



PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS

POLICY

The Long Island Business Institute (LIBI) seeks to create and to maintain a safe environment in which all members of the college community – students, faculty and staff – can learn and work free from the fear of sexual assault and other forms of violence. LIBI's policies on Workplace Violence and Domestic Violence and the Workplace apply to all acts of violence that occur in the workplace or that may spill over into the workplace. LIBI's Sexual Harassment Policy prohibits many forms of unwelcome conduct, including but not limited to, physical conduct of a sexual nature. **This policy specifically covers sexual assault, domestic and intimate partner violence and stalking committed against students on and off-campus.**

Through this policy LIBI seeks to inform all victims of sexual assault, stalking and domestic and intimate partner violence that LIBI has designated employees who are able to assist students who are or have been victims to obtain help, including medical care, counseling and other essential services. If the alleged perpetrator is also a member of the LIBI community, the college will take prompt action to investigate, and, where appropriate, to discipline and to sanction the alleged perpetrator.

All victims are strongly advised to seek immediate help in accordance with the guidelines outlined in this policy. Victims should be assured that LIBI will handle all confidential information related to the incident as discreetly and confidentially as feasible without further endangering the complainant. To create a safe college environment and to prevent sexual assault and other forms of violence involving members of the LIBI community, the college provides appropriate prevention educational programs and ensures that students have access to vital support services.

To achieve these goals LIBI is commits to the following:

- To provide students with clear procedures to follow if they or someone they know is the victim of a sexual assault, domestic/intimate partner violence, or stalking.
- To assist victims of sexual assault or abuse in obtaining necessary medical care, counseling, or other appropriate assistance.
- To provide students with information through sponsored educational programs and workshops about how to identify situations that involve sexual assault, domestic and intimate partner violence, or stalking, ways to prevent these forms of violence, and how to obtain assistance if they occur.
- To educate and to train college employees, including student services staff and faculty, to assist victims of sexual assault, of domestic/intimate partner violence, or of stalking.
- To follow disciplinary procedures as outlined if the alleged perpetrator is another LIBI student or employee.

PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS

PROCEDURES FOR REPORTING

If a LIBI student is being stalked, is in a sexually abusive relationship, or is sexually assaulted, the college urges the student to seek assistance as soon as possible. There are various individuals at the college who are able to assist members of the community by connecting victims to appropriate sources of help and intervention. These individuals are the staff in the Student Success Center, the Executive Director of Academic Operations and Student Services, the Provost, the Assistant Campus Director, the Director of Operations, the Director of Intercampus Activities, and the Director of Academic Affairs. These individuals are able to provide assistance to survivors with respect to contacting law enforcement, to obtain medical attention, including immediate medical help by calling EMS to ensure the student's safe passage to a SAFE (Sexual Assault Forensic Examiner) hospital if the student was a victim of physical assault or rape; to connect the student with counseling services and emotional support groups; to assist the victim with making any changes to his/her schedule or academic program; to help make arrangements for the victim to get to and from campus safely; to assist the victim with filing a report with law enforcement and obtaining an order of protection against the perpetrator; and to assist victims throughout LIBI's disciplinary process if the student chooses to file a complaint against another student in connection with the incident.

LIBI urges any student who has been the victim of a sexual assault or other acts of violence or abuse, or any student or employee who has witnessed a sexual assault or other act of violence against a student, to report the incident to the college administration immediately, or directly to one of the LIBI employees enumerated above, if the attack occurred on-campus, or to call **911** or go to the local NYPD precinct if the incident took place off-campus. Students can refer back to their New Student Orientation packets for a comprehensive listing of individuals to contact to report an incident that takes place on campus. Students may also email safe@libi.edu to report an incident or call **347-696-SAFE**.

It is critically important for students who were victims of any physical assault to seek immediate medical assistance as soon as possible after the attack so that comprehensive medical tests can be administered. Physical evidence must be collected in a timely manner by a certified medical facility. Students who have been victims of sexual assault should understand that preservation of evidence of the attack are vital to any criminal investigation and should, therefore, seek immediate medical attention to ensure as much evidence can be gathered by trained professionals at SAFE hospitals as possible without worrying about their physical appearance or trying to "clean themselves up". Victims should NOT shower or bathe before seeking medical attention. Victims should not change clothes (if clothes worn during the attack are changed, they should be retained in a brown paper bag – not plastic).

Victims should NOT:

- douche
- brush your teeth
- wash your hands
- eat or drink
- use the toilet, if possible
- smoke
- clean the bed, linens, or area where they were assaulted

LIBI urges victims to seek help proactively whether the incident takes place on campus or off-campus.

If the incident takes place off campus, call 911 or have a trusted friend take you to the hospital. Do not be afraid to call the police. Seek medical attention immediately and then call the police from the hospital. Tell the police exactly what you remember. Be honest about all your activities. Remember, nothing you did – including drinking alcohol or doing drugs – can justify rape.

PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS

Even if the victim does not opt for forensic evidence collection, a health care provider should be seen as soon as possible so that any injuries can be treated and steps can be taken to address concerns of pregnancy and/or sexually transmitted diseases.

If a student believes that she/he may have been given a date rape drug and then assaulted, she/he should go **directly** to a hospital to receive a toxicology examination. *Date rape drugs* are drugs that are sometimes used to assist a sexual assault. Because of the effects of these drugs, victims may be physically helpless, unable to refuse sex, and/or unable to remember what happened. The drugs often have no color, smell, or taste and are easily added to flavored drinks without the victim's knowledge.¹

It is imperative that students understand that all date rape drugs are dangerous, regardless of whether they are consumed in small or large doses, and can cause death when high doses or improperly mixed drugs are ingested, or if they are consumed in conjunction with other drugs (including alcohol).

Because date rape drugs do not remain in the system for a long time, LIBI advises victims to seek medical attention immediately.

STALKING

Victims of stalking should save evidence such as:

- Emails
- Text messages
- Voicemail messages
- Phone calls
- Notes
- Videos
- Photos
- Social media messages and postings (Facebook, Twitter, etc.)
- Computer screenshots
- Any other form of evidence that would be helpful

Students should keep in mind that as time passes, evidence may become hard to locate or become lost or unrecoverable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining orders of protection related to the incident more difficult.

KEY THINGS TO NOTE:

LIBI makes available to all students a list of local hospitals where students can seek assistance; the list identifies hospitals that are designated as SAFE (Sexual Assault Forensic Examiner) hospitals. SAFE hospitals are set up specifically to assist sexual assault victims and have staff who are trained to gather evidence from sexual assaults. Rape crisis advocates at emergency rooms are also trained to handle domestic violence complaints.

When a student notifies LIBI that he/she was a victim of a sexual assault, the LIBI employee helping the student will assist the student to gain access to medical care. This may involve calling EMS that will be directed to bring victims to a SAFE hospital at the student's request/consent. Because emotional support and professional counseling are important elements of recovery

¹ <https://www.womenshealth.gov/files/assets/docs/fact-sheets/date-rape-drugs.pdf>

PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS

for victims of sexual assault, stalking, and intimate partner violence, LIBI employees helping students reporting these acts will ensure that the victims are connected to appropriate organizations that can provide ongoing counseling services.

Students who are victims of sexual assault, stalking, or domestic or intimate partner violence can report any such incident to any senior member of the college. When a report is received by an employee who is not a designated advocate, that employee will ensure that the student is connected to the correct individual immediately.

SPECIAL NOTE:

Confidentiality:

LIBI recognizes that confidentiality is important to victims of sexual assault, domestic and intimate partner violence and stalking. If the victim seeks counseling with a licensed professional outside of LIBI and/or works with an advocate from the campus to secure a counselor, those communications will be confidential. LIBI recognizes the benefits of ongoing therapy and counseling in recovery and urges all student victims to seek such assistance. It must be noted that although LIBI will make every effort to maintain confidentiality by restricting communications about the case to those who have a “need to know”, complete confidentiality cannot be guaranteed. In general, if the victim does not want to report a sexual assault or incident of domestic/intimate partner violence or stalking to the police, LIBI will not force the report. The college, does, however, reserve the right to notify the police when it believes that such reporting is necessary for the protection of the LIBI community. If the college determines that it must notify law enforcement, such notification will generally be done without disclosing the identity of the victim. Similarly, when LIBI determines that it is necessary to alert the college community because the incident poses a threat to other members of the college, LIBI will not disclose or release the victim’s identity. Student victims must bear in mind that the college must comply with various legal mandates, including specific obligations under Title IX, medical reporting laws, the Crime Awareness and Campus Security Act of 1990, the specific requirements Violence Against Women Reauthorization Act of 2013 made to the Clery Act, and the “Enough is Enough” New York State sexual assault law. One of these mandates requires LIBI to compile an annual report documenting certain categories of crimes, including sexual assault. In order to compile an accurate annual report, LIBI maintains a log of all incidents reported by victims and by-standers. The college does not disclose any personal information in the report that could identify the victim or anyone involved in the incident or crime.

Who Will Help?

LIBI has designated the following individuals as points of contact and advocacy for students who are victims of sexual assault, stalking, and domestic and intimate partner violence: the advising staff in the Student Success Center, the Executive Director of Academic Operations and Student Services, the Assistant Campus Director, the Director of Operations, the Director of Intercampus Activities and the Director of Academic Affairs.

Student victims will work with an advocate who will:

- explain to the student victim his/her rights and options about reporting or not reporting the incident to law enforcement;
- provide guidance regarding medical care and assist with access;
- provide guidance in obtaining crisis intervention;
- provide a referral to obtain services or assistance that may be necessary but are not available on campus;
- assist victims throughout LIBI’s disciplinary process if the victim selects to file a complaint against another student in connection with the incident.

PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS

- assist victims with academic program changes, if necessary or appropriate to the situation.

When LIBI receives a report or complaint of sexual assault, stalking, or domestic and intimate partner violence, LIBI will act without delay to assist the victim and to determine whether the alleged perpetrator was another member of the LIBI community. LIBI will follow the procedures in place for investigating complaints published in the college catalog and the employee handbook. If the investigation yields sufficient reasons or evidence to warrant formal charges against another member of the LIBI community (student, faculty, or member of the staff), then such charges will be brought in accordance to published college policies. If the alleged perpetrator is another LIBI student, the individuals will receive the charges in writing and will have the opportunity to discuss the charges with the Conduct Officer directly before the hearing commences. Once the hearing commences, both the complainant and the respondent will be entitled to the same opportunities to have others present and to be informed of the outcome of the proceedings. The college will inform the complainant that he/she is entitled to receive a report of the proceedings, and will make the report available at the complainant's request. If the respondent is a student and is found guilty a of sexual assault, stalking, or other act of violence in violation of LIBI's policies after all evidence is considered at the hearing, the respondent will face disciplinary penalties that may include suspension, expulsion, or permanent dismissal. Should the respondent, or anyone connected to the individual acting on his/her behalf, contact the complainant during the investigation or in the course of the disciplinary hearing process to harass, intimidate, threaten or coerce the complainant in any way, LIBI reserves the right to bring additional disciplinary action against the person(s) involved.

IMPLEMENTATION

Through the work of the Director of Operations and Institutional Effectiveness and the Executive Director of Academic Operations and Student Services, the President and the Provost ensure that staff at all three LIBI locations are trained, and understand how to implement this policy. The Directors ensure staff at all locations has access to the most up to date information and resources about prevention and victim assistance as they relate to sexual assault, stalking, and domestic/intimate partner violence.

PUBLICATION AND DISTRIBUTION

LIBI makes this policy easily accessible by publishing it on the college website. Students receive this policy in orientation and via community-wide email. LIBI's policies on sexual assault, stalking, and domestic/intimate partner violence are published in the Student Handbook. Copies of this policy are also physically available through the library, and are posted around the campus by the Safety and Security bulletin boards, in the Student Success Office, and in Career Services.

ON-GOING EDUCATIONAL PROGRAMS

LIBI strives to provide useful and relevant risk reduction and prevention workshops and programming. Members of the college community have access to educational programs that help individuals better understand the nature and dynamics of sexual assault, stalking, and domestic/intimate partner violence, and the means to reduce their occurrence and ways to prevent them from happening. By inviting and working with organizations such as the Justice Center, Woman-kind, and OneLove Foundation, LIBI strives to offer prevention education that provides relevant information, including education on bystander intervention, the importance of peer support, counseling help, and the importance of encouraging responsibility within the community.

LIBI incorporates information about prevention education in the New Student Orientation and in the Freshman Seminar class. Information about prevention programs is freely available for students to take from designated areas around the campuses, including by the Safety and

PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS

Security bulletin boards, Student Success Center, Career Services, and the Library. Additionally, through LIBI's participation in the OneLove Foundation students are encouraged to participate in "the Escalation Workshop" which is a film-based discussion about the warning signs of relationship abuse. The workshop consists of a film, *Escalation*, which is guided by one of LIBI's trained facilitators. LIBI's involvement in OneLove aims to help students better understand and recognize unhealthy and dangerous relationship behaviors if/when they start to see them developing. The premise behind this program is to better educate the community on an ongoing basis throughout the academic year, to start conversations about the differences between healthy and unhealthy relationships, and to empower members of the LIBI community to refuse to become a statistic in relationship abuse reports.

Creating a safe, healthy, legitimizing, and empowering environment involves a multitude of factors, including ongoing educational programs, support, and assistance. LIBI takes a holistic approach to creating a non-judgmental environment where students can seek help when they need it, and where everyone feels supported in their own journey to independence and empowerment. One factor that LIBI has recognized to be correlated to domestic/intimate partner abuse, stalking, and sexual assault is the presence of, or abuse of, drugs and alcohol when these incidents take place. LIBI's Alcohol and Other Drugs Committee (AOD Committee) takes an active role in bringing information and educational programs to LIBI. The AOD Committee administers anonymous surveys to determine the level of alcohol and illicit drug use by members of the community with the intent to offer more targeted educational programming and to make assistance available to those who are ready to get help. The Safety and Security boards include extensive information about the harmful effects of alcohol and drug abuse, speakers are invited throughout the academic year, and general education courses include topics aimed at raising greater community awareness and to provide avenues that allow those who need assistance to seek it. Pamphlets are available in various languages prevalent on campus to encourage the community to read and educate themselves further on the destructive and dangerous effects of alcohol and drug consumption.

In order for LIBI to ensure that students attending its three locations receive the same level of support and assistance, the college provides ongoing training for staff and interested faculty about the prevention and handling of sexual assaults, stalking and domestic/intimate partner violence. Student Services staff, including Academic Advisors, Career Services staff, the Directors of these departments, the Director of Intercampus Activities, the Librarians, the Provost, and the Academic Directors are all trained to intervene and assist. Other interested members of the community, including faculty, are invited to participate in all training available to the trained staff.

The office of the President and the Provost jointly monitor compliance with this policy at all three LIBI locations through the direct oversight of the Executive Director of Academic Operations and Student Services, the Assistant Campus Director, the Director of Intercampus Activities, and the Director of Operations and Institutional Effectiveness. These individuals are responsible for ensuring that all three LIBI locations are provided with all relevant educational materials and that those materials are readily available to the students at each location. The members of the Safety and Security Committee and the AOD Committee review the safety and drug and alcohol awareness activities sponsored by the Director of Intercampus Activities in quarterly meetings and make recommendations for changes, as necessary or appropriate. LIBI officially reviews its policies and procedures once per annually and republishes any changes. Changes are sent to the community and published on LIBI's website.