



METROPOLITAN LEARNING INSTITUTE

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Non-Profit Educational Organization

“ Innovative Approach Is Our Way to Success ”

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Employee Handbook

2018

MLI Employee Handbook

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1. Exit Evaluation Form
2. Reference Request Form and Employee Authorization
3. Work Schedule Agreement Form (Faculty)
4. Work Schedule Agreement Form (Administration)
5. Timecard sample
6. Leave of Absence Request Form
7. Written Formal Review and Evaluation

THE MLI MISSION STATEMENT

The Mission Statement of the Metropolitan Learning Institute, Inc. is to see each graduate prepared with the drive, academic education; theoretical background, practical hands-on experience and knowledge of the field which he or she needs to successfully compete for employment in today's business and health care environment.

MLI VISION STATEMENT

In response to the ever-growing demand for skilled individuals in the field of computer use, nursing, and allied health specialties, Metropolitan Learning Institute's vision is to offer thorough career training in both computer software for PC applications utilizing the latest in computer technology advances for business applications, and in preparing practical nurses/other allied health specialists who can safely function with competence in the present complex health care industry.

The school is committed to providing a safe, supportive learning environment that promotes excellence in learning and allows students to develop, cultivate and enhance self-confidence, technical skills, critical thinking abilities, appropriate work ethics, professionalism, personal discipline and leadership. The school further aims to provide each student with purposeful training to foster the development of appropriate personal values, motivation, self-respect, responsibility and accountability.

As a non-profit organization, Metropolitan Learning Institute is conscientious with the careful selection of candidates for admission. Candidates go through a screening process that sets them up for success in their chosen field. The administration, faculty and support staff are encouraged to treat each individual student with respect and courtesy in meeting their needs without sacrificing quality instruction.

The latest computer technologies of the new millennium are incorporated in all coursework to assist the new graduate with communication strategies, which are a vital part of today's global business and health care industries. Hands-on applications provide a basic foundation towards developing critical entry level skills.

Courses provide the necessary training in pursuit of personal and career advancement. Students are supported with job search and employment counseling and assistance to meet relevant and current business and health service needs.

USE OF THE MLI EMPLOYEE HANDBOOK:

MLI has prepared this Handbook to orient you to MLI policies & procedures. This Handbook applies to all employees in MLI's campuses, and supersedes any previously distributed handbooks.

This Handbook includes important facts about MLI, standards of management and expectations of employees, as well as an overview of the general rules, policies, operating procedures and benefit programs currently in effect for employees.

THIS HANDBOOK IS NOT INTENDED TO BE COMPREHENSIVE. MLI FULLY INTENDS TO COMPLY WITH ALL LOCAL LAWS THAT APPLY TO YOUR EMPLOYMENT.

All employees should sign the "Acknowledgement of Receipt of Employee Handbook" form upon receipt of this handbook and return the form to their School Director.

Carefully read this handbook as soon as possible and discuss any questions you might have with your supervisor or School Director.

THE CONTENTS OF THIS HANDBOOK ARE NOT INTENDED TO BE AND DO NOT CONSTITUTE AN EXPRESS OR IMPLIED EMPLOYMENT CONTRACT. UNLESS OTHERWISE SPECIFICALLY PROVIDED IN A WRITTEN AGREEMENT BETWEEN AN EMPLOYEE AND AN AUTHORIZED EXECUTIVE OFFICIAL OF MLI, ALL EMPLOYEES ARE EMPLOYEES AT WILL. THIS HANDBOOK SHOULD NOT BE CONSTRUED AS CONTAINING BINDING CONDITIONS AND TERMS OF EMPLOYMENT, AND EITHER YOU OR MLI MAY TERMINATE YOUR EMPLOYMENT AT ANY TIME, FOR ANY REASON OR FOR NO REASON, WITH OR WITHOUT CAUSE OR NOTICE.

MLI RESERVES THE RIGHT IN ITS SOLE DISCRETION TO REVISE THIS HANDBOOK BY ADDING, REDUCING, CORRECTING, DELETING OR UPDATING ITS CONTENT, AND ANY OR ALL OF THE POLICIES AND BENEFITS DESCRIBED IN THIS HANDBOOK, AT ANY TIME WITH OR WITHOUT PRIOR NOTICE.

A. EMPLOYMENT

EQUAL EMPLOYMENT OPPORTUNITY

MLI has a long-standing commitment to providing equal opportunity in the workplace to all employees and qualified applicants in all terms and conditions of employment, including but not limited to, recruitment, selection, promotion, compensation and benefits. MLI provides equal employment opportunities to all individuals without regard to race, religion, national origin, citizenship, gender, age, veteran or marital status or disability, or in each case as required by applicable law.

NON-HARASSMENT POLICY

MLI has a long-standing policy of ensuring an environment that respects the dignity and worth of each individual and is free from all forms of unlawful harassment based upon an individual's race, gender, national origin, age, disability or any other characteristic prohibited by law. Unlawful harassment, including sexual harassment, will not be tolerated. This policy prohibits all harassment occurring in the work environment, whether in an MLI office or classroom. This policy applies to all employees of MLI, all outside contractors who are associated with MLI and all third parties doing business with MLI. Violations of this policy may result in appropriate corrective action, including disciplinary action and/or termination of employment.

Sexual Harassment

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature when

- Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment; or
- Submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Some examples of what may constitute sexual harassment are: (1) threatening or taking adverse employment actions if sexual favors are not granted, or demanding sexual favors in exchange for favorable or preferential treatment, (2) unwanted remarks of a sexual nature, including those made as a part of any purposed humorous conduct (such as off-color jokes), (3) persistent and unwanted sexual flirtations, propositions or requests for sexual favors, (4) unwanted physical touching of any kind, (5) open displays or unsolicited showings of nude or sexually explicit photographs, derogatory or demeaning posters, cartoons, cards, or graffiti. Sexual harassment (and other discriminatory conduct) may result from actions taken by co-workers or third parties such as contractors with whom MLI does business.

Other Prohibited Harassment

For the purposes of this policy, other prohibited harassment includes verbal, non-verbal or physical conduct that discriminates against an individual because of his/her race, religion, gender, national origin, age, ancestry, disability or any other characteristic protected by law. Examples include:

- Offensive language or materials (such as epithets or slurs) that have the purpose or effect of creating an intimidating, hostile or offensive work environment; or
- Employment decisions that have the purpose or effect of unreasonably interfering with an individual's work performance or discriminating against an individual because of race, national origin or any other protected status.

Reporting Harassment

If you believe you are being harassed, have observed harassment, or have received a complaint of harassment, you should promptly notify your supervisor, the Campus Director, and/or MLI's President. Under no circumstances are you required to report the harassment to a supervisor whom you believe is responsible for harassing activity.

When a report of harassment is made:

MLI will conduct a prompt and thorough investigation as appropriate under the circumstances. Steps taken will depend upon the nature of the allegation. All individuals must cooperate fully in the course of any investigation. Confidentiality will be maintained throughout the investigation subject to the need to conduct a full and fair investigation. If MLI determines that work-related harassment has occurred, prompt remedial action will be taken against the offending person(s), up to and including his/her termination from employment.

Individuals who report harassment or who are involved in the investigation of a harassment complaint will not be subject to reprisal or retaliation in any form. Retaliation is regarded as a very serious violation of this policy and should be reported immediately. Retaliation against a complaining party by anyone will be grounds for immediate dismissal.

MLI takes its Non-Harassment Policy very seriously and you are expected to report instances of harassment truthfully and responsibly. False reports of harassment in violation of this policy may result in corrective action.

REASONABLE ACCOMMODATION FOR THE DISABLED

MLI is committed to complying fully with the Americans with Disabilities Act ("ADA"), and to preventing discrimination on the basis of disability in all aspects in the workplace. Consistent with the ADA, and to the full extent required by law, MLI is committed to providing reasonable accommodations for all disabled individuals.

SUBSTANCE ABUSE POLICY

MLI is committed to providing a healthy and safe work environment that is free from the effects of drugs and alcohol. (See also additional information on pp. 42-48)

Illegal Use of Drugs

MLI prohibits the illegal manufacture, possession, distribution, dispensation or use of controlled substances, as defined by New York/New Jersey State and Local laws, in an MLI workplace. MLI prohibits employees from acting under the influence of controlled substances in an MLI office, work-site or while on MLI business. If an employee is found to be in violation of this policy, that employee will be subject to disciplinary action, which may include termination. Furthermore, MLI will cooperate with any criminal investigation into any illegal activities of MLI employees by law enforcement authorities.

Illegal Use of Alcohol

No alcoholic beverage of any kind is allowed in any MLI building or facility, except for certain MLI-sponsored events for which MLI has approved the serving of alcohol. At such pre-approved events, employees are expected to conduct themselves professionally and responsibly. While employees are free to consume alcoholic beverages on their own time away from work, anyone who comes to work, or who conducts MLI business, while intoxicated or under the influence of alcohol will be subject to disciplinary action, which may include termination.

All MLI employees are expected to cooperate fully in any investigation by MLI of substance or alcohol abuse, and failure to cooperate may itself be grounds for corrective action.

We expect all employees to report any violation of this policy immediately to the appropriate Campus Director. Individuals who believe that they are suffering from an alcohol or drug problem should also consider notifying the MLI President, so that steps may be taken to refer the individual for appropriate treatment and counseling.

NO SOLICITATION/NO DISTRIBUTION POLICY

MLI is committed to providing a secure and productive workplace free from unwanted and unnecessary interference.

A no-solicitation policy is in effect to protect employees against needless harassment or embarrassment, to promote a secure workplace and to prevent disruptions of MLI operations. The following rules regarding solicitation and distribution of literature on MLI time or MLI property must be observed:

1. No one may solicit employees or distribute written material in any MLI facility during work hours.

2. Non-employees that intend to distribute written materials or solicit contributions, memberships and participation in non-MLI related activities, or sell goods of any kind are not permitted to have access to MLI property at any time.

Violations of this policy will subject employees to corrective action, including disciplinary action, which may include termination of employment.

CONFLICTS OF INTEREST/OUTSIDE EMPLOYMENT

MLI's objective is to deliver quality education, job placement and related activities. It is expected that your employment obligation be with MLI. Therefore, any outside employment should not interfere in any way with the performance of your job or your scheduled work shifts. If you find it necessary to consider outside employment, and feel it may conflict with your job at MLI, you must discuss the nature of the employment with your Campus Director. MLI will not approve any employee accepting secondary employment with any MLI-affiliated persons, or with a competitor that may result in a conflict of interest.

OPEN DOOR POLICY

MLI encourages employees to communicate to management all requests, complaints, problems, or other issues that affect your work environment.

It is the intention MLI to provide a work environment that fosters a collegial atmosphere that supports team work and collaborative initiatives between offices, department and sectors. Within this environment, MLI prides itself on fostering relationships that respect the dignity and worth of each individual.

To that end, MLI's senior management encourages employees to discuss job related problems or suggestions with their supervisors without the fear of reprisal. The following steps are suggested as a guide in working through job related problems:

1. The first step would be to bring the issue to the attention of your supervisor. A meeting in which the issue can be discussed should take place very soon after notification.
2. Should the issue not be resolved during the initial meeting, the issue can be brought to the attention of the supervisor's supervisor. Employees may feel uncomfortable doing this for fear that it will have an adverse effect on their any form of retaliation. Should retaliation occur, the employee should contact their Campus Director immediately.

3. If the problem still persists after it has been brought to the attention of the Campus Director, the employee can bring it to the attention of the MLI President.

In both the second and third steps, the person notified of the issue will work with the employee to resolve the issue within a reasonable timeframe. Every effort will be made to maintain confidentiality; however, MLI cannot guarantee that the matter will not be shared with the employee's supervisor.

If an employee has a complaint regarding discrimination, harassment or equal employment opportunity, the matter should immediately be reported in accordance with MLI's Non-Harassment Policy, as set forth above in this Handbook.

PERSONNEL FILES

MLI considers the information contained in personnel files to be confidential information and entrusts the maintenance and security of those records to the Campus Director. A request for access to, or information from, an employee's records by internal sources must be addressed to the Campus Director who will grant a request only for a valid, "need-to-know" organizational reason, unless access is otherwise required by law.

MLI will not release information from an employee's personnel file to outside parties without the employee's written consent, unless required by law.

Current employees have the right to examine most MLI records that pertain to them personally and will be granted access to those records during normal business or working hours, even though MLI is not compelled to do so by law.

Certain documents in the personnel file will not be available for inspection. These documents are those that reveal:

- Information regarding other employees;
- Information regarding an employee's future, planned salary increases, promotion, or job changes;
- Information that may be confidential as a matter of company policy, such as salary ranges;
- pre-employment references;
- medical information;
- information regarding an investigation into possible criminal activity;
- information not allowed for inspection pursuant to law; and
- any other information deemed by MLI to be inappropriate for inspection

An employee may request a copy of any document available for inspection within their personnel file. If an employee feels that something in the file is inaccurate, the employee has the right to draft a memorandum to rebut the inaccuracy and place that

memorandum in the file. The rebuttal memorandum should identify the objectionable document and address the reasons why the employee claims the document is inaccurate.

CLASSIFICATIONS OF INDIVIDUALS WHO PERFORM WORK FOR MLI

If you are unsure of a position's classification, ask your supervisor, or the Campus Director.

The different classifications of MLI positions are:

Regular Full-Time Employee

Regular full-time employees are those who work a regular schedule of 40 hours per week, or teach over 25 hours if a faculty member. All regular full-time employees must sign a work schedule agreement with their supervisor.

Regular Part-Time Employee

Regular part-time employees are those who consistently work less than 40 hours per week or who teach less than 25 hours **on a regular basis**.

Temporary Employee (Full-time or Part-time)

Temporary employees are those who are employed by MLI on a short-term or interim basis, and in no case for longer than six (6) months. Temporary employees are paid at an hourly rate and are but are entitled to short-term disability insurance which is New York State mandated. This mandated coverage does not extend to any temporary workers provided through a staffing agency.

Consultant

Consultants are independent contractors who have signed written employment contracts with MLI that describe the terms by which that individual will provide services or will complete a project during a specific time period. Consultants are paid in accordance with the terms of their contracts. Consultants are responsible for making arrangements to pay their U.S. federal and state income taxes. The MLI President must approve all consultant contracts.

MLI's COMMITMENT TO EMPLOYEES

Supervisors at MLI are dedicated to the professional growth and well being of our employees. As a result, MLI has created and seeks to maintain an inviting and especially attractive environment for outstanding individuals in order to sustain the high quality of education provided by MLI to its students.

MLI seeks to become a leader, across a wide spectrum of technical and training areas, in our continuing efforts to improve the educational programs we provide. Our personnel policies seek to develop talented and high performing employees and to challenge them in a workplace that provides the opportunity for professional growth.

Furthermore, in order to maintain a challenging and constantly improving workplace, MLI is committed to the continuing professional development of its employees by providing a learning and growing work environment that includes candid assessments of MLI performance.

CAREER OPPORTUNITIES

Job openings with MLI are posted internally and/or externally as is deemed appropriate by the President. Most job openings are posted in local area newspapers such as The New York Post, Newsday, El Diario, Tsingtao Daily and others, and on websites such as Craigslist.org. Openings for internal positions are posted on the school's bulletin boards.

Promoting from within

MLI recognizes the value of its employees and makes every reasonable effort to promote from within the organization, consistent with MLI business needs. If an employee is interested in vacant position, they should follow the steps below in a timely fashion:

- Notify the Campus Director of their interest in the job opening.
- Submit a cover letter and resume to the President indicating the position of interest.

Employment of Relatives

MLI will make reasonable efforts to accommodate relatives or family units who work within the organization in an equitable and non-discriminatory manner. The following guidelines apply:

- Relatives, family units, or people with close personal relationships, as determined by management, may be hired into separate departments with separate management supervision.
- Relatives, family units, or people with close personal relationships, as determined by management, are not permitted to supervise one another in order to minimize problems of supervision, safety, security and/or morale.

EMPLOYEE DUTIES

An employee has a series of duties that he/she owes to his/her employer. At MLI, we expect you to fulfill those duties. These staff-member duties are non-exclusive and MLI reserves the right to evaluate employees based on other performance-related factors. The duties include, but are not limited to:

The duty to work to the best of your abilities: MLI expects you to come to work on time and give MLI your very best effort in every job-related activity.

The duty of care: At MLI, your work may determine the success or failure of programs that many students benefit from. You are entrusted to support, with diligence and care, all efforts to ensure the success of MLI's programs. You are also entrusted to treat carefully all of MLI's material resources – property, money, equipment, computers, etc.

The duty of loyalty: You are expected to act in MLI's best interests at all times. If, for example, you identify a cost-saving measure, you are duty-bound to inform MLI about it.

The duty of good conduct: The reputation of MLI depends upon the good behavior of its employees, both on the job and away from the job. We expect you to conduct yourself in a way that reflects well on MLI.

The duty of confidence: You are duty-bound not to reveal “Confidential or Proprietary Information” or “Private Information” to anyone outside of MLI either during or subsequent to your employment with MLI. You are also duty-bound to not reveal “Confidential or Proprietary Information” or “Private Information” you learned about in your position to anyone in the organization, other than your Campus Director and/or the MLI President.

“Confidential or Proprietary Information” is defined as any information that is discovered or developed by you, your co-workers, or the Campus Directors and that (a) specifically relates to manner in which MLI conducts its business and (b) is information that has been created, discovered or developed by, or is known to MLI and has any value. By way of illustration, Confidential or Proprietary Information includes but is not limited to leases, contracts and related information, all copies of MLI correspondence, all manuals and any materials developed and written for the use of MLI while employed by MLI.

“Private Information” defined as any information that is personal and secret in nature and relates to MLI employees or any current students or alumni of MLI. By way of illustration, Private Information can include but is not limited to medical records, financial aid applications, benefits information, personnel files and any information contained in them including applications, references, memoranda, personnel action forms, performance appraisal forms, salary and payroll records and reports, employment agreements, expense reports, position analyses, salary grade and ranges, offer letters, and credit/criminal background checks.

EMPLOYEE MISCONDUCT

Unacceptable conduct will not be tolerated at MLI and will result in disciplinary action, up to and including immediate discharge. The following are provided as examples of misconduct that will result in disciplinary action, possibly including immediate discharge:

- Theft, destruction, defacement, misuse or abuse of personal of MLI property
- Violation of any of the employee duties
- Excessive absenteeism and/or lateness
- Insubordination or refusal to follow a supervisor's directions
- Fighting with, or harassment of, an employee, student or visitor
- Carrying out acts of violence or threatening acts of violence toward an employee, employee, student or visitor
- Falsifying company records, documents or personal records, or engaging in other acts of dishonesty, including providing false or misleading information on an employment application
- Refusal to comply with safety procedures
- Possession, use, sale or distribution of illegal drugs during working hours or on MLI property or while conducting MLI business
- Reporting to work or working under the influence of alcohol or illegal drugs, either while on MLI property or conducting business
- Illegal harassment toward MLI employees and/or students
- Possession of weapons on MLI property
- Refusal to comply with safety procedures
- Falsifying expense records or submitting false expense reimbursement requests or charging MLI property on personal credit card accounts.

This is not an exhaustive list, but rather these are examples of the type of behavior that is unacceptable and could result in immediate termination. MLI expects employees to maintain the highest standard of performance and productivity and to work together as a team to achieve overall success. There may be situations in which work habits, conduct or demeanor or overall attitude become unsatisfactory or situations occur in which employees engage in conduct that is harmful to the operations and prospects of MLI and which requires discipline and possibly termination of employment.

TERMINATION OF EMPLOYMENT

All employment at MLI is employment-at-will and may be terminated by the employee or MLI at any time and for any legal reason or no reason, with or without notice and with or without cause. Nothing in the Employee Handbook or any other document or statement shall limit the right of MLI to terminate employment.

Resignations

If an employee wishes to resign, MLI requests that he or she give at least two (2) weeks written notice. Directors should give at least three (3) weeks' notice. MLI may continue your employment following a notice of resignation or may terminate the employee at an earlier point.

Termination of Benefits

Health care benefits cease on the last day of the month following an employee's date of termination. All other benefits will terminate on the last day of employment.

Employees subject to termination may be eligible, at their own cost, to extend group medical coverage under COBRA rights and convert any existing group life insurance to an individual policy.

Departing employees will receive confirmation of their termination in writing informing them of their rights and responsibilities, including their option to continue healthcare benefits under COBRA.

Provided the departing employee does not owe any money to the organization, and provided the departing employee has returned all MLI property in a suitable condition, then the employee who leaves the organization will receive pay for all time worked.

Exit Evaluation and Interview

MLI invites each departing employee to complete a confidential exit evaluation and to have an exit interview with their Campus Director.

To maintain confidentiality, the departing employee can send the Exit Evaluation form (see appendix) directly to the Campus Director. This form serves several important functions:

- It provides MLI with a reliable address to send vital information to the employee;
- It alerts MLI about positive and negative trends in the different departments and campuses;
- It helps MLI to shape future policies and procedures;
- It allows MLI to make recommendations for improvement in different departments and campuses.

Employment References

MLI will respond to reference requests only by providing the period of employment, job title and final salary *unless* the employee signs the “Reference Request and Employee Authorization” form (see appendix). All requests for references, written or oral, should be directed to the appropriate Campus Director. The Director will review the employee’s file and coordinate the appropriate response.

TELEPHONE USE

MLI’s telephone system should be used primarily for business purposes. MLI recognizes that you may occasionally need to call home, arrange appointments, etc. However, please keep such calls to a minimum. (This includes cell phone calls)

If a personal or long distance call must be made from a school phone, MLI requests that you use your personal long distance telephone credit card or prepaid phone card.

EMPLOYEE DRESS CODE

MLI's faculty and staff are required to dress in an appropriate manner in order to project the correct image of professionalism and good taste that the school strives to imbue in its students. While campus office staff (such as IT staff) may perform duties in 'business casual' attire, male faculty members are required to wear a button-down shirt and a necktie for all classes and female faculty members must also wear either a blouse or a button-front shirt and a conservative skirt (extending to or below the knees) or pants at all times in class.

Blue jeans, tank tops, short skirts, low-cut and/or loud and overly-decorated blouses and other forms of casual clothing are not permitted to be worn by either faculty or staff. Violators of the dress code policy will receive a warning leading to a formal reprimand, and other serious consequences for repeat violations of the code.

NETWORK SECURITY POLICY

Scope

MLI's security measures apply to all MLI-owned information, either physical or electronic, including your use of internal E-mail, external E-mail, the Internet, cellphone texts or apps and any other communications and/or electronic equipment owned by or used at MLI, and all information hardware, including desktops, laptops, tablets, cellphones and peripheral equipment owned by or used at MLI (hereafter referred to as the "Electronic Equipment").

All regular and consulting employees must comply with these security measures to have access to any Electronic Equipment. Anyone who does not comply with this Network Security Policy will be subject to disciplinary action, including termination if warranted.

Responsibilities

Every MLI computer user is responsible for safeguarding MLI information and physical assets that store this information. Every MLI user is also responsible for using computing resources in an effective, ethical, and lawful manner.

The MLI Computer Department maintains MLI's information systems security measures. All security measures must be approved by the MLI President.

Campus Directors must protect all hardware and departmental data assigned to their campus. Specifically, all equipment assigned to a department must be accounted for and protected from damage caused by inappropriate use of the said equipment (dropping, spillage, etc.)

The file servers and all networking peripherals must be locked into a designated room. This room will be accessed by the IT Technician, the Campus Director, and those authorized by the Director.

All users on the MLI network must select a secure password. The user should not divulge this password to anyone. Users are required to stay within their user rights and shall not attempt to use another user's account password or user information without express permission.

MLI has the unilateral right to restrict or terminate your access (or anyone else's access) to its Electronic Equipment at any time. MLI also may take appropriate disciplinary action, up to and including termination, in the event that you use Electronic Equipment in violation of the Policy or other MLI policies.

When an employee terminates employment with MLI, their user account will be terminated by the Campus Director and/or President.

Commercial software must be used in accordance with licensing agreements and copyright law. Noncommercial and personal software should not be installed on MLI computers unless approved by the Campus Director. In addition, employees should not download software from the Internet without prior permission from their instructor.

You may not violate any copyright, patent, trademark or other intellectual property law, including restrictive software laws. Accordingly, unless permission has been given explicitly and officially in writing, you may not post or download any data, including but not limited to e-mail, files, documents, graphic files, news-group messages, bulletin-board messages, Web pages, applications software, operating system software, or any other intellectual property protected by the law.

You also should be aware that federal law prohibits the transmission or transporting of encryption software programs beyond the borders of the United States.

File Security/Confidential Information

Every file on the system is owned by MLI. No one, without the express permission of the owner will access, modify, or delete a file that they do not own. If a user finds a file in an inappropriate place or condition the user must immediately report this to their supervisor and/or their Campus Director.

Security issues are especially important to consider when using the Internet and wireless networks to communicate with those outside MLI. The Internet is not a secure system, and can be used by third-parties to access information that was intended to remain confidential between the sender and the recipient. Accordingly, great care should be taken in determining whether to transmit information or documents over the Internet and to prevent unlawful or offensive materials from being brought into the MLI network from the Internet.

The IT Technician will provide updated virus patterns for all MLI's computers. In every case possible, files will be transmitted to and from field offices via the Internet

to prevent the transmission of boot sector viruses. When not possible, the user is responsible for virus checking every flash drive prior to use. Users should not leave USB flash drives in the computer and risk boot sector infection on reboot.

All MLI information not maintained by MLI on server hard drives, or which requires special backup routines must be backed up once a week or after every major transaction. All critical information must be backed-up daily.

Acceptable Use Policy

All Electronic Equipment, and all messages and other information accessed or communicated through Electronic Equipment, are the property of MLI. MLI reserves the right to monitor any and all activity and use of this network and any Electronic Equipment.

You may not use Electronic Equipment to transmit potentially critical or derogatory statements regarding individual employees, students, vendors or business partners. This prohibition includes performance evaluations, human resource investigation materials, and complaints.

MLI information and resources generally should be used only for business purposes. Employees should not misuse their Internet privileges by downloading large files for personal use.

In the course of your job, you may use Electronic Equipment to communicate with your co-workers, members, vendors or other third-parties in the course of conducting business. As with the telephone, there may be occasion to use these facilities for personal purposes. Personal use is permitted so long as it does not interfere with the performance of your job, consume significant resources, give rise to more than nominal additional costs, or interfere with the activities of other employees. Under no circumstances shall any Electronic Equipment be used for personal financial gain, distribution of chain letters, solicitation of others for activities unrelated to MLI activities, or in connection with political campaigns or lobbying.

The determination of whether your use of Electronic Equipment is acceptable and in compliance with this Policy lies within the sole discretion of MLI, which may prohibit your personal use of the Electronic Equipment at any time and for any reason. Any questions about acceptable use will be resolved by the Campus Director and the MLI President.

Under no circumstances may any posting, e-mail, message or document originating at MLI, or involving the use of any Electronic Equipment, contain:

1. Political or religious beliefs commentary;
2. profanity, obscenity, slander, or libel;
3. unwelcome propositions, requests for dates, or love letters;
4. sexually explicit messages, images, jokes, cartoons, or photographs.

or any other message that could be construed as harassment or disparagement of others based on gender, race, sexual orientation, age, national origin, disability, religion or any other protected status. MLI has the right to determine, in its sole and absolute discretion, whether any material or information contains unacceptable content.

In addition to the above, Electronic Equipment shall not be used to access or download obscene materials or other unacceptable material.

Compliance

Violation of any of MLI's security measures, or the MLI Electronic Equipment policy, may result in MLI restricting that employee's use of computing services, in disciplinary action, up to and including termination of employment, and/or reporting the employee to the appropriate law enforcement agency.

BULLETIN BOARDS

Bulletin boards are placed in strategic locations at each campus to make available to all employees general information on our programs and classes, job postings and announcements. All postings must be submitted to the Campus Director for approval.

MLI encourages you to review our bulletin boards to keep informed on what is happening in your campus.

Employees are not permitted to use MLI bulletin boards for their own personal purposes or to post documents or information unrelated to MLI business.

NON-SMOKING POLICY

MLI has established a Non-Smoking Policy to be responsible for protecting the health and welfare of its employees. Accordingly, all MLI campuses, as per New York City law, are designated as non-smoking facilities. This means that there is no smoking allowed anywhere in these facilities, including private offices.

Employees who need to smoke must do so outside. Such employees are expected to adhere to normal working periods. Any complaints regarding violation of this policy, particularly those who remain outside smoking past "normal break periods", may be addressed to the appropriate Campus Director. Employees violating this policy may be subject to disciplinary action, up to and including termination.

A. WORKING HOURS & TIME OFF

WORKING HOURS

Flex-Time Scheduling

To accommodate the different needs of each MLI location as well as the needs of our staff, MLI allows flexibility in scheduling consistent work hours. All regular full-time non-faculty employees are expected to work 40 hours per week and are required to work during the daily “core hours” of 9 a.m. to 5:00 p.m. (However, employees may, in accordance with the approval procedures described below, be permitted to begin the day before or after 9:00 a.m. and leave earlier or later in the evening.)

Examples: an employee may be permitted to start work at 8:00 a.m. and leave at 4:00 p.m. or 4:30 p.m. (depending on the employee’s lunch break), or start at 9:30 and leave at 5:30 p.m. or 6:00 p.m. (depending on the employee’s lunch break).

Flex-time schedules will only be permitted if they meet the operational needs of the department. All regular full-time employees must complete a “Work Schedule Agreement” form (see appendix) and have it signed and approved by their supervisor.

Restrictions

All employees must have consistent, daily Monday through Friday schedules. MLI reserves the right to change the schedule of any employee at any time.

TIME SHEETS/TIME CARDS

Time sheets are the official documentation for the hours you have worked. Time sheets are kept on file, as required by law. Any misrepresentation or willful omission on a time sheet will result in disciplinary action up to and including termination.

The following rules apply:

All employees are required to complete daily time cards (see appendix) in accordance with the U.S. Fair Labor Standards Act.

Every non-faculty employee needs to punch out their time card daily and report the total hours worked each month to the School Secretary, who turns the totals over to the President for final approval.

Faculty members must punch in and out with a time card daily.

Notification

Because MLI must make accommodations whenever you are absent, we ask that you notify your supervisor and/or the Campus Director as soon as possible, in any case no later than a half hour before your regularly scheduled starting time. If your supervisor is unavailable, leave a message with the President. For routine doctor’s appointments, you must request time off 3 days prior to the appointment.

An employee must provide a doctor's statement when he or she is absent three (3) or more consecutive days at a time.

TIME OFF

You must request the time off at least (three days) in advance, except in extenuating circumstances or emergence situations. The Campus Director, in coordination with the President, will need to approve these exceptions.

All staff, both hourly and salaried, will be entitled to five (5) paid sick days per year, and five (5) paid vacation days per year once they have worked for MLI for at least one full year. Prior to reaching this milestone, no paid vacation days will be honored.

The five paid sick days will be automatically applied to all absences for which the excuse is illness, whether documented or not.

Once all five sick days have been paid for, additional absences citing illness as the reason will be charged to vacation days not yet taken, if any. No personal days are allowed, and no other unexcused absences will be paid in any event. Unexplained absences in any regular or excessive amount (more than five such days per year) are grounds for termination, probation, demotion, wage reduction and/or other sanctions at the discretion of the MLI Administration. Additional sick days beyond those allocated or charged to vacation will **not** be paid.

Sick days (singly or multi-day) may **not** be taken immediately before or after an employee's vacation, as this is a violation of the spirit and intent of the sick leave policy. Absences at these times will not be paid and may subject the employee to consequences if not genuinely documented as illness. Likewise, vacation leave may not be taken consecutively between the end of one calendar year and the beginning of the next, even if the employee's services are not required during the Christmas-New Year break, for example. (i.e. taking a paid week at the end of December, an unpaid week next in early January and then a paid week also in January consecutively without returning to work is **not** allowable)

Unused vacation or sick days cannot be collected or charged as a result of an employee's resignation or termination-the same applies to days that are simply not used by a given employee during the calendar year in which he or she is eligible. Unused days have no 'cash value' and cannot be carried over from year to year-so the 'Use It or Lose It' policy does apply here.

Hours taken towards doctor's appointments will be counted separately and converted to sick days at a rate of 8 hours=1 sick day.

Vacation days may be taken as half-days at a rate of 4 hours= ½ vacation day.

MLI does not object to unpaid vacation or combinations of paid and unpaid vacation days for trips of longer than one week (i.e. for foreign travel) when arranged in advance with the consent of a supervisor, but employees who do this are warned that leave for these reasons may result in them being replaced in their position before returning and that MLI makes **no guarantee** regarding the job security of any given employee in such a situation.

Teaching faculty **must arrange with their campus director** for complete coverage of their classes before taking any vacation, whether paid or unpaid.

Leave of Absence/FMLA

Please note that your rights to sick, personal and vacation leave are governed in part by MLI's Leave of Absence and FMLA policies, discussed below.

HOLIDAYS

All regular full-time and part-time employees receive the following holidays, unpaid:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Rosh Hashanah
Lincoln's Birthday	Yom Kippur
President's Day	Columbus Day
Passover	Veterans' Day
Good Friday	Thanksgiving Day (2 days)
Memorial Day	Christmas Day and Recess
Independence Day	

All MLI offices are usually closed on these holidays. In addition, on Election Day, full-time salaried MLI staff may be excused to vote for up to two hours at the beginning or end of their shift, depending on local polling laws.

INCLEMENT WEATHER

If MLI's campuses are closed or opening late due to inclement weather, all employees will receive telephone notification by 9:00 a.m. If the office will be closing early due to inclement weather, you will be notified via telephone and/or e-mail.

The closing of MLI offices due to inclement weather is at the discretion of the President. As a general rule, however, the closing of NYC public schools for any weather-related reasons will also result in MLI being closed

If an employee decides or is forced to take time off due to inclement weather while MLI's campuses are open, they must submit a completed "Request for Time Off" form to their supervisor when they return and charge the time to their available vacation balance.

JURY DUTY

All employees must let their supervisors and know as soon as they receive notice from the court to appear for jury duty. They will be granted time off, with pay, from their normal work schedule. Employees may also keep any additional jury duty compensation they receive.

Employees on jury duty are expected to return to work whenever reasonably possible, and, in any event, when excused from jury duty for a half day or more. Employees on jury duty must call their supervisors **daily** to keep them apprised of their status. When an employee has finished serving, he or she should send the jury duty summons to their Campus Director for filing.

MILITARY LEAVE

Members of reserve units or the National Guard will be granted a Leave of Absence without Pay for temporary military service. This includes activities such as periodic drills, annual training tours (summer camps), special courses of instruction, or other active duty in response to official orders.

Military leave will not be charged against any vacation, personal or sick leave.

An employee who has been on a military leave of absence will be returned to his or her position, or one of like status and pay, in accordance with all applicable laws.

BEREAVEMENT LEAVE

MLI grants 3 consecutive days of unpaid bereavement leave for the death of an employee's *immediate* family member. Immediate family members are defined as spouses, children, dependents, parents, and grandparents. One day of unpaid leave will be granted for the purpose of attending funeral services for other close relatives, friends, or business associates.

MLI may request verification of the death and /or relationship of the deceased in order to authorize bereavement leave.

Additional leave may be granted to an employee who must travel out of state or out of the country to attend funeral services for a member of their immediate family, or for other extenuating circumstances. Consult the MLI President for additional information.

LEAVE OF ABSENCE POLICIES (FMLA & NON-FMLA)

Subject to the terms and conditions outlined in this section, an employee may be eligible to request a Leave of Absence (LOA) if time away from work is required due

to extraordinary personal or medical circumstances. All employees who are out of work for 10 or more consecutive days must request a Leave of Absence.

The following regulations apply to all types of LOA (FMLA and non-FMLA):

- Employees are required to apply any accrued, unused vacation and/or sick days to their LOA.
- Once an employee's accrued vacation and sick leave have expired, the LOA will roll over into a Leave of Absence Without Pay.
- Employees do not accrue any unpaid leave (vacation or sick time) during a LOA without pay.
- When out on a LOA, employees are still responsible for the payment of premiums to maintain their medical coverage.

NON-FMLA LEAVE OF ABSENCE POLICY

The maximum time allowable for a Leave of Absence that does not fit the criteria of the Family and Medical Leave Act (non-FMLA) is forty (40) weeks. If an employee is unable to return to active employment at that time, his or her employment will be automatically terminated, effective on the LOA's expiration date. No guarantee of reinstatement can be made to employees upon return from a non-FMLA LOA.

A non-FMLA Leave of Absence may be requested in the following circumstances:

- 1: An employee who is not yet eligible for, or no longer eligible for, Family and Medical Leave Act (FMLA) leave requires extended time off due to the illness, accident or injury of him/herself or his/her dependent.
- 2: An employee has satisfactory completed one year of employment, is in good standing, and requires extended time off due to extraordinary personal circumstances.

Requesting LOA

To request approval for LOA, employees must fill out a "Leave of Absence Request" form (see appendix). If the LOA is being requested due to an illness, accident or injury of the employee or his/her dependent, written certification by a licensed physician may be required before the application is reviewed and approved.

Returning to Work

Employees seeking to return from a non-FMLA Leave of Absence must understand that there is no guarantee that they will be reinstated to their prior position or any comparable position, and that their ability to return to employment will depend on the business needs and objectives of MLI at that time.

If the LOA was taken due to an illness, accident or injury of the employee, the employee may be required to procure a doctor's certification indicating that he or she is fit to work.

If an employee is unable to return to active employment by the end of the agreed upon leave, his or her employment will automatically be terminated effective the date the leave expires.

Approval of LOA

The granting of a non-FMLA LOA will be in the sole discretion of MLI and may be based on factors such as, but not limited to, the effects of the leave on business operations, the reason for the request, the employee's length of service and employment record, and the length of the requested leave.

Medical Coverage

Employees are responsible for paying the insurance premiums for medical coverage and other insurance once their accrued unused vacation or sick leave expires and their LOA rolls over into a Leave of Absence without Pay.

Insurance premiums will be deducted from any advance payment of accrued, unused vacation time. If the LOA extends beyond the amount of time covered by this initial payment, employees are responsible for the full amount of the premium toward all insurance coverage.

FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY

In accordance with the Federal Family and Medical Leave Act ("FMLA"), MLI will grant unpaid family/medical leave to eligible employees for up to 12 weeks per 12-month period for any one or more of the following reasons:

- The birth of a child and in order to care for such child or the placement of a child with the Employee for adoption or foster care (leave for this reason must be taken within the 12-month period following the child's birth or placement with the Employee).
- In order to care for an immediate family member (spouse, child, or parent) of the Employee if such immediate family member has a serious health condition.
- The Employee's own serious health condition that makes the Employee unable to perform the functions of his/her position.

Definitions

- **"12-month Period"** means a rolling 12-month period measured backward from the date leave is taken and measured backward from each additional leave day taken.
- **"Spouse"** includes unmarried domestic partners. If both spouses work for MLI their total leave in any 12-month period may be limited to an aggregate of 12 weeks if the leave is taken for either the birth or placement for adoption for foster care of a child or to care for a sick parent.

- **“Child”** means a child either under 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability. An employee’s “child” is one for whom the Employee has actual day-to-day responsibility for care and includes a biological, adopted, foster or step-child.
- **“Serious Health Condition”** means an illness, injury, impairment, or a physical or mental condition that involves:
 - Any incapacity or treatment connected with inpatient care; or
 - Any period of incapacity requiring absence from work for more than three consecutive calendar days AND that involves continuing treatment by (or under that supervision of) a health care provider; or
 - Any period of incapacity due to pregnancy or prenatal care; or
 - Periodic treatment by a health care provider for a chronic serious health condition over an extended period of time that results in episodic incapacity (e.g. diabetes, epilepsy); or
 - A permanent or long-term period of incapacity subject to continuing supervision of health care providers (e.g. terminal cancer, Alzheimer’s); or
 - Any period of absence to receive multiple treatments, either for restorative surgery after an accident or for treatment of a condition that, if untreated, would result in an absence from work for more than three consecutive calendar days.

Generally, colds, flus, ear aches, ulcers, headaches and conditions requiring cosmetic treatment are not “serious health conditions.”

- **“Continuing Treatment”** means:
 - Two or more visits to a health care provider; or
 - Two or more treatments by a health care practitioner on referral from, or under the direction of , a health care provider; or
 - A single visit to a health care provider that results in a regimen of continuing treatment; or
 - In the case of a serious, long-term or chronic condition or disability that cannot be cured, being under the continuing supervision of, but not necessarily being actively treated by, a health care provider.

Coverage and Eligibility

To be eligible for family/medical leave an employee must:

- Have worked for MLI for at least 12 months; and
- Have worked at least 1250 hours over the previous 12 month period.

Intermittent or Reduced Leave

An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule to care for an immediate family member with a serious

health condition or because of a serious health condition of the Employee when “medically necessary.”

- **“Medically necessary”** means there must be a medical need for the leave (Distinguished from voluntary treatments) and that the medical need can best be accomplished through an intermittent or reduced leave schedule.
- The Employee may be required to transfer temporarily to an alternative position with equivalent pay and benefits that better accommodates recurring periods of leave when the leave is planned based on scheduled medical treatment.
- Generally “leave increments” for intermittent or reduced leave will be in one-hour units.

An employee may take leave intermittently or on a reduced leave schedule for birth or placement for adoption or foster care of a child only with MLI’s prior consent.

Important Notice Requirement

- An employee is required to give **30 days written notice** in the event the request for FMLA leave is foreseeable.
- If an employee fails to give 30 days notice for a foreseeable leave with no reasonable excuse for the delay, **the leave will be denied until 30 days after the Employee provides notice.**
- Employees are expected to provide MLI with all relevant information necessary to determine if a request for leave qualifies for coverage under FMLA. Written requests for MFMLA must be submitted on a “Leave of Absence Request” form available from the Campus Director, and should set forth the reasons for the leave, the anticipated duration and the anticipated start date. Failure to do so (or providing false or misleading information) may result in delay or denial of leave (or disciplinary action, up to and including termination).

Medical Certification

- For leaves taken because of the employee’s or an immediate family member’s serious health condition, the Employee must obtain certification from their doctor and submit the certification to MLI prior to taking FMLA leave. Medical certification must be provided by the Employee within 15 days after request, or as soon as is reasonably possible.
- MLI may require a second or third opinion (at its own expense), periodic reports on the Employee’s status (re-certification) and intent to return to work, and a fitness-for-duty report as a condition to return to work.
- All documentation related to the Employee’s or family member’s medical condition will be held confidential and maintained in the Employee’s medical records file.

Status Reports

- Any staff member using FMLA leave must report to the President, every 30 days during the leave with respect to his or her status and intent to return to work. Voicemail messages are not sufficient for this purpose.
- Any change in personal status during the leave, including residence and telephone, must be reported to the President.

Effect on Benefits

- An employee granted a leave under this policy will continue to be covered under MLI's healthcare plan under the same conditions as if they had been continuously employed during the leave period. This means that Employees will continue to be responsible for the payment of their share of any health or other insurance premiums during the leave period (also known as "Employee Contributions").
- Employee Contributions will be required either through payroll deduction or by direct monthly payments to MLI (in cases of unpaid FMLA leave). The Employee will be advised in writing at the beginning of the leave period as to the amount and method of payment. Employee Contributions are subject to any change in rates that occurs while the Employee is on leave.
- If an employee's Contribution is more than 30 days late, MLI may terminate the Employee's insurance coverage or elect to continue coverage subject to reimbursement from the Employee to the full extent provided by law, either through payroll deduction or by an offset against any amounts due the Employee or by initiating legal action against the Employee. Each Staff Member will be required to sign a written statement at the beginning of the leave period authorizing payment by payroll deduction for delinquent payments, and permitting MLI to offset the value of any such delinquent payments against any amounts due the Employee, to the full extent provided by law.
- If an employee fails to return from unpaid FMLA leave for reasons other than (1) the continuation of a serious health condition of the Employee or a covered family member or (2) circumstances beyond the Employee's control (certification required within 30 days of failure to return for either reason), MLI may also seek reimbursement from the Employee for the portion of the premiums paid by MLI on behalf of that Staff Member (also known as the "Employer Contribution") during the period of leave.
- An employee is not entitled to seniority or other benefit accruals (e.g. vacation accruals) during periods of FMLA leave but will not lose seniority or other benefit accruals to the extent accrued prior to taking FMLA leave.

Job Protection

- If the Employee returns to work within 12 weeks of FMLA leave, he/she will be reinstated to his/her former position or an equivalent position.

- The Employee's restoration rights are the same as they would have been had the Employee not been on leave. Thus, if the Employee's position would have been eliminated or the Employee would have been terminated but for the leave, the Employee would not have the right to be reinstated.
- If the Employee fails to return after using 12 weeks of leave, the Employee may be terminated.
- Employees on FMLA leave shall not enter into any outside or supplemental employment during such leave period (unless otherwise permitted by law).

Eligibility

Only employees that have satisfactorily completed one year of employment and are in good standing may request a Leave of Absence.

Return to Work

If an employee is unable to return to active employment by the end of the agreed upon leave, their employment will automatically be terminated effective the date the leave expired.

Reasonable efforts will be made to restore an employee to the same position upon return from LOA. However, MLI cannot guarantee that the identical position will remain available.

B. WORK PERFORMANCE REVIEW PROCESS

MLI believes that a successful employee must understand her/his job responsibilities. (The Work Performance Review Process) enables an employee and a supervisor to plan, review and assess an employee's efforts towards the achievement of programmatic and/or individual goals. At the same time, it gives individual departments and regional offices the opportunity to work systematically and cohesively to achieve MLI's mission. The results of the Work Performance Review Process will be used for a variety of purposes, including salary adjustments, promotion and assessments of the employee's long-term prospects with MLI.

The Work Performance Review Process normally consists of the following steps although an employee may be evaluated more or less frequently in certain instances:

Initial Meeting

Within one (1) month of the commencement of employment with MLI, a supervisor and employee will discuss the employee's work objectives and a work plan. This gives both parties the opportunity to identify important goals and expectations, and to identify a method by which to communicate performance progress. The supervisor will discuss with the employee the Written Formal Review and Evaluation form (see appendix) and explain the work evaluation rating system.

Ongoing Communication

The key to the performance management system's success is the ongoing communication between supervisors and employees. Employees should regularly address their work-related concerns with their supervisors. A timely comment on a recent activity or behavior is helpful, whereas the same comment made several days or weeks later may be less useful.

Annual Review

Every year in December, a formal annual performance review session will take place between the employee and their Campus Director. The employee may be asked to verbally evaluate their work in terms of the year's objectives. After discussing achieved results, the Director will complete the review and provide the employee with a copy. A copy of the review will also be included in the employee's personnel file.

If an employee does not agree with their Director's assessment of their work performance, that employee must submit a request, within five (5) days of the written performance appraisal, to meet with the MLI President with or without the Campus Director being present.

While the employee will have the opportunity to present their views of their performance at this meeting, there is no guarantee that management will accept that viewpoint or that this viewpoint will alter the evaluation. Under the work performance review process, MLI retains sole discretion to assess an employee's work performance and contribution to the organization, in addition to the determination of an employee's compensation and future employment.

Observations of an Employee

If the employee desires, after completion of the Written Formal Review and Evaluation Form, an employee has the opportunity to comment in writing on their supervisor's performance, planning skills, and ongoing feedback. Such observations are placed in the employee's personnel file and remain confidential, subject to review only by the President.

C. COMPENSATION

MLI has designed a compensation program with the following objectives:

- To attract diverse, qualified applicants.
- To retain high performing employees.
- Based on MLI financial resources, to provide a comprehensive and equitable compensation program.

YOUR PAYCHECK

All MLI employees will be paid on a semi-monthly basis. There are 24 pay periods in a calendar year.

Deductions

The only deductions made from your paycheck are those required by law (such as state and federal withholding tax and other required withholdings), and those deductions authorized by you (such as tax deferred annuities, medical coverage, and any extra withholding requested by you).

OVERTIME ELIGIBILITY

All jobs within MLI are classified as non-exempt as defined by the Fair Labor Standards Act (FLSA).

Non-exempt Status

Employees are generally eligible to receive overtime pay for all hours worked in excess of forty (40) in a single work week. For more information on specific details, contact your Campus Director.

Non-exempt employees may not work overtime without **prior approval** from their Campus Director. Time sheets must be completed and signed by a Campus Director for authorization to pay overtime. Overtime payment will be processed in the next scheduled pay cycle and will be included in the employee's regular paycheck.

SALARY ADMINISTRATION SYSTEM

The MLI salary administration system is designed to be:

- Motivating
- Flexible
- Competitive with Similar Organizations
- Fair

Job Descriptions

Each new hire receives a written description of the role and responsibilities of his or her position. Job descriptions are reviewed and updated at the beginning of the Work Performance Review Process or when a job significantly changes.

Salary Grade Structure

Based on surveys with comparable organizations, and on analyses of benchmark jobs throughout the organization, MLI, in its sole discretion, determines a salary grade for each position. MLI then determines the appropriate salary range for each grade, including a minimum, midpoint and maximum salary. Salary ranges may be adjusted

periodically to reflect changes in the economy, the labor market, MLI's financial status, and other factors.

The MLI President and Campus Director analyze a job description and recommend the placement of the position in a particular salary grade. The Advisory Board also must approve/support this decision.

All employees receive information about their salary grade at the time they are hired. If employees have any questions about this information, or about other elements of the compensation system, they should ask their Campus Director.

Acting Pay Policy

If an employee is temporarily promoted into a position within a higher salary grade for at least one month or more, he or she will be compensated at no less than the minimum salary of the higher grade for the duration of the temporary assignment.

Salary Advances/Loans

MLI does not give salary advances and/or loans.

Note: MLI may determine, in its sole discretion, to modify or amend its salary administration system as it deems appropriate under the circumstances. There is no guaranty that MLI will continue the use of "salary grade structures".

G. BENEFITS

MLI is committed to offering a medical and life benefits package to all eligible active, full-time and part-time (generally, at least twenty (20) hours per week) employees.

A summary plan description (SPD), which explains your benefits coverage in greater detail, is available. The actual plan documents, which are available by making a written request to the President, are the final authority in all matters relating to benefits described in this handbook or in the SPD and will govern in the event of any conflict.

MLI reserves the right to terminate, suspend or modify these programs and/or withdraw, discontinue or reduce any or all benefits provided: (1) in whole or in part; (2) at any time; (3) prospectively or retroactively; and, (4) in MLI's sole discretion. This specifically includes any benefits now or hereafter provided to retirees. Periodically, updates regarding changes in benefits will be distributed to all employees.

GROUP INSURANCE BENEFITS

To receive group insurance benefits, eligible employees must complete enrollment forms provided by the Campus Director. Refer to the insurance carrier's booklet provided to you for a more detailed description of your group insurance benefits. If you have any questions or need more information about group insurance benefits, contact the Campus Director and/or MLI President.

CORE RETIREMENT PLAN (403b)

Summary:

An MLI-funded defined contribution retirement plan.

Carrier:

TD/Ameritrade 1- 800-454-9272

Plan Number:

0001

Eligibility:

Faculty and Administrative Staff are eligible to participate in this retirement plan on the first day of the month after completing one (1) 'year of service' at MLI and attaining age 21. Consult your summary plan description for a definition of 'year of service.'

Note: All eligible employees who own fully vested and fully funded retirement annuity contracts under the terms of a plan of an organization that is eligible to maintain a section 403(b) plan may participate in the plan on the first day of the month following employment or reemployment.

Employee Cost:

None. MLI contributes the full amount to this program.

Benefit:

MLI will contribute up to 5% of regular salary matching an employee's contribution.

The purpose of this program is to accrue funds, tax deferred, for use in retirement. There are many forms of benefit at retirement age. Please contact Vlad Kats at 718-897-0482 for an explanation of benefit options at retirement.

Notes:

The management of MLI can arrange for TD/Ameritrade representatives to visit MLI's campuses at least once per year. You are encouraged to meet and visit with the carrier representatives to learn more about your investment options.

This plan has been described here in a general manner. Your benefits are more fully described in the Plan document. In the case of a conflict or omission, the provisions of the Plan document will govern.

MEDICAL CONTINUATION UNDER COBRA

The Consolidated Omnibus Budget Reconciliation Act (COBRA), required MLI to provide continued group medical plan coverage for the employee and his or her qualified beneficiaries at the employee's expense, upon the occurrence of a COBRA "qualifying event". Subject to certain exceptions, you may continue the coverage for as long as the corresponding Duration of Coverage listed below:

<u>Qualifying Event</u>	<u>Duration of Coverage</u>
Termination of employment	18 months
Reduction of work hours	18 months
Death of employee or his/her qualified dependents	36 months
Divorce or legal separation	36 months
Dependent attains maximum age for benefits	36 months
Employee is entitled to Medicare, his/her qualified dependents	36 months

If you experience a COBRA-qualifying event, you will be provided with a written notice of your rights under COBRA. Employees and their qualified beneficiaries are responsible for reporting qualifying events such as: (a) death of employee, (b) divorce or legal separation, and (c) dependent attains maximum age for benefits.

WORKERS' COMPENSATION

MLI provides workers' compensation insurance for all employees. It is important that every employee **report any job-related accident** to his or her supervisor **as soon as possible**.

Workers' compensation benefits include payment of all reasonable and necessary medical expenses relating to the injury, as well as compensation for lost wages if the employee should miss time from work. Workers' compensation also provides a death benefit in the event of the death of an employee in the course and scope of employment, and a disability benefit for permanent or partial disabilities.

If you are injured on the job, report it to your supervisor immediately. Also, please notify the President as soon as possible about any employees who have been hurt while working.

H. OTHER INFORMATION

GENERAL SAFETY

MLI is committed to maintaining the highest standards of safety in the workplace. You can contribute a great deal to this effort by recognizing and reporting potential hazards in and around your work area and by complying with the following safety rules:

- Immediately report any accidents occurring while on the job to your supervisor.
- Never use drugs or alcohol while on the job.
- Wear seat belts at all times while traveling by car on MLI-approved business.
- Keep work areas clean and neat at all times.
- Do not remove or bypass any safety guards on any machinery at any time.
- Be aware of the security environment.
- Use the appropriate safety equipment for the task. You must ask your supervisor if you need additional equipment or instruction to get a job done safely.

WORK PLACE VIOLENCE POLICY

It is MLI's policy to promote a safe environment for its employees. MLI is committed to working with its employees to maintain a work environment free of violence, threats of violence, harassment, intimidation and other disruptive behavior. While this kind of conduct is not pervasive at our school, no workplace is immune. Every workplace is affected by disruptive behavior at one time or another.

Violence, threats, harassment, intimidation, and other disruptive behavior in our workplace will not be tolerated; that is, all reports of incidents will be taken seriously and will be dealt with appropriately. Unacceptable behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts will be removed from the premises and will be subject to disciplinary action (up and including termination), criminal penalties, or both.

We need your cooperation to implement this policy affectively and maintain a safe working environment. Do not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If you observe or experience such behavior by anyone on MLI premises, whether he or she is a MLI employee or not, report it immediately to your supervisor, the Campus Director or the President.

CAMPUS SECURITY

Campus security cite

Sec. 485 (f)
34 CFR 668.46

General Information

The Department of Education is committed to assisting schools in providing a safe environment for student to learn and staff to work, and in keeping parents and students well informed about campus security. The department encourages schools to use the resources available on the following Web sites in making their campuses safer.

Department of Justice Violence against Women Office

www.ojp.usdoj.gov/vawo/

Department of Education World Wide Web site on campus safety

www.ed.gov/offices/ope/ppi/security/html

Higher Education Center for Alcohol and other Prevention World Wide Web site

www.edc.org/hec/

The Department is strongly committed to enforcing the provisions of the Campus Security Act of 1990 requiring a school to compile an annual campus security report.

Changes resulting from negotiated rulemaking were published as final regulations on November 1, 1999. They are discussed below.

Distribution of the Campus Crime Report

Distribution cite

34 CFR 668.41(e)

By October 1 of each year, a school must publish and distribute its annual campus security report.

It must be distributed to all **enrolled students and current employees** directly by publications and mailings, including: direct mailing to each individual through the U.S. Postal Service, campus mail, or electronic mail.

If the school chooses to fulfill this requirement by posting the crime report on an Internet or Intranet Web site, an **individual notice must be distributed to each student and current employee** that includes:

- A statement of the report's availability,
- A list and brief description of the information contained in the report,
- The exact electronic address (URL) of the Internet or Intranet Web site at which the report is posted, and
- A statement saying the school will provide a paper copy upon request.

Upon request, a school must provide its annual campus security report to a prospective student or prospective employee. In order to ensure that a prospective student or employee can request the report, the institution must provide them with notice of the report's availability. The notice must include a brief description of the report.

Schools are required to submit the statistical section of their Annual Crime Report to the Department on an annual basis. To comply with the emerging requirements to communicate electronically with the public whenever possible, the survey data is collected through the Department's Campus Crime and Security Web site.

Annual submission cite

34 CFR 668.41(e)5

surveys.ope.ed.gov/security

The use of an electronic format will eliminate mailing and processing paper questionnaires, significantly reduce the reporting burden, and improve the timeliness of the data from institutions.

Definition of campus

Definition of a campus cite

34 CFR 668.46(a)

Institutions must meet the campus security report requirements **individually for each separate campus**. Institutions must provide crime statistics for three discrete categories: campus, non-campus buildings or property, and public property.

Campus means

- Any building or property (including residence halls) owned or controlled by a school within the same reasonably contiguous geographic area and used by the school in direct support of or in a manner related to its educational purposes.
- Property within the same reasonably contiguous area that is owned by the school but controlled by another person, frequently used by students, and supports the school's purposes (such as a food or other retail vendor).

Non-campus building or property means

- Any building or property owned or controlled by a student organization officially recognized by the school; and
- Any building or property (other than a branch campus) owned or controlled by the school, that is **not** within the same reasonable contiguous area, is used in direct support of or in relation to the school's educational purpose, and is frequently used by the students.

Third party housing: Whether the rent is paid to the third party by the institution on behalf of the student or directly by the student, a student housing facility owned by a third party that has a contract with an institution to provide housing for the institution's students is considered under the control of the institution.

Public property means all public property including thoroughfares, streets, sidewalks, and parking facilities that is within the same campus or immediately adjacent to and accessible from the campus. This would not include, for example, highways that are adjacent to the campus, but that are separated from the campus by a fence or other man-made barrier.

A school may use a map to visually illustrate the areas included in the definition of its campus.

Time warning

Timely warning cite

34CFR 668.46(e)

In addition to the required annual campus security report, schools are required to provide timely warning to the campus community of any occurrences of the following crimes that are reported to campus security authorities or local police agencies and are considered to represent a threat to students and employees, including:

- Criminal homicide including, (a) murder and non-negligent manslaughter, and (b) negligent manslaughter;
- Forcible and non-forcible sex offenses,
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft; and
- Arson
- Separately by category of prejudice, each crime listed above and any other crime involving bodily injury reported to local police agencies or to a campus security authority that shows evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity, or disability;

- Arrests for violation of liquor and drug law violations, and illegal weapons possession; and
- Persons not arrested but referred for campus disciplinary action for liquor, drug, and weapons law violations

A school is not required to provide timely warning with respect to crimes reported to a pastoral or professional counselor as these positions are defined under 34 CFR 668.46 (a).

Note: A school must also include statistical and policy information related to these same crimes in its campus security report; see the discussion on *Campus Security* earlier in this chapter.

Campus security authority

Campus security authority cite

34 CFR 668.46(a)

The following are campus security authorities:

- 1) A campus police or security department;
- 2) Any individual or individuals who have responsibility for campus security but who do not constitute a campus security or police department, such as an individual who is responsible for monitoring entrance into school property (e.g., an access monitor);
- 3) An individual or organization specified in a school's campus security statement as the individual or organization to which students and employees should report criminal offenses; and
- 4) An official of a school who has significant responsibility for student and campus activities including, but not limited to, student housing, student discipline, and campus judicial proceedings.

The definition of campus security authority includes others in addition to those individuals working for the school's campus security office or expressly performing a campus security function at the school's request. An official who has significant responsibility for student and campus activities is a campus security authority. For example, a dean of students who oversees student housing, a student center, or student extracurricular activities, has significant responsibility for student and campus activities. Similarly, a director of athletics, team coach and faculty advisor to a student group also have significant responsibility for student and campus activities.

Professional and pastoral counselors excluded from reporting requirements

Of itself, reporting a statistic is not likely to identify a victim. However, the need to verify the occurrence of a crime and the need for additional information about a crime to avoid double counting can lead to the identification of the victim. Therefore, in order to ensure that victims have access to confidential counseling, professional and pastoral counselors, as defined in the regulations are **not** required to report crimes discussed with them in their roles as counselors when they are functioning within the scope of their license or certification. Other confidential

reporting options are encouraged to obtain statistical data without infringing on an individual's expectations of confidentiality.

A *pastoral counselor* is a person who is associated with a religious order or denomination, who is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

A *professional counselor* is a person whose official responsibilities include providing mental health counseling to members of the school's community and who is functioning within the scope of his or her license or certification.

Daily crime log

Crime log cite

34 CFR 668.46(f)

Schools that maintain a campus police or security department must make, keep, and maintain daily logs of any crime that occurs within the patrol jurisdiction of the campus police or security department designated by the institution. The logs must be written in a manner that is easily understood. For each crime, the school must record the date it was reported, the nature, date, time, and general location, and the disposition of the complaint, if known. The logs must be made public, except where prohibited by law or when disclosure would jeopardize the confidentiality of the victim. Schools are required to update logs with new information when available, but no later than two business days after the information is received, unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim. The school must disclose any information withheld once the adverse effect is no longer likely to occur.

Often time passes between when a crime is committed and when it is discovered, making the date of occurrence unknown or uncertain. In addition, for statistical purposes, the FBI collects crime data based on when crimes are reported to the police. Therefore, **an institution must report crime date based on when the crime was reported to campus police or security authorities.**

The school must make the crime log for the most recent 60-day period open to public inspection during normal business hours.

The school must make any portion of the log older than 60 days available within two business days of a request for public inspection.

A school may withhold information if (and as long as) the release of the information would jeopardize an ongoing criminal investigation of the safety of an individual, cause a suspect to evade detection, or result in the destruction of evidence. A school may withhold only the information that would cause the aforementioned adverse effects.

The annual security report

The annual security report, due October 1, must contain the required crime statistics for the three calendar years preceding the year in which the report is disclosed. The crime report due October 1, 2016, must include statistics for the 2103, 2014, and 2015 calendar years. **Schools must retain records used to create their campus security reports for three years after the due date of the report.** Therefore, schools must maintain the information (data from 2013, 2014, and 2015) used in compiling the 2016 report, and make the report available until September 30, 2019. Crimes

must be reported for the calendar year in which the crime was reported to a campus security authority rather than the year in which the crime occurred.

Policies and procedures for reporting crimes

Security report cite

34 CFR 668.46(b)

The annual security report provides information regarding campus security policies and campus crime statistics. With limited exception, the campus security requirements do not prescribe policies and procedures for schools to follow. Rather, schools are required to make disclosures concerning the policies and procedures implemented by the school.

All schools must compile the required crime statistics in accordance with the definitions used in the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) system, Hate Crime Data Collection Guidelines and the Training Guide for Hate Crime Collection. For further guidance concerning the application of definitions and classification of crimes a school must use either the *UCR Reporting Handbook* or the *UCR Reporting Handbook" NIBRS Edition*.

Except when determining how to report crimes committed in a multiple offense situation, a school must use the hierarchy rule found in the *UCR Reporting Handbook*. Copies of these publications are available from: FBI Communications Unit, 1000 Custer Hollow Road, Clarksburg, WV 26306 (telephone: 304-625-2823). Schools are encouraged but not required to participate in the FBI's UCR program.

The statistics required in the annual security report may not include the identification of the victim or the person accused of committing the crime.

A school must make a reasonable, good faith effort to obtain the required statistics and may rely on the information supplied by a local or state police agency. A school making a good faith effort will not be held responsible for the failure of local and state police agencies to supply the required statistics.

The annual security report must include the following:

- 1). the required institutional crime statistics, including
 - a) Criminal homicide, including (1) murder and non-negligent manslaughter, and (2) negligent manslaughter;
 - b) Sex offenses, including (1) forcible sex offenses, and (2) non-forcible sex offenses;
 - c) Robbery;
 - d) Aggravated assault;
 - e) Burglary;
 - f) Motor vehicle theft;

- g) Arson;
- h) Separately by category of prejudice, each crime listed above and any other crime involving bodily injury reported to local police agencies or to a campus security authority that show evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity or disability;
- i) Arrests for violations of liquor and drug law violations, and illegal weapons possession; and
- j) Persons not arrested but referred for campus disciplinary action for liquor, drug, and weapons law violations.

Schools must report crime statistics by means of separate categories:

- On campuses (see *Definition of a campus*)
 - Note:** Crimes that occur in dormitories or other residential facilities for students are reported as a subset of crimes on campus and as a separate category.
- In or a non-campus building or property;
- On public property; and
- Dormitories or other residential facilities for students on campus.

- 2). A statement of current campus policies regarding procedures for reporting crimes and other emergencies occurring on campus and the policies for the school's response to these reports, including:
 - a) Policies for making timely reports of the above described crimes to members of the campus community;
 - b) Policies for preparing the annual disclosure of crime statistics; and
 - c) A list of the titles of each person or organization to whom the criminal offenses described above should be reported for the purpose of making timely warning reports and the annual statistical disclosure.

This statement must also describe any institutional policies or procedures that allow voluntary or confidential reports made by victims or witnesses to be included in the annual disclosure of crime statistics.

- 3). A statement of the school's policies concerning the security of, and access to, all campus facilities, including residences, and security consideration used in the maintenance of campus facilities,
- 4). A statement of the school's policies concerning campus law enforcement, including:

- a) The enforcement authority of campus security personnel, their working relationship with state and local police and other law enforcement agencies, and whether the security personnel have the authority to arrest individuals; and
 - b) Policies that encourage accurate and prompt reporting of crimes to campus police and the appropriate police agencies; and
 - c) Procedures that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform their clients of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.
- 5). Descriptions of the type and frequency of programs that
- a) Inform students and employees about campus security procedures and practices; and
 - b) Encourage students and employees to be responsible for their own security and the security of others.
- 6). A description of institutional crime prevention programs;
- 7). A statement of the policies concerning the monitoring and recording (through local police agencies) of criminal activity at off-campus locations of student organizations officially recognized by the school, including student organizations with off-campus housing facilities (see the *Definition of a campus*);
- 8). The policies concerning the possession, use, and sale of alcoholic beverages, including the enforcement of state underage drinking laws;
- 9). A statement of institutional policies concerning the possession, use, and sale of illegal drugs including the enforcement of state and federal drug laws;
- 10). A description of the drug and alcohol-abuse education programs available to students and employees, as required under section 120 (a) through (d) of the Higher Education Act;
- 11). A statement of the sexual assault prevention programs available and the procedures to be followed when a sex offense occurs, including:
- a) A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses;
 - b) Procedures a student should follow if a sex offense occurs (who to contact, how to contact them, the importance of preserving evidence for proof of a criminal offense, and to whom to report);
 - c) Options for the notification of local law enforcement officials (including on-campus and local police) and a statement that school personnel will assist the student in notifying these authorities, if requested by the student;

- d) Availability of on-and off-campus counseling, mental health, or other student services for victims of sex offenses;
- e) Notice to students that the school will change a victim's academic and living situations after the alleged sex offense and of the options for changes, if changes are requested by the victim and are reasonably available;
- f) Procedures for campus disciplinary actions in cases of an alleged sex offense, including a clear statement that both the accuser and the accused
 - Are entitled to the same opportunities to have others present during a disciplinary proceeding, and
 - Will be informed of the school's final determination of any school disciplinary proceeding with respect to the alleged sex offense and any sanction that is imposed against the accused; and
- g) Sanctions the school may impose following a final determination of a school disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses.

Complaints against schools

When a complaint is filed against a school alleging noncompliance with the campus security regulations, the Department will assess the complaint and determine the appropriate response.

Information about submitting reports of noncompliance is available at

<http://www.ed.gov/offices/OPE/PPI/security.html>

Technical assistance to schools in administering the campus security regulations is available from the Department's Customer Support Branch at 1-800-433-7327

An additional category of manslaughter

An additional category of manslaughter, broken into two sub categories, non-negligent and negligent manslaughter, is added to the category of murder. Murder and non-negligent manslaughter is the willful (non-negligent) killing of one human being by another. Manslaughter by negligence is the killing of another person through gross negligence. The new regulations incorporate manslaughter into the regulations by adding non-negligent manslaughter to the current murder category and adding a new negligent manslaughter category. Collectively the two categories are referred to as criminal homicide consistent with the FBI's definitions.

Arson defined:

"Arson" is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property of another, etc.

Liquor law, drug, and weapons violations

The period for which liquor law, drug-law and weapons possession violations must be reported has changed from the most recent year to the most recent three years. In addition, the school must disclose not only the number of arrests for these crimes but also the unduplicated number of persons who were referred for campus disciplinary action for these activities.

Institutions should not include students referred for campus disciplinary action for alcohol, drug, and weapons possession unless those violations were also violations of law.

For example, if a student of legal drinking age in the state where the institution is located violates the institution's dry campus policy and is referred for disciplinary action, that statistic should not be included in the institution's crime statistics. If a student was both arrested and referred for campus disciplinary action for the same violation, the new regulations require that the institution report the statistic only under arrests.

MLI Drug and Alcohol Abuse Prevention Information

A school that participates in the FSA programs must provide information to its students, faculty, and employees to prevent drug and alcohol abuse.

In addition, a school that participates in the Campus-Based programs must have a drug-free awareness program for its employees that includes a notice to its employees of unlawful activities and the actions the school will take against an employee who violates these prohibitions.

Information that Must Be Included in Drug Prevention Materials for Students:

- Information on preventing drug and alcohol abuse;
- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of drugs and alcohol by students and employees on the school's property, or as part of the school's activities;
- A description of the sanctions under local, state, and federal law for unlawful possession, use, or distribution of illicit drugs and alcohol;
- A description of any drug and alcohol counseling, treatment, or rehabilitation programs available to students and employees;
- A description of the health risks associated with the use of illicit drugs and alcohol;
- A clear statement that the school will impose sanctions on students and employees for violations of the standards of conduct (consistent with local, state, and federal law) and a description of these sanctions, up to and including expulsion, termination of employment, and referral for prosecution.

****Information from the FSA Handbook, Volume 2, Chapter 6, Page 2-82****

Helpful Websites:

http://www.brainsource.com/brain_on_drugs.htm

<http://www.nida.nih.gov>

MLI DRUG FREE CAMPUS GUIDELINES

In compliance with the Drug-Free Schools and Communities Act (DFSCA), MLI has set forth in this guide the legal penalties under Federal law for the illegal possession or distribution of drugs and alcohol, as well as the range of school sanctions that can be imposed for violation of MLI's policies regarding substance abuse. Both students and employees should read this carefully.

Policy:

The United States Department of Education has issued regulations for the implementation of the provisions of the "Drug-Free Schools and Communities Act Amendments of 1989" (Public law 101-226). The school will distribute annually to each student and employee information regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on school property.

Standards of Conduct:

The school is committed to a campus free of illegal drug use, misuse and abuse of prescription drugs, underage drinking and alcohol abuse. The school has no tolerance for illegal activity or any other harmful conduct influenced by drugs or alcohol. Unlawful possession as well as the distribution of illegal drugs or alcohol is prohibited on school property or as part of its activities. The school will cooperate fully with law enforcement agencies and will apply appropriate internal disciplinary processes should a student or an employee violate criminal statutes with regard to illegal drugs or possession or sale of alcohol.

The following shows the Federal penalties:

Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture	Death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual	400 gms or more mixture	Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual. 2 or More Prior Offenses: Life imprisonment
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture	Fine of not more than \$2 million if an individual, \$5 million if not an individual	1 kg or more mixture	Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual.
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture	Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million individual; \$10 million other than individual.	50 gms or more pure or 500 gms or more mixture	2 or More Prior Offenses: Life imprisonment
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gm or more	Second Offense: Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual		
Other Schedule III drugs	Any amount	First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
Flunitrazepam (Schedule IV)	30 to 999 mgs	Second Offense: Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual		

All other Schedule IV drugs	Any amount	First Offense: Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.
Flunitrazepam (Schedule IV)	Less than 30 mgs	Second Offense: Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

Federal Trafficking Penalties - Marijuana

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> • Not less than 10 years, not more than life • If death or serious injury, not less than 20 years, not more than life • Fine not more than \$4 million if an individual, \$10 million if other than an individual 	<ul style="list-style-type: none"> • Not less than 20 years, not more than life • If death or serious injury, mandatory life • Fine not more than \$8 million if an individual, \$20 million if other than an individual
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> • Not less than 5 years, not more than 40 years • If death or serious injury, not less than 20 years, not more than life • Fine not more than \$2 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> • Not less than 10 years, not more than life • If death or serious injury, mandatory life • Fine not more than \$4 million if an individual, \$10 million if other than an individual
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> • Not more than 20 years • If death or serious injury, not less than 20 years, not more than life • Fine \$1 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> • Not more than 30 years • If death or serious injury, mandatory life • Fine \$2 million if an individual, \$10 million if other than individual
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> • Not more than 5 years • Fine not more than \$250,000, \$1 million other than individual 	<ul style="list-style-type: none"> • Not more than 10 years • Fine \$500,000 if an individual, \$2 million if other than individual
Hashish	110 kg or less		
Hashish Oil	1 kg or less		

Health Risks

The following briefly summarizes health risks and symptoms associated with the use of alcohol and other drugs. It is important to note that individuals experience alcohol and drugs in different ways based on physical tolerance, body size and gender, and on a variety of other physical and psychological factors.

Alcohol:

Alcohol consumption causes a number of changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts. Moderate to high doses of alcohol cause marked impairments in higher mental functions severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Long-term consumption of large quantities of alcohol can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than others of developing alcohol related problems.

Cigarettes and other Nicotine Products:

In 1989, the U.S. Surgeon General issued a report that concluded that cigarettes and other forms of tobacco, such as cigars, pipe tobacco and chewing tobacco, are addictive and that nicotine is the drug in tobacco that causes addiction. In addition, the report determined that smoking was a major cause of stroke and the third leading cause of death in the United States. Nicotine is both a stimulant and a sedative to the central nervous system. Nicotine is absorbed readily from tobacco smoke in the lungs, and it does not matter whether the tobacco smoke is from cigarettes, cigars, or pipes, Nicotine also is absorbed readily when tobacco is chewed.

In addition to nicotine, cigarette smoke is primarily composed of a dozen gases (mainly carbon monoxide) and tar. The tar in a cigarette, which varies from about 15 mg for a regular cigarette to 7 mg in a low-tar cigarette, exposes the user to a high expectancy rate of lung cancer, emphysema, and bronchial disorders. The carbon monoxide in the smoke increases the chance of cardiovascular diseases. The Environmental Protection Agency has concluded that secondhand smoke causes lung cancer in adults and greatly increases the risk of respiratory illnesses in children and sudden infant death.

Prescription Medications:

Prescription drugs that are abused or used for non-medical reasons can alter brain activity and lead to dependence. Commonly abused classes of prescription drugs include opiates (often prescribed in the treatment of pain), central nervous system depressants (often prescribed to treat anxiety and sleep disorders), and stimulants (prescribed to treat narcolepsy, ADHD, and obesity). Long-term use of opiates or central nervous system depressants can lead to physical dependence and addiction. Taken in high doses, stimulants can lead to compulsive use, paranoia, dangerously high body temperatures and irregular heartbeat.

Marijuana:

Marijuana use can lead to a number of long term and short term physical and psychological effects. Marijuana use leads to a substantial increase in the heart rate, impairs short term memory and comprehension and motivation can be altered.

Cocaine and Crack:

Health risks may include changes in body temperature and blood pressure as well as heart and breathing rates. Even small amounts may cause the body to exceed its own limits, sometimes resulting in death. Snorting cocaine may severely damage nasal tissue and the septum. Smoking cocaine may damage the lungs. Someone using cocaine may experience muscle twitching, panic reactions, anxiety, numbness in

hands and feet, loss of weight, a period of hyperactivity followed by a crash, a runny or bleeding nose, and depression. Other symptoms of cocaine use may include nausea, vomiting, insomnia, tremors, and convulsions. Chronic users may become paranoid and/or experience hallucinations.

Barbiturates:

In small doses, barbiturates produce calmness, relaxed muscles, and lowered anxiety. Larger doses cause slurred speech, staggering gait, and altered perception. Very large doses or doses taken in combination with other central nervous system depressants (e.g., alcohol) may cause respiratory depression, coma and even death. A person who uses barbiturates may have poor muscle control, appear drowsy or drunk, become confused, irritable, or inattentive, or have slowed reactions.

Amphetamines:

Amphetamines, methamphetamines, or other stimulants can cause increased heart rate and respiratory rates, elevated blood pressure, and dilated pupils. Larger doses cause rapid or irregular heartbeat, tremors, and physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, high fever, heart failure and death. An individual using amphetamines might begin to lose weight, have the sweats, and appear restless, anxious, moody, and unable to focus. Extended use may produce psychosis, including hallucinations, delusions and paranoia.

Hallucinogens:

PCP, or angel dust, interrupts the part of the brain that controls the intellect and keeps instincts in check. PCP blocks pain receptors. Violent episodes, including self-inflicted injuries, are not uncommon. Chronic users report memory loss and speech difficulty. Very large doses produce convulsions, coma, heart and lung failure, or ruptured blood vessels in the brain. LSD, mescaline, peyote, etc. cause dilated pupils, elevated body temperature, increased heart rate and blood pressure and tremors. Someone under the influence of PCP might appear moody, aggressive, or violent. Sleeplessness, confusion, anxiety, and panic, and may report perceptual distortions. Flashbacks may occur.

Steroids (anabolic):

Anabolic steroids are human-made substances related to male sex hormones. Some athletes abuse anabolic steroids to enhance performance. Abuse of anabolic steroids can lead to serious health problems, some of which are irreversible. Short term side effects include depression, hallucinations, paranoia, severe mood swings and aggressive behavior. Major side effects also can include liver tumors and cancer, jaundice, high blood pressure, kidney tumors, severe acne and trembling. In males side effects may include shrinking of the testicles and breast development. In females, side effects may include growth of facial hair, menstrual changes and deepened voice. In teenagers, growth may be halted prematurely and permanently.

Narcotics:

Because narcotics are generally injected, the use of contaminated needles may result in the contraction of many different diseases, including AIDS and hepatitis. Symptoms of overdose include shallow breathing, clammy skin, convulsions, and coma and may result in death. Some signs of narcotic use are euphoria, drowsiness, constricted pupils, and nausea. Other symptoms include itchy skin, needle or “track” marks on the arms and legs, nodding, lack of sex drive and appetite, sweating, cramps and nausea when withdrawing from the drug.

Treatment:

Medication and behavioral therapy, alone or in combination, are aspects of an overall therapeutic process that often begins with detoxification, followed by treatment and relapse prevention. Easing withdrawal symptoms can be important in the initiation of treatment; preventing relapse is necessary for maintaining its effects. And sometimes, as with other chronic conditions, episodes of relapse may require a return to prior treatment components. A continuum of care that includes a customized treatment regimen, addressing all aspects of an individual’s life including medical and mental health services, and follow-up options (e.g. community or family based recovery support systems) can be crucial to a person’s success in achieving and maintaining a drug-free lifestyle.

Hotline Numbers:

National Drug and Alcohol Treatment referral Services: 800-662-4357

Alcoholism Council of Greater New York: 800-56-SOBER

New York Center for Addiction: 212-966-9537

School Disciplinary Sanctions:

It is the school policy to discourage all violations of Federal, State or local laws by any member of the school community. In addition to possible prosecution and punishment by civil authorities, a student or employee violating any law may be subject to sanctions imposed by the school.

Students:

Sanctions against students include, but are not limited to, disciplinary expulsion, suspension, and/or probation. When appropriate, school sanctions may be entered into permanent records. Parents of dependent students will be notified of pending charges or subsequent decisions.

Faculty:

Faculty who violate the school's standards of conduct are subject to disciplinary action including reprimand and/or mandatory referral for drug or alcohol rehabilitation, suspension, or dismissal.

Other Employees:

The school may impose sanctions against any employee who violates Federal, State or local laws, or the standards of school conduct. Depending on the nature and severity of the violation, these sanctions can range from warnings and/or mandatory referral for drug or alcohol rehabilitation to outright termination of employment.