



CODE OF CONDUCT POLICY

DISCIPLINARY ACTION

JURISDICTION OF THE CODE OF CONDUCT (STUDENT)

For the purposes of the Student Code of Conduct, the term “student” means:

- an individual who is enrolled in or registered in any academic program offered by LIBI.
- has completed the immediately preceding term and is eligible for re-enrollment.
- is on an approved educational leave or other approved leave status (LOA etc.).
- applicants who become students for offenses committed as part of the application process;
- applicants who become students for offenses committed on campus and/or while participating in college related events or activities that take place following a student submittal of the application and official acceptance by LIBI.
- former students for offenses committed while a student.

LIBI’S Student Code of Conduct also applies to:

- applicants who become students, for offenses committed as part of the application process;
- applicants who become students, for offenses committed on campus and/or while participating in College related events or activities that take place following a student submittal of the application and official acceptance by LIBI;
- former students for offenses committed while a student.

TRANSGRESSIONS OF THE CODE OF CONDUCT NOT OCCURRING ON CAMPUS

In general LIBI will not, as a matter of routine action, invoke its disciplinary processes over student conduct that occurs off campus, however, LIBI reserves the right to do so if:

- an incident occurs at a LIBI function, off-campus trip, or involves other LIBI students;
- the alleged misconduct indicates the student poses a threat to the safety or security of any member(s) of the LIBI community;
- the alleged misconduct involves academic work or the forgery, alteration or misuse of any official LIBI document, record, electronic device, or identification;
- conduct that threatens the health or safety of any person, including oneself;
- conduct includes, but is not limited to physical assault, sexual assault, sexual misconduct, domestic violence, dating violence, or stalking incidents;
- threats that cause another member of the community to reasonably fear for one’s own safety or the safety of her or his immediate family;
- incidents involving the use or display of a weapon likely to cause great bodily harm;
- incidents involving disruptive behavior on campus caused by intoxication or impairment through the use of alcohol or controlled substances off campus;

- stalking, sexual harassment, or any activity that causes or is likely to cause physical injury, or personal degradation or disgrace resulting in psychological harm to any student or other person.

This list provides examples of transgression and is not exhaustive.

STUDENT CODE OF CONDUCT

It is the responsibility of every LIBI student to avoid conduct that limits, or may limit, the rights of any member of the LIBI community to learn or work and thrive in a safe and respectful environment. No student or group of students will engage in conduct or assist another in conduct that adversely affects or creates a substantial risk to any other member of the LIBI community.

Students should be guided by the following:

- Fighting and similar conduct that endangers or inflicts physical injury upon another student, Faculty member, or a member of the LIBI staff is strictly forbidden and grounds for immediate dismissal.
- Sexual misconduct is strictly forbidden and grounds for immediate dismissal from LIBI. Examples of what LIBI considers “Sexual Misconduct” include, but are not limited to, the following:
 1. deliberate sexual invasion of another without consent;
 2. deliberate constraint or incapacitation of another;
 3. unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile, or demeaning environment for an individual;
 4. harassment or intimidation;
 5. threats that involve violation of restraining orders or no-contact orders imposed by government or campus authorities, stalking,¹ or other activities that create a reasonable apprehension of physical or emotional harm to an individual following a request or order to desist.
- Discrimination on the basis of race, ethnicity, national origin, religion, creed, sexual orientation, gender expression, age, or disability that impairs or may impair an individual’s educational opportunities or participation in LIBI sponsored extracurricular activities is strictly forbidden.
- Hazing is strictly forbidden. Hazing is defined by LIBI as acts that cause or permit an individual, with or without consent, to engage in activities that subject that student or others to risks of physical injury, mental distress, or personal indignities of a highly offensive nature, in connection with recruitment, initiation, or continued membership in a society, association, club, or similar organized group whether or not recognized by LIBI.
- Possessing or carrying any weapon or dangerous substance, whether openly or concealed, is strictly forbidden and grounds for immediate dismissal.
- Engaging in recklessly dangerous, disorderly, or obscene conduct affecting other LIBI students, Faculty, or LIBI personnel is strictly forbidden.

¹ Behaviors and conduct classified as stalking involve a broad range of behaviors directed at the victim such as actions that harass, frighten, seriously alarm, threaten, terrorize, torment, and/or force the stalker into the life of the victim.

- Illegally possessing, manufacturing, selling, or delivering a controlled substance as defined by state or federal law is strictly forbidden and grounds for immediate dismissal.
- Engaging in violent, forceful, threatening, intimidating, or disruptive conduct, or inciting others to engage in such individual or collective conduct, that willfully disrupts any normal operation, function, or activity of LIBI is strictly forbidden and grounds for immediate dismissal.
- Misrepresenting oneself or lying about one's identity or otherwise adversely interfering with another student's credit, academic standing, privacy, or personal information is illegal and against LIBI's policies. This violation of student conduct is grounds for immediate dismissal without recourse and prosecution to the full extent of the law.
- Any unauthorized use of LIBI's resources or name, including unauthorized use or distribution of LIBI's official letterhead, logo, or seal will be considered as any or all of the following: forgery, theft, or misappropriation.
- Unauthorized entry to, possession of, receipt of, or use of any LIBI services, equipment, resources, or properties will be treated with zero tolerance and students found guilty of transgression under this policy will face maximum sanctions under the code of conduct, including dismissal without recourse.² LIBI may also seek legal action against the student.
- Engaging in conduct in LIBI's classrooms that substantially disrupts the academic environment is not permitted. Any behavior that obstructs or disrupts teaching activities, learning, administrative functions, disciplinary proceedings, or other day-to-day operations or activities of the College is subject to disciplinary sanctions. Examples include: engaging in disorderly behavior or lewd conduct; attempting to attend a class, using LIBI's learning or administrative resources, or participating in organized College activities while intoxicated or under the influence of controlled or illicit substances; disturbing the peace by inciting unlawful assembly, protest, or a riot; failure to identify oneself to, or comply with directions of, a College official or other public official attempting to perform their assigned duties. Depending on the severity of the incident, students can face immediate dismissal.
- Misusing, removing, tampering with, or otherwise making less effective, equipment (including but not limited to: fire extinguishers, fire alarms, or smoke detectors) intended for use in improving or protecting the safety of members of the LIBI community is strictly forbidden.
- All students must vacate a building whenever a fire alarm sounds in accordance with the College's emergency procedures. Intentionally, negligently, or accidentally setting a fire to any school property is prohibited. A student found responsible for a violation of this policy may be held responsible for damages incurred by the College or others. Anyone caught setting fires or maliciously destroying fire protection equipment may be subject to maximum prosecution allowable by law. Any improper use of a flame or lit object, including, but not limited to, smoking, may be considered a violation of this policy.
- Fabricating information or knowingly furnishing false information or reporting a false

2 Unauthorized access to any of LIBI's administrative offices classrooms, or other facilities will be considered trespassing. Unauthorized intrusion into electronic records owned or managed by LIBI, any misuse, abuse, or tampering with the integrity of the system is strictly forbidden and constitutes grounds for immediate dismissal and prosecution to the full extent of the law.

Actions considered as violating this policy include, but are not limited to:

unauthorized entry, use, transfer, copying, or tampering with the communications of others; accessing college databases without explicit permission from authorized college personnel with the intent to use, transfer, copy or tamper with the stored data; violations of copyright laws, whether by theft, unauthorized sharing or other misuse of copyrighted materials such as songs, movies, software, photos or text.

emergency to any LIBI employee is strictly forbidden and is subject to immediate dismissal. Certain violations of this policy may also result in prosecution of the student to the full extent allowable by law.

- Taking without permission (theft), destroying, damaging, or misusing property belonging to the College, another LIBI student, or employee is strictly forbidden and carries penalties up to and including dismissal and prosecution to the full extent of the law.
- Possession of any material goods when the student should have reasonable knowledge that the item(s) belong to someone else will be subject to disciplinary action and hearing proceedings unless the gravity of circumstances warrants immediate dismissal.
- Possession of any material goods when the student should have reasonable knowledge that the item(s) belong to LIBI or are LIBI's intellectual property will be subject to immediate suspension pending a conduct hearing. Sanctions will be determined by the hearing panel based on the gravity of offense.
- Students may be disciplined for violations or attempted violations of LIBI's published policies and procedures. Such violations include aiding, supporting, or participating in the planning of an act that would be in violation of LIBI's Student Code of Conduct.
- Federal Work–Study students are expected to behave in an exemplary manner and to be role models for other LIBI students. As such, Federal Work –Study students who disregard their special status at the College or abuse the position of trust and responsibility afforded them by violating LIBI's Code of Conduct, will face disciplinary actions as an employee as well as a student. In most cases, Federal Work-Study students will lose their campus employment for the duration of their studies at LIBI if the Student Conduct Hearing panel finds them guilty of conduct violations. The loss of the Federal Work-Study position will not be in itself a form of discipline under the Student Conduct Code. However, when student status is a condition of continued employment, the loss of “in good standing” status will result in termination of the student's employment under the federal student work-study provisions. This section is not intended to preclude a supervisor from terminating a student's employment outside the disciplinary process.
- Refusing to identify oneself to a LIBI official in pursuit of his/her duty or refusal to appear before LIBI administrators or disciplinary bodies when directed to do so will carry the maximum allowable penalty as determined by the members of the Student Conduct Hearing panel or by the President of the College. When a student is identified by a college employee to be involved in loud or disturbing behavior and the student does not acknowledge the request to cease the behavior immediately this will be considered as a separate violation for the Student Conduct Hearing proceedings.
- Societies, clubs, or similar organized groups in or recognized by LIBI are subject to the same standards as are individual members of the LIBI community.
- Smoking (including e-cigarettes) and alcohol use is strictly prohibited on school premises. Attempting to attend a class, using LIBI's learning or administrative resources, or participating in organized College activities while intoxicated or under the influence of controlled or illicit substances will be subject to a Student Conduct Hearing.
- Students need to adhere to the LIBI dress code as published in the Student Handbook. Repeat or intentional violations of the dress code can carry disciplinary sanctions up to and including dismissal. Proper personal appearance and grooming are part of the career preparation process, and all LIBI students are expected to comply with the published criteria.

CIVILITY

Civility involves treating all members of the LIBI community with dignity and respect and

acting with regard to others' feelings. Demeaning, intimidating, or threatening behavior is unacceptable and contrary to LIBI's ethical principles and basic values. Breaches of this policy will be adjudicated under the Student Code of Conduct.

Students must not confuse legitimate comment and/or advice from Faculty and staff on course-related performance or school-related behavior of an individual or a group as incivility or disrespect. Feedback on course performance or school-related behavior differs from incivility or harassment in that feedback is intended to assist students improve and grow academically and personally. However, civility requires that even the most constructive critical feedback be delivered respectfully, privately, and courteously. If a student believes that he/she was subject to incivility (critical feedback was delivered disrespectfully, loudly or publicly with the intention to demean), the student should schedule an appointment with the Provost (if the incident involved a Faculty member or took place during a classroom activity) or the Executive Director of Academic Operations and Student Services (if the incident involved a member of the staff).

Students are expected, without exception, to purport themselves with civility and with proper due respect accorded the Faculty, administrators, and staff of LIBI through their official functions at the College.

INCIVILITY (IN AND OUT OF THE CLASSROOM)

Incivility is any kind of disruptive classroom behavior that shows disrespect or disregard for the instructor and fellow students. This type of behavior can dramatically diminish the effectiveness of a course, cause outsized stress for the instructor, and detract from the learning experience of other students enrolled in the course.

Students will be subject to a disciplinary investigation and appropriate sanctions under the Student Code of Conduct if instances of incivility are reported to a Senior College Administrator. Incivility encompasses a broad range of behaviors including, but not limited to, unprofessional behavior; rudeness; shouting or using profane language; intimidation or bullying; threatening comments or actions; unsolicited and unwelcome conduct or comments (oral or written including e-mail communication); gestures, actions, or contact that cause offense, humiliation, or physical or emotional harm to any individual (other students, Faculty, members of the staff or administration). Although this may have not been your intention, your actions may be perceived as a threat or intent to damage persons or school property.

Incivility can be subtle or overt. It may be a single event or may involve a continuing series of incidents and may be unintended or deliberately directed at another individual. In any case, the impact on the recipient is what will be addressed when determining a suitable resolution under the Student Code of Conduct.

LIBI is proud of its diverse and multicultural fabric and all students should be mindful that, a behavior that may be considered perfectly acceptable by one person, or in some cultures, may be considered inappropriate and rude by others.

ACADEMIC HONESTY

It is the responsibility of every student enrolled at LIBI to support the principles of academic integrity and to refrain from all forms of academic dishonesty, including but not limited to the following:

1. Plagiarism includes, but is not limited to, the use of words or ideas written or created by someone other than the student, as if they were one's own without properly giving credit to the source when submitting academic work (whether graded or otherwise);
Representing as one's own purchased or otherwise obtained works or parts of works produced by another;

Unless explicitly permitted to do so by both instructors, students found resubmitting any work that they had previously submitted for credit in identical or similar form to fulfill the requirements of another course will face charges under academic dishonesty policies.

2. Falsification, fabrication, or misrepresentation of data, other information, or citations in connection with an academic assignment, whether graded or otherwise.
3. Unauthorized assistance in connection with academic work, whether graded or otherwise.
4. Cheating on examinations or other academic assignments, whether graded or otherwise.
 - a. Cheating includes, but is not limited to, the use of unauthorized materials, information, or study aids in any academic exercise; the alteration of any answers on a graded document before submitting it for re-grading; or the failure to observe the expressed procedures or instructions of an academic testing exercise (e.g., examination instructions regarding alternate seating, conversation during an examination, the use of electronic devices when expressly forbidden to do so by the Faculty or proctor, unauthorized collaboration).
 - b. All other forms of academic misconduct, including but not limited to, copying answers from another, using study notes to aid in a testing exercise, flagrant fabrication of results, plagiarism, multiple submissions of the same work, or facilitating academic misconduct.
5. Unauthorized use of electronic devices during any graded testing activity. A student is not permitted to access any electronic devices including, cell phones, tablets, notebooks, smart watches, etc. during any graded testing activity. Any student using an electronic device without permission of the instructor will be in violation of LIBI's Academic Integrity policy and subject to disciplinary sanctions.
6. Facilitating academic dishonesty includes, but is not limited to, knowingly helping another student commit an act of academic misconduct (e.g., allowing another student to copy answers during a testing exercise; collaborating without authorization from the instructor; aiding plagiarism; aiding another by allowing one's paper to be resubmitted by another student for a grade or credit; or sharing previously administered tests obtained through authorized and unauthorized measures).

Communicating without the instructor's permission to another student (verbal and non-verbal) during a testing exercise, with or without the intent of sharing answers, will be viewed as facilitating academic dishonesty.

Students found to be distributing copies of their graded work (papers submitted to fulfill course requirements or graded quizzes, tests, or exams) to other students, irrespective of the intention, will be sanctioned under both disciplinary as well as academic dishonesty policies;

Students obtaining previously administered quizzes, tests, or exams taken by others will face sanctions under both disciplinary as well as academic dishonesty policies.

Students found to be mass distributing or selling any of the above discussed materials will face immediate expulsion without the ability to submit work while waiting for a disciplinary hearing. Students facing allegations under this clause of the policy will face strict disciplinary sanctions.

7. Deliberately providing false information to members of the LIBI community in connection with their efforts to prevent, investigate, or enforce LIBI's requirements regarding academic dishonesty.
8. Forging, falsifying, or misusing LIBI documents, records (e.g., student transcripts, course schedules, certificates of achievement, tuition bills identification cards, etc.)

or other resources will be penalized as an act of academic dishonesty and as an act of forgery.

SPECIAL NOTATIONS REGARDING ACADEMIC DISHONESTY

Unacceptable Collaboration

Engaging in collaboration when expressly instructed to do your own work will always be considered unacceptable collaboration and will be treated as an instance of academic dishonesty. Students who submit work that is the result of a collaboration with others but represent it, implicitly or explicitly, as their own, will be required to substantiate the work. Students unable to do so will face academic misconduct sanctions. Using answers, solutions, or ideas that are the result of collaboration without referencing/citing the fact of collaboration violates LIBI's academic College policies.

Internet Plagiarism

Students may use the Internet as a source of material, in whole or in part, only if careful and specific reference to the source is made in the student's work. Whenever the Internet is consulted and shapes the thinking or writing of the student, it must be thoroughly documented. Failure to properly give credit to Internet sources will be considered as an incident of academic dishonesty and subject to disciplinary sanctions. Some LIBI instructors may not permit the use of the Internet as a source in their courses. Students will be duly notified by their instructor if that is his/her classroom policy. Failure to adhere to this policy will be viewed and treated as an instance of Academic Dishonesty. The term "plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation, of the work of another person without full and clear acknowledgment.

It is the explicit expectation of the College that all LIBI students will be ethical and truthful in their academic work. Commitment to academic integrity is the responsibility of every student and Faculty member at LIBI. Academic dishonesty diminishes the quality of education at LIBI and hurts the majority of the students who conduct themselves ethically, and; therefore, it will not be tolerated. Plagiarism penalties discussed in this section were established to demonstrate how negatively LIBI views violations of intellectual property laws. Copying the work of others is theft of intellectual property and is taken very seriously at LIBI.

Faculty members who feel they have confirmation of plagiarism will first offer the student a chance to provide an explanation of the evidence or to admit fault. If the infraction is not extensive and may be qualified by the Faculty member as having no evident deliberateness of deceit, the faculty member will determine the appropriate sanction. Examples of sanctions may include reprimanding the student and requiring a revision of the work to eliminate plagiarism, assigning the student an additional paper, or exam, or lowering the grade for the paper or exam (even as far as F or "0" points) without opportunity to regain the lost credit. Each member of the Faculty has the primary responsibility to determine the type and extent of punishment for first infractions. Repeat offenses will be subject to Student Conduct Hearing proceedings.

In instances where the Faculty member determines that the student's plagiarism was inadvertent and feels that the student has understood the infraction and has fully complied with the terms of the punishment, the instructor may select not to take further action and not to alert the Provost. The decision by the instructor not to file an official notice of academic dishonesty will be made only in instances when the infraction can be classified as minor and inadvertent.

If the first instance of academic dishonesty is extensive, the Faculty member will determine whether he/she will address the incident personally through appropriate sanctions or if the incident will be referred to the Student Conduct Hearing panel for deliberation. Any known instances of past plagiarism or other infraction classified as academic dishonesty will affect the

disposition of any new case. Any student permanently discharged from the College as a result of repeat violations of academic policies will not be considered for readmission.

DROPPING COURSES PRIOR TO A STUDENT CONDUCT HEARING

A student charged with academic misconduct may not change registration in the course (e.g., drop the course) in which a charge is pending or in which a finding of academic misconduct has been made.

The privilege of being a student at the Long Island Business Institute carries with it the responsibility of following standards of conduct appropriate to the institutional vision and shared values of intellectual honesty and personal integrity. The sections below provide guidelines for standard behavior expected of all students attending LIBI. These sections articulate behaviors that are prohibited or unacceptable at LIBI and which carry disciplinary sanctions up to, and including, permanent separation of the student from the College. Because all students are obligated to follow the standards set forth by the College, all violations will be taken seriously and handled in a manner deemed appropriate through the Student Conduct Hearing process overseen by the Director of Operations & Institutional Effectiveness and the President of LIBI.

SANCTIONS FOR VIOLATIONS OF THE STUDENT CODE OF CONDUCT

When a student admits responsibility or is found to be in violation of LIBI's policies or regulations, LIBI may impose or defer disciplinary sanctions, as appropriate and applicable. Any sanction may be effective retroactively.

The severity of the sanction imposed is based on the seriousness of the violation. All administrators and faculty involved in determining sanctions for students who violate LIBI's policies, procedures, or regulations take into consideration the context and seriousness of the infraction.

Sanctions may include, but are not limited to: dismissal without recourse; dismissal with a time sanction before the student can seek readmission; temporary suspension with conditions; temporary suspension with set time away from the College as sole sanction; required enrollment in and completion of educational programs, classes, activities or workshops, which in the judgment of LIBI will be beneficial to the student; fulfillment of assigned community service hours required of the student as an unpaid volunteer in activities for which no academic credit may be received, etc.

Where it is more likely than not that a student violated LIBI's policies, procedures or regulations acting against any person or group because of the race, color, national or ethnic origin, alienage, sex, religion, age, sexual orientation, gender identity, marital status, veteran status, physical or mental disability, or perceived membership in any of these classifications, the recommendation or imposition of sanctions will be enhanced.

More than one of the sanctions listed below may be imposed for any single violation.

DEFINITIONS OF DISCIPLINARY STATUSES AND SANCTIONS

- a. Warning** - Written notices are issued to students for violations of institutional rules or regulations that do not warrant more severe sanctions, but are, nevertheless, considered unacceptable behavior by the Faculty and administrators of the College. Students placed on "Warning" will receive an official letter outlining the reasons for the decision and the period of time for which the warning will stay in effect. Other requirements or stipulations will also be outlined in the "Warning" letter. Students who receive a written warning from the College should meet with their assigned Academic Advisor regularly to ensure that the requirements stipulated in the warning letter are being met. If the conditions outlined in the warning letter are not met

as prescribed, the Warning may be extended upon the discretion of a Senior College Administrator. Students who violate the terms of the warning letter, or who violate additional policies while on “Warning” will face additional disciplinary actions.

- b. Disciplinary Probation** - A formal written reprimand issued to students for a designated period of time for violating specific College policies. If a student is found to violate any additional College policies during the time he/she is on Disciplinary Probation, more severe disciplinary sanctions will be applied. Depending on the severity of the student’s transgression while on Disciplinary Probation, or if the transgression endangers the safety and well-being of other members of the College, the student may be suspended immediately until an administrative investigation is complete. Certain transgressions carry the penalty of immediate dismissal without recourse. For a more detailed listing of violations and possible disciplinary consequences, please refer to the Student Code of Conduct section of this catalog.
- c. Loss of Privileges** - A sanction imposed for violating a policy in a specified area of the College or in the classrooms. This sanction is imposed for a designated period of time. The length of this sanction may be extended if the student violates the original stipulation.
- d. Exclusion** - In some instances, the College may exclude the student from specified areas of the campus, College activities, or functions, or from a particular course, as part of a disciplinary action against the student. This may be done if there is cause for the College to believe that the student’s presence will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on LIBI property, or at official College functions or activities. Exclusion from participation in designated privileges and extracurricular activities may be permanent or for a specified term or terms. Violation of any conditions in the notice of loss of privileges and exclusion from activities or violation of LIBI policies or regulations during the period of the sanction will result in further disciplinary action.
- e. Restitution** - If a student is found to have caused damage to the property of another member of the LIBI community or to the property or facilities of LIBI, the student may be asked to compensate the affected party either monetarily or by material replacement. Restitution can also take the form of appropriate service. A Student Conduct Hearing panel will determine the appropriate compensation for loss, damage, or injury unless the appropriate law enforcement body has already been involved and the incident is being handled through legal action. If the incident is not being resolved through legal action but rather through LIBI’s conduct hearing process, students have the right to appeal the rulings of the hearing panel to the President of the College.
- f. Discretionary Sanctions** - In certain cases the Student Conduct Hearing panel may determine at the panel’s discretion that violations of LIBI’s policies may be handled through work assignments, essays, service to LIBI, volunteer work in the community, or through related discretionary assignments. In all such discretionary cases, the Director of Operations & Institutional Effectiveness will work with the panel and the student to ensure that the conditions of the sanctions can be met successfully.
- g. Suspension** - This sanction calls for the student’s separation from the College for a definite period of time. Certain violations and transgressions warrant a student’s suspension from LIBI without the ability to submit work during the investigation process. In most cases where an administrative inquiry or investigation is necessary, however, the student involved in the alleged incident will be suspended from campus but permitted to turn work in to their instructors until the investigation is complete and a Student Conduct Hearing is scheduled. The Conduct Officer will communicate with the accused student and ensure that the student understands the charges against him/her and rights of the accused under LIBI’s policies.

- h. Interim Suspension** - An interim suspension may be imposed before a hearing to determine the validity of an alleged violation in instances where the student's presence on campus is deemed a threat to the safety and security of other members of the LIBI community or may be disruptive to the normal functioning of the College.

In general, LIBI will attempt to minimize restricting students from academic participation before a conduct hearing unless there is reasonable cause to believe that the student's continued participation in classroom activities or presence at the campus will lead to physical abuse, threats of violence, or may be disruptive to the orderly operation of the campus. The Director of Operations & Institutional Effectiveness may also limit the student's participation at official College functions if that is deemed necessary for the safety of other members of the LIBI community.

If the interim suspension is imposed by any other member of the LIBI faculty or staff, the President, the Director of Operations & Institutional Effectiveness, or the Provost will review the information upon which the suspension was based to affirm that it was necessary. This review should take place within forty-eight hours after the imposition is made. Only the President or the Director of Operations & Institutional Effectiveness, in consultation with the Provost, may determine if the interim suspension will be deemed void or if it will be upheld. Should the determination be made that the interim suspension is void a reasonable effort will be made to inform the student who was suspended. The decision to void the interim suspension will in no way interfere with the need for any disciplinary proceedings related to the conduct that caused the interim suspension. All disciplinary proceedings in these instances will be conducted under the normal procedures prescribed by LIBI for such violations.

If the imposition of the interim suspension is upheld, the Registrar or the Conduct Officer will notify the student subject to the suspension in accordance with written policies (i.e., the student will be notified of the charges against him or her, the conditions of the interim suspension, and the opportunity for a hearing.)

Hearings where interim suspension was sanctioned will receive scheduling priority. Disciplinary proceedings arising from the conduct resulting in the interim suspension will follow normal procedures. For additional information, see Temporary Removal of Student under section Disciplinary Removal from Class on page 84.

- i.** Students who continue to violate or repeat a violation after receiving a verbal notice of a violation of policies or a reprimand from one of LIBI's administrators or from any of their faculty members, will face additional disciplinary action up to and including dismissal without recourse.
- j. Expulsion** - Students who consistently violate LIBI policies, pose a clear and credible danger to other members of LIBI, intentionally or unintentionally endanger the safety or well-being of other members of the LIBI community, or whose transgressions fall into the "immediate dismissal" category as outlined in the Code of Conduct, will be asked to permanently separate from the College. In cases where credible evidence, such as surveillance camera videos, or other similarly reliable evidence exists, expulsion from the College may be immediate and without the involvement of the student conduct hearing panel. The Director of Operations & Institutional Effectiveness or the Assistant Campus Director will handle such cases. Only the President of the College can revoke an expulsion of a student and only in the event that the student provides reliable and verifiable evidence in his or her favor. Re-admission requests to the College once a student is subject to expulsion will generally be denied.
- k.** Readmission to any campus of the Long Island Business Institute after Expulsion may only be granted under exceptional circumstances and requires the specific approval of the Exceptions Committee (formerly known as the Committee for Academic Standard Exceptions) at the Flushing campus.

- l. Revocation of Academic Credentials** - Any student who is found to have obtained an academic credential from LIBI through fraud or deceitful actions is subject to the revocation of that credential. The Faculty Governance Committee will have to approve the revocation. Once revoked, only the President of LIBI can be petitioned for an appeal. The decision of the President is final.
- m. Posting of Suspension or Dismissal on Academic Transcript** will occur in instances when the Student Conduct Hearing panel determines the action is necessary based on the severity of the student's violation. Based on the available information, the Student Conduct Hearing panel may determine that a disciplinary notation on the academic transcript is only necessary for the duration of the Suspension or Expulsion or may decide to motion that the notation becomes permanent. If the sanction calls for a permanent inclusion of a disciplinary notation on the student's academic transcript, the student may appeal to the Provost for redress. Should the Provost determine that the notation is necessary, the student may seek to appeal the decision to the President of the College. The President's decision will be final.

COPYRIGHT VIOLATIONS

LIBI is committed to upholding the rights of all copyright holders and will view students who copy/reproduce such material without permission as a violation of this policy. Any course material (textbooks, articles, or handouts) copied without the explicit permission of the Provost will be viewed as a violation of this policy.

Students will face disciplinary sanctions under this policy if found to be:

- photocopying or electronically reproducing textbooks, journal articles, and all other materials given to the student as part of the course material where copyright permission was required;
- photocopying or electronically reproducing any handouts that the instructor may have authored for the course without the permission of the instructor.

(Note: Students reproducing their own class notes for use in study groups or similar circumstances will not be considered in violation of this policy.)

SPECIAL NOTE REGARDING SANCTIONS

APPEALS

If the student successfully appeals his/her case to the President of the College and the President reverses the ruling and determines that the student was found not responsible, the President will, if requested by the student, have the student discipline record sealed and have any reference to the disciplinary process removed from the student's record. If the President complies with the request, that record may then only be used in connection with legal proceedings. The President has the authority to reject this request but instead may propose other reasonable actions.

DISCIPLINARY REMOVAL FROM CLASS

TEMPORARY REMOVAL OF STUDENT

Disruptive behavior includes conduct that distracts or intimidates others in a manner that interferes with instructional activities, fails to adhere to a Faculty member's appropriate class-

room rules or instructions, or interferes with the normal operations of the College. Students who engage in disruptive or threatening behavior may be directed by the Faculty member to leave the classroom or by an authorized College official to leave the College premises. Students who refuse to leave the campus after being requested to do so will face serious sanctions, the minimum of which will be suspension. In imposing an emergency suspension, the College official responsible for campus safety may direct that the student immediately leave the College premises and may further direct the student not to return until contacted by the Registrar or the Conduct Officer. Full compliance with this policy is expected from every LIBI student. For further information, please refer to Interim Suspension in the definitions of Disciplinary Statuses and Sanctions section on pages 81-84.

REMOVAL FROM CLASS

A Faculty member may remove a student from class meetings for disciplinary reasons. If an instructor removes a student for more than one class period, the Faculty member will notify the Provost or the Assistant Campus Director in writing of the problem, action taken by the Faculty member, and the Faculty member's recommendation. If an acceptable resolution of the problem cannot be reached by the Faculty member and the student, the Faculty member will refer the case to the Provost, who may in turn refer the case to the student conduct hearing panel. In instances where the Faculty member recommends permanent removal of the student from the course, the student will be required to meet with the student conduct hearing panel (usually comprised of three administrators and two Faculty members who are selected on a rotational basis with the aim of choosing Faculty who have not had the student in their courses). In instances when the incident occurs before a time of extended Faculty breaks which render Faculty unable to participate in the judicial process, the President of the College will assemble an ad hoc Student Conduct Hearing Committee.

MARKING UP LIBI TRANSCRIPTS

Posting of notations on a student's academic transcript will occur upon recommendation by the Student Conduct Hearing panel, the Provost, or the Assistant Campus Director to the Transcript Notation Committee (TNC) for review and final decision.

If the TNC determines that a permanent inclusion of ineligibility for enrollment (academic and non-academic) must be added on the student's transcript, the student may appeal to the Provost for redress. Should the Provost determine that the notation is necessary; the student may seek to appeal the decision to the President of the College. The President's decision will be final.

RIGHTS OF THE ACCUSED STUDENT

INVESTIGATION

Upon witnessing or receiving a report regarding alleged violation(s), the individual receiving this information must promptly alert the Director of Operations & Institutional Effectiveness of Administration or the Provost if the infraction is one of academic dishonesty.

Upon reviewing the allegation, the Director of Operations & Institutional Effectiveness will conduct a preliminary probe to augment what has been presented to determine if there is sufficient information to proceed with the student conduct process. If the Director of Operations & Institutional Effectiveness determines that the allegation merits a Student Conduct Hearing, then the Director of Operations & Institutional Effectiveness will proceed to name and assign an impartial investigator to the case. Once the investigator is named, the Director of Operations & Institutional Effectiveness will no longer be involved in the fact-gathering stage unless asked by the investigator or the Conduct Officer to assist in the process. While the investigator conducts

further inquiry into the case, the Conduct Officer will work with the accused student(s) to ensure that each accused student receives the protections afforded to him/her by the policies printed in this catalog.

(Special Note: In cases not involving allegations of sexual assault or sexual misconduct, the accused student may specifically petition for an open hearing. Even if allowable by the nature of the allegations, the request for an open hearing will be denied if any other participant objects.)

PROCEDURES FOR PRE-HEARING NOTICE TO STUDENT

All conduct related communications will be sent to the physical address and/or e-mail on file in the Registrar's Office. It is the responsibility of every LIBI student to keep the Registrar informed of all addresses and contact information changes. The Conduct Officer will send written "Notice" to the student of the following:

- The nature of the conduct in question and the basis for the allegation, including a brief statement of the preliminary alleged charges against the student, along with references to LIBI's policies/regulations allegedly violated.
- If a hearing was deemed necessary by the Director of Operations & Institutional Effectiveness, then a general description of the Student Conduct Committee procedures, including the student's right to tell his/her side of the story, will be provided to the student.

The investigator and the Conduct Officer will be the primary contacts for the accused student until the Student Conduct Hearing panel renders a written decision. At the end of the investigation and before the hearing proceedings begin, the investigator or the Conduct Officer will advise the student of the specific charges against the student the hearing panel will be deliberating on. At that time, the student will also be given the opportunity to submit written questions the hearing panel should ask of the witnesses. Although as a matter of practice, LIBI does not permit accused students to face the witnesses against them in front of the hearing panel, in rare circumstances and always at the discretion of the Director of Operations & Institutional Effectiveness, the accused student may be permitted to do so. Standard operating procedures allow the student to question his/her accusers by writing questions that the hearing panel members will pose to the witnesses during the proceedings.

A written decision will be sent to the accused student within forty eight (48) hours after all of the evidence has been presented to the hearing panel. Should the panel be unable to reach a decision within that time, the student will be notified by the Conduct Officer and informed of any additional requests the hearing panel may have for the student.

All decisions of the hearing panel are made in writing. The student may appeal the decision within seven business days to the President of the College should the student feel that action is necessary. If no appeal is made by that time, the decision will stand and become final.