distorted senses (e.g., light is too bright, sensitivity to sounds); excessive perspiration; clammy skin; bad breath; memory loss; chronic cold or sinus problems including runny nose or nasal irritation; loss of appetite or sudden and unexplained weight loss; seizures scars or “tracks”; and unconsciousness or coma.

Alcohol: Damage to the liver, kidneys and/or brain; cancer of the mouth, stomach or esophagus; heart disease – including heart and congestive heart failure; malnutrition; ulcers and gastritis; unconsciousness or coma; birth defects, including Fetal Alcohol Syndrome.

Alcohol Facts

- Prolonged or excessive drinking can shorten life-span by 10 to 12 years
- Alcohol-related car crashes are the number one cause of death for people between the ages of 15 and 24.
- 30% of suicides, 65% of all murders; 40% of all assaults and 55% of all police arrests are linked to the use of alcohol.
- 35% of all rapes and 30% of all other sex crimes are associated with alcohol.

TREATMENT AND COUNSELING SERVICES AVAILABLE

Education, assessment and initial counseling services for problems related to alcohol and other drug abuse are available to students through LIU Post Center for Healthy Living at (516) 299-3468 or (516) 299-4162. LIU Brooklyn Student Counseling Services at (718) 488-1266 or (800) LIFE NET. All services are free and confidential. Off campus referral information: <http://www.aa.org> and Narcotics Anonymous 24 Hour Help-Line (516-827-9500) www.na.org.

NEW YORK STATE PENAL LAW

Section 220.44 – Makes a sale of a controlled substance on or near school grounds, to a person less than 19 years of age, a Class B felony.

Section 220.45 – Makes criminal possession of a hypodermic instrument a Class A misdemeanor.

Section 220.46 – Makes criminal injection of another person with a narcotic drug, with consent of that person, a Class E felony.

Section 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 (Class A misdemeanor).

Section 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 dissimulate).

It is important to be aware that under the Penal Law, a gift of drugs including marijuana is treated as a sale.

New York State Penal Law defines a misdemeanor as a crime punishable by imprisonment for more than 15 days but no more than one year. A felony is a crime punishable by imprisonment for more than one year.

New York State Law: Illegal Sale or Possession of Alcohol

Unlawful Dealing with a Child: It is unlawful to give or sell alcohol (or cause it to be given or sold) to a person under the age of 21. This is a Class A misdemeanor.

DWI: Driving While Intoxicated (by drugs or alcohol) is a misdemeanor punishable by up to a year imprisonment and/or a fine of not less than \$300, and not more than \$500.

DWAI: Driving While Ability Impaired by Alcohol is a violation punishable by up to 15 days imprisonment and a fine of up to \$350.

Liability of One Serving a Person Under Age 21: Anyone who furnishes or assists an intoxicated person to procure alcoholic beverages is liable for any damages caused by that person while under the influence.

Dram Shop Liability: Any person who sells alcoholic beverages or unlawfully assists an intoxicated person to procure alcohol beverages is liable for any damages caused by that person while under the influence.

Fraudulent Documents: It is in violation of state law for a person under the age of 21 years to present false evidence of age to procure alcoholic beverages. Possessing such false evidence may also be criminal possession of a forged instrument within the meaning of the penal law. The penalty for using fraudulent means to obtain alcoholic beverages may include probation up to a year and a fine of up to \$100.

BIAS CRIME POLICY AND PROCEDURE

According to Title Y, Hate Crimes Act of 2000, Article 485 of the New York State Penal Law, the New York State legislature has defined a hate crime as one in which the victim is intentionally selected, in whole or in part, because of "race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation."

The campus recognizes the seriousness of bias crimes and is committed to providing an educational atmosphere free of such incidents. Policies and procedures have been established to inform students about the topic, promote discussion, encourage reporting of incidents of bias related crime, and facilitate prevention of such incidents. Students are advised and updated about security procedures periodically throughout the year through campus e-mails, informational programs, campus correspondence, and publication of related materials in The Pioneer.

If you are the victim of a bias related crime, or you are aware of bias related incident(s), you should:

1. Report the incident immediately.
2. Seek medical attention at once if injuries have been sustained.
3. Make every effort to preserve all evidence. Be sure to document the incident to the LIU Post Department of Public Safety at 516-299-2222 or LIU Brooklyn Department of Public Safety 718-488- 1078. If possible, take photographs of the scene, obtain identification of witnesses and/or write down incident details. If you are the victim of harassing phone calls, log each call and save any pertinent voice mail messages or correspondence (notes, e-mails, letters) you might receive.

If you feel you are the victim of a bias crime on campus, report the incident so that trained campus staff members can provide prompt and supportive assistance. Public Safety personnel will keep all calls confidential and will:

- Meet with you and treat you and your complaint with courtesy, sensitivity, dignity, understanding and professionalism.
- Ensure that immediate notifications are made and that appropriate investigations are conducted.
- Coordinate and assist with any investigations with local law enforcement agencies and/or any other agencies or university body.

Free and confidential counseling and other support services are provided to victims of bias crime. Students can access such services by calling LIU Post Center for Healthy Living at (516) 299-2345. LIU Brooklyn Student Counseling Services at (718) 488-1266 or (800) LIFE NET.

Procedures are in place for on-campus disciplinary action in cases of alleged bias crime. Any individual found responsible for a bias crime following an Administrative Hearing is subject to sanctions up to and including expulsion from the campus.

BIAS CRIME PREVENTION

Bias crime prevention is facilitated through educational and awareness programs provided by members of the Dean of Students Office, Office of Community Standards and the Department of Public Safety. Additionally, specialized training in diversity, hate crimes, domestic violence and Special Needs Awareness is provided for all Public Safety Officers, Campus Life staff, and members of the respective student health office.

NYS LAWS AND PENALTIES REGARDING BIAS CRIMES

NYS Penal Law:

Definition of a Hate Crime:

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

Specified Offenses and Penalties

OFFENSES

Aggravated Assault on a person less than 11yrs
 Aggravated Harassment second degree
 Aggravated Sexual Abuse first degree
 Aggravated Sexual Abuse second degree
 Arson first degree
 Arson second degree
 Arson third degree
 Arson fourth degree
 Assault first degree
 Assault second degree
 Assault third degree

CLASS

E Felony
 A Misdemeanor
 B Felony
 C Felony
 A-1 Felony
 B Felony
 C Felony
 E Felony
 C Felony
 D Felony
 A Misdemeanor

CLASS AS A BIAS

CRIME

D Felony
 E Felony
 B Felony*
 B Felony*
 A-1 Felony
 B Felony*
 B Felony*
 D Felony
 B Felony*
 C Felony
 E Felony

Burglary first degree	B Felony	B Felony*
Burglary second degree	C Felony	B Felony*
Burglary third degree	D Felony	C Felony
Coercion first degree	D Felony	C Felony
Coercion second degree	A Misdemeanor	E Felony
Criminal Mischief first degree	B Felony	B Felony*
Criminal Mischief second degree	D Felony	C Felony
Criminal Mischief third degree	E Felony	D Felony
Criminal Mischief fourth degree	A Misdemeanor	E Felony
Criminal Trespass first degree	D Felony	C Felony
Criminal Trespass second degree	A Misdemeanor	E Felony
Criminal Trespass third degree	B Misdemeanor	A Misdemeanor
Grand Larceny first degree	B Felony	B Felony*
Grand Larceny second degree	C Felony	B Felony
Harassment first degree	B Misdemeanor	A Misdemeanor
Kidnapping first degree	A-1 Felony	A-1 Felony
Kidnapping second degree	B Felony	B Felony*
Manslaughter first degree	B Felony	B Felony*
Manslaughter second degree	C Felony	B Felony
Menacing first degree	E Felony	D Felony
Menacing second degree	A Misdemeanor	E Felony
Menacing third degree	B Misdemeanor	A Misdemeanor
Murder first degree	A-1 Felony	A-1 Felony
Murder second degree	A-1 Felony	A-1 Felony
Petit Larceny	A Misdemeanor	E Felony
Rape first degree	B Felony	B Felony*
Reckless Endangerment first degree	D Felony	C Felony
Reckless Endangerment second degree	A Misdemeanor	E Felony
Robbery first degree	B Felony	B Felony*
Robbery second degree	C Felony	B Felony
Robbery third degree	D Felony	C Felony
Sex Abuse first degree	D Felony	C Felony
Criminal Sex Act first degree	B Felony	B Felony*
Stalking first degree	D Felony	C Felony
Stalking second degree	E Felony	D Felony
Stalking third degree	A Misdemeanor	E Felony
Stalking fourth degree	B Misdemeanor	A Misdemeanor
Unlawful Imprisonment first degree	E Felony	D Felony
Unlawful Imprisonment second degree	A Misdemeanor	E Felony

* When the crime committed is an A or B felony, the class of the crime is not stepped up in the event that it is bias-motivated, but rather the penalty is enhanced which may mean a longer sentence for the perpetrator.

Class	Maximum Penalty
B Misdemeanor	6 Months
A Misdemeanor	1 Year
E Felony	4 Years
D Felony	7 Years
C Felony	15 Years
B Felony	25 Years
A-1 Felony	Life

The Facts about Bias Crime:

Every year more than half a million college students are targets of bias-driven slurs or physical

assaults.* Every day at least one hate crime occurs on a college campus.*

Every minute a college student somewhere sees or hears racist, sexist, homophobic, or otherwise biased words or images.*

12,073 law enforcement agencies reported 7,462 hate incidents in

2002.** More than 10% of all hate crimes nationally occur in schools.**

* From www.tolerance.org/campus/index/jsp ** From FBI Hate Crime Statistics, 2002.

CAMPUS FIRE SAFETY PROCEDURES

All members of the campus community are encouraged to become familiar with the following procedures:

In Your Building

- Note the location of fire alarms, extinguishers and other emergency equipment.
- Note the location of landmarks which may aid your exit when visibility is reduced by smoke.
- Locate at least two emergency exits from your floor and make sure they are free from obstruction.
- Familiarize yourself with standard fire drill procedures.

In the Event of Fire

- Remain calm. Act quickly, not rashly. Your object is to survive. If you can exit safely, do so. If not, you must work quickly to defend yourself against smoke and flame.
- Never open a door without first checking for heat or smoke. Close doors behind you.
- Do not allow doors to lock behind you. You may be forced to return.
- If smoke is encountered during egress, do not walk upright. Always crawl. The air is cooler and less toxic nearer the floor.
- Never use an elevator.
- If smoke is present in a stairwell, avoid it. Choose another route.
- If your clothes catch fire: Immediately, stop, drop and roll to extinguish the flames.
- If you are in the room where the fire starts, leave quickly. Close the door and/or call LIU Post Public Safety at 516-299-2222 or LIU Brooklyn 718-488-1078.
- Upon exiting, move at least 70 yards from the building. Make yourself or a group designee available to the Public Safety Officers or firefighters in order to give as much information about the fire situation as possible. Be factual, be calm.

If You Are Trapped in a Room

- Seal door/window cracks and ventilation grills with tape (preferably duct tape) or towels and clothing (preferably wet) to keep the smoke out. If there is smoke in the room, open the window to let it out. Hang an article of cloth, large enough for rescuers to see, out of a corner of the window. Then close the window and keep closed to prevent outside smoke from entering.
- Do not break the window unless the room has been heavily invaded by smoke and you must get air to survive.
- Remember, stay close to the floor for air. Call LIU Post Public Safety at 516-299-2222 or LIU Brooklyn 718-488- 1078, report the fire location and your situation.
- Tie a towel or clothing (preferably wet) around your nose and mouth if necessary to filter smoke. Do not jump.

ALWAYS REMEMBER - You must believe that every fire alarm sounded is real. Failure to exit the building when an alarm sounds may put you and others in danger.

RESIDENCE HALL FIRE SAFETY GUIDELINES

Resident Students May Not:

- Intentionally cause smoke or a fire; including burning candles or incense.
- Obstruct (penny, glue, or jam) a door so as to prohibit entrance and/or exit from a room.
- Affix tapestries and other room decorations to the ceiling, light fixtures, or in doorways.
- Accidentally or intentionally misuse fire safety equipment, including but not limited to fire hoses, fire extinguishers, sprinklers, pull-stations, fire alarms bells and smoke detectors.
- Use extension cords or multi-receptacle outlets with the exception of UL listed power strips with surge protectors.
- Have live cut trees present in room.
- Use or possess open element appliances, including toasters, hot plates, and hot pots in residence hall rooms or other unauthorized areas.
- Cook or use any cooking utensils.
- Install personal air conditioning units or portable electric or fuel powered heaters without approval from LIU.

If you have any questions, please contact the LIU Post Fire Safety Officer at 516-299-4033 and/or contact the LIU Post Department of Public Safety at 516-299-2222 (emergencies) or 516-299-2214 (general inquiries). LIU Brooklyn Department of Public Safety at 718-488-1078.

CAMPUS VISITORS

Visitors shall include all persons who have no affiliation, association, connection or relationship with the campus as a student, faculty member, administrator, staff member, or employee and who operate any vehicle which displays no officially issued campus permit on campus grounds. Visitors should obey all traffic and parking regulations posted on campus and are subject to a summons upon violation of any traffic or parking rules. If a summons is issued to a visitor, the visitor is responsible for payment. If a summons is issued to a visitor who is associated with a student or staff member, the visitor must appear at the Department of Public Safety on the same day the summons is issued.

Late Night Entry: Visitor/Guest Procedure

LIU Post: The gates to the LIU Post campus close nightly at approximately 12:00 a.m. Once closed, all vehicles entering the campus must be cleared by the officer at the West Gate booth. Resident students are required to show a valid LIU Post identification card (LIU CARD) to be admitted.

LIU Post non-resident students, visitors and guests will be admitted on to campus between 12:00 a.m. and 2 a.m. only if the resident student whom they are visiting first calls the Department of Public Safety at 516-299- 2214 to provide the name of the guest and whom they are visiting. This should be done by 11 p.m. Non-resident students, visitors and guests will not be admitted after 2 a.m. unless accompanied by a residence hall student with proper, valid LIU Post identification. LIU Post students are responsible for the actions of their guests.

LIU Brooklyn please refer to the Guest and Visitation Policy and Procedures contained in this

handbook.

CYBER COMMUNITY POLICY

Consistent with its commitment to foster individual responsibility, respect for oneself and others, and a sense of personal honor within a safe and inclusive learning community, students shall not use the internet for transmission of illegal, threatening, libelous, inappropriate and/or offensive materials of any nature including, but not limited to depictions involving sexual, racial, religious or ethnic stereotypes. While the University respects students' rights of privacy, social networking community websites fall within the public domain and can be accessed by anyone in the world, including parents, teachers, other students, and current or prospective employers and graduate school officials. Students are especially advised to withhold personal information from the social networking website that could result in harassment, stalking or other actions of a life-threatening nature. We do not routinely or deliberately review website communities. However, when alleged misconduct is brought to our attention, we have a legal and ethical obligation to investigate the website in question for alleged policy violations, illegal conduct and/or inappropriate material. If we have reason to believe such activities constitute violations of the principles of our Ethos Statement and/or federal or local law, we are further obligated to address such alleged actions through our established student conduct system. As members of LIU, students are also held responsible for alleged off-campus violations as depicted on social networking websites if such conduct is deemed to adversely affect our campus community.

GIVING NOTICE OF PLANNED ASSEMBLY, DEMONSTRATION OR PICKETING

LIU supports the rights of individuals, clubs and organizations, who are members of the LIU community, to free speech and peaceful assembly. In order to protect the freedoms of the entire community, the University does have the right to review and approve a request for planned assembly, demonstration or picketing and modify the event for time, place and/or manner, if necessary. Approval of an event may be contingent upon available University support services and therefore could require alternate dates or location. Please do not advertise an event until approval has been granted. Use the information below to determine if all guidelines have been followed.

1. Request a location by completing a Scheduling Reservation Form from LIU Post Campus Life
2. Office or LIU Brooklyn Student Life Office.
3. Complete the Request for Planned Assembly, Demonstration, and Picketing Form
4. All publicity for the event must be stamped and approved by LIU Post Campus Life Office or LIU Brooklyn Student Life Office. The event organizers must remove all publicity after the event.
5. The Public Relations Department must be notified of any invitations for attendance to outside groups or media. LIU Public Relations may be reached at (516) 299-4417.

MISSING STUDENT POLICY

All resident students will be required to provide and file a Missing Student Contact Information Form which provides a contact person who will be notified in the event that the resident is determined to be missing. This contact will remain confidential, but the record of their information will be maintained by the Dean of Students Office or Office of Campus Life and the Department of Public Safety. Students under the age of 18 are required to list their parent or legal guardian as their emergency contact. Students are responsible for updating this contact information should there be any changes. In the event that a resident student is determined missing, a University administrator can notify the confidential contact not more than 24 hours after the student is determined to be

missing. The university will also notify local law enforcement if the student is determined to be missing for 24 hours.

The term "missing student" would be defined for any LIU student residing in an on-campus residence hall. Reports of missing students should be made to representatives of any of the following: the Department of Public Safety or the Office of Campus Life, including RAs, Campus Life Coordinators, Director or Associate Director of Campus Life or Residence Life. Whenever a LIU resident student is believed missing, the Department of Public Safety and Campus Life will initiate steps to locate him or her or determine why it is believed that the student is missing. If the circumstances indicate that an investigation is warranted, a full investigation will be conducted.

The Department of Public Safety will notify local police, who will make a determination that the student should be classified as a missing person; and they will initiate their own investigation. The Department of Public Safety and Campus Life will support the police investigation with whatever technical support that is required.

NEW YORK STATE LAW ON HAZING NEW YORK STATE PENAL LAW, CHAPTER 716, SECTION 1

HAZING IN THE FIRST DEGREE

A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, s/he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury. Hazing in the first degree is a misdemeanor.

HAZING IN THE SECOND DEGREE

A person is guilty of hazing in the second degree when, in the course of another person's initiation into or affiliation with any organization, s/he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such person or a third person. Hazing in the second degree is a violation.

NON-DISCRIMINATION POLICY

All members of the LIU community are expected to treat one another with respect and with equality, without regard to one's race, color, sex, marital status, age, sexual orientation, ethnic or national origin, religion or creed, physical or mental disability or status as a veteran. This policy calls upon us to be fair in all matters, academic and non-academic.

Discrimination (including sexual harassment, which is a form of discrimination based on one's sex) will not be tolerated at LIU. If substantiated, an allegation of discrimination may lead to disciplinary action up to - and including - expulsion from the University.

For further information or to make a formal complaint, students should contact the Dean of Students or his/her designee.

POLICY REGARDING USE OF PROFANITY IN STUDENT MEDIA

In its responsibility to maintain standards of civility, respect and care for others, LIU does not permit the use of profanity, offensive slang or language of a libelous, slanderous or defamatory nature in activities, programs, publications or media sponsored by student organizations funded through

student activity fees. This stipulation applies to all forms of student media, whether print or electronic, since such organizations are funded both by student activity fees as well as the University. It does not include films, projects or published expressions undertaken by students as artistic in nature, such as poetry or stories in literary publications, or as part of students' academic program requirements. Violation of this requirement may result in individual judicial action and/or the removal of funding support for the student organization.

POLICY FOR STUDENTS WITH DISABILITIES

In accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, including changes made by the Americans with Disabilities Amendments Act of 2008, Long Island University does not discriminate against qualified individuals with disabilities. Long Island University is committed to ensuring access and providing opportunities for all students to participate in University programs and activities.

Under the ADA, a person with a disability is defined as one who has any physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

Request for Reasonable Accommodations

Qualified students with disabilities who require accommodations must submit supporting documentation to the respective disability support office on their campus:

LIU Post Office of Disability Support Services (DSS) Location: Learning Support Center, Post Hall, Lower Level- East Wing Contact Number: (516) 299-3057
Hours of Operation: Monday – Wednesday 8-7; Thursday 8-5;
Friday 9-5 Email: Post-LearningSupport@liu.edu
Website: <https://www.liu.edu/post/dss>

LIU Brooklyn Student Support Services (SSS) Location: Pratt Building 410
Contact Number: (718) 488-1044
Hours of Operation: Monday – Thursday 9-7, & Friday 9-5. Email address:
studentsupportservices@brooklyn.liu.edu Website: <http://www.liu.edu/Brooklyn/SSS>

Upon receipt of a student's request for accommodations, professional staff will review and evaluate supporting documentation, and meet with the student to ascertain their needs. Subsequent to approval, the student will be provided with an Accommodations Form (LIU Post) or Accommodation Letter (Brooklyn Campus) which outlines their approved accommodations. This should be presented to teaching faculty to ensure timely implementation of accommodations. Where necessary, campus departments will be notified, of the need for additional accommodations. Accommodation Forms/Letters must be obtained each semester. DSS or Student Support Services files are confidential and maintained in accordance with established privacy laws.

Accommodations

An accommodation is a modification or adjustment to policy, practice, or procedure that will enable a qualified student with a disability the opportunity to participate in and benefit from services offered by the University.

Accommodations will be considered reasonable when they do not fundamentally alter the nature of a

program, course or service or present an undue administrative burden on the University. Students requesting accommodations are required to submit supporting documentation to verify eligibility under the Americans with Disabilities Act, as amended, and Section 504 of the Rehabilitation Act of 1973.

Supporting documentation of the disability must be provided so that DSS/SSS can: 1) determine the student's eligibility for accommodation; and 2) if the student is eligible, evaluate the appropriateness of the requested accommodations. Disability documentation must be current, from a licensed professional, establish the nature and extent of the disability, while also including the basis for the diagnosis. The documentation must also establish the current need for an accommodation. Specific information on documentation requirements can be obtained by going to the LIU DSS website at <http://www.liu.edu/dss> or by visiting the SSS website at <http://www.liu.edu/Brooklyn/StudentLife/SSS>

Determining Eligibility

The provision of accommodations are determined by DSS/SSS, on a case-by-case basis, taking into account the needs of the student, and programmatic/departmental standards. The determination of appropriate and reasonable accommodations are based on supporting documentation.

In reviewing the specific accommodation requested by the student or recommended by the licensed professional, DSS/SSS may find that while a recommendation is clinically supported, it is not reasonable given the requirements of a particular student's academic program. Alternately, LIU Post Disability Support Services or LIU Brooklyn Student Support Services may propose accommodations that would be appropriate and useful for the student, but which neither the student nor the evaluator have requested.

Denial of Accommodations

The University reserves the right to deny services or accommodations in the event that the request is deemed unreasonable or not supported by submitted documentation.

An accommodation is deemed unreasonable if it would pose or cause an undue administrative or financial burden, fundamentally alter the nature of services provided, require significant alteration to the program or activity, or result in the lowering of academic or technical standards.

Unsupported Documentation

If the submitted documentation is not current, does not support the existence of a disability, or outline the manner in which the disability impacts the student academically, the request for accommodations will be denied.

Students will be notified in a timely manner whether their request for accommodations have been approved or denied. In the event that a student's request for accommodations has been denied, they will be advised and given the opportunity to supplement the initial supporting documentation.

Student Appeal

A student who disagrees with a determination of eligibility or accommodation is encouraged to meet with an administrator from DSS/SSS to resolve the matter informally. Students may appeal the denial of the determination to the Dean of Students or her designee.

SEXUAL VIOLENCE/ASSAULT POLICY, PROCEDURES, AND INFORMATION

Sexual violence/assault is defined as: any sexual act directed against another person, forcibly, and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

The campus recognizes the serious physical and psychological impact of sexual violence/assault. It is one of the most frequently committed violent crimes in the United States – and one of the most unreported.

If attacked or confronted by an assailant, try to attract attention. Assess the situation: options are to fight, run, or reason with the assailant. Personal safety awareness programs and self-defense courses can help educate one as to how to respond appropriately in a sexual assault situation.

Acquaintance rape, sexual assault that occurs between people who know each other, is far more common on college campuses than stranger rape. Acquaintance rape is rape.

If you are sexually assaulted:

1. Report the incident immediately.
2. Do not wash, shower, change clothes, or douche before calling or going for help.
3. All efforts should be made to preserve evidence. Do not touch any evidence of an attack or struggle even if the assault took place in your room or home.
4. Go to a safe place. Ask a friend to stay with you. Call LIU Post Public Safety at (516) 299-2222 or LIU Brooklyn at (718)488-1078.

If you feel you are the victim of a sexual violence/assault on campus, report the incident so that trained campus staff members can provide prompt and supportive assistance. Public Safety personnel will:

- Meet with you privately at a place of your choice to take a complaint report.
- Refuse to release your name to the public and the press.
- Treat you and your particular case with courtesy, sensitivity, dignity, understanding, and professionalism.
- Try to accommodate your wish to speak to either a male or female officer.
- Assist you in arranging for any hospital treatment or other medical care.
- Fully investigate your case along with local Law Enforcement. 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 prosecution.
- Continue to be available to answer your questions and explain systems and legal processes involved.
- Consider your case seriously regardless of your gender.
- Cooperate with Campus Life in changing academic and living arrangements precipitated by the offense if you request such action.

Procedures are in place for on-campus disciplinary action in cases of alleged sexual violence/assault. In such disciplinary actions the accuser and the accused shall be informed of the outcome of the proceedings. Any individual found guilty of rape, acquaintance rape, or other sex offenses (forcible or

non-forcible) following an on- campus disciplinary procedure is subject to sanctions up to and including expulsion from the University.

Sexual Violence/Assault Prevention

- Avoid working, studying, or being alone in buildings, residence halls, or isolated areas of the campus.
- Do not shower in a deserted gym or residence hall shower.
- Be cautious about dating someone you do not know well. Obtain information from a mutual acquaintance or try to arrange a double date or group activity.
- Avoid excessive use of alcohol, and do not use illicit drugs; they interfere with clear thinking and effective communication.
- Never leave beverages unattended or out of sight.
- Know your sexual desires and limits. Communicate them clearly.

If you find yourself in an unwanted sexual situation, be assertive. Just say no. If you are told no when you make sexual advances, accept it. No means no!

NYS Laws and Penalties Regarding Sex Offenses

NYS Penal Law:

DEFINITIONS INVOLVING LACK OF CONSENT: to charge any sex offense you MUST have “lack of consent.”

- A. Mentally Defective: a person suffers from a mental disease or defect which renders him incapable of appraising the nature of his conduct.
- B. Mentally Incapacitated: 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.
- C. Physically helpless: a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.
- D. Forcible compulsion: to compel by either (a) use of physical force; or (b) a threat, express or implied, which place 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.
- E. Age: male/female less than 17 years of age is incapable of consenting to any act as per NYS
- F. Penal Law Article 130 (Sex Offenses). One must be at least 17 years of age to legally engage in any sexual activity. If age is the only factor, it is known as a “statutory” offense.

Note: It is not a defense that the defendant did not know the age of the victim. A basic element of all sex offenses is the lack of consent. Without lack of consent there would be no sex offense.

RAPE

Rape is always a felony. A person is guilty of rape when a person engages in sexual intercourse with another person without that person’s consent. Rape may be committed in seven (7) ways:

1. Forcible compulsion.
2. Mentally Defective.
3. Mentally Incapacitated.
4. Person 21 years of age or older engages in sexual intercourse with another person who is less

than seventeen (17) years of age (16, 15, or 14).

5. Person, age 18 years of age or older engages in sexual intercourse with another person who is less than 14 years old (14, 13, or 12).
6. The victim is physically helpless.
7. A male engages in intercourse with a female who is less than 11 years old (10 or less).

CRIMINAL SEXUAL ACT

Criminal Sexual Act is always a felony. A person is guilty of Criminal Sexual Act when that person engages in anal or oral sexual conduct with another person, forcibly, or said person is incapable of giving consent by reason of being physically helpless, or is incapable of giving consent due to age as defined in the New York State Penal Law.

SEXUAL MISCONDUCT

Sexual misconduct is always a misdemeanor. 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 deviant sexual intercourse 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 ABUSE

Sexual abuse is either a felony or a misdemeanor. A person is guilty of sexual abuse when he or she subjects another person to sexual contact without the latter's consent. In addition to forcible compulsion or incapacity to consent, a person can be charged with sexual abuse in any case in which the victim does not expressly or implicitly acquiesce in the actor's conduct.

"Misdemeanor" means an offense, other than a "traffic infraction," for which a sentence to a term of imprisonment in excess of 15 days may be imposed, but for which a sentence to a term of imprisonment in excess of one year may not be imposed.

"Felony" means an offense for which a sentence to a term of imprisonment in excess of one year may be imposed.

"Crime" means a misdemeanor or a felony.

SEXUAL VIOLENCE AND HARASSMENT POLICY

Long Island University is committed to creating and maintaining an educational environment free from all forms of sexual misconduct. The broad term "sexual misconduct" includes, but is not limited to, acts of sexual harassment, domestic violence, dating violence, sexual assault, and stalking. Such behaviors are illegal, against University policy, and strictly prohibited. This policy is incorporated into the Student Code of Conduct.

This policy covers all members of the University community – students, faculty and staff – as well as those who interact with members of the University community such as vendors or visitors. The University encourages everyone to report all incidents of violations of this policy regardless of who the offender may be.

Title IX and Article 129B Policy Statement

It is the policy of the University to comply with Title IX of the Education Amendments of 1972, and Article 129B of the New York Educational Law, both of which prohibit discrimination on the basis of sex (including sexual harassment and sexual violence) in the University's educational programs and activities, and prohibit retaliation for asserting or otherwise participating in claims of sex discrimination.

Title IX states that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

The full text of Article 129B is available here: <http://open.nysenate.gov/legislation/bill/S5965-2015>

Definitions

The following definitions apply to this Policy:

Affirmative Consent

The University's Code of Conduct contains the following definition of Affirmative Consent: Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

Bystander

A person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of LIU rules or policies.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based

on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence

A felony or misdemeanor crime of violence committed: (a) by a current or former spouse or intimate partner of the victim; (b) by a person with whom the victim shares a child in common; (c) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (e) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Reporting Individual

Encompasses the term victim, survivor, complainant, claimant, witness with victim status, and any other reference to an individual who brings forth a complaint under this policy.

Respondent

A person accused of a violation who has entered LIU's judicial or conduct process (i.e. LIU's investigation process under this Policy.)

Sexual Act

Contact between the penis and the vulva or the penis and the anus, and for the purposes of this subparagraph, contact involving the penis occurs upon any penetration, however slight; contact between the mouth and the penis, the mouth and the vulva or the mouth and the anus; or penetration however slight of the anal or genital opening of another by a hand or finger or by any object, with the intent to abuse, humiliate, harass, degrade or arouse or gratify the sexual desire of any person.

Sexual Assault

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual Assault includes, but is not limited to, rape, fondling, incest, or statutory rape.

Sexual Contact

The intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

Sexual Discrimination

Behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in the educational programs or activities or employment opportunities because of a person's sex. This includes but is not limited to sexual harassment, sexual assault, sexual violence by employees, students, or third parties.

Sexual Harassment

Unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a

sexual nature. Sexual harassment of a student denies or limits, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities in the educational institution's program.

Stalking

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

Long Island University Students' Bill of Rights

Long Island University is committed to ensuring that all persons who report an incident of sexual misconduct are provided all options, support, and assistance.

Anyone who has been a victim of, or who has witnessed an incident of, a violation of this policy can file a report to any of the following entities: an employee with the authority to address complaints, including the Title IX Coordinator, Title IX Deputies, and Representatives of the Dean of Students Office; Department of Public Safety; Human Resources; local law enforcement and/or family or civil court.

All reporting individuals of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad.

All students have the right to:

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

Scope of the Policy

All Members of the University community, regardless of sexual orientation or gender identity, including all students, faculty, staff, visitors and vendors are covered by the University's sexual misconduct policy. Any and all University locations, sponsored activities – either on or off campus – or academic-based off-campus relationships are covered by the school's sexual misconduct policy.

This policy covers all members, regardless of sexual orientation or gender identity, of the University community – students, faculty and staff – as well as those who affect the University community such as vendors or visitors. The University encourages everyone to report all incidents of sexual misconduct, regardless of who the offender may be.

Reporting & Confidentiality Obligations of University Faculty and Staff

All members of the University community should report incidents of sexual misconduct in order to support the University policy. In order to ensure the University is free of prohibited sexual misconduct, University officers, deans, department heads, faculty members, directors, supervisors, and paraprofessionals are required to report all incidents of violations of this policy that they may have witnessed or been informed about.

The University will maintain the confidentiality of the complainant to the greatest extent consistent with law and the University's goal of conducting thorough and complete investigations. Effort will be made to safeguard the privacy and rights of all persons involved.

Options for Assistance Following an Incident of Sexual Misconduct

Immediate Assistance

University community members should report any incident to the following entities including but not limited to the Title IX Coordinator, Title IX Deputies, administrators, faculty members, or any other responsible employee of the University. It is the duty of all members of the University to notify the following Title IX Coordinator of Title IX Deputies if they are informed of any and all incidents.

The campus-specific Title IX Coordinator and Title IX Deputies are able to provide immediate and confidential response in a crisis situation.

Specific Points of Contact for each campus is provided below:

Campus Location	Title IX Coordinator/Deputy	Email	Phone Extension
University-Wide	Ronald Edwards	Ronald.Edwards@liu.edu	516-299-4236 / 718-780-4565
LIU Post	Jean Anne Smith	JeanAnne.Smith@liu.edu	516-299-2480
	Department of Public Safety		516-299-2222
LIU Brooklyn	Karlene Thompson	Karlene.Thompson@liu.edu	718-488-1042
	Department of Public Safety		718-241-1078
	Ronald Edwards	Ronald.Edwards@liu.edu	516-299-4236 / 718-780-4565

LIU Brentwood	SCCC Michael J. Grant Campus Public Safety		631-451-4242
LIU Riverhead	Ronald Edwards	Ronald.Edwards@liu.edu	516-299-4236 / 718-780-4565
	SCCC Eastern Campus Public Safety		631-548-3636
LIU Hudson	Ronald Edwards	Ronald.Edwards@liu.edu	516-299-4236 / 718-780-4565
	State University of New York Police		914-251-6900
LIU Global	Carlett Thomas (Brooklyn)	Carlett.Thomas@liu.edu	718-488-3409
	Maria Sandberg (Costa Rica)	Maria.Sandberg@liu.edu	718-554-0396

Please note, if you are unsure with whom to directly contact, the reporting individual or University reporting entity should contact either the LIU Post Department of Public Safety or the LIU Brooklyn Department of Public Safety at the above listed phone numbers. Both of these departments are available to provide initial assistance twenty-four hours a day, three-hundred and sixty-five days a year.

In addition, any reporting individual may also contact local police or law enforcement agencies. Reporting individuals will be provided any and all necessary or requested on-campus or off-campus health care or medical needs. The Title IX Coordinator and/or Title IX Deputies will institute the appropriate steps to ensure the safety and well-being of the reporting individual:

1. Ensure the victim is aware of the options to seek treatment for injuries, preventative treatment for sexually transmitted diseases, and other health services.
2. Discuss the option of seeking medical treatment in order to preserve evidence.
3. Identify where/how to get a rape kit or find a Sexual Assault Nurse Examiner (SANE).
4. Provide locations, including contact information, for an advocate (e.g., a local rape crisis center, on-campus advocacy program) who can accompany a victim to the hospital or health provider.

Anonymous Reporting

Although the University encourages victims, survivors and bystanders to talk to someone, the University provides a system for anonymous reporting, either by telephone or via an online form. Employees, students or visitors can access EthicsPoint/NAVEX Global by clicking [here](#) (click box "file a report" and then enter "Long Island University" in the box that asks for the name of the institution) or by calling 1-866-295-3143.

Reporting to the Federal and New York State Governments

Inquiries or complaints that involve potential violations of Title IX may also be referred to the [U.S. Department of Education's Office for Civil Rights](#) (OCR):

New York Office

Office for Civil Rights
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3900
FAX: 646-428-3843;
TDD: 800-877-8339
E-mail: OCR.NewYork@ed.gov

National Headquarters

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg.
400 Maryland Avenue, SW
Washington, DC 20202-1100
Telephone: 800-421-3481
FAX: 202-453-6012;
TDD: 800-877-8339
E-mail: OCR@ed.gov

Inquiries or complaints may also be addressed to the [Educational Opportunities Section of the Civil Rights Division of the U.S. Department of Justice \(DOJ\)](#):

U.S. Department of Justice Civil Rights Division

950 Pennsylvania Avenue, N.W.
Educational Opportunities Section, PHB
Washington, D.C. 20530
E-mail: education@usdoj.gov
Telephone: (202) 514-4092 or 1-877-292-3804 (toll-free)
FAX: (202) 514-8337

New York State Hotline for Sexual Assault and Domestic Violence.

1-800-942-6906

Ongoing Assistance

Counseling, Advocacy, and Support – On and Off Campus

All reporting individuals may receive support, whether or not the reporting individual chooses to make an official report or participate in the University's established community standards process or criminal processes.

All reporting individuals are provided the opportunity to disclose confidentially with counseling, advocacy, health, mental health, or sexual-misconduct-related sources, both on and off campus. The campus specific Title IX Coordinator and/or Title IX Deputies will provide ongoing supporting during the University's established community standards process or criminal processes.

Academic Accommodations and Interim Measures

To assist the reporting individual and to ensure their safety and well-being, the Title IX Coordinator and/or Title IX Deputies will assist in relocation of the student (if a resident student), assist with the altering or amending of work schedules, assist in the altering or amending of academic schedules, the coordination of withdrawing from an academic class and/or the coordination for the opportunity to retake an academic requirement without penalty, and access to any and all necessary academic support.

To assist the reporting individual, the Title IX Coordinator and/or Title IX Deputies will ensure the issuance of no-contact orders, temporary living arrangements (if a resident student), academic course schedules, and any other established Emergency Administrative Action, as outlined in the Campus Code of Conduct.

Any student subject to such interim measures may request a review of the need for and terms of such orders by the institution and may submit information as to their reasoning for requesting a change.

Title IX Coordinator

The University's Title IX Coordinator has primary responsibility for coordinating the University's efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all the operations of this University, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX.

The Title IX coordinator oversees the University's response to reports and complaints that involve possible sexual misconduct to monitor outcomes, identify and address any patterns, and assess effects on the campus climate, so the University can address issues that affect the wider school community.

A student should contact the Title IX Coordinator or Deputy Title IX Coordinator(s) in order to:

- seek information or training about students' rights and courses of action available to resolve reports or complaints that involve potential sexual misconduct,
- file a complaint or make a report of sexual misconduct,
- notify the University of an incident or policy or procedure that may raise potential Title IX concerns,
- get information about available resources (including confidential resources) and support services relating to sexual misconduct, and
- ask questions about the University's policies and procedures related to sexual misconduct.

In the event that the incident, policy, or procedure about which the student seeks to file a report or complaint creates the appearance of a conflict of interest with one of the members of the Title IX compliance team, students may contact any other member of the team or notify Pamela Duffy, Executive Director of Human Resources, Pamela.Duffy@liu.edu, (516) 299-3522.

Functions and Responsibilities of the Title IX Coordinator

The Title IX Coordinator's functions and responsibilities include the following:

Investigations

The University is responsible for conducting adequate, reliable, and impartial investigations of reports and complaints of sexual misconduct. The Title IX Coordinator oversees many aspects of this response, including:

- determining whether the report or complaint alleges conduct that may, upon investigation, constitute prohibited sexual misconduct,
- appointing an investigative team upon such determination,
- making certain that individual reports and complaints are handled properly and in a prompt and timely manner,
- informing all parties regarding the grievance process,
- confirming that all parties have been notified of grievance decisions and of the right to, and procedures for, appeal, if applicable,
- maintaining information and documentation related to the investigation in a secure manner, and
- monitoring compliance with timeframes specified in the grievance procedures.

The Title IX Coordinator evaluates requests for confidentiality by those who report or complain about sexual misconduct in the context of the University's responsibility to provide a safe and nondiscriminatory environment for all students.

Remedies, Including Interim Measures

Upon learning of a report or complaint of sexual misconduct, the Title IX Coordinator promptly takes steps to ensure the complainant's equal access to the University's programs and activities and protect the complainant as necessary. Such steps include taking interim measures before the final outcome of any investigation, providing remedial measures after the final outcome of investigation, and making the complainant aware of all available resources. Upon a finding of prohibited sexual misconduct, the Title IX Coordinator determines whether campus-wide remedies should be adopted in response, including review and revision of the University's sexual misconduct policies, increased monitoring, supervision or security at locations where sexual misconduct is reported to occur, and increased education and prevention efforts, including to targeted populations. If a Title IX investigation concludes that an individual engaged in prohibited sexual misconduct, the Title IX Coordinator reviews proposed sanctions before they are imposed to ensure that they, along with the University's interim and long-term measures taken in response to the sexual misconduct, are reasonably calculated to stop the sexual misconduct and prevent its recurrence.

Monitoring and Advising

In order to address sexual misconduct on campus and ensure ongoing compliance with Title IX, the Title IX Coordinator:

- coordinates an annual climate survey, in consultation with research personnel with expertise in survey design and data collection and analysis,
- analyzes data collected by the annual climate survey to assess the rates and nature of sexual misconduct, any location hot-spots or risk factors, knowledge of the University's sexual misconduct policies, procedures and resources, and the consequences of violating such policies, and the effectiveness of the University's efforts to ensure that the University is free from sexual misconduct,
- reviews regularly all reports and complaints raising potential Title IX issues throughout the University to ensure that the University responded consistent with its Title IX obligations, even if the report or complaint was initially filed or raised with another individual,
- reviews regularly all reports and complaints raising potential Title IX issues throughout the University to identify and address any patterns,
- reviews regularly the University's policies and procedures to ensure that they comply with the requirements of Title IX,
- organizes and maintains files related to grievances, reports, complaints, and other records of potential sex discrimination, including sexual misconduct, in a secure manner,
- assesses regularly the University's compliance with, and the effectiveness of, policies and procedures related to sexual misconduct, and recommends modifications where appropriate,
- consults regularly with the administration and campus stakeholders to promote campus-wide awareness and discussion of Title IX-related issues, and develop and implement any modifications of policies and procedures to prevent and eliminate sex discrimination, including sexual misconduct, and

- ensures that appropriate policies and procedures are in place for working with local law enforcement and coordinating with local victim advocacy organizations and service providers, including rape crisis centers.

Reporting Policies and Protocols

LIU is obligated, under the Clery Act and the annual reporting responsibilities of Campus Security Authorities, to report any and all incidents and to issue timely warnings as applicable to the University community.

Amnesty for Reporting Incidents of Sexual Violence

The health and safety of every student at Long Island University is of utmost importance. LIU recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. LIU strongly encourages students to report incidents of domestic violence, dating violence, stalking or sexual assault to institution officials. A bystander or reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking or sexual assault to LIU officials or law enforcement will not be subject to LIU's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking or sexual assault.

Title IX Investigation Procedures and Protocols

The Title IX Coordinator and/or Title IX Deputies will initiate any and all necessary investigations in coordination with the Title IX Investigator.

The Investigation - The Title IX Investigator will conduct a prompt, thorough and impartial investigation of the complaint in the manner he or she deems necessary. The parties to the complaint will each have an equal opportunity to be heard and to present relevant witnesses and evidence during the investigation process. The parties will also be informed of the status of the investigation as deemed appropriate. Depending on the circumstances, interim measures that the University may provide include, but are not limited to, 'no contact' orders, health and counseling services, room or class reassignments, and any other step to ensure the safety and well-being of the reporting individuals. Evidence should be preserved to assist in the investigation at all times.

If a victim/survivor chooses to notify law enforcement and proceed with a criminal investigation and/or prosecution, the University may conduct a parallel investigation and may seek to work in coordination with these entities.

It should further be noted that if a reporting individuals request for confidentiality limits the University's ability to investigate a particular matter, the University will take steps to limit the effects of the alleged sexual misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the reporting individual. Examples include but are not limited to: providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for University Community members; revising and publicizing the University's policies on sexual misconduct; and conducting climate surveys regarding sexual misconduct.

Preponderance of Evidence Standard - The Title IX Investigator utilizes the following standard for

evaluating complaints - a *preponderance* of the evidence. i.e., the investigator shall determine whether it is *more likely than not* that the alleged sexual misconduct occurred. If it is determined that a violation of the University's Sexual Violence and Harassment policy has occurred, prompt remedial action shall be taken.

No form of mediation will be used to address allegations of sexual misconduct.

The outcome of the investigation - The nature of the remedial action and the process for its implementation will depend upon the particular facts and circumstances. Absent unusual circumstances, a final recommendation should be issued within sixty (60) days of receipt of the complaint. Both the accused and the complainant will receive contemporaneously, in writing, notice of the outcome of any University disciplinary proceeding relating to sexual misconduct, including any appeal(s).

If remedial action involves the imposition of sanctions, appropriate disciplinary procedures will be used. Sanctions imposed may be appealed by either party through the appropriate appeals process depending on the status of the accused. The disposition of the complaint shall be communicated in writing to each party. The University will take steps to prevent the recurrence of any discrimination or harassment, and to remedy its effects. If it is determined that no violation has occurred, such findings shall be communicated in writing to each party.

If the results of an investigation show that the complainant knowingly filed false accusations of discrimination or harassment, or that a witness knowingly gave false statements, such individuals will be subject to the appropriate disciplinary action.

Impact Statement – Parties to a Title IX investigation have a right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.

Appeals – Either party to a Title IX complaint is entitled to appeal the outcome to a Board of Appeals consisting of a panel of University administrators appointed by the Title IX Coordinator. However, appeals are only permitted on the basis of (i) serious procedural deficiency on the part of the University in responding to this complaint (e.g. a conflict of interest that might affect the outcome); or (ii) the availability of evidence not considered by this investigation, which might affect the outcome. Appeals must be filed within fifteen (15) days of receipt of this determination, and should contain a written statement explaining why one (or both) of the two bases of appeal enumerated above apply to this determination. Appeals shall be decided within 40 days of their receipt.

Options for Reporting and Confidentially Disclosing Sexual Misconduct

LIU encourages victims of sexual misconduct to talk to somebody about what happened – so victims can get the support they need, and so the University can respond appropriately. Different employees on campus have different abilities to maintain a victim's confidentiality.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."
- Other employees may talk to a victim in confidence, and generally only report to the University that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger a University investigation into an incident against the victim's wishes.

- Some employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator. A report to these employees (called “responsible employees”) constitutes a report to the University – and generally obligates the University to investigate the incident and take appropriate steps to address the situation.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a victim of sexual misconduct. The University encourages victims to talk to someone identified in one or more of these groups.

The Options

Privileged and Confidential Communications: Professional and Pastoral Counselors.

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim’s permission.

A victim who speaks to a professional or non-professional counselor or advocate must understand that, if the victim wants to maintain confidentiality, the University will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

Even so, these counselors and advocates will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the victim with assistance if the victim wishes to do so.

Reporting to “Responsible Employees.”

A “responsible employee” is a University employee who has the authority to redress sexual misconduct, who has the duty to report incidents of sexual misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a responsible employee about an incident of sexual misconduct, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title IX coordinator all relevant details about the alleged sexual misconduct shared by the victim and that the University will need to determine what happened – including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University’s response to the report. A responsible employee should not share information with law enforcement without the victim’s consent or unless the victim has also reported the incident to law enforcement.

Before a victim reveals any information to a responsible employee, the employee should ensure

that the victim understands the employee's reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the University will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the victim's request for confidentiality.

Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for the University to fully investigate an incident. By the same token, responsible employees will not pressure a victim to make a full report if the victim is not ready to.

Requesting Confidentiality From the University: How the University Will Weigh the Request and Respond.

If a reporting individual or victim/survivor discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, including the victim.

If the University honors the request for confidentiality, a victim must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

Although rare, there are times when the University may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students.

The University has designated the Title IX Coordinator to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence.

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:
- whether there have been other sexual violence complaints about the same alleged perpetrator;
- whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
- whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence was committed by multiple perpetrators;
- whether the sexual violence was perpetrated with a weapon;
- whether the victim is a minor;
- whether the University possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);

- whether the victim’s report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the University will likely respect the victim’s request for confidentiality.

If the University determines that it cannot maintain a victim’s confidentiality, the University will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University’s response.

Even University officers and employees who cannot guarantee confidentiality will maintain privacy to the greatest extent possible. The information provided to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution.

The University will remain ever mindful of the victim’s well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or University employees, will not be tolerated.

The University will also:

- assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the victim of the right to report a crime to campus or local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The University may not require a victim to participate in any investigation or disciplinary proceeding.

Because the University is under a continuing obligation to address the issue of sexual misconduct campus-wide, reports of sexual misconduct (including non-identifying reports) will also prompt the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual misconduct occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

If the University determines that it can respect a victim’s request for confidentiality, the University will also take immediate action as necessary to protect and assist the victim.

Take Back the Night and other public awareness events

Public awareness events such as “Take Back the Night,” the Clothesline Project, candlelight vigils, protests, “survivor speak outs” or other forums in which students disclose incidents of sexual violence, are not considered notice to the University of sexual misconduct for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the University will provide

information about students' Title IX rights at these events.

Student Conduct Records Retention Policy

With the exception of those conduct records which have been successfully appealed by the student, and/or the student was otherwise exonerated of the charges, the existence of all student conduct records and the contents of such records are kept and maintained by the Dean of Students Office or designee in accordance with the Family Educational Rights and Privacy Act of 1974, as amended; and in accordance with the policies and procedures outlined by Long Island University. While most records will be retained for a period of seven years, at its discretion, the University reserves the right to retain student conduct files permanently in accordance with the policies and procedures outlined by the University; and pursuant to U.S. Department of Education, Office of Civil Rights.

Student conduct records are retained by the Dean of Students Office or designee in accordance with the policies and procedures outlined by Long Island University.

Transcript Notations

Article 129-B of the New York State Education Law requires the University to make specific permanent and/or temporary notations on the transcripts of students found responsible for the following conduct prohibited by this Policy: sexual assault, dating violence, domestic violence, and stalking, as follows:

- “Expelled after a finding of responsibility for a code of conduct violation” – where a student has been expelled for sexual violence or another crime reportable under the Clery Act, this notation will be **permanently** added to the student’s transcript.
- “Suspended after a finding of responsibility for a code of conduct violation” – where a student has been temporarily suspended for sexual violence or another crime reportable under the Clery Act.
- “Withdrawal with pending disciplinary action” – where a student has withdrawn from the University while disciplinary charge for sexual violence or another crime reportable under the Clery Act are pending.

Students may request removal of a notation by petitioning the Dean of Students. This request must be in writing and include the rationale for the request. The Dean of Students, or his or her designee, will review the request and provide a written response within 60 days from the date the request was received. If the University vacates a finding of responsibility for any reason, any such transcript notation shall be removed.

Prevention and Education

LIU maintains a pro-active approach to the prevention, education, and outreach activities vital to provide a safe environment for all University Community members, visitors and vendors. Programming efforts include but are not limited to HAVEN, programming activities, bystander intervention processes and programming, educational sessions at Orientations (freshman, transfer and graduate) and periodic training and programming activities throughout the year to ensure a wide dissemination, through a variety of methods including but not limited to electronic delivery, hard-copy, pamphlets, and other programming tools, of information related to the University’s sexual misconduct policies, bystander awareness, and domestic violence.

Training

LIU annually provides University-wide education and training opportunities including HAVEN and other periodic training opportunities to ensure a wide dissemination of any and all information

related to the University's policies, procedures, and other information.

HAVEN is an online training program that LIU has implemented to meet Department of Education requirements pursuant to Title IX and VAWA (the Violence Against Women Act). LIU is requiring the student population take the course; however the outcome of the test will not affect a student's academic record in any way. Part 1 takes approximately 45 minutes. You must wait 30 days before you can begin Part 2. After the 30 days, you should log back in to Haven and complete part 2, which should only take 15 minutes. This is an important part of the University's continued fight against sexual assault and is required by the university. There is no cost attached and it is non-credit bearing.

All University Title IX Coordinators, Title IX Deputies, Department of Public Safety Officers and Supervisors, Campus Life Staff Members, and other University responsible employees, victim advocates – including any member of the University community – that will be responding to, investigating, or adjudicating sexual misconduct will receive adequate training.

Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to inform the campus community where to obtain law enforcement agency information provided by a state concerning registered sex offenders. It also requires sex offenders already required to register in a state to provide notice, as mandated under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services or is a student.

The New York State Division of Criminal Justice Services maintains the state's Sex Offender Registry, which contains information about individuals convicted of certain sex offenses. This information is available by calling **800-262-3257** or by visiting <http://www.criminaljustice.ny.gov/nsor/>.

ACADEMIC FREEDOM

Academic freedom rights do not supersede the University's obligation to provide a non-discriminatory harassment-free work and learning environment.

SOME FAQs (FREQUENTLY ASKED QUESTIONS) ABOUT SEXUAL HARASSMENT/SEXUAL VIOLENCE:

Q. Who may make the complaint of sexual harassment/sexual violence?

A. Any member of the University community may report an incident of sexual harassment/sexual violence.

Q. Must sexual harassment/sexual violence complaints be made in writing?

A. No. Sexual harassment/sexual violence complaints may be made verbally to a Campus Representative or other University designee. The recipient of a complaint may ask you to prepare a written statement setting forth the particulars of the complaint.

Q. Are sexual harassment/sexual violence complaints kept confidential?

A. The privacy of persons who file a complaint of sexual harassment will be respected. Information obtained in connection with bringing, investigating or resolving complaints will be handled as confidentially as possible, though it is not possible to guarantee absolute confidentiality.

Q. Are there time limits for reporting sexual harassment/sexual violence to the University?

A. There are no time limits for reporting sexual harassment/sexual violence. However, allegations of sexual harassment or assault should be reported as soon as possible, since the passage of time and mobility of persons involved may make it more difficult to investigate the allegations.

Q. How can I get more information on education and prevention about sexual violence?

A. Additional information can be found in our Student Handbook and by visiting the Department of Public Safety website: Post: <http://www.liu.edu/CWPost/About/Offices/Public-Safety>, Brooklyn: <http://www.liu.edu/Brooklyn/About/Offices/Public-Safety>

RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) FOR POSTSECONDARY INSTITUTIONS

Students' Rights under FERPA - The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the university receives a request for access.

Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the portion of the student's education records that the student believes is inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the Registrar, the official responsible for the student record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. These exceptions include:
 - a. Disclosure to school officials with legitimate educational interests. A school official is

defined as a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the University may disclose disciplinary and ancillary records which are not part of the student's education record without consent to officials of another school when such officials have a legitimate educational interest in the behavior of the student.

- b. Disclosure to parents if the student is a dependent for tax purposes.
 - c. Disclosure to appropriate individuals (e.g., parents/guardians, spouses, housing staff, health care personnel, police, etc.) where disclosure is in connection with a health or safety emergency and knowledge of such information is necessary to protect the health or safety of the student or other individuals.
 - d. Information to a parent or legal guardian of a student regarding the student's violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance if the university has determined that the student has committed a disciplinary violation with respect to the use or possession and the student is under the age of twenty-one at the time of the disclosure to the parent/guardian.
4. Directory Information - Directory Information is a part of personally identifiable information that is considered not to be harmful to the student if released to a third party. The following items are designated "Directory Information" and may be released at the discretion of LIU unless a student files a request to prevent their disclosure:
- Name
 - Dates of Attendance
 - Enrollment Status
 - Class
 - Major
 - Awards
 - Honors
 - Degrees conferred
 - Past and present participation in officially recognized sports and non-curricular activities
 - Physical factors (height, weight) of athletes
 - Previous educational institutions most recently attended
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by LIU to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue
SW Washington, D.C. 20202-4605

6. Under the provisions of the Family Educational Rights and Privacy Act of 1974, students have the right to withhold disclosure of such Directory Information. Long Island University will honor all requests to withhold Directory Information.

Students requesting the withholding of Directory Information must complete an “Authorization to Withhold Directory Information” form and return it to the Office of Enrollment Services.

This authorization is valid until a written request to rescind is received by the Office Enrollment Services.

Authorizing Parental Access – Under the Family Rights and Privacy Act, the rights afforded to parents regarding the ability to review their children’s records, pass from the parent to the student upon the student’s 18th birthday or when the student is enrolled in a college or university. Students wishing to allow their parents access to their student records must file the appropriate authorization available in the Office of Enrollment Services.

Information including all request forms associated with information requested under the Family Education Rights and Privacy Act is available on the Registrar’s website.

LIU BROOKLYN GUEST AND VISITATION POLICY & PROCEDURES

To create an environment that contributes to the living and learning for all students, LIU Brooklyn Department of Residence Life and Housing encourages students to interact with one another responsibly. All LIU Brooklyn are welcomed to visit the residential community.

The Guest and Visitation Policy allows for residents and visitors to interact in the LIU Brooklyn residential community, while providing the structures to help promote a safe living environment that is conducive to student learning.

A Valid ID can either be a license, a college ID, a military ID, or a DMV non-drivers license. The ID must have a picture of the guest, and a valid expiration date, and cannot have a hole punched through it. We will not accept passports, passport cards, or any other government issued ID. **All LIU students may only present their LIU ID cards.**

Daytime is defined as 8:01 a.m. until mid-night (11:59 p.m.).

Guest is defined as any person who is not a resident of the LIU Brooklyn residence hall being entered, and a person is considered a guest of a specific host rather than a particular residence hall.

One-week period is defined as the time from Sunday 12:01 a.m. to Saturday 11:59 p.m.

Overnight is defined as 12:01 a.m. and beyond to 8 a.m.

Resident (Host) is defined as any Long Island University student who has a current housing assignment.

Two Day Pass is a pass that expires in two days rather than one. Presuming the host will not exceed their maximum number nights for guest visitation, a host can request this pass for their guest.

General Rules:

- The Guest and Visitation Policy applies to all LIU Brooklyn students and their guests.
- All students and guests must carry their valid LIU ID or a guest pass with them at all times.
- A resident (host) is allowed a maximum of three daytime guests (8 a.m.-midnight) at a time.
- A resident (host) is allowed one overnight (see definition of overnight) guest at a time, with a maximum of two times per week (see definition of week).
- A resident (host) is responsible for his/her guest and their actions at all times.
- Only guests with valid overnight passes are allowed through the front gate of campus after midnight.
- Overnight guests are not allowed to visit other residence halls at any time, other than the one they are registered in.
- An overnight guest pass is valid until Noon of the following day, and the guest has a privilege to stay any two days during a one-week period (see definition of one-week period), not to exceed 20 nights per semester.
- Daytime visitation has no limits. Visitors are issued day passes (valid 8 a.m.-midnight only)
 - after registering at the residence hall front desk and leaving a valid I.D. (see definition of valid I.D.).
- To obtain a guest pass, visitors to LIU Brooklyn residence halls must present one of the following:
 - Commuter Students: a valid LIU ID
 - Non-LIU Students: a government issued photo ID such as a valid driver's license with a photo, military I.D., or DMV non-driver's license. Photo College I.D. cards are acceptable provided they are valid for the current term. Note - we do not accept passports, birth certificates, green cards and/or social security cards.
- The Guest and Visitation Policy is in effect on the first day of classes in the Fall Semester and ends on the last day of classes in the Spring semester. During holidays, finals, and other special events on campus the policies are subject to change. Please refer to your RA or Residence Life staff for further details.
- No visitors are permitted when the LIU Brooklyn residence halls are closed: Thanksgiving, Winter Break, Spring Break and Easter.

The Parent-International Consent form must be filled out by a host who is either hosting a guest under the age of 18 or a guest who is from out of the country and does not have a valid ID.

On Campus Residents:

- Students looking to host a guest under the age of 18 must complete and have a copy of the Parent-International Consent when they arrive to the residence hall.
- Students looking to host an international person who does not have a valid ID must get their Parent-International consent form approved by a Housing and Residence Life administrator 48 hours prior to their guest's arrival to LIU. The international guest must bring their passport as well as a copy of their passport to the residence hall. Copies will not be made.

Policies and Procedures To Residents:

1. After midnight you may only host one resident student and one overnight guest. Please note that

a commuter student staying past midnight is considered an overnight guest.

2. You may visit other residence halls by swiping your ID from 8 a.m.-midnight. From midnight to 8 a.m., as a resident, you are able to visit other halls by being signed in by a resident of that hall. If you wish to host someone from another hall, you may sign in him/her (one per person) at the residence hall front desk. The resident student visiting a hall (other than his or her own) will be required to leave his or her LIU ID at the residence hall front desk. After midnight, you may only host one (1) resident from another University residence hall.
3. If you wish to host a commuter from 8 a.m. to midnight you must meet the commuter student at the residence hall front desk and register him or her as a visitor. From midnight to 8 a.m., your commuter friend is only allowed in a University residence hall if he or she receives an overnight pass prior to midnight.
4. If you wish to host a non-LIU person you must bring your guest with proper and valid ID to the residence hall front desk to receive a guest pass between the hours of 8 a.m. and midnight. No guest passes are issued after midnight.
5. If you wish to have your parents and/or grandparents visit you, you must meet them at the residence hall front desk and register them in a parents/grandparents log each time they enter the LIU Brooklyn residence halls. They will be asked/required to show ID Any other family member over the age of 18 (siblings, cousins, etc.) wishing to visit you must obtain a guest pass at the residence hall front desk. Note: Parents and grandparents do not count toward your daytime guest total and visitors under the age of 15 are not permitted into the residence halls.
6. The Parent-International Consent form must be filled out by a host who is either hosting a guest under the age of 18 or a guest who is from out of the country and does not have a valid. **Note- Guest under the age of 15 are not permitted in any residence hall.**
7. On Campus Residents (Conolly) looking to host a guest under the age of 18 must complete and have a copy of the Parent-International Consent when they arrive to the residence hall, a professional staff member will confirm with the parent/guardian listed on the application that they are aware of the visitation.
8. Off campus Residents (Hoyt and Fulton) looking to host a resident under the age of 18 must contact the Residence Hall Director for Hoyt and Fulton between the hours of 9am-5pm, Monday through Friday. From 5pm- 8:30pm, Monday through Friday, residents may contact Public Safety to confirm the consent form. From 8:30pm onwards, please contact the RA on Duty to confirm consent form. On Saturday and Sunday, please contact the RA on duty to confirm consent form.
9. Students looking to host an international person who does not have a valid ID must get their Parent- International consent form approved by a Housing and Residence Life administrator 48 hours prior to their guest's arrival to LIU. The international guest must bring their passport as well as a copy of their passport to the residence hall. Copies will not be made.

To Commuters:

1. If you wish to visit an LIU Brooklyn residence hall between 8 a.m. and midnight, your host must accompany you to the residence hall front desk and register you as a visitor. You must

register each time you enter the University residence hall.

2. If you wish to visit an LIU Brooklyn residence hall between midnight and 8 a.m. you must obtain an overnight pass prior to midnight.
3. As a commuter student, you have the privilege to stay as an overnight guest a maximum of any two days during a one-week period (see definition of one-week period), not to exceed a total of 20 nights per semester (defined as first day of classes until halls close).

For information on Campus Crime and Statistics please visit www.liu.edu/Brooklyn/PublicSafety or contact LIU Assistant Dean of Students at (718) 780-6545. Additional information regarding Campus Crime Reporting can be found at www.ed.gove under "Laws".