

**The College of New Jersey
Board of Trustees
July 5, 2016
201/106 Paul Loser Hall
3:00pm**

Minutes of the Public Meeting

Present: Jorge Caballero, Chair; Treby Williams, Vice Chair; Robert Altman, Secretary; Christopher Gibson; Eleanor Horne; Rosie Hymerling; Fred Keating; Brian Markison; Miles Powell; Susanne Svizeny; Albert Stark; Kevin Kim, Student Trustee; Dana Disarno, Alternate Student Trustee; Mort Winston, Faculty Representative to the Board; Tim Grant, Staff Representative to the Board; Joseph O'Brien, Staff Representative to the Board; R. Barbara Gitenstein, President

Not Present: Brad Brewster; Joshua Zietz; Marcia O'Connell, Faculty Representative to the Board

I. Announcement of Compliance

- a. It is hereby announced and recorded that the requirements of the Open Public Meetings Act as to proper notification as to time and place of meeting have been satisfied.

II. Motion to go into Closed Session

- a. It is moved by Ms. Svizeny, seconded by Mrs. Hymerling, that the Board go into closed session to discuss personnel actions including Faculty Actions – New Appointments – Tenure Track; Resignations; Retirements; Reappointments – Temporary; Reappointments to a Fourth Year, Reappointments to a Fifth Year, Reappointments to a Sixth Year with Tenure, Early Tenure Appointments, Tenure Appointment, Sabbatical Leave; Staff Actions – New Appointments, Change of Status Temporary, Change of Status, Resignations, Retirements, Retirements Emeritus, One Year Reappointments – Non Unit, One Year Reappointments – AFT, Four Year Reappointments – AFT, Five Year Reappointments – AFT; pending litigation including Susan Guerrini v. TCNJ; Paul Rada v. TCNJ; Ratarsha Willis v. TCNJ, Carl Walker and Cynthia Fuller; Joseph Gage v. TCNJ; Alexa Madoff v. Elite Girls Soccer Academy and TCNJ; and anticipated litigation, items exempt under the Open Public Meetings Act.

III. Closed Session

IV. Resumption of Public Session/Pledge of Allegiance

V. Approval of the Minutes of the February 23, 2016 Public Meeting

It was moved by Mr. Keating, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

VI. Approval of the Minutes of the April 26, 2016 Public Meeting

It was moved by Dr. Keating, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

VII. Report of the President

President Gitenstein gave her report.

VIII. Report of the Board Officers

A. Report of the Board Officers Nominating Committee

Mr. Gibson reported that the Nominating Committee met and consulted with members of the board. The committee recommends the following slate of officers for 2016-17:

Jorge Caballero – Chair
Susanne Svizeny – Vice Chair

This slate will be acted on at the Annual Reorganization meeting in September.

IX. Report of the Trustee member of the TSC Corporation

Mr. Powell reported for Mr. Markison.

X. Report of the Trustee Liaison to the New Jersey Association of State Colleges and Universities

Dr. Altman gave his report.

XI. Report of the Trustee member of the TCNJ Foundation

Ms. Horne gave her report.

XII. Report of the Trustee member of the TCNJ Alumni Association

Mrs. Hymerling gave her report.

XIII. New Business

A. Report of the Executive Committee

Chairman Caballero reported for the Executive Committee.

- 1. Faculty Actions – New Appointments – Tenure Track, Resignations, Retirements, Reappointments – Temporary, Reappointments to a**

Fourth Year, Reappointments to a Fifth Year, Reappointments to a Sixth Year with Tenure, Early Tenure Appointments, Tenure Appointment, Sabbatical Leave – Attachment A

It was moved by Dr. Altman, seconded by Mrs. Hymerling, that the resolution be approved. The motion carried unanimously.

2. **Staff Actions – New Appointments, Change of Status Temporary, Change of Status, Resignations, Retirements, Retirements Emeritus, One Year Reappointments – Non Unit, One Year Reappointments - AFT, Four Year Reappointments – AFT, Five Year Reappointments – AFT – Attachment B**

It was moved by Ms. Svizeny, seconded by Mrs. Hymerling, that the resolution be approved. The motion carried unanimously.

3. **The College of New Jersey Board of Trustees Resolution Approving Revised Bylaws – Attachment C**

It was moved by Ms. Svizeny, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

4. **Resolution Approving The College of New Jersey Board of Trustees Executive Committee Charter – Attachment D**

It was moved by Ms. Svizeny, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

5. **Resolution Approving The College of New Jersey Board of Trustees Governance Committee Charter – Attachment E**

It was moved by Ms. Horne, seconded by Dr. Keating, that the resolution be approved. The motion carried unanimously.

6. **Resolution Establishing the Schedule of Public Meetings for The College of New Jersey Board of Trustees 2016 to 2017 – Attachment F**

It was moved by Ms. Hymerling, seconded by Mr. Kim, that the resolution be approved. The motion carried unanimously.

7. **Resolution Appointing Members to the Board of Directors of the Trenton State College Corporation – Attachment G**

It was moved by Mrs. Hymerling, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

8. **Resolution Honoring Mr. Kevin Kim for Service to The College of New Jersey Board of Trustees – Attachment H**

It was moved by Mrs. Hymerling, seconded by Ms. Svizeny, that the resolution be approved. The motion carried unanimously.

9. Resolution Honoring Dr. Marcia O'Connell for Service to The College of New Jersey Board of Trustees – Attachment I

It was moved by Dr. Altman, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

10. The College of New Jersey Board of Trustees Resolution Honoring Ms. Heather M. Fehn – Attachment J

It was moved by Mr. Keating, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

B. Report of the Student Affairs Committee

Dr. Keating reported for the committee.

1. The College of New Jersey Board of Trustees Resolution Approving the Student Conduct Code – Attachment K

It was moved by Mrs. Hymerling, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

2. The College of New Jersey Board of Trustees Resolution Approving the Title IX Policy – Attachment L

It was moved by Dr. Altman, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

C. Report of the Academic Affairs Committee

Ms. Svizeny reported for the committee.

1. The College of New Jersey Board of Trustees Resolution Approving a Revised Program Approval Process Policy – Attachment M

It was moved by Dr. Altman, seconded by Mr. Powell, that the resolution be approved. The motion carried unanimously.

D. Report of the Building and Grounds Committee

Dr. Altman reported for the committee.

1. Resolution Approving Waivers of Advertising for College Business Purposes – Attachment N

It was moved by Mr. Stark, seconded by Ms. Svizeny, that the resolution be approved. The motion carried unanimously.

E. Report of the Finance and Investments Committee

Mr. Gibson reported for the committee.

- 1. The College of New Jersey Board of Trustees Resolution Approving the College of New Jersey FY 2017 Unrestricted Current Fund Budget and Establishing Student Charges for FY 2017 – Attachment O**

It was moved by Mr. Keating, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

- 2. Resolution Approving The College of New Jersey Fines, Penalties and Other Charges for Faculty, Staff, Students and Visitors for Academic Year 2016-2017 – Attachment P**

It was moved by Dr. Keating, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

- 3. Resolution of the Board of Trustees of The College of New Jersey Approving the Refunding of Outstanding Bonds Through Issuance by the New Jersey Education Facilities Authority of its Revenue Refunding Bonds, The College of New Jersey Issue, Series 2016; Approving the Form of and Authorizing the Executive and Delivery of the Lease and Agreement and All other Necessary Documents; and Authorizing Officers of The College of New Jersey to do all other Things Deemed Necessary or Desirable in Connection with the Issuance by the New Jersey Education Facilities Authority of its Revenue Refunding Bonds, The College of New Jersey Issue, Series 2016, and the Loan of the Proceeds Thereof to The College of New Jersey – Attachment Q**

It was moved by Dr. Keating, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

- 4. Resolution Approving Waivers of Advertising for College Business Purposes – Attachment R**

It was moved by Dr. Keating, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

F. Report of the College Advancement Committee

Ms. Horne reported for the committee.

- 1. The College of New Jersey Board of Trustees Resolution Approving Artwork Gift Policy – Attachment S**

It was moved by Dr. Keating, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

G. Report of the Audit, Risk Management and Compliance Committee

Ms. Williams reported for the committee.

1. Resolution Approving Waivers of Advertising for College Business Purposes – Attachment T

It was moved by Dr. Keating, seconded by Ms. Williams, that the resolution be approved. The motion carried unanimously.

XIV. Adjournment

The following motion was move by Ms. Svizeny , seconded by Ms. Williams . The motion carried unanimously.

Be It

Resolved: That the next public meeting of The College of New Jersey Board of Trustees, will be held on Tuesday, September 13, 2016 at a time and location to be announced.

Be It

Further

Resolved: That this meeting be adjourned.

Respectfully submitted,



**Robert A. Altman
Secretary**

New Appointments – Faculty – Tenure Track

Marissa Bellino	Educational Administration & Secondary Education Assistant Professor Effective: August 29, 2016 – June 30, 2019
Carolina Blatt-Gross	Art Education Assistant Professor Effective: August 29, 2016 – June 30, 2019
Michael Bloodgood	Computer Science Assistant Professor Effective: August 29, 2016 – June 30, 2019
Carolina Borges	Nursing/Public Health Assistant Professor Effective: August 29, 2016 – June 30, 2019
David Bwire	Special Education, Language & Literacy Assistant Professor Effective: August 29, 2016 – June 30, 2019
Jingy Duan	Marketing Assistant Professor Effective: August 29, 2016 – June 30, 2019
Joanna Herres	Psychology Assistant Professor Effective: August 29, 2016 – June 30, 2019
Katie Hooven	Nursing Assistant Professor Effective: August 29, 2016 – June 30, 2019
Tanner Huffman	Technological Studies Assistant Professor Effective: August 29, 2016 – June 30, 2019
Ying Mao	Computer Science Assistant Professor Effective: August 29, 2016 – June 30, 2019
Linda Mayger	Education Administration & Secondary Education Assistant Professor Effective: August 29, 2016 – June 30, 2019
Lina Richardson	Elementary/Early Childhood Education Assistant Professor Effective: August 29, 2016 – June 30, 2019

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New Appointments – Faculty – Tenure Track - continued

Steven Singer	Special Education, Language & Literacy Assistant Professor Effective: August 29, 2016 – June 30, 2019
Rachel Snider	Mathematics & Statistics Assistant Professor Effective: August 29, 2016 – June 30, 2019
Nonna Sorokina	Finance Assistant Professor Effective: August 29, 2016 – June 30, 2019
Abhishek Tripathi	Accounting and Information Systems Assistant Professor Effective: August 29, 2016 – June 30, 2019
Sejong Yoon	Computer Science Assistant Professor Effective: August 29, 2016 – June 30, 2019

Resignation – Faculty

Leona Harris	Mathematics & Statistics Effective: August 22, 2016
John Sisko	Philosophy Effective: June 09, 2016
Marci Zane	Library Effective: May 28, 2016

Retirement – Faculty - Emeritus

Linda Burroughs	Elementary/Early Childhood Education Effective: July 01, 2016
Shou Chang	Mechanical Engineering Effective: July 01, 2016
David Holmes	Mathematics & Statistics Effective: July 01, 2016
Teresa San Pedro	World Languages & Culture Effective: July 01, 2016
Joyce Vincelette	Management Effective: July 01, 2016
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Reappointments – Faculty - Temporary

Greer Burroughs

Elementary/ Early Childhood Education
Assistant Professor
Effective Date: August 30, 2016
End: June 30, 2017

Vincent Czyz

English
Assistant Professor
Effective Date: August 30, 2016
End: June 30, 2017

Brenda Seals

Nursing
Assistant Professor
Effective Date: August 30, 2016
End: June 30, 2017

Reappointments – Faculty

To a Fourth Year

Geralyn Altmiller

Nursing

Joseph Baker

Chemistry

Tao Dumas

Political Science

Steffen Marcus

Math

David Mazeika

Criminology

Larry Pearlstein

Electrical & Computer

Tracy Perron

Nursing

Alan Richards

Physics

Jill Schwarz

Counselor Education

Elizabeth Teixeira

Nursing

To a Fifth Year

Manuel Figueroa

Technological Studies

Mindi McMann

English

Xeufeng Wei

Biomedical

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To a Sixth with Tenure

Jessica Barnack-Tavlaris	Psychology
Andrew Bechtel	Engineering
Jean Brechman	Marketing
Jill Bush-Wallace	Health & Exercise Science
Wendy Clement	Biology
Gary Dickinson	Biology
J. Lynn Gazley	Sociology and Anthropology
Matthew Hall	Education
Tuan Nguyen	Physics
Anne Peel	Education
Stuart Roe	Education
Bethany Sewell	Library
Nicholas Toloudis	Political Science
David Vickerman	Music
Christopher Wagner	Engineering
Kathleen Webber	English

Early Tenure Appointments

Solange Lopes-Murphy	Special Education Language & Literature
Keli Steuber	Communication Studies

Tenure Appointments

Carole Kenner	Nursing
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Sabbatical Leave - Faculty

Matthew Bender	History FY 2017
Ashley Borders	Psychology FY 2017
Chung Chak	Arts FY 2017
Jean Graham	English Spring 2017
Lisa Grimm	Psychology Fall 2017
Constance Hall	Biomedical Engineering Fall 2017
Jean Kirnan	Psychology FY 2017
Margaret Leigey	Criminology FY 2017
Lynnette Mawhinney	Elementary/Early Childhood Education FY 2017
Marcia O'Connell	Biology FY 2017
John Pollock	Communication Studies Spring 2017
Paul Witta	Physics FY 2017

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New Appointments - Staff

Thomas Beaver	Assistant Director 2 Communications, Marketing & Brand Management Effective: April 18, 2016
Joseph Como	Project Specialist Campus Construction Effective: April 18, 2016
Michael Ellard	Assistant Director 2 Graduate Studies Effective: May 31, 2016
Raymond Gonzalez	Project Specialist Residential Education & Housing Effective: May 16, 2016
Alana Gutchigian	Manager Conference & Event Services Effective: May 09, 2016
Anup Kapur	Executive Director Finance & Business Services Effective: May 31, 2016
Dixita Malatesta	Professional Services Specialist 3 Disability Support Services Effective: July 05, 2016
Christine McCann	Program Assistant Center for Global Engagement Effective: June 06, 2016
Eric Nielsen	Project Specialist Campus Construction Effective: April 04, 2016
Amanda Simpson	Professional Services Specialist 3 Center for Global Engagement Effective: June 20, 2016

Change of Status – Staff – Temporary

Ralph Hager	From: Assistant Director 3, Athletics To: Assistant Director 2, Athletics Effective: May 3, 2016 End Date: November 3, 2016
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Change of Status – Staff – Temporary-continued

Lee Ann Riccardi

From: Professor (AFT), Art & Art History
To: Interim Director (Non-Unit), Center for Global
Engagement
Effective: February 29, 2016
End Date: July 1, 2016

Devan Kowalek

From: Program Assistant A (CWA), Student
Engagement
To: Interim Assistant Director (AFT), Fraternity &
Sorority Life
Effective: June 13, 2016
End Date: October 28, 2016

Change of Status – Staff

David Conner

Student Activities
From: Assistant Director 3 (AFT)
To: Director (Non-Unit)
Effective: June 13, 2016

Michelle Gervasi

Health & Wellness
From: Professional Services Specialist 3
To: Professional Services Specialist 2
Effective: March 19, 2016

Colleen Schmidt

Network & Technical Services
From: Information Technology Specialist
To: Professional Services Specialist 2
Effective: May 02, 2016

Joseph O'Brien

Network & Technical Services
From: Associate Director
To: Director
Effective: March 19, 2016

Resignation – Staff

Sharon Beverly

Athletics
Effective: June 30, 2016

Courtney Berry

Residential Education & Housing
Effective: April 13, 2016

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Resignation – Staff- continued

Kris Anne Kinney	User Support Effective: July 14, 2016
George Laji	Campus Construction Effective: March 01, 2016
Nicole Maldonado	Off-Site Graduate Programs Effective: June 03, 2016
Anthony Marchetti	Student Affairs Effective: April 13, 2016
Mark Mehler	Finance and Business Services Effective: March 11, 2016
Renee Olson	College Advancement Effective: April 01, 2016
John Stauff	Center for Global Engagement Effective: February 13, 2016
Dawn Wilson	Admissions Effective: August 1, 2016

Retirement – Staff

Wayne Dickens	Athletics Effective: July 1, 2016
Leon Duminiak	Chemistry Effective: July 1, 2016

Retirement – Staff - Emeritus

James Chambers	Career Center Effective: August 1, 2016
Elizabeth DeMatto	Enterprise Applications Effective: July 1, 2016
Joan Fasulo-Harris	Campus Planning Effective: November 1, 2016
Edward Gruber	Facilities Effective: September 1, 2016

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Retirement – Staff – Emeritus-continued

David Morales
Records & Registration
Effective: July 1, 2016

Ceceilia O'Callaghn
Student Affairs
Effective: July 1, 2016

One Year Reappointments (Effective July 1, 2016 – June 30, 2017) – Non Unit Staff

Scott Allen
Project Specialist
Trenton State College Corporation

Alan Amtzis
Director – 10Mo.
School of Education

Kelly Andrews
Associate Director
Communication, Marketing & Brand Management

Mosen Auryan
Associate Provost
Center for Institutional Effectiveness

Elizabeth Bapasola
Assistant Vice President
Student Affairs

Erin Barnard
Assistant Director
Admissions

Lindsay Barndt
Director
Student Engagement

Brian Bishop
Associate Director
Athletics

Cynthia Bishop-Lyons
Manager
Human Resources

Shari Blumenthal
Assistant Director
Conference & Event Services

Matthew Bonomo
Project Specialist
Campus Construction

Beverly Breccia
Associate Director
Student Accounts

Andrew Brunetto
Manager
User Support Services

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One Year Reappointments (Effective July 1, 2016 – June 30, 2017) – Non Unit Staff – continued

Deborah Bucca-Bedard	Project Specialist Trenton State College Corporation
Robert Buonocore	Director Enterprise Applications
Guy Calcerano	Assistant Director Development
Heather Camp	Project Specialist Bonner Center Civic & Community Engagement
Michael Canavan	Associate General Counsel General Counsel
Jared Carter	Associate Director Records & Registration
Wil Casaine	Executive Director Student Financial Assistance
John Castaldo	Executive Director Alumni Affairs
James Chambers	Assistant Director Career Center (retire effective: 08/01/2016)
Angela Chong	Assistant Vice President Health & Wellness
John Coburn	Associate Director Telecommunications
John Collins	Director Campus Police Services
Joseph Como	Project Specialist Campus Construction
David Conner	Director Student Activities
Judi Cook	Director Office of Instructional Design
Frank Cooper	Executive Director Records & Registration

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One Year Reappointments (Effective July 1, 2016 – June 30, 2017) – Non Unit Staff – continued

Ryan Corso	Associate Director Human Resources
Ivonne Cruz	Director Center for Student Success
Kilpatry Cuesta	Associate Director EOF
Nadine Dalrymple	Project Specialist School of Science
James Day	Assistant Dean School of Arts & Communication
Jordan Draper	Director Student Affairs
Joan Fasulo-Harris	Project Specialist Campus Construction (retire effective: 11/01/2016)
Kevin Fay	Assistant Director Admissions
Kimberly Ferguson	Associate Director Human Resources
Paula Figueroa-Vega	Director Bonner Center Civic & Community Engagement
Delsia Fleming	Assistant Dean School of Education
Thomas Foga	Associate Director Student Financial Assistance
Mark Forest	Director Counseling & Psychological Services
Marlena Frackowski	Assistant Dean Library
Cindy Friedman	Director Communication, Marketing & Brand Management
Elizabeth Gallus	Director Student Conduct & Dispute Resolution

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One Year Reappointments (Effective July 1, 2016 – June 30, 2017) – Non Unit Staff – continued

Norma Garza	Director Academic Affairs
Tammy Germana	Assistant Dean School of Business
Ryan Gladysiewicz	Associate Director Office of Instructional Design
Mark Gola	Assistant Director Athletics
Raymond Gonzalez	Project Specialist Residential Education & Housing
Scott Grandrino	Assistant Director Development
Timothy Grant	Associate Director Campus Police Services
Edward Gruber	Director Facilities (retire effective: 09/01/2016)
Alanna Gutchigian	Manager Conference & Event Services
Dionne Hallback	Associate Director Student Financial Assistance
Judith Hastie	Director Payroll Office
Dawn Henderson	Associate Director Athletics
Kelly Hennessy	Associate Dean Health & Wellness
Julie Howe	Associate Director Residential Education & Housing
Susan Hydro	Director Graduate Studies
Monica Jacobe	Director Center for American Language & Culture

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One Year Reappointments (Effective July 1, 2016 – June 30, 2017) – Non Unit Staff – continued

Christen Jones	Assistant Director Development
David Jurkin	Project Specialist Campus Construction
Lynda Kane	Director Campus Planning
Anup Kapur	Executive Director Finance & Business Services
Debra Kelly	Director Career Center
Mark Kirchner	Project Specialist Campus Planning
Patricia Knorr	Manager Enterprise Applications
Shawn Kochis	Project Specialist Trenton State College Corporation
Richard Kroth	Director TCNJ Center for the Arts
Eileen Kurowski	Assistant Director – 10Mo. Counseling & Psychological Services
Stephen Leddy	Associate Vice President Conference & Event Services
Laurel Leonard	Assistant Dean School of Science
Kathryn Leverton	Associate Vice President Facilities & Administrative Services
Melissa Lide	Associate Director Development
Sara Lleo	Associate Director Residential Education & Housing
Kerri Long	Director Support for Teacher Education Programs

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One Year Reappointments (Effective July 1, 2016 – June 30, 2017) – Non Unit Staff – continued

Loretta Maguire	Director General Counsel
Daniel Mammone	Assistant Director Enterprise Applications
Matthew Mastrianni	Assistant Director Development
David Matlack	Manager Campus Planning
Vincent Matuza	Project Specialist Campus Construction
Lisa McCarthy	Director Alumni Affairs
James Mehalick	Director Center for Institutional Effectiveness
Matthew Middleton	Associate Director Admissions
Gary Miller	Director General Counsel
Grecia Montero	Director Admissions
Tania Morgan	Manager Human Resources
David Muha	Associate Vice President Communications, Marketing & Brand Management
Christopher Murphy	Associate Provost The Liberal Learning Program
LaKitha Murray	Senior Associate Director Athletics
Frank Nardoza	Manager Network & Technical Services
Khaja Naseeruddin	Assistant Director Enterprise Applications

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One Year Reappointments (Effective July 1, 2016– June 30, 2017) – Non Unit Staff – continued

Candyce Newell	Executive Director College Advancement
Eric Nielsen	Project Specialist Campus Construction
Christine Nye	Assistant Director Residential Education & Housing
Jane O'Brien	Associate Director Student Financial Assistance
Joseph O'Brien	Director Network & Technical Services
Jennifer Palmgren	Assistant Provost Academic Affairs
Audrey Perrotti	Assistant Director Conference & Event Services
William Petrick	Assistant Director Residential Education & Housing
Jeffrey Philburn	Associate Director User Support Services
Ralph Pignatelli	Associate Director Network & Technical Services
Susan Quinn	Assistant Director College Advancement
Thomas Rakszawski	Associate Director Payroll Office
Avani Rana	Director Leadership Development
Rhelda Richards	Executive Assistant Facilities, Management, Construction & Campus Safety
Karen Roth	Director Auxiliary Services
William Rudeau	Director Campus Construction

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One Year Reappointments (Effective July 1, 2016 – June 30, 2017) – Non Unit Staff – continued

Antonino Scarpati	Assistant Dean School of Nursing, Health & Exercise Science
Stephen Schierloh	Director Enrollment Management
Stacy Schuster	Associate Vice President College Advancement
Scott Sferra	Director Student Accounts
Robert Simels	Director Health & Wellness
Rahmaan Simpkins	Director Human Resources
Jamie Sirover	Executive Assistant General Counsel
Jennifer Sparks	Director TCNJ Clinic
James Spencer	Director Development
Sean Stallings	Assistant Vice President Student Affairs
Martha Stella	Assistant Dean School of Engineering
Linda Strange	Project Specialist Campus Planning
Lori Thompson	Director Grants & Sponsored Research
Kerri Tillett	Associate Vice President Human Resources
Christina Tormey	Director Residential Education & Housing
Dana Van Nostrand	Assistant Treasurer Treasurer

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One Year Reappointments (Effective July 1, 2016 – June 30, 2017) – Non Unit Staff – continued

Janice Vermeychuk	Director Student Health Services
Tiffani Warren	Director EOF
Debra Watson	Assistant Controller Finance & Business Services
Lisa Watson-Cotton	Assistant Director Records & Registration
Robert Watts	Director Human Resources
Brian Webb	Director Facilities & Administrative Services
David Williams	Senior Associate Director Athletics
Dawn Wilson	Assistant Director Admissions (resign effective: 08/01/2016)
Angela Winterrowd	Assistant Director Development
Lori Winyard	Director Energy & Central Utilities
Kortnay Woods	Executive Director Grants & Sponsored Research
Charles Wright	Associate Vice President Development
Rosa Zagari-Marinzoli	Assistant Dean School of Humanities & Social Sciences
Ieva Zake	Vice Provost Academic Affairs

One Year Reappointments (Effective July 1, 2016 to June 30, 2017) – AFT Staff

Thomas Beaver	Assistant Director 2 Communications, Marketing & Brand Management
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One Year Reappointments (Effective July 1, 2016 to June 30, 2017) – AFT Staff- continued

Michelle Gervasi	Professional Services Specialist 2 Health & Wellness
Colleen Schmidt	Professional Services Specialist 2 Network & Technical Services

Four Year Reappointments (Effective July 1, 2017 to June 30, 2021) – AFT Staff

Lynette Harris	Assistant Director 3 Career Center
Justin Lindsey	Assistant Director 2 Athletics
Judith Obenhaus	Professional Services Specialist 4 Records & Registration
Jennifer Sizoo	Professional Services Specialist 3 Center for Institutional Effectiveness

Five Year Reappointments (Effective July 1, 2017 to June 30, 2022) – AFT Staff

Esther Ball	Professional Services Specialist 3 Records & Registration
Vilja Casey	Professional Services Specialist 4 Career Center
Floyd Cospers	Professional Services Specialist 3 User Support Services
Scott DiCheck	Assistant Director 3 Athletics
Megan Guicheteau	Professional Services Specialist 2 Athletics
Mary Lynn Hopps	Assistant Director 3 Women in Leadership Learning
Tulia Jimenez-Vergara	Assistant Director 3 – 10 Month World Languages and Cultures
Patricia Karlowitsch	Professional Services Specialist 3 School of Business

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Five Year Reappointments (Effective July 1, 2017 to June 30, 2022) – AFT Staff- Continued

Sally Miller	Assistant Director 3 Athletics
George Nazario	Professional Services Specialist 3 Athletics
Kevin Potucek	Assistant Director 2 Communication Studies
Joseph Russo	Assistant Director 3 Athletics
Ujwala Swaminathan	Professional Services Specialist 2 Student Financial Assistance

**Resolution approving the Bylaws of
The College of New Jersey
Board of Trustees**

- Whereas:** The bylaws of the College of New Jersey Board of Trustees were last amended on February 27, 2007, and;
- Whereas:** Since that time the Board has undergone a review of its committee structure to ensure that the Board is effectively and efficiently addressing the issues facing the College, and;
- Whereas:** New Jersey legislation, P.L.2009 c.308, addressing "...the structure and fiscal management of higher education in New Jersey, amending various parts of the statutory law, and supplementing chapter3B of the New Jersey Statutes," necessitates that the Board of Trustees modify its structure to ensure it incorporates aspects of the statute not previously addressed, and;
- Whereas:** The Executive Committee of The College of New Jersey Board of Trustees has completed a review of the existing bylaws, has amended them as necessary and appropriate to incorporate modifications to the committee structure, and has recommended their approval to the full Board
- Therefore,
Be It
Resolved:** That The College of New Jersey Board of Trustees approves the attached bylaws.

The College of New Jersey Board of Trustees Bylaws

Article I

These bylaws of the Board of Trustees (the “Board”) of The College of New Jersey (the “College”) are enacted pursuant to the laws of the State of New Jersey. The purpose of the Board is to hold the College in trust for the public, representing the public interest in governance, policies, and development of the College within the spirit of its mission and intent of the laws and regulations governing the Board and the College.

Article II Offices

The principal office of the Board of Trustees shall be in the Office of the President at The College of New Jersey. Such other offices needed for the conduct of its business may from time to time be designated by the Board of Trustees.

Article III Seal

The College shall have a corporate seal, the form and design of which shall be adopted by the Board of Trustees and the custody of which shall be by the President of the College.

Article IV Board of Trustees

Section 1 Legislative Findings

The Board of Trustees is established pursuant to Title 18A of the New Jersey Statutes Annotated (*N.J.S.A.* 18A:3B-1 *et seq.*, the “Higher Education Restructuring Act of 1994” and *N.J.S.A.* 18A:64-1 *et seq.*, the “State College Statute”) (collectively, the “Higher Education Statutes”), which state, in part, “The Legislature finds that the institutions of higher education are one of the most valuable and underutilized resources in the State. The elimination of the unnecessary State oversight and its accompanying bureaucracy will serve to unleash the creativity and innovation of these institutions.” The Higher Education Statutes further state that “it is in the best interests of the State that the State colleges shall be and continue to be given a high degree of self-government and that the government and conduct of the colleges shall be free of partisanship.”

Section 2 Duties and Powers

To fulfill its mission and the statewide goals in cooperation with other institutions and the state coordinating structures, the Board has the powers and duties as outlined in the Higher Education Statutes, and which include, but are not limited to, the following:

- a. To develop an institutional plan and to determine the educational curriculum and programs, educational departments, schools and degrees to be offered by the College consistent with this plan and the College's programmatic mission;
- b. To determine policies for the organization, administration and development of the College;
- c. To have authority over all matters concerning the supervision and operations of the College including fiscal affairs, the employment and compensation of staff not classified under Title 11A of the New Jersey statutes, and capital improvements in accordance with law, and, in accordance with the provisions of the State Budget and Appropriations Acts of the Legislature, appoint and fix the compensation of the President of the College;
- d. Notwithstanding the provisions of Title 11, Civil Service, of the Revised Statutes, upon nomination by the President, appoint a treasurer, and such deans and other members of the academic, administrative and teaching staff as shall be required and fix their compensation and terms of employment in accordance with salary ranges and policies, which shall prescribe qualifications for various classifications and shall limit the percentage of the education staff that may be in any given classification;
- e. Upon nomination by the President, appoint, remove, promote and transfer such other officers, agents or employees as may be required for carrying out the purposes of the College and assign their duties, determine their salaries and prescribe qualifications for all positions, all in accordance with the provisions of Title 11, Civil Service, of the Revised Statutes;
- f. To establish admission standards and requirements and standards for granting diplomas, certificates and degrees, and to grant diplomas, certificates and degrees;
- g. To recommend for appointment by the Governor, members to the Board of Trustees. The recommendation shall be made with regard to the mission of the College and the diversity of the community to be served;
- h. To have final authority to determine controversies and disputes concerning tenure, personnel matters of employees not classified under Title 11A of the New Jersey statutes, and other issues arising under Title 18A of the New Jersey statutes involving higher education except as otherwise provided herein or by law;
- i. To invest and reinvest the funds of the College;

- j. To disburse all monies appropriated to or received by the College and direct and control expenditures and transfers of funds appropriated to the College and tuition received by the College in accordance with the provisions of the State Budget and Appropriation Acts of the Legislature, reporting changes and additions thereto and transfers thereof to the Director of the Division of Budget and Accounting in the State Department of the Treasury and as to funds received from other sources, direct and control expenditures and transfer in accordance with the terms of any applicable trusts, gifts, bequests, or other special provisions. All accounts of the College shall be subject to audit of the State at any time;
- k. Pursuant to the provisions of the “State College Contract Law” (*N.J.S.A. 18A:64-52 et seq.*), to enter into contracts and agreements for the purchase of lands, buildings, equipment, materials, supplies, goods, services, and construction of buildings and other improvements; enter into contracts or agreements with the State or any of its political subdivisions or with the United States, or with any public body, department, or other agency of the United States or with any individual, firm or corporation which are deemed necessary or advisable by the Board for carrying out the purposes of the College;
- l. If necessary, to take and condemn land and other property in the manner provided by the Eminent Domain Act of 1971, *P.L. 1971 c. 361, (C.20:3-1 et seq.)*, whenever authorized by law to purchase land or other property;
- m. To borrow money for the needs of the College, as deemed requisite by the Board, in such amounts, and for such time and upon such terms as may be determined by the Board, provided that this borrowing shall not be deemed or construed to create or constitute a debt, liability, or a loan or pledge of the credit, or be payable out of property or funds, other than moneys appropriated for that purpose, of the State;
- n. To retain legal counsel of the College’s choosing, including the Attorney General;
- o. To be accountable to the public for fulfillment of the College’s mission and statewide goals and for effective management of the College;
- p. To submit a budget request for state support to the Division of Budget and Accounting in the Department of the Treasury and to the Office of the Secretary of Higher Education;
- q. To have prepared and made available to the public an annual financial statement, and a statement setting forth generally the monies expended for government relations, public relations and legal costs;
- r. To have prepared an annual independent financial audit, which audit and any management letters regarding that audit shall be deemed public documents;
- s. To accept from any government or governmental department, agency or other public or private body or from any other source, grants or contributions of money or property, which the Board may use for or in aid of any of its purposes;

- t. To acquire by gift, purchase, condemnation or otherwise, own, lease, dispose of, use and operate property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for college purposes;
- u. To employ architects to plan buildings; secure bids for the construction of buildings and for the equipment thereof; make contracts for the construction of buildings and for equipment; and supervise the construction of buildings;
- v. To manage and maintain, and provide for the payment of all charges and expenses in respect to all properties utilized by the College;
- w. In accordance with *P.L. 1994, c. 48*, to cause to be prepared and made available to the public an annual report on the condition of the College which shall include, but not be limited to, a profile of the student body, including graduation rates, SAT or other test scores, the percentage of New Jersey residents in the student body, the number of scholarship students and the number of Educational Opportunity Fund students in attendance; a profile of the faculty, including the ratio of full to part time faculty members; and major research and public service activities; a profile of the trustees or governors as applicable; and a profile of the College, including degree and certificate programs, status of accreditation, and major capital projects, any new collaborative undertakings or partnerships, any new programs or initiatives designed to respond to specific State needs, an accounting of demonstrable efficiency and quality improvements, and any other information which the Secretary of Higher Education and the College deem appropriate. The form and general content of the report shall be established by the Office of the Secretary of Higher Education;
- x. Pursuant to the provisions of *N.J.S.A. 18A:64-85 et seq.* (the “Public-Private Partnership Act”) or other State statute authorizing public-private partnerships, to enter into a contract with a private entity that permits the private entity to assume full financial and administrative responsibility for the on-campus construction, reconstruction, repair, alteration, improvement, extension, management, or operation of a building, structure, or facility or, or for the benefit of, the College, provided that the project is financed in whole by the private entity and that the State or the College, as applicable, retains full ownership of the land upon which the project is completed;
- y. To set tuition and fees, including but not limited to room and board, maintenance, rental of student housing and food service, to be paid by or on behalf of students.

Section 3 Membership and Representation

a. Publicly Appointed Board Members.

In accordance with the State College Statute, the Board shall be comprised of a minimum of 7 and a maximum of 15 voting members who shall be appointed by the Governor with the advice and consent of the Senate. The Board shall recommend potential new members to the Governor. Recommendations for appointed members of the Board shall be representative of the broad public interest and shall reflect consideration of individuals for recommendation with appropriate skills, complementary expertise, demonstrated interest and diverse backgrounds and experiences, including age, occupation, interest, racial background, gender, and geographic residence. The terms of office of appointed members shall be for six years beginning on July 1 and ending on June 30. Each member shall serve until his/her successor shall have been appointed. Members will be ceremonially sworn in by an officer of the judiciary or by an attorney at law of the State of New Jersey. Vacancies shall be filled in the same manner as the original appointments for the remainders of the unexpired terms. Generally, the Board will not recommend appointment of a member for more than two, consecutive, full terms. For the purposes of this section 3.a., an appointment to fill the remainder of a former member's term that exceeds three years shall be considered a full term. A member who has served two consecutive full terms may be recommended for reappointment to the Board after at least a one year lapse in membership.

An appointed member may resign from the Board at any time during his/her term. The written resignation, which need not include a reason, shall be submitted to the Governor and the Chair of the Board. The Board Chair shall notify the members of the Board and the President.

b. President

In accordance with the State College Statute (specifically, *N.J.S.A. 18A:64-6(g)*), the President shall serve as the executive officer of the College and an *ex officio* member of the Board, without vote, and shall serve at the pleasure of the Board.

c. Student Representative Members

In accordance with the State College Statute (specifically, *N.J.S.A. 18A: 64-3.1*), the student body, under the auspices of the Student Government shall elect two student representatives to serve as members on the Board. To be eligible to be elected and to continue to serve, those student representative shall be full-time, regularly matriculated students in good academic standing 18 years of age or older, citizens of the United States, and compliant with the standards for eligibility for other student government officers. A full term of a student representative shall be two years commencing at the next organization of the Board following the student representative's election. A student representative will ordinarily serve as an alternate non-voting member of the Board for the first year and shall have voting rights as limited by statute throughout the second year of the student representative's term. Student representatives must adhere to the standards of responsibility and confidentiality as established by the Board. A student representative

may resign during her/his term by submitting written notification of the resignation to the Board Chair. The Chair shall notify Board members, the College President, and the Student Government President of the resignation. The Student Government shall hold an election for a new student representative within three months of a vacancy to complete the unexpired term. A student representative may be removed from the Board for cause. In the event that a voting member student representative resigns, is removed or otherwise becomes ineligible or incapable to serve, the alternate student representative shall serve as the voting member student representative until the earliest to occur of the following: (i) the expiration of the term of the original voting member student representative replaced by the alternate, (ii) the election of a student to serve out the term of the original voting member student representative, or (iii) the resignation, removal or other ineligibility or incapability to serve of the alternate student representative, whereupon the alternate student representative shall revert to his/her role as a nonvoting member for the remainder of the first year of his/her original term and become the voting member student representative for his/her second year of his original term.

d. Faculty and Staff Representatives to the Board

Two tenured members of the faculty of the College shall be elected by the faculty at large to serve as non-voting, institutional representatives to the Board. Two members of the staff of the College shall be elected by the staff at large to serve as non-voting, institutional representatives to the Board. Staff representatives shall have been employed by the College for at least ten months preceding the election. The faculty and staff institutional representatives shall be assigned to such Board Standing Committees and *ad hoc* Committees as determined by the Chair of the Board. The faculty and staff institutional representatives may participate in meetings of committees to which they are assigned, and may take part in discussions of all public matters before the Board.

e. Conflicts of Interest

Any Board member or representative to the Board who shall gain any personal financial benefit from any contract or other transaction entered into by the Board, The College of New Jersey Foundation (the "Foundation") or Trenton State College Corporation (the "Corporation") or, because of other reasons of conflicting interest, is unable to consider impartially any matter to come before the Board or committee of the Board, shall immediately recuse himself or herself from taking part in the consideration or disposition of such matters, and shall promptly notify the Ethics Liaison Officer and the Chair of the Board of such recusal. Members and representatives to the Board shall comply with the Conflicts of Interest Law (N.J.S.A. 52:13D-12 *et seq.*) and the Uniform Ethics Code.

f. Removal

An appointed member may be removed from the Board by the Governor for cause as defined by statute, upon notice and opportunity to be heard. Attendance by Board members and representatives to the Board at meetings is imperative for the Board's successful operation. Not attending a majority of meetings within any given year, without good reason or other action deemed detrimental to the Board or the College, including without limitation a material breach of confidentiality or ethics may be grounds for recommendation to the Governor for removal from the Board in the case of appointed members and for removal by the Board of student, faculty, or staff representatives to the Board.

Section 4 Meetings

The Board shall conduct public meetings on the College campus or at any other place accessible to the public that the Chair or a majority of the Board may from time to time designate. The Chair shall call a special meeting of the Board at his/her discretion or whenever a majority of the publicly appointed Trustees makes such a request.

All meetings will be held in strict conformance with the Open Public Meetings Act (P.L. 1975, C. 231, as amended), and nothing else in these bylaws shall be construed as contradicting this requirement. The Board will post a calendar of meetings within seven days of its annual reorganization meeting. The procedures prescribed in the Open Public Meetings Act and any regulations issued pursuant thereto shall be followed for all meetings. All unscheduled meetings will be announced at least 48 hours in advance of the actual meeting time, unless a meeting is required to deal with urgent and important matters and such notice is impractical because a delay would damage the interest of the College or its constituents.

Any Board member or representative to the Board authorized to participate in the meeting of the Board or a committee of the Board may do so by means of a conference telephone or audiovisual communication or similar communication equipment that allows all persons participating in the meeting to hear each other simultaneously. Participation by such equipment shall be equivalent to presence in person at the meeting.

An agenda of each regular or special meeting of the Board shall be prepared by the Chair, the College President and the Secretary to the Board. The agenda and supporting materials will be sent to the Board members and representatives in whatever manner is necessary to ensure their receipt of those documents 72 hours before a regularly scheduled meeting or 48 hours before a special meeting. The agenda shall be posted in publicly accessible places on campus 48 hours prior to the meeting. Public comment may be accepted at the meeting in accordance with the Board's "Request to Speak" procedures.

The Board members present and authorized to vote at a meeting, if less than a quorum, must fix the time to adjourn, or must adjourn, recess, or take measures to obtain a quorum. A quorum of the Board shall be defined as a simple majority of the number of members qualified to vote on a particular action.

No official action and no binding action of the Board shall be taken at any meeting other than at a public meeting, with the exception of those circumstances permitted by the Open Public Meetings Act.

Unless otherwise directed by a majority of the Board, all public meetings of the Board shall be conducted in accordance with the parliamentary procedure[s] prescribed in the latest edition of *Robert's Rules of Order* (copyrighted by Robert's Rules of Order Association).

Article V Officers

Section 1 Officers and Board Staff

The Board shall organize annually at the first meeting of the academic year. At this meeting the Board shall elect a Chair, and Vice-Chair. The Board may elect such other officers as the needs of the Board may from time to time require.

The Chair of the Board of Trustees will appoint, from among the gubernatorially appointed members, of the Board the members of an *ad hoc* committee on Board Officer Nominations, subject to the consent of the Board of Trustees. Its membership will not exceed three. The Committee on Board Officers Nominations will report to the Board of Trustees not less than annually, at least one month prior to the annual reorganization meeting of the Board.

a. Chair

The Chair will, when present, preside at all meetings of the Board. The Chair will be the Chief Executive Officer of the Board and will have general supervision of the affairs of the Board, subject to the approval of the Board. The Chair shall continue to sign all reports, documents and/or instruments of any nature required by law to be filed or executed by or on behalf of the Board. The Chair will report to the Board from time to time all matters coming to her/his notice, relating to the interests of the College that should be brought to the attention of the Board.

b. Vice-Chair

The Vice-Chair shall have and exercise all the powers and duties of the Chair, including without limitation signature authority, in case of the Chair's absence or inability to act, and will perform other duties as may be prescribed from time to time by the Board.

c. Secretary to the Board

The Secretary to the Board is a non-trustee member of the President's staff who shall be appointed by the President, subject to Board approval. The Secretary shall attend meetings of the Board, sign all minutes and other documents as required, and shall cause recording of all notes and minutes of all public proceedings in a book to be kept for that purpose. Audio recording of public meetings are only for the purpose of assisting the recording of the minutes and shall be archived for one fiscal year. The approved minutes are the only official record of the Board meeting. The Secretary to the Board will cause to be given notice of all Public Meetings of the Board and will attest the signature of officers and trustees and cause the affixing of the College Seal on all documents that may require it, and will cause to be prepared and filed such reports and statements as may be required by law. The Secretary shall cause to be forwarded to the Archival Section of the College Library or other designated Archival facility a copy of the minutes, and to any others as may be required from time to time by the Board, after such minutes have been approved by the Board.

Article VI Committees and Representatives

Section 1 Standing Committees

The Board has the power to create Standing Committees reporting directly to the Board to aid it in carrying on the business of the College. The existence, duties and functions of Standing Committees may be described in separate charters approved by the Board and may be abolished, changed, altered or added to, and new or additional Standing Committees may be created from time to time at the Board's discretion. New or additional *ad hoc* committees may be created from time to time at the chair's discretion, subject to the consent of the Board of Trustees. The following Standing Committees, with their general areas of responsibility, are hereby created or ratified:

- **Executive Committee**
 - Personnel
 - Annual Presidential evaluation
 - Strategic plan
 - Recommendation on Presidential compensation
 - Recommendation on compensation for executive-level administrators
 - College Advancement – fundraising and development, government relations, alumni affairs, College relations, marketing, brand management, The College of New Jersey Foundation
 - The Chair and Vice Chair of the Board, together with the Chairs of the Standing Committees, and, at the Chair's option, an At-Large Member will constitute the Executive Committee.
- **Governance Committee**
 - Annual evaluation of the Board
 - Gubernatorially appointed Board member nominations
 - Board governance
 - Committee membership recommendations
 - Board education and development

- Board orientation
- Bylaw review
- Trustee assessment
- Committee assessment
- **Audit, Risk Management and Compliance**
 - Audit
 - Risk management
 - Compliance and ethics
 - Oversight of the enterprise risk management process
- **Mission Fulfillment**
 - Academic Affairs – program proposals; program reviews; faculty recruitment, reappointment, tenure and promotion; other curricular matters
 - Student Affairs – campus life, residential education, athletics, campus wellness
 - Enrollment Management – admissions, student financial aid, enrollment management
- **Business and Infrastructure**
 - Finance and Investments – budget, investments
 - Building and Grounds – facilities design, construction and management
 - Campus safety
 - Information Technology
 - Human Resources
 - Trenton State College Corporation

The Chair and Vice Chair of the Board, together with the Chairs of the Standing Committees, will constitute the Executive Committee.

Section 2 Representatives

The Board has the power to appoint a member to represent the Board to various entities to provide College advice and comment to these bodies. The existence, duties and functions of these representatives may be abolished, changed, altered, or added to, and new or additional representatives may be created from time to time at the Board's discretion. Representatives to the following bodies are hereby created or ratified:

Trenton State College Corporation

- a. attends meetings of the Corporation
- b. serves on the board of the Corporation
- c. represents the interests of the Board of Trustees
- d. reports to the Board of Trustees on the activities of the Corporation

The College of New Jersey Foundation

- a. serves on the executive board of the Foundation
- b. attends Foundation meetings
- c. represents the interests of the Board of Trustees

- d. reports to the Board of Trustees on the activities of the Foundation

The College of New Jersey Alumni Association

- a. attends Alumni Association Board meetings
- b. represents the interests of the Board of Trustees
- c. reports to the Board of Trustees on the activities of the Alumni Association

New Jersey Association for State Colleges and Universities

- a. attends meetings
- b. Serves as a member of the New Jersey Association for State Colleges and Universities Board
- c. represents the College's interests
- d. reports to the Board of Trustees on the activities of the Association

The Chair of the Board shall, immediately after her/his designation as such, appoint the members of the Standing Committees and the representatives to the Corporation, Foundation, Alumni Association and New Jersey Association of State Colleges and Universities ("NJASCU"). Members and representatives to the Board may serve on more than one committee. The Chair and Vice-Chair will be *ex-officio* members of each Standing Committee. The President of the College will also be an *ex-officio* member of each Standing Committee.

Section 3 Administrative, Faculty and Student Committees

The Board has the power to authorize, and authorizes the President of the College, to create administrative, faculty and student committees for the purpose of advising and assisting in carrying on the business and functions of the College.

**Article VII
Amendments**

These bylaws may be amended, repealed or added to in any manner not inconsistent with the laws of the State of New Jersey, by the affirmative vote of a majority of the Board at any Public Meeting of the Board, provided that a copy has been furnished to each member of the Board by the Secretary to the Board, and the public notified of impending changes, at least 10 days before the meeting at which the vote is to occur. Prior to such notice all proposed amendments of these bylaws shall be considered by the Board in consultation with the President and faculty.

Mr. Jorge Caballero
Board Chair

Dr. Robert Altman
Secretary of the Board

**The College of New Jersey Board of Trustees Resolution
Approving an
Executive Committee Charter**

Whereas: The Executive Committee assists the Board of Trustees in fulfilling its responsibility to ensure appropriate institutional governance and for oversight of executive personnel matters; and

Whereas: To ensure compliance with best practices and certain requirements of P.L.2009 c.308 (the "Lesniak Bill"), the Executive Committee has created this Committee charter and does recommend that the Board of Trustees approve the attached Executive Committee Charter.

**Therefore,
Be It**

Resolved: That the Board hereby approves the attached Executive Committee Charter; and

**Be It
Further**

Resolved: That the Executive Committee be and hereby is authorized to act on behalf of the Board between regularly scheduled meetings on matters critical to the operation of the institution, which, if held until the next regularly scheduled meeting could result in undue financial or legal obligations or risks or loss of opportunity for the College.

**The College of New Jersey
Board of Trustees' Executive Committee Charter**

I. Purpose

The Executive Committee assists the Board of Trustees (the "Board") in fulfilling its responsibility to ensure appropriate institutional governance and for oversight of executive personnel matters and may take action on behalf of the Board between meetings of the Board. The Executive Committee serves as the compensation committee of the Board. This charter sets forth the Executive Committee's purpose and responsibilities, and its authority to act on behalf of the Board of Trustees between meetings of the full Board.

II. Membership

A. The membership of the Executive Committee shall include the Chair and Vice Chair of the Board, together with the Chairs of the Standing Committees (collectively, the "Ex-officio Committee Members") and may also include one At-Large Member. The At-Large Committee Member shall be a gubernatorially appointed trustee who is not an Ex-officio Committee Member. The Chair of the Board may in his/her discretion appoint an individual that meets those requirements to serve as the At-Large Committee Member for a term established by the Chair, which term may be shortened or extended by the Chair, provided that the term shall not extend beyond the fiscal year of the appointment, with no restriction against reappointment. In the event that a Chair of a Standing Committee is not able to attend a meeting of the Executive Committee, the Chair of the Board may request that the vice-chair of that Standing Committee may take the place of that Standing Committee Chair at that meeting, provided that that vice-chair is not otherwise an Ex-officio Committee Member or At-Large Member. The Chair of the Board shall serve as the chair of the Executive Committee.

III. Meetings and Communications

- A. The Committee shall meet prior to each regularly scheduled public meeting of the Board; however the Chair of the Board may call additional meetings whenever necessary.
- B. Appropriate College management and staff will attend the Committee meetings to provide pertinent information and support.
- C. The Committee shall vote on compensation and actions taken on behalf of the Board between meetings of the Board.
- D. The Committee shall keep minutes of its meetings.

IV. General Duties

- A. The Committee shall assist the Board of Trustees by:**
- 1. Reviewing and recommending institutional personnel items for action by the full Board;**
 - 2. Facilitating individual trustee and Presidential evaluation processes;**
 - 3. Making recommendations regarding the establishment and evaluation of the compensation for the President to the Board.**
 - 4. Making recommendations to the Board, including the amounts, types, and components of compensation plans, and the performance measures and evaluative targets on issues relating to the compensation of the President, and with the advice of the President the compensation programs, performance measures and evaluative targets on issues relating to the compensation of vice presidents and other senior administrators of the College;**

V. Authority to Act

- 1. The Executive Committee is hereby authorized to act on behalf of the Board between regularly scheduled meetings on matters critical to the operation of the institution, which, if held until the next regularly scheduled meeting, could result in undue financial or legal obligations or risks or loss of opportunity for the College.**
- 2. For purposes of action, a quorum of the Executive Committee shall be defined as a majority of Executive Committee members.**

**The College of New Jersey Board of Trustees Resolution
Approving an
Governance Committee Charter**

Whereas: The Governance Committee assists the Board of Trustees in fulfilling its responsibility to ensure appropriate Board governance; and

Whereas: To ensure compliance with best practices and certain requirements of P.L.2009 c.308 (the “Lesniak Bill”), the Governance Committee has been established as outlined in the Board’s bylaws. Consistent with the requirements of this statute, the attached Governance Committee Charter outlines responsibilities including periodic review of the Board’s bylaws, facilitating matters of Board governance, trustee orientation and training, trustee candidate identification and Board evaluation, and is presented for the Board of Trustees approval.

**Therefore,
Be It**

Resolved: That the Board hereby approves the attached Governance Committee Charter

July 5, 2016

**The College of New Jersey
Board of Trustees' Governance Committee Charter**

I. Purpose

The Governance Committee assists the Board of Trustees (the "Board") in fulfilling its responsibility to ensure appropriate Board governance. It also works with the Board Chair and the President to orient trustees to their role, engage trustees fully in their governance of the College, make the best use of their knowledge and perspectives. The Governance Committee serves as the nominations and governance committee of the Board. This charter sets forth the Governance Committee's purpose and responsibilities.

II. Membership

A. The Committee is comprised of gubernatorially appointed members of the Board of Trustees appointed by the Chair of the Board of Trustees. The Chair of the Board shall select one of those members to serve as the chair of the Governance Committee.

III. Meetings and Communications

- A. The Committee shall meet not less than twice annually. The Chair of the Committee or the Chair of the Board may call additional meetings whenever necessary.
- B. At the request of the Committee Chair, appropriate College management and staff will attend the Committee meetings to provide pertinent information and support.
- C. The Committee shall vote on governance and gubernatorial trustee nominations recommendations and keep minutes of its meetings.

IV. General Duties

- A. The Committee shall assist the Board of Trustees by:
 - 1. Facilitating all matters of Board governance;
 - 2. Periodically reviewing and recommending modifications to the bylaws to the full Board ;Overseeing the orientation and training for each trustee, including information on legal and ethical responsibilities
 - 3. Identifying, screening, vetting and referring candidates for membership on the Board as follows:
 - a. Establishing criteria for the identification, qualification, and recommendation of prospective candidates for appointment to the Board, which criteria shall include qualification criteria that are consistent with the statutory responsibilities of the Board and tailored to the College;

- b. In identifying candidates for appointment to the Board, seeking individuals with skills that are appropriate to the mission of the College and which complement the range of expertise contributed to the Board by its existing members;
 - c. Seeking candidates of diverse background and experience as well as those with ties to the College; and
 - d. Referring trustee candidates to the Board for its consideration in making recommendations to the Governor's office on potential new members.
- 4. Evaluating the effectiveness of the Board of Trustees as a body.
 - 5. In collaboration with individual trustees and the Board as a whole, developing experiences for trustees that expand their knowledge of governance and the issues facing the College and higher education in general.

V. Authority to Act

- 1. For purposes of action, a quorum of the Governance Committee shall be defined as a majority of Governance Committee members.

**Resolution Establishing the Schedule of Public Meetings
for The College of New Jersey Board of Trustees
2016 to 2017**

Whereas: The New Jersey Open Public Meetings Law, N.J.S.A. 10:4-6 requires that all public bodies publish the dates on which they will meet; and

Whereas: The College of New Jersey Board of Trustees is a public body within the definition of this law.

**Therefore,
Be It**

Resolved: That The College of New Jersey Board of Trustees establishes the following meeting dates in 2016-2017 and directs that this schedule be sent to the Secretary of State for posting and to the press for publication in conformance with the requirements of law.

Meeting Dates 2016 - 2017

Tuesday, October 25, 2016
Tuesday, February 21, 2017
Tuesday, April 25, 2017 – Annual Tuition Hearing
Tuesday, July 11, 2017

**Resolution Appointing Members to the
Board of Directors of the
Trenton State College Corporation**

Whereas: The College of New Jersey Board of Trustees approves and appoints the members of the Board of Directors of the Trenton State College Corporation, which shall be composed of one member of The College of New Jersey Board of Trustees, the President of The College of New Jersey, the President of the Corporation, one current member from The College of New Jersey faculty, and five citizens, two of whom shall be currently enrolled, full-time students of the College.

**Therefore,
Be It
Resolved:** That the following individuals be appointed by The College of New Jersey Board of Trustees to the Board of Directors of the Trenton State College Corporation:

Honorable Rodney L. Thompson, Chief Judge Municipal Court, Trenton, citizen, to a director term for the Corporation effective 7/1/16 through 6/30/19.

Jake Veliky, student, to a director term for the Corporation effective 7/1/16 through 6/30/18.

**Resolution Honoring
Mr. Kevin Kim
For Service to
The College of New Jersey Board of Trustees**

Whereas: Mr. Kevin Kim has served the community of The College of New Jersey for the past three years through active involvement in college standing committees, academic and social organizations, and community service; and

Whereas: Mr. Kim has maintained high academic standing while exhibiting extraordinary dedication to improving the quality of life on campus through his participation and leadership in Student Government, where he served as a Senator for the School of Science, as President of the Inter-Fraternal Council, as a College Ambassador, and as a Student member of the Trenton State College Corporation; and

Whereas: Mr. Kim was elected by the study body in 2014 to serve on The College's Board of Trustees as the Alternate Student Trustees for 2014 to 2015 and as the Student Trustee for 2015 to 2016; and

Whereas: During his time on the Board, Mr. Kim served as a member of the College Advancement, Finance and Investments, Academic Affairs, Building and Grounds and Student Life Committees, consistently offering unique insight on issues brought before the Board for action; and

Whereas: As a member of the Board of Trustees, Mr. Kim participated in the deliberations of interest to citizens of New Jersey and to the students of The College of New Jersey.

**Therefore,
Be It**

Resolved: That The College of New Jersey Board of Trustees honors Mr. Kim for his service to the Board and to the State of New Jersey and wishes him continued success as he serves as the Student Government President during the 2016 to 2017 academic year.

July 5, 2016

**Resolution Honoring
Dr. Marcia O'Connell
for Service to
The College of New Jersey Board of Trustees**

- Whereas:** Dr. Marcia O'Connell was elected to the position of Faculty Representative to the Board of Trustees in 2014; and
- Whereas:** In this capacity, Dr. O'Connell worked with the Board to further the mission of the College and provided a valuable faculty perspective to the deliberations of the Trustees; and
- Whereas:** Dr. O'Connell has served as a Professor in the College's Biology Department since her arrival on the campus in 1994, and
- Whereas:** Her research expertise in the area of genetic regulation of early development in vertebrates, has served as the foundation for her teaching of courses in Cellular and Molecular Biology, Genetics and Developmental Biology. Marcia cares deeply about her students and their academic development and works closely with many students in her lab, guiding their research experiences.
- Whereas:** Dr. O'Connell has served her department and the College community through her work as Chair of the Biology Department, Chair of the Medical Careers Advisory Committee, and as an active member of the College Governance process, serving on a number of committees, most recently, as a member of the Steering Committee.
- Whereas:** Her perceptive input at meetings of the College Advancement, Student Affairs, Academic Affairs, Finance and Investments, and Building and Grounds committees has provided valuable information to assist the work of the Trustees.
- Therefore,
Be It
Resolved:** That The College of New Jersey Board of Trustees honors Dr. Marcia O'Connell for her commitment and service to the Board of Trustees and the faculty of the College and wishes her continued success in all her future endeavors.

July 5, 2016

**The College of New Jersey
Board of Trustees
Resolution Honoring
Ms. Heather M. Fehn**

- Whereas:** Heather M. Fehn began her association with The College of New Jersey in 1990, receiving a B.A. in Psychology with a minor in Law and Justice in 1994 and an M. A. in Counseling and Personnel Services in 1996; and
- Whereas:** Ms. Fehn began her employment career at The College of New Jersey as a Graduate Assistant for Board Affairs in 1995; and
- Whereas:** Upon receipt of her graduate degree, Ms. Fehn remained with the College as a full-time employee, beginning as a Project Specialist; and
- Whereas:** Ms. Fehn's extraordinary initiative, drive and talents were quickly recognized as she was promoted to progressively more responsible positions, from Project Specialist to Assistant to the President (for Board Affairs), to Director of Organizational Development and Assistant to the Vice President, to Special Assistant to the Cabinet, to Executive Assistant to the President and Secretary to the Board of Trustees, and in 2013 to Chief of Staff and Secretary to the Board of Trustees; and
- Whereas:** Ms. Fehn has taught, advised and mentored countless students, including students in her First Seminar course on student leadership, student workers, members of Hillel, student organization leaders, and student representatives to the Board of Trustees; and
- Whereas:** Ms. Fehn has served on and chaired numerous college committees and task forces and led important initiatives, including a number of cabinet level search committees, the Commencement Committee, the Campus Police Advisory Council and the Critical Incident Planning Group ; and
- Whereas:** Ms. Fehn has brought welcome recognition to the College while serving in leadership roles for two major national organizations (Association of Governing Boards, Board Professional Leadership Group, BPLG, and the National Association of Presidential Assistants in Higher Education, NAPAHE) and has been acknowledged for this professional

July 5, 2016

service by receiving the NAPAHE Distinguished Service Award; and

Whereas: Ms. Fehn has contributed broadly to the larger communities in which she lives by serving as a member of the Board and Board President of Har Sinai Temple and in multiple roles as a member of the Board of Woods Services (a residential school and group home for children and adults with developmental disabilities); and

Whereas: In her positions supporting the Board of Trustees, Ms. Fehn has consistently and indefatigably provided the highest levels of accountability, transparency, accessibility, organization, competency, professionalism and grace; and

Whereas: Throughout her distinguished career, Heather M. Fehn's dedication to The College of New Jersey has enabled us to continue offering to our students the highest quality educational and co-curricular experience.

**Therefore,
Be It
Resolved:**

That The College of New Jersey Board of Trustees joins President Gitenstein in honoring and expressing its appreciation to Ms. Heather M. Fehn for over twenty (20) years of extraordinary service to the institution and professing its hope that she will continue to serve the Board and the College for many years to come.

**The College of New Jersey
Resolution Approving the Student Conduct Code**

Whereas: The College of New Jersey, in order to fulfill its mission, has the authority and responsibility to maintain order, protect the community and the rights of its members, and cultivate and sustain a positive living and learning environment; and

Whereas: The Student Conduct Code passed by the Board in 2011, dictates that the code in its entirety, including expectations for student conduct and procedural standards be reviewed every two years and that any substantive changes will be reviewed in accordance with applicable governance policy and procedures; and

Whereas: The Student Conduct Code has not undergone substantive changes since July 2014; and

Whereas: The federal government has since issued guidance and interpretations of federal statute that require specific provisions be included in procedural standards; and

Whereas: The proposed changes to the Student Conduct Code have been developed under direction of the Assistant Vice President for Student Affairs and Director of Student Conduct, in collaboration with the Committee on Student and Campus Community (the appropriate governance committee) and the Office of General Counsel, and is the result of a comprehensive review and campus-wide consultation; now

**Therefore,
Be It
Resolved:**

That the Board of Trustees of The College of New Jersey hereby approves the attached Student Conduct Code for implementation during the 2016-2017 academic year.

July 5, 2016



Section:	
Title:	The College of New Jersey Student Conduct Code
Effective Date:	
Approved By:	
Responsible Unit:	Vice President for Student Affairs
History:	July 12, 2011; July 8, 2014
Related Documents:	Academic Integrity Policy Policy Prohibiting Discrimination in the Workplace/Educational Environment Student Rights and Freedoms Client Computing Usage Policy Title IX Policy

The College of New Jersey
STUDENT CONDUCT CODE

I. INTRODUCTION

The College of New Jersey, as a community dedicated to learning and the advancement of knowledge, expects and requires the behavior of [Students](#) to be compatible with its high standards of scholarship and conduct. Acceptance of admission to the College carries with it an obligation to uphold the College's standards and promote the welfare of the community. [Students](#) are responsible for upholding non-academic standards of behavior set forth in this [Policy](#) as well as the expectations for academic conduct outlined in the [Academic Integrity Policy](#).

Academic communities differ from other communities in several ways. For the purpose of this code, two differences are particularly worthy of emphasis. First, the primary mission of colleges and universities is the pursuit of knowledge and the development of the whole person. The environment must be conducive to teaching, learning, research, and personal growth. Second, campus living and learning environments are unique. On a residential campus such as The College of New Jersey, [Students](#) live in close proximity to one another and interact continuously in their day-to-day living. Freedom to learn can be preserved only through respect for the rights of others, for the free expression of ideas, and for the law.

In order to fulfill its mission and function, the College has the authority and responsibility to maintain order and to exclude those who are disruptive of the educational process. The *Student Conduct Code* aims to protect the community and the rights of its members, to cultivate and sustain a positive living and learning environment, to educate [Students](#) regarding responsibility and accountability for their actions, to encourage and foster self-insight and self-initiated change of behavior, to uphold the procedural rights of [Students](#) accused of violating the College's rules and regulations, and to encourage the application of ethical decision-making in the daily life of [Students](#).

II. DEFINITIONS

- A. **“Advisor”** is a person chosen by either a [Respondent](#) or [Reporter](#) to accompany that individual during investigation or conference meetings, hearing proceedings, and/or assist them with any hearing or conference preparations, and/or appeals. The Advisor may not participate directly in any proceedings or represent any [Reporter](#) or [Respondent](#) involved. Any cost associated with the participation of an Advisor is the responsibility of the [Reporter](#) or [Respondent](#).
- B. **“College”** means The College of New Jersey.
- C. **“College Official”** includes any person employed by the College performing assigned administrative, academic, or professional responsibilities including campus police, campus health providers, and [Student](#) employees.
- D. **“Communication”** includes, but is not limited to, contact through the use of the Internet, social networking sites, email, voicemail, text message, written message, and telephone, as well as in person.
- E. **“Controlled Substance”** means a substance whose distribution is controlled by regulations or statute. Such substances include, but are not limited to, [Narcotics](#), depressants, stimulants, hallucinogens, and cannabis.
- F. **“Course of Conduct”** means repeatedly maintaining a visual or physical proximity to a person; following, monitoring, observing, surveilling, threatening, or communicating to or about a person directly or through third parties, by any action, method, device, or means; interfering with a person's property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats or threats conveyed by any other means of [Communication](#) or threats implied by conduct or a combination thereof directed at or toward a person.

- G. **“Drug”** refers to a chemical substance, especially one prescribed by a physician that is used in the diagnosis, treatment, or prevention of a condition or disease. A drug is also a chemical substance, such as a [Narcotic](#), that affects the central nervous system and is used recreationally for perceived desirable effects on personality, perception, or behavior. Drugs purchased without a prescription may include headache medicines, cough syrups, and similar mild medications, and can be purchased at virtually any pharmacy or retail store. For purposes of this [Policy](#), the term “drug” also includes any other chemical substance, compound or combination when used to induce an altered state, and any otherwise lawfully available product when used for any purpose other than its intended use when such use may cause harm to oneself or others.
- H. **“Drug Paraphernalia”** is defined as all equipment, products, and materials of any kind that are used or intended for use in planning, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, inhaling, or otherwise introducing a controlled dangerous substance into the human body, including roach clips, bongs, pipes, etc.
- I. **“Effective Consent”** is informed, freely and actively given mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity. A person may be unable to give Effective Consent when that individual is unable to consent due to his or her age, or because that individual is physically helpless, mentally [incapacitated](#), or [Incapacitated](#) from alcohol or other [Drugs](#).
- Effective Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
 - Effective Consent is required regardless of whether the person initiating the act is under the influence of [Drugs](#) and/or alcohol.
 - Effective Consent may be initially given but withdrawn at any time.
 - When Effective Consent is withdrawn or can no longer be given, sexual activity must stop immediately.
- J. **“Hearing Administrator”** includes any faculty or professional staff member at the [College](#) designated and trained by the Office of Student Conduct to conduct conferences, administrative informal hearings, and/or administrative formal hearings.
- K. **“Hostile Environment”** is defined as an environment on campus that, through harassing conduct (e.g., physical, verbal, graphic or written) based on a person’s [Protected Category](#), becomes sufficiently severe, pervasive

or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from a [College](#) program or activity.

- L. **“Incapacitated”** is being in a state where a person lacks the capacity to understand the fact that the situation is sexual, or cannot understand (rationally and reasonably) the nature and/or extent of the situation. A person who knows or should reasonably know that another person is incapacitated must not engage in sexual activity with that person.

Persons who meet any of the following criteria or conditions are incapacitated: (i) sleeping, (ii) unconscious, (iii) under the age of consent or under a certain age in relation to the other party to the sexual activity (both of which are matters of state law) or (iv) due to a disability, do not have the mental capacity to consent.

A person who does not meet any of those criteria or conditions for incapacity may become incapacitated through the use of alcohol or [Drugs](#). Such a person’s state of incapacity is a subjective determination that is based on all of the facts available because persons reach incapacitation at different points and as a result of different stimuli.

Alcohol related incapacity results from a level of alcohol ingestion that is more severe than that required to produce the minimum levels of influence, impairment, intoxication, inebriation, or drunkenness. Factors that can influence a person’s status include gender, body size and composition; tolerance for alcohol and other [Drugs](#); amount and type of alcohol or other [Drugs](#) taken or administered, and the mixture taken; amount of food intake prior to consumption; propensity for blacking out; genetics; and time elapsed since the ingestion of the alcohol or [Drugs](#).

The effects of alcohol and [Drug](#) use often occur along a continuum. For example, alcohol intoxication can result in a broad range of effects, from relaxation and lowered inhibition to euphoria and memory impairment, and to disorientation and incapacitation. Incapacitation exists when a person lacks the ability to make or act on a considered decision to engage in sexual activity. Indicators of incapacitation may include inability to communicate, lack of control over physical movements, and/or lack of awareness of circumstances. An incapacitated person can also experience a blackout state during which the person appears to give consent but does not have conscious awareness or the capacity to consent. Some medical conditions may also cause incapacitation. Incapacity can result from factors including, but not limited to mental disability, involuntary physical restraint, or from the administration of substances.

- M. **“Intimate Body Parts”** includes the following: sexual organs, genital areas, anal area, inner thigh, groin, buttock, or breast of a person.

- N. **“Narcotic”** refers to an addictive [Drug](#), such as opium or morphine, which reduces pain, alters mood and behavior, and usually induces sleep or stupor.

- O. **“Policy”** means the written regulations, standards, and policies of the [College](#) as found in, but not limited to, this policy and an official TCNJ policy website.
- P. **“Prescription Drug”** refers to any substance prescribed by a licensed medical practitioner for individual consumption. It includes prescribed drugs and over-the-counter drugs which may have been legally obtained.
- Q. **“Protected category”** collectively refers to one or more of the following categories: age, race, creed, color, national origin, nationality, ancestry, sex/gender (including pregnancy), marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability.
- R. **“Reporter”** is the person who is making a report of experiencing an incident of personal abuse as outlined in section 03. *Personal Abuse*.
- S. **“Respondent”** is the person who is subject to an investigation and/or the *IV. Procedural Standards* set forth in the *Student Conduct Code* which may include but are not limited to proceedings, remedial measures, and/or sanctions as a result of information filed in a report, determined through an investigation, and/or conduct proceedings.
- T. **“Retaliation”** includes any adverse actions or statements that attempt to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by that person’s status as a [Student](#) or because that person has made a report, provided information for, assisted, or participated in any manner in a conduct matter, investigation, or proceeding.
- Retaliation is established when:
- The [Reporter](#) has engaged in activities or procedures protected as a member of the TCNJ community (e.g. report a [Policy](#) violation or participate in an investigation);
 - The [Respondent](#) knew of the activity;
 - The [Respondent](#) thereafter subjected the person to any adverse action, treatment or condition; and
 - There is a causal connection between the protected activity or procedure and the adverse action, treatment or condition.
- U. **“Sexual Contact”** is an intentional touching by a person, either directly or through clothing, of another’s [Intimate Body Parts](#) for the purpose of degrading or humiliating another or sexually arousing or sexually gratifying the actor.

- V. **“Sexual Penetration”** includes vaginal intercourse, cunnilingus, fellatio, or anal intercourse between persons or insertion of the hand, finger, or object into the anus or vagina either by the actor or upon the actor’s instruction.
- W. **“Student” or “Students”** includes all persons who accept an offer of admission to the [College](#), register for credit-bearing courses or maintain matriculation in a degree program at the [College](#), either full time or part time, degree or non-degree seeking, and have an academic record with Primary Academic Web Services (PAWS), the [College](#)’s records and registration system. The status of other individuals who participate in [College](#)-sponsored or recognized programs will be determined solely at the discretion of the Director of Student Conduct. Participants in certificate programs, that are not otherwise a student at the College, such as the Career and Community Studies program, are responsible for adhering to the standards for conduct outlined in the Student Conduct Code, but shall be governed by the procedural standards set forth in the applicable certificate program’s [Policy](#).
- X. **“Weapon”** includes any item that is designed in appearance or function to resemble a firearm, cause harm, or invoke fear or intimidation. Weapons include, but are not limited to, knives, brass knuckles, swords, slingshots, or any other item when used to harm or intimidate another.

III. [POLICY](#)

A. **Authority**

The *Student Conduct Code* describes the non-academic behavior expected of all [Students](#) as well as the procedures for addressing and adjudicating reports of [Student](#) misconduct. Academic integrity standards are not covered by this code, but rather fall within the authority of the faculty, academic integrity officer in each school, the All [College](#) Academic Integrity Board, and Office of the Provost and Vice President for Academic Affairs as outlined in the [Academic Integrity Policy](#).

Authority for student conduct ultimately rests with the President of the [College](#) and the Board of Trustees, who delegate authority for non-academic conduct of [Students](#) to the Vice President for Student Affairs.

The Vice President for Student Affairs may delegate this authority to the appropriate Assistant Vice President/Dean of Students and to the Director of Student Conduct. Under their direction, the Director of Residential Education, the Assistant Director of Student Conduct, and appropriate student conduct and residential education staff are responsible for implementing the student conduct process. The Vice President for Student Affairs has authority to appoint hearing boards and hearing or appellate administrators. Any reference in the *Student*

Conduct Code to the role or responsibilities of a specific [College Official](#) may be delegated by that person to an appropriate designee. Also note, any reference in the *Student Conduct Code* to a person or role in the [Policy](#) or process is intentionally gender neutral to reflect the College's commitment to an inclusive [Policy](#).

The [College Student Conduct Code](#) shall apply to Student conduct that occurs on [College](#) premises, at [College](#)-sponsored activities, and off campus including, without limitation, time periods during which classes are not in session or the [Student](#) is not yet registered for classes and while enrolled or participating in a program of another institution. The Director of Student Conduct has discretion to determine what off-campus conduct will be addressed by the student conduct process. Factors that will be considered include whether the incident is documented by a verifiable source, adversely affects the [College](#) community, occurs at a [College](#)-affiliated event, or endangers the health or safety of the [Student](#) or others.

Each [Student](#) shall be responsible for his or her conduct from the time of enrollment in courses or matriculation in a degree program, through the actual awarding of a degree or cessation of academic coursework. The [College](#) has discretion to address conduct that occurs when classes are not in session if a [Student](#) is registered for courses for a semester, but classes are not yet in session.

B. **Interpretation and Amendments**

Any questions of interpretation or application of the *Student Conduct Code* shall be referred to the Director of Student Conduct for final determination.

The *Student Conduct Code* will be reviewed in its entirety every two years. Any time prior to the next biennial review of the *Student Conduct Code*, a recognized constituency or the Assistant Vice President/Dean of Students may request a review of the *Student Conduct Code* by submitting a written request to the Vice President for Student Affairs.

Any substantive changes will be reviewed in accordance with applicable governance [Policy](#) and procedures.

C. **[Students'](#) Rights and Responsibilities**

[Students](#) at the [College](#) have the same rights and protections under the Constitutions of the United States and the State of New Jersey as other citizens. These rights include freedom of expression, press, religion, and assembly. The [College](#) has a tradition of [Student](#) activism and values freedom of expression, which includes voicing unpopular views and dissent. As members of the [College](#) community, [Students](#) have the right to

express their own views, but must also take responsibility for respecting the same right of others.

Students have the right to be treated fairly and with dignity regardless of race, creed, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability, and as revised in the *Policy Prohibiting Discrimination in the Workplace/Educational Environment*. The College has a strong commitment to pluralistic education. Accordingly, the College will not unlawfully discriminate on the basis of protected group status.

Students have the right to have access to the College policies that affect them. The College is committed to providing Students with a balanced and fair system of accountability and dispute resolution. Accordingly, Students will be provided appropriate procedural standards that are administrative in nature and should not be equated with procedures used in civil or criminal court.

Students' rights also include those outlined in *Student Rights and Freedoms* and other published College policies. Violation of College Policy, including but not limited to the *Student Conduct Code*, may result in forfeiture of such rights when necessary to preserve the safety of the College community or to achieve the orderly execution of the educational mission of the College.

Along with rights come certain responsibilities. Students at the College are expected to act consistently with the values of the College community to preserve a safe and vibrant environment that encourages scholarship and personal growth.

The College values the individual contribution of every member of the community and expects that Students will:

- Engage in responsible social conduct that reflects credit upon the College community both on and off campus, and is consistent with a safe and healthy environment;
- Respect the rights of others to pursue an exceptional education free from harassment, bullying, defamation, and discrimination;
- Conduct oneself with personal integrity and in an honest manner that makes that person worthy of the trust of others;
- Model good citizenship in any community by committing to actions that benefit the community and others, and do not impede the educational mission of the College or individual pursuits of knowledge;
- Recognize that respect for the ideas and contributions of all persons allow for diverse and creative intellectual inquiry;

- Do no harm and do not present a threat of harm to self, others, or personal or institutional property;
- Seek assistance, resources, or aid for self or others in a timely manner when health, safety, or wellness is at risk;
- Respect the right of fellow [Students](#) to participate in [College](#) or outside organizations, associations, or relationships with other [Students](#) without fear, threat, or act of hazing;
- Conduct oneself professionally and with civility in all pursuits of knowledge in and outside the classroom;
- Be responsible and held accountable for one's decisions and actions, and the impact on self and others; and
- Be fully acquainted and comply with the [College](#)'s published policies and procedures and local, state, and federal law.

D. Violations of Expectations for [Student](#) Conduct

*The following is a non-exhaustive list of conduct that **does not meet** The [College](#)'s expectations for [Student](#) conduct. Such misconduct is a violation of the Student Conduct Code and may result in disciplinary sanctions. Other conduct not found in this code may still be deemed unacceptable and may be addressed by the [College](#).*

1. Law and Policy Compliance

- a. Violation of any [College Policy](#), rule, or regulation published in hard copy or available electronically on the [College](#) website.
- b. Violation of any federal, state or local law. (See [[Link to Appendix A](#)] and [[link to B](#)] for non-exhaustive lists of selected state statutes and township ordinances and [[Link to Appendix C](#)] for an excerpt of the State of New Jersey "Anti-Bullying Bill of Rights Act.")
- c. Failure to meet financial obligations with respect to [College](#) funds, or conducting any financial transaction unlawfully or unethically.
- d. Violation of [College](#) policies and regulations governing the possession or use of automobiles or other motor vehicles on campus, or violation of parking regulations published by the [College](#).
- e. [Students](#) have an ongoing obligation to notify the [College](#) of any arrest or criminal conviction (the "criminal charge") within 30 calendar days of the occurrence of the criminal charge by submitting detailed documentation describing the criminal charge and the circumstances and event or underlying conduct that gave rise to the Criminal Charge to the Office of Student Conduct. The Director of Student Conduct will review all such notices and determine the appropriate course of action through established student conduct procedural standards and practices. Failure to report

a criminal charge within 30 calendar days of occurrence will be considered a D. Violation of Expectations for Student Conduct.

- f. The College recognizes that an arrest, in and of itself, is not a finding of guilt. However, the College may investigate the event or conduct giving rise to or the circumstances surrounding the arrest to determine whether a possible violation of the *Student Conduct Code* is warranted and, if so, whether a D. Violation of Expectations for Student Conduct has occurred.

2. Personal Integrity

- a. Falsifying, or being party to the falsification, of any official College identification card, record (e.g. *oral or written communication*), or document.
- b. Possession, use, manufacture, or sale of a falsified identification card, document, or record.

3. Personal Abuse

- a. Sexual Harassment
 - i. Conduct of a sexual nature or based on gender or sexuality that is severe or pervasive enough to create an intimidating, abusive, or hostile campus, educational, or working environment as defined by a reasonable person under similar circumstances. This may include unwanted, unwelcome, or inappropriate sexual or gender-based activities, or comments.
 - ii. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made a condition of the conferral of any benefit, or rejection of such advance, request, or conduct implies that a person will suffer adverse consequences from another person in an express or implied position of authority.
 - iii. Sexual harassment is a violation of Title IX of the Education Amendments of 1972, and Title VII of the Civil Rights Act of 1964 (as amended in 1991), as well as *The Policy Prohibiting Discrimination in the Workplace/Educational Environment* (which applies to all employees including Student employees with respect to conduct that arises out of their employment status).
- b. Obscene or Indecent Behavior
 - i. Exposure of one's sexual organs or the display of sexual behavior or contact that would reasonably be offensive to others or be observed by any other non-consenting persons who would be affronted or alarmed.
 - ii. Trespassing, spying, or eavesdropping for sexual arousal.
- c. Physical Sexual Misconduct
 - i. Any Sexual Penetration, however slight, that occurs without Effective Consent. Any intentional, non-consensual Sexual Contact with an Intimate Body Part of another, or forcing another to have Sexual Contact with an Intimate Body Part of oneself or

another, with any object or body part, or any disrobing of another without [Effective Consent](#).

- ii. The [College](#)'s highest priority is the physical and mental health, safety, and well-being of individual [Students](#) and the campus community. An element of promoting safety is providing clear, responsible methods of reporting and addressing incidents of sexual misconduct. Therefore, in order to remove potential barriers to reporting sexual misconduct, the Office of Student Conduct will not charge a [Student](#) with violating any expectations of Student conduct regarding alcohol or other [Drugs](#) if that [Student](#) reports such conduct within a report of possible sexual misconduct.
 - iii. Sexual misconduct is a violation of Title IX of the Education Amendments of 1972, and Title VII of the Civil Rights Act of 1964 (as amended), as well as [The Policy Prohibiting Discrimination in the Workplace/Educational Environment](#) (which applies to all employees including [Student](#) employees with respect to conduct that arises out of their employment status).
- d. Bullying, Intimidation, and Harassment
- i. Engaging in conduct, including any gesture, written, verbal or physical act, or any electronic [Communication](#) (which includes e-mails, text messages, and Internet postings on web-sites or other social media), that is so severe or pervasive and objectively offensive that it substantially disrupts or interferes with the orderly operation of the [College](#) or the rights of any [Student](#) or other member of the [College](#) community; and that:
 - a. involves intimidation or threats to another person's safety, rights of personal privacy and property, academic pursuits, [College](#) employment, or participation in activities sponsored by the [College](#) or organizations or groups related to the [College](#); or
 - b. a reasonable person should know, under the circumstances, will have the effect of insulting or demeaning any person or group; or
 - c. creates an intimidating or [Hostile Environment](#) by substantially interfering with another [Student's](#) education, or by materially impairing the academic pursuits, employment or participation of any person or group in the [College](#) community, or by severely or pervasively causing physical or emotional harm to the [Student](#) or other member of the [College](#) community; or
 - d. a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a [Student](#) or other person or damaging the person's property or placing the person in reasonable fear of physical or emotional

- harm to his or her person, or to any member of that person's family or household, or of damage to his or her property.
- ii. Any attempt to intimidate, threaten, or unduly influence another person with the purpose to discourage cooperation or truthful participation in a student conduct matter, investigation, or proceeding. This may also include the intentional violation of no contact directives or interim measures implemented by the [College](#) in response to an open investigation or proceeding.
 - iii. Any attempted [Retaliation](#) against an individual because the person has made a report, provided information, assisted, or participated in any manner in a conduct matter, investigation, or proceeding.
 - iv. Abusive or harassing conduct directed at a person or group *because of* membership in a [Protected Category](#) may result in an enhanced sanction.
- e. Invasion of Privacy including Sexual Exploitation
- i. Unauthorized making of an explicit or objectively offensive recording (including but not limited to photographs, video, and/or audio) of another person.
 - ii. Unauthorized display, publication, transmission, or other dissemination (including via the Internet) of explicit or objectively offensive recordings (including but not limited to photographs, video and/or audio) of another person. Consent to be recorded does not imply consent for such records to be displayed, published, transmitted, or otherwise disseminated.
 - iii. Unauthorized intrusion upon a person's private property or [Communications](#).
 - iv. Unauthorized appropriation and/or use of someone's identifying or personal data or documents.
 - v. An act or acts committed through exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or other non-legitimate purpose (i.e. illegal, [Hostile Environment](#), incongruent with proposed use of space/resources, etc.) without the [Effective Consent](#) of the person.
- f. Stalking
- i. Purposefully or knowingly engaging in a [Course of Conduct](#) directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of a third person, or suffer other emotional distress. Such [Courses of Conduct](#) include but are not limited to alarming conduct, following a specific person or otherwise communicating with a person repeatedly in a manner likely to cause fear for safety, or seriously annoy a reasonable person under similar circumstances.
- g. Defamation

- i. Oral or written publication of a false statement of fact that exposes the person about whom it is made to hatred, contempt, or ridicule; subjects that person to loss of the good will and confidence of others; or so harms that person's reputation as to deter others from associating with that person. This does not include the good faith documentation of a possible [Policy](#) violation or good faith journalistic reporting in the absence of negligence or recklessness.
 - h. Physical Abuse
 - i. Use of unwelcome force against a person or the property of any person or group.
 - ii. Any action or statement that imminently threatens significant harm to the health or safety of any person or group.
 - iii. Any action, statement, or use of force against a person where a personal, intimate, or special relationship exists (defined by marriage, civil union, dating, family membership, or co-habitation), and would reasonably threaten or intimidate that person.
 - iv. Interference with the freedom of another person to move about in a lawful manner by force, threat, intimidation, or other means without [Effective Consent](#).
 - v. Abusive or harassing conduct directed at a person or group *because of* membership in a [Protected Category](#) may result in an enhanced sanction.
 - i. Hazing
 - i. Any action taken, or situation created that negligently, intentionally, or recklessly subjects any person to the risk of bodily harm, physical discomfort, harassment, emotional or mental degradation, abuse, or interferes with academic activities; or causes or encourages any person to commit an act that would be a violation of law or [College](#) regulations for the purpose of initiating, promoting, fostering, or confirming any form of affiliation with a [Student](#) group or organization. This provision applies to all [Students](#) regardless of [College](#) or Student Government recognition of the [Student](#) group or organization.
 - ii. Observation by a member of a [Student](#) group or organization of any hazing activity as described above without reporting the incident to [College](#) authorities.
 - iii. Aiding or assisting another to engage in any hazing activity as described above.
 - iv. The expressed or implied consent of a person is not a defense to any hazing activity described above.
- 4. Property**
 - a. Unauthorized use or possession, attempted or actual theft, and/or misappropriation of property belonging to others, the [College](#), or the New Jersey Educational Facilities Authority.

- b. Damage, malicious or negligent defacement, or destruction of property belonging to others, the [College](#), or the New Jersey Educational Facilities Authority.
- c. Unauthorized possession, duplication, or use of keys to any [College](#) premises; or unauthorized entry into any office, residence (*including but not limited to residence hall rooms, private residences on or off campus, or private businesses*), mailbox, or other [College](#) facility.
- d. Defacement, damage or destruction of property directed at a person or group *because of* membership in a [Protected Category](#) may result in an enhanced sanction.

5. Compliance with Directives

- a. Failure to comply with a duly issued directive by an authorized [College Official](#) or law enforcement officer. A directive may be considered any written or verbal mandate.
- b. Failures to correctly identify oneself at all times and present this information courteously upon request by a [College Official](#) or law enforcement officer.
- c. Aiding or assisting another to violate [College policy](#), or acting in any way to further a violation of [College policy](#). [Students](#) may be held accountable for the actions of his or her guest.

6. [Drugs](#), [Narcotics](#), [Controlled Substances](#), and/or [Paraphernalia](#)

- a. Unlawful possession, use, purchase, or attempted purchase of [Drugs](#), [Narcotics](#), or [Controlled Substance](#) and/or [Paraphernalia](#).
- b. Unlawful manufacture, distribution, or intended distribution of [Drugs](#), [Narcotics](#), or [Controlled Substance](#) and/or [Paraphernalia](#).
- c. Misuse or misappropriation of any prescription or over-the-counter medication.
- d. Knowingly being in the presence of the *illegal* use of a [Drug](#), [Prescription Drug](#), [Narcotic](#), or [Controlled Substance](#).
- e. Disrupting the campus or off-campus community or engaging in any [Policy](#) violation while under the influence of a [Drug](#), [Controlled Substance](#), or [Narcotic](#).
- f. The [College](#)'s highest priority is the physical and mental health, safety, and well-being of individual [Students](#) and the campus community. Therefore, no [Student](#) seeking medical attention by contacting either [College](#) or local authorities for a [Drug](#) overdose (nor a [Student](#) who seeks medical attention on behalf of the affected [Student](#)) and cooperates with and/or assists any medical, [College](#), or law enforcement officials will be formally charged under the *Student Conduct Code* for the unlawful use or possession of a [Drug](#). Although this does not relieve any [Student](#) or organization from responsibility for other [Policy](#) violations that may have occurred prior to seeking medical attention, the effort to seek help for the affected [Student](#) may be a mitigating factor in sanctioning. Affected [Students](#) may be required to complete an evaluation or other

education programs, but will not face disciplinary charges or sanctions as prescribed through the student conduct process.

- g. Although New Jersey state law permits the use of medical marijuana within narrowly tailored circumstances, federal laws prohibit marijuana use, possession, and/or cultivation at educational institutions and on the premises of other recipients of federal funds. The use, possession, or cultivation of marijuana for medical purposes is therefore not allowed on any [College](#) property, nor is it allowed at any [College](#)-sponsored event or activity off campus.

7. Alcoholic Beverages

- a. Being in possession of, attempting to purchase, purchasing, or consuming alcoholic beverages on or off campus while under the age of 21.
- b. Selling, distributing, or serving alcoholic beverages to a person under the age of 21.
- c. Possession and/or utilization on campus of devices for the rapid, high-risk consumption of alcohol including, but not limited to funnels, beer pong accessories, beer bongs, luges, etc., regardless of age.
- d. Consuming alcoholic beverages or carrying alcohol in open containers in any public area without the receipt of an alcohol permit, regardless of age.
- e. Hosting the underage consumption of alcohol in a social space, residence hall room, common area, or off-campus space that is occupied by, under the control of, or reserved for the use of a [Student](#) or organization.
- f. Possession of common source containers of alcohol on campus whether empty or full, including but not limited to kegs, punch bowls, etc., regardless of age.
- g. Excessive use of alcohol resulting in a state of intoxication which endangers oneself or others.
- h. Disrupting the campus or off-campus community or engaging in any [Policy](#) violation while a [Student](#) is intoxicated.
- i. The [College](#)'s highest priority is the physical and mental health, safety, and well-being of individual [Students](#) and the campus community. Therefore, no [Student](#) seeking medical attention by contacting either [College](#) or local authorities for intoxication (nor a [Student](#) who seeks medical attention on behalf of the affected [Student](#)) and cooperates with and/or assists any medical, [College](#), or law enforcement officials will be formally charged for the unlawful use or possession of alcohol. Although this does not relieve any [Student](#) or organization from responsibility for other [policy](#) violations that may have occurred prior to seeking medical attention, the effort to seek help for the affected [Student](#) may be a mitigating factor in sanctioning. Affected [Students](#) may be required to complete an evaluation or other education programs,

but will not face disciplinary charges or sanctions as prescribed through the [student](#) conduct process.

8. [Weapons](#) and Dangerous Substances

- a. Possession, storage, or carrying of a firearm or other [Weapon](#) in a residence hall room, on a person, or in a motor vehicle on [College](#) premises or at any [College](#)-affiliated activity or event. Knives of a standard size and utilized for an ordinary kitchen function are permitted in residence hall kitchens.
- b. Possession or use of fireworks, gun powder, explosives or other incendiary devices, or dangerous chemicals, except as authorized for use in class, in connection with [College](#)-sponsored research, or for another approved activity and used in the way authorized and approved on [College](#) premises or at any [College](#)-affiliated activity or event.

9. Fire and Safety

- a. Setting or attempting to set fire to, or creating a fire on property owned or operated by the [College](#) without a permit.
- b. Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency.
- c. Unauthorized or improper handling of or tampering with any fire, safety, or emergency equipment or fixtures.
- d. Lighting a candle, incense, or any other open flame inside a [College](#) facility or wooded area without express permission from the Department of Occupational Safety and Environmental Services.
- e. Smoking inside any [College](#) building and/or within 10 feet of a doorway to any [College](#) building.
- f. Removing screens, entering or exiting a building through a window, and/or throwing objects out windows.
- g. Leaving exit, fire, and/or smoke doors propped open or unlocked, or entering or exiting the buildings through emergency exit doors.
- h. Presence on the roofs of [College](#) buildings, fire escapes, ledges, service elevators, balconies, and other areas that are designated closed or prohibited.
- i. Riding of bicycles or skateboards/hoverboards, the throwing, kicking, or bouncing of objects, the use of roller skates or blades, the use of water guns, and any other activity that causes risk to property or personal safety inside a [College](#) facility.
- j. Presence of any motorized vehicle or machine in buildings with the exception of motorized vehicles used by, or in aid to, persons with disabilities.

10. Computer Misuse

- a. See the [Computer Access Agreement](#)

11. Disruption/Obstruction

- a. Disruption to, or obstruction of teaching, research, administrative, disciplinary proceedings, or other [College](#) activities or normal operations including its public service functions on or off campus.
- b. Obstruction of the free flow of pedestrian or vehicular traffic on [College](#) premises or at [College](#)-sponsored or supervised events or activities.
- c. Behavior that disturbs the peace, academic study, or sleep of others on or off campus.

12. Repeated Behavior

- a. Repeated behavior that materially and/or substantially interferes with the operation of the [College](#) or individuals, and that previously has been brought to the attention of the [Student](#) through participation in a separate behavior review process or by a [College Official](#).

IV. PROCEDURAL STANDARDS

A. Reports. *See also [Link to Appendix D] for a flow chart of the student conduct process.*

- 1. **Filing a report.** Any member of the [College](#) community may file a report against a [Student](#) for possible violations of the *Student Conduct Code*.¹ A report must be prepared in writing and submitted to the Director of Student Conduct. A person may submit a report online by using the following link: [File a Report](#). Any report should be submitted as soon as possible after the incident takes place, preferably within 30 calendar days. However, the Director of Student Conduct has discretion to accept a report and/or issue charges regardless of when the report is submitted if the conduct or [Respondent](#) are deemed to pose a possible threat to the [College](#) community or to individual members of the [College](#) community. *For Title IX related reports including but not limited to possible incidents of physical sexual misconduct, sexual harassment, stalking, some instances of physical abuse if involving an intimate partner, the following IV. Procedural Standards will apply [insert link to TIX policy].*
- 2. **Investigation.** The Director of Student Conduct and/or an experienced external investigator will conduct a prompt, thorough, fair and impartial investigation to determine if the information in the report merits charges against a [Student](#) or [Students](#), a formal admonishment, no charges, or if the incident can be addressed through an alternate dispute resolution process, such as mediation or restorative practices. An [Advisor](#) of the [Student's](#) choice may be present during the investigation meeting but may not represent the [Student](#) or actively

¹ Including a representative from the Office of Student Conduct on behalf of a person outside the [College](#) community if the incident has an adverse effect on the [College](#) and there is documentation from a verifiable source.

participate in the meeting. The conference administrator may also have an [Advisor](#) present at his or her discretion.

For investigations that are not Title IX related but may result in *03. Personal Abuse* charges, there will typically be two trained investigators present. The lead investigator will coordinate meetings with the [Reporter](#) and [Respondent](#). Both the [Reporter](#) and the [Respondent](#) will be interviewed and asked to share information they have regarding the incident, as well as all relevant documentation (i.e. text messages, emails, photos, etc.), and identify witnesses who may provide direct information regarding the allegation. The investigators will gather all information and create a statement summary. The [Reporter](#) and [Respondent](#) will be called in for a meeting where they each will be given the opportunity to review the summary and respond with additional comments.

For Title IX related investigations, the following *IV. Procedural Standards* will apply [*insert link to TIX policy*]. However, if a Title IX investigation results in charges for *D. Violations of Expectations for Student Conduct* that are unrelated to Title IX, the Title IX Coordinator may transfer the case back to the Office of Student Conduct for adjudication.

- B. Charge(s).** Any charges will be presented to the [Respondent](#) in writing through the [Student's College](#) email address, as the official means of [Communication](#) at the [College](#), and a conference with a [Hearing Administrator](#) shall be scheduled within a timely period.
- C. Conference.** The [Respondent](#) will be scheduled to meet with an assigned administrator for a conference to discuss the grounds for any charges, process, and sanctioning practices. The [Respondent](#) will select whether they will participate in a formal or informal conduct hearing; unless the case includes charges of any violations not related to Title IX, but under the *03. Personal Abuse* section of this code. In such cases, the administrator will determine what type of hearing is appropriate after the investigation is completed after considering the expressed preferences of both the [Definition of Responding Party Respondent](#) [Respondent](#) and [Reporter](#) and the totality of the circumstances. If the administrator finds that an informal hearing is appropriate, then a different administrator may be assigned or the conference administrator may conduct the hearing with the permission of both the [Respondent](#) and [Reporter](#). An [Advisor](#) of the [Respondent's](#) choice may be present during the conference. The conference administrator may also have an [Advisor](#) present through the conference meeting or informal hearing at his or her discretion. If after notice a [Respondent](#) does not attend a scheduled conference, the administrator may postpone the conference or review the information

available and make a decision on responsibility including assigning any sanctions to the [Definition of Student Respondent](#) if deemed appropriate.

D. Informal hearing. If the [Respondent](#) or administrator selects an informal hearing the administrator conducting the conference may immediately conduct the informal hearing or schedule the informal hearing to take place within a practical period. However, in the case of a personal abuse charge, if the administrator selects an informal hearing to address any charges, the administrator conducting the conference will assign a different [Hearing Administrator](#) to conduct the informal hearing within a practical period. The [Respondent's Advisor](#) may remain present for the informal hearing, but may not represent the [Respondent](#) or address the [Hearing Administrator](#). The [Advisor's](#) role is limited to providing support to the [Respondent](#) by observing or by advising the [Respondent](#) in a manner that does not disrupt the conduct proceeding. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in student conduct proceedings. The [Hearing Administrator](#) may temporarily adjourn the informal hearing if the administrator determines that further review or clarification is necessary including, but not limited to, interviewing the [Reporter](#) and/or other witnesses.

1. **Joint hearing.** In cases involving more than one [Respondent](#), the administrator or board may permit the hearing concerning each party to be conducted either separately or jointly.
2. **Information.** The informal hearing provides an opportunity for the [Respondent](#) to be heard and to provide information such as written witness statements. The [Respondent](#) may accept or deny responsibility for any charges.
3. **Decision.** The [Hearing Administrator](#) will determine whether the [Respondent](#) is responsible for any charges. The [Hearing Administrator's](#) determination shall be made on the basis of whether it is *more likely than not* that the [Respondent](#) violated the *Student Conduct Code*. If the [Respondent](#) is found not responsible for any charges, the process is concluded. If the [Respondent](#) is found responsible for any charges, the [Hearing Administrator](#) will then assign any appropriate sanctions.
4. **Appeal.** The [Respondent](#) may appeal the decision and/or any sanctions issued by the [Hearing Administrator](#) in writing to the Director of Student Conduct. (Please see Section *F. Appeals* for more information).

E. Formal hearing. If a formal hearing is selected the [Respondent](#) has the opportunity to select an administrative hearing, a Community Standards Board (CSB) hearing, or an All College Standards Board hearing. However, in the case of a personal abuse charge, the [Hearing Administrator](#) will select either an administrative hearing, a Community Standards Board hearing, or an All College Standards Board hearing. An

All College Standards Board (ACSB) hearing can only be selected if a [Respondent's](#) case may result in suspension or expulsion in the event that person is found responsible for any charges. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in student conduct proceedings.

- 1. Administrative hearing.** An administrative hearing is conducted by a trained faculty or staff member of the [College](#) who is selected by the Director of Student Conduct and who has not previously served as a [Hearing Administrator](#) in the [Respondent's](#) conduct process whenever possible. The administrator will hear information presented by the [Reporter](#), the [Respondent](#) and any participating witnesses and render a decision and sanctions if appropriate. A [Student](#) may appeal the decision of the administrator to the Director of Student Conduct.
- 2. Community Standards Board.** The Community Standards Board is a [Student](#) board chaired by a [Student](#) representative and advised by the Assistant Director of Student Conduct. The Community Standards Board is comprised of four voting members; the [Student](#) chair votes only in the case of a tie. The [Advisor](#) to the board does not vote nor participate in deliberations, but may answer questions regarding procedural standards, [Policy](#), or sanctioning practices. A [Student](#) may appeal the board's decision to the Director of Student Conduct. The Community Standards Board will not hear cases that may result in suspension or expulsion should the [Respondent](#) be found responsible for any charges.
- 3. All College Standards Board.** The All College Standards Board is comprised of five members and is chaired by the Director of Student Conduct or designee of the Vice President for Student Affairs. The membership of the All College Standards Board includes two [Student](#) representatives, one faculty member, one student affairs staff member, and an additional representative that can be either faculty or staff member. The Director of Student Conduct neither votes nor participates in deliberations, but may answer questions regarding procedural standards, [Policy](#), or sanctioning practices. The All College Standards Board will hear cases that may result in suspension or expulsion should the [Respondent](#) be found responsible for any charges. A [Student](#) may appeal the board's decision to the Vice President for Student Affairs.
- 4. Formal hearing guidelines.** Formal hearings shall be conducted according to the following guidelines.
 - a. Private hearing.** A hearing is conducted in private. The person bringing the complaint on behalf of the [College](#), the [Reporter](#) (in *03. Personal Abuse* cases) and [Respondent](#), and [Advisor\(s\)](#) are allowed to attend the entire portion of the board or administrative hearing at which information is received (this excludes deliberations). Admission of any other person to the hearing shall be at the discretion of the board or administrator hearing the case.

- b. **Joint hearing.** In cases involving more than one [Respondent](#), the administrator or board Chair may permit the hearing concerning each party to be conducted either separately or jointly.
- c. **Advisors.** The hearing board or administrator, person bringing the complaint on behalf of the [College](#), and/or the [Reporter](#) (in *03. Personal Abuse* cases) and [Respondent](#) may be assisted by an [Advisor](#) of their choice, at their expense. [Students](#) must notify the Director of Student Conduct of whom they have designated as their [Advisor](#) five business days prior to the scheduled hearing. A representative from the [College](#)'s Office of the General Counsel may also be present at the hearing. All individuals are responsible for presenting their own information, and therefore [Advisors](#) are not permitted to speak or to participate directly in any hearings. A [Student](#) should select as an [Advisor](#) a person whose schedule allows attendance at the scheduled date and time for the hearing as delays will not normally be allowed due to the scheduling conflicts of an [Advisor](#).
- d. **Questions.** The hearing board or administrator, the person bringing the complaint on behalf of the [College](#), and the [Reporter](#) (in *03. Personal Abuse* cases) and [Respondent](#) may arrange for witnesses to present pertinent information. The [Reporter](#) and the [Respondent](#) may suggest questions to be answered by one another and/or one another's witnesses, but the questions must be directed to the chairperson of the board or the administrator rather than to the other party or witness directly. The chairperson of the board or the administrator will determine whether questions or potential information are appropriate at his or her discretion.
- e. **Additional information.** Relevant records, exhibits and written statements (including [Student](#) impact statements during the sanction phase) may be accepted as information for consideration by a board or administrator at the discretion of the chairperson or administrator.
- f. **Decline to provide information.** The [Respondent](#) has the right to decline to provide any written or oral statements, answer questions posed in a hearing, or provide any information on his or her behalf. However, the hearing board or administrator may draw an adverse inference from the [Student's](#) absence of information or refusal to answer questions.
- g. **Procedural questions.** All procedural questions are subject to the final decision of the chairperson of the board or administrator.
- h. **Majority vote and quorum.** A board will determine by majority vote whether the [Respondent](#) has violated the [Policy](#) as charged. For any board hearing, a quorum of three voting members is necessary. Quorum is not required for an administrative hearing as the decision is made by the administrator alone.

- i. **Basis for decision.** The board or administrator's determination shall be made on the basis of whether it is *more likely than not* that the [Respondent](#) violated the *Student Conduct Code*. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in student conduct proceedings.
- j. **Hearing recorded.** There will be a single record, such as a digital audio recording of all formal hearings. Deliberations will not be recorded. The record will be the property of the [College](#).
- k. **Decision in absentia.** If a [Respondent](#), with notice, does not appear for a formal hearing, the [Hearing Administrator](#) or board may postpone the hearing or hear the information in support of the charges in the [Respondent's](#) absence and will make a decision on the available information.
- l. **Special accommodation.** The board or administrator may accommodate persons with concerns for the personal safety, well-being, and/or fears of confrontation during the hearing by providing separate facilities or physical dividers, and/or by permitting participation by telephone, videophone/conferencing, videotape, audio tape, written statement, or other viable means as determined by the Director of Student Conduct to be appropriate.
- m. **Differing abilities accommodation.** The board or administrator will provide any reasonable accommodation for hearing participants who have a disability and are registered with, or notify the Office of Disability Services and the Office of Student Conduct in a timely manner.

F. Appeal Procedures.

- 1. **Respondent appeal.** A [Respondent](#) is afforded one single opportunity to appeal decisions and/or any sanctions issued by a [Hearing Administrator](#) or board within five business days of the date of the written decision. The decision of the administrator reviewing the submitted appeal is the final and conclusive decision of The [College](#) of New Jersey and is appealable only to the New Jersey Superior Court, Appellate Division in accordance with the New Jersey Rules of Court.
- 2. **Reporter appeal.** A [Student](#) who filed a report resulting in a [Student](#) being charged with a non-Title IX related violation under *Personal Abuse* (see Section D.3. under *Violations of Expectations for Student Conduct*) is afforded one single opportunity to appeal decisions and/or any sanctions issued by a [Hearing Administrator](#) or board within five business days of the date of written notification of the decision and/or relevant sanctions. The decision of the administrator reviewing the submitted appeal is the final and conclusive decision of The [College](#) of New Jersey and is appealable only to the New Jersey Superior Court, Appellate Division in accordance with the New Jersey Rules of Court.

- 3. Required format.** All appeals must be in writing, and include any supporting documentation that the [Student](#) wishes to be considered. Deference is given to the original [Hearing Administrator](#) or board's findings of fact and decision of responsibility and/or any sanctions, therefore the burden of proof is on the [Student](#) filing an appeal to sufficiently demonstrate cause to alter procedures, the original decision or any sanctions. An appeal will generally be limited to a review of the verbatim record of the hearing and supporting documents for one or more of the purposes below, provided however the administrator may request additional information or clarification from the [College](#) and/or external investigators, conference administrator, the [College](#) administrator preparing the hearing, the [Hearing Administrator](#) or board, the [Reporter](#) (in 03. Personal Abuse cases) or [Respondent](#), and/or witnesses for purposes of this review.
- a. Process review.** To determine whether the hearing was conducted in accordance with published procedures and without bias on the part of the [Hearing Administrator](#) or any board member. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - b. Information review.** To determine whether there was information presented in the hearing that, if believed by the board or administrator, was sufficient to establish that a violation of the *Student Conduct Code* occurred.
 - c. Sanction review.** To determine whether any sanctions imposed were appropriate for the violation of the *Student Conduct Code* which the [Respondent](#) was found to have committed.
 - d. New information.** To consider new information, submitted by the appealing [Student](#) within the prescribed five business day period, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information was not known to the [Student](#) appealing at the time of the original hearing.
- 4. Appeal decision.** An administrator reviewing an appeal may make one of the following decisions.
- a. Affirm.** The administrator may decide to affirm the decision of the original [Hearing Administrator](#) or board.
 - b. Alter sanction.** The administrator may alter the sanctions issued by the original [Hearing Administrator](#) or board. Alteration in the sanction may include reducing or increasing the sanction or requirements.
 - c. New hearing.** The administrator may determine that a new hearing by a different [Hearing Administrator](#) or board is warranted to correct procedural irregularity or to consider new information. A [Student](#) may appeal a decision of the new [Hearing Administrator](#) or board.
 - d. Remand.** The administrator may direct the original [Hearing Administrator](#) or board to review their original decision subject to

any instructions from the administrator; and may affirm that decision or render a new decision consistent with those instructions. A [Student](#) may appeal a decision made by the original [Hearing Administrator](#) or board if there are any changes after the review.

- G. Summer, End of Term, and Geographically Remote Cases.** The following process will apply for incidents that occur over the summer and/or incidents that are reported regarding a [Student](#) who does not participate in courses on the property of the [College](#) or incidents that are reported near the end of any academic term and are unable to be heard before the last week of classes in accordance with the conduct process.
- 1. Minor incident.** For a minor incident (where a finding of responsibility would result in a warning and/or educational sanctions), the [Respondent](#) will be asked to submit a statement in writing regarding the incident that may include statements by any witnesses by a prescribed date. The [Hearing Administrator](#) or board, in conjunction with the incident report form, will consider this statement. The [Respondent](#) will be notified of the administrator or board's decision via electronic [Communication](#). This process will also be utilized to handle such incidents that occur during summer sessions conducted at the [College](#) or minor incidents that occur in a geographically remote location. If the [Respondent](#) wishes to appeal the decision of the administrator or board, that individual must do so within five business days of notification of the decision.
 - 2. Major incident.** For a more serious incident (where a finding of responsibility may result in a status of pending termination of residency; termination of residency; pending suspension; suspension; or expulsion), the [Student](#) may choose to respond to the charges in writing (as described above), or to participate in a hearing process in person through existing procedures. The Director of Student Conduct will determine whether this process should take place during the summer or term of geographically remote course or after classes have reconvened in the following semester. For incidents that occur in a geographically remote location, a hearing with the [Respondent](#) or witness (es) present may occur. All such hearings will take place on the property of the [College](#), and the [Respondent](#) is financially responsible for any travel costs incurred to attend the hearing. In addition, participation in a hearing by means of technology such as video, telephone, Internet chat, or video may also occur with mutual consent of the [Respondent](#) and [Reporter](#) and the Director of Student Conduct.
- H. Interim Measures/Remedies.** Under certain circumstances, such as *03. Personal Abuse* and/or Title IX related cases; interim measures may be initiated to protect the safety and well-being of persons involved in an incident and/or the campus community pending the outcome of the

investigative and adjudicative processes. Interim measures may include the following to the extent reasonably available and appropriate:

1. **Interim suspension.** Immediate separation of a [Student](#) from the [College](#) and/or housing by the Assistant Vice President/Dean of Students (or designee) pending an investigation or adjudication. Through the duration of the interim suspension, the [Student](#) may be restricted from [College](#) property and may be required to provide prior notice and receive approval from the Director of Student Conduct for the purpose of conducting [College](#) business. Interim suspension will be imposed only in exceptional circumstances to ensure the health, safety or welfare of members of the [College](#) or [College](#) property or to ensure the [Student's](#) own safety and welfare. [Students](#) who have been suspended on an interim basis must have a conduct hearing within a practical period of time after the imposition of the interim suspension.
 2. **No Contact Directive.** A no contact directive is an official [College](#) directive that serves as notice to an individual that they must not have physical contact with or proximity to, or direct verbal, electronic, written, and/or indirect third party [Communications](#) with another individual.
 3. **Academic accommodations.** This may include assistance in transferring to another section of a course, assistance in requesting withdrawal or an incomplete grade in a particular course, leaves of absence or withdrawal from the [College](#), or assistance requesting alternate methods of completing coursework.
 4. **Housing accommodations.** This may include requiring a [Student](#) to relocate housing pending the outcome of a conduct investigation or proceeding. This may also include facilitating changes in on-campus housing location to alternate housing, or assistance in exploring alternative housing off-campus.
 5. **Employment accommodations.** This may include arranging for alternate [College](#) employment, different work shifts, etc.
 6. **Other accommodations.** Any other measure that may be arranged by the [College](#) (to the extent reasonably available) to ensure the safety and well-being of a [Student](#) and/or the [College](#) community. This may include the use of alternate dispute resolution services such as mediation or restorative practices when appropriate.
- I. **Sanctioning Practices.** The following sanctions, alone or in any combination, may be imposed upon any [Student](#) found to have violated the *Student Conduct Code*. See also [[Link to Appendix E](#)] for specific *sanctioning procedures for selected violations*.

1. **Status Outcomes.**

- a. **Warning.** A notice in writing to the [Student](#) that the [Student](#) is violating or has violated institutional regulations and that further violations may result in more severe disciplinary action.
- b. **Pending termination of housing.** This status serves as a housing probationary status assigned to a [Student](#) for a specified period of time before his or her housing privileges are terminated. While on this status, any further violations of [College Policy](#) may result in termination of housing. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct for five years after a [Student](#) separates from the [College](#).
- c. **Termination of housing.** Removal or prohibition of a [Student](#) from [College](#) housing after a specific date and for a specified period of time. Through the duration of the termination, the [Student](#) will be restricted from entering all residential floors in [College](#) buildings. [Students](#) who are removed from [College](#) housing for disciplinary reasons will receive the refund available based on the time of the semester according to the Department of Residential Education and Housing policies and the housing contract. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct for five years after a [Student](#) separates from the [College](#).
- d. **Pending suspension.** This status serves as the disciplinary probation status assigned to a [Student](#) for a specified period of time before that person is suspended from the [College](#). While on this status, any further violations of [College Policy](#) may result in suspension from the [College](#). In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct for five years after a [Student](#) separates from the [College](#).
- e. **Suspension.** Termination of course registration and residency (if applicable) from the [College](#) after a specific date and for a specified time. Through the duration of the suspension, the [Student](#) may be restricted from [College](#) property and may be required to provide prior notice and receive approval from the Director of Student Conduct for the purpose of conducting [College](#) business. Before a [Student](#) may be readmitted to the [College](#) after the designated period of time, that person must meet with the Dean of [Students](#) to show satisfactory completion of any assigned directives or to discuss stipulated conditions for his or her return.

In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct indefinitely. Should a [Student](#) wish to return to the [College](#) after the suspension period, that person must comply with any academic standards and procedures then in effect.

- f. **Expulsion.** Permanent dismissal from the [College](#) and restriction from [College](#) property. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct indefinitely. Expulsion is the most serious disciplinary action taken by the [College](#) and is generally reserved for only those cases of behavioral misconduct in which all the relevant facts and aggravating circumstances support a conclusion that the only reasonable sanction is permanent removal from the [College](#).
- g. **Degree Revocation.** Permanent revocation of an earned degree from the [College](#) and restriction from [College](#) property. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct indefinitely. Degree revocation is reserved for only those case of behavioral misconduct that occur while an individual is a [Student](#), but is not made known to the [College](#) until after a degree is earned, and in which all the relevant facts and aggravating circumstances support a conclusion that the only reasonable sanction is permanent revocation of an earned degree from the [College](#).

2. Educational Outcomes.

- a. **Restorative practices.** Participation in a discussion by trained facilitators with any persons or departments harmed and development of a shared agreement of how to correct the harm. Unlike other sanctions, all participants must voluntarily agree to participate in the restorative process. Restorative practices will not be available to [Students Responding](#) to or being found responsible for any physical sexual misconduct.
- b. **Mediation.** Participation in a mediated discussion with other disputants facilitated by multipartial, trained mediators with the hope of developing a negotiated agreement serving as resolution to the dispute. Unlike other sanctions, all participants must voluntarily agree to participate in mediation. Mediation will not be available to [Students Responding](#) to or being found responsible for any physical sexual misconduct.
- c. **Master education plan.** Develop a master education plan with the aid of the Director of Student Conduct and mentor committee, agree to the terms of the plan, and to continuous evaluation.
- d. **Other Discretionary sanctions.** Work assignments, essays,

presentations, research projects, conduct contracts, service to the [College](#), or other discretionary assignments.

3. Administrative Directive Outcomes

- a. **Administrative Relocation of Housing.** Administrative transfer of a [Student](#) from one campus housing location to another.
- b. **Loss of privilege.** Denial of any specified privilege for a designated period of time. Examples include but are not limited to: guest privileges, restriction from a [College](#) event or program, and/or area or building.
- c. **Restitution.** Compensation for loss, damage, or injury to [College](#) property. This may take the form of appropriate service and/or monetary or material replacement.
- d. **Parental notification.** Notification may be sent to parents or guardians of a [Student](#) who is under 18 years of age, or financially dependent on his or her parents or guardians, depending on the circumstances surrounding the incident. Parents or guardians may also be notified of alcohol and other [Drug](#) incidents for [Students](#) under 21 years of age, regardless of financial dependency or resulting sanction.
- e. **No Contact Directive/Extension of Existing No Contact Directive.** This may include a new directive (as described above), or an extension of an original directive with or without altered or additional parameters or instructions. Sanctioned no contact directives may only be removed prior to their scheduled expiration (if any) at the discretion of the Director of Student Conduct, and at the written request of all involved persons.

J. Disciplinary Record Keeping Practice.

1. **File maintenance.** A [Student](#) who is charged with a violation of the *Student Conduct Code* has a file created and maintained by the Office of Student Conduct. Files are maintained for five years after the date the [Student](#) separates from the [College](#); however files of [Students](#) who have been suspended or expelled are maintained indefinitely.
2. **Confidentiality.** The federal Family Educational Rights and Privacy Act of 1974 (FERPA) protects a [Student's](#) education records, including Student conduct files, from unauthorized disclosure to third parties. A [Student](#) must sign a waiver to grant access to his or her disciplinary record before the [College](#) will disclose information protected by FERPA contained in the [Student's](#) records. These confidentiality requirements apply to [Students'](#) parents or guardians with the exception of a health or safety emergency, an alcohol or [Drug](#) violation, or if the [Student](#) is financially dependent on the parents or guardians. Federal law makes exceptions in these cases and does allow the [College](#) to share disciplinary information with specific persons. In addition, FERPA allows the [College](#) to disclose a [Student's](#) education record without prior written consent when the disclosure is to a victim of an alleged

perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may include only the final results of the disciplinary proceeding conducted by the institution of postsecondary education with respect to that alleged crime or offense. Furthermore, FERPA permits the [College](#) to disclose sanction information to a [Student](#) or party who has filed a report of conduct that is a violation under *Personal Abuse* (see Section D.3. under *Violations of Expectations for Student Conduct*) when any sanction directly relates to the [Reporter](#).

3. **Inspection.** [Students](#) may request to inspect or view their disciplinary records in accordance with FERPA. To do so, a [Student](#) should make an appointment with the Director of Student Conduct. Records are not immediately available to [Students](#) because they must first be reviewed for confidential information regarding other [Students](#), and thus may need to be redacted. Upon request, the Office of Student Conduct will provide [Students](#) with copies of redacted incident reports, letters, and any forms or receipts in the [Student's](#) file. [Students](#) may make arrangements to review the recording as an element of his or her education record by making arrangements with the Office of Student Conduct. However, copies or transcripts of any recording will not be provided. Please note that it is not the [College's](#) practice to provide [Students](#) with copies of the information listed above during an open or active investigation.
4. **Reporting.** If a [Student](#) has given proper permission for the [College](#) to share disciplinary information to a third party, it is the practice of the [College](#) to only disclose a disciplinary file if a [Student](#) has ever been placed on a pending termination of housing or pending suspension status, has been removed from housing, or has been suspended or expelled from the [College](#). The [College](#) retains discretion to release additional information contained in a [Student's](#) disciplinary file if a third party requires disclosure of further information, or if a [Student](#) separates from the [College](#) with any pending Student conduct matters. For further information on requesting a disciplinary file please go to the following site [*insert site link to disciplinary record requests*].
5. **Petition for administrative deletion.** Disciplinary records may be administratively deleted upon review and approval by the Dean of Students. When a record is administratively deleted, the information it contains is no longer part of an official disciplinary record. The [College](#) is required by law and [College Policy](#) to retain for statistical purposes information regarding certain types of disciplinary violations. Statistical information from deleted files may be retained with the [Student's](#) name and [Student](#) identification number removed. Administrative deletion affects only information maintained by the Office of Student Conduct. Copies of letters distributed by or to other [College](#) departments, incident reports, police reports, and the results of previous background checks reported outside of the Office of Student Conduct are not affected by an administrative deletion. Petitions for an administrative deletion may be made no sooner than one year after the date of the [Student's](#) last finding

of responsibility from the student conduct process or one calendar year prior to his or her anticipated graduation, whichever is later. The request must be made in writing to the Dean of Students by submitting the following form [*insert link to form*]. Administrative deletion may not be granted for conduct that resulted in suspension or expulsion from the [College](#) and may also be denied for conduct that posed a threat to a member of the [College](#) community or serious damage to [College](#) property.

K. Violation of Law and Student Conduct Code. [College](#) student conduct proceedings may be instituted against a [Student](#) charged with conduct that potentially violates both the criminal law and [College Policy](#) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under these procedural standards may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Director of Student Conduct. Prior determinations made or sanctions imposed under these procedural standards will not be subject to change because criminal charges arising out of the same facts giving rise to violation of [College](#) rules are later dismissed, reduced, or resolved in favor of the criminal law defendant.

L. Leave of absence or withdrawal.

1. Individuals who withdraw or take a leave of absence from the [College](#) while a conduct matter or any sanction is pending will have a registration hold placed on their [Student](#) account(s) and will be notified of the pending matter and registration hold.
2. If documentation of an incident is brought to the attention of the Office of Student Conduct after an individual separates from the [College](#), but includes conduct that allegedly occurred while an individual was a [Student](#), or conduct that occurred after separation from the [College](#) but has an adverse impact on the campus community, the [College](#) retains discretion to assign any charges, ban the individual from campus, and/or place a registration hold on the individual's account pending adjudication.
3. The [College](#) retains discretion to determine when there is enough information available or it is necessary to adjudicate charges for formerly enrolled [Students](#). An individual may contact the Office of Student Conduct to request arrangements to adjudicate or dispose of the matter before the registration hold will be released.

V. RELATED DOCUMENTS

Academic Integrity Policy

Policy Prohibiting Discrimination in the Workplace/Educational Environment

**Student Rights and Freedoms
Client Computing Usage Policy
Title IX College-Wide Policy**

VI. HISTORY

Approved by the Board of Trustees, July 12, 2011.

Revisions approved by the Board of Trustees, July 8, 2014.

**The College of New Jersey
Resolution Approving the Title IX Policy**

Whereas: The College of New Jersey, in order to fulfill its mission, has the authority and responsibility to prevent and address any issue of gender discrimination, protect the community and the rights of its members, and cultivate and sustain a safe and positive living and learning environment; and

Whereas: The U.S. Department of Education and White House Task Force to Protect Students from Sexual Assault have issued guidance and interpretations of institutions of higher education's obligations regarding Title IX including the creation of a Title IX Policy prohibiting sexual assault, dating and domestic violence, sexual harassment, stalking, and other power-based personal violence; and

Whereas: The drafted Title IX policy has authority over faculty, staff and students and includes information on reporting responsibilities, confidential resources, the rights of the parties involved, training opportunities and requirements, prohibited conduct, procedural standards, and confidentiality and privacy implications; and

Whereas: The proposed Title IX Policy has been developed under direction of the Assistant Vice President for Student Affairs and Title IX Coordinator, in collaboration with the Committee on Student and Campus Community (the appropriate governance committee) and the Office of General Counsel, and is the result of a comprehensive review and campus-wide consultation;
now

**Therefore,
Be It
Resolved:**

That the Board of Trustees of The College of New Jersey hereby approves the attached Title IX Policy for implementation during the 2016-2017 academic year.

July 5, 2016



Section:	
Title:	Title IX Policy
Effective Date:	
Approved By:	
Responsible Unit:	
History:	
Related Documents: Student Conduct Code Policy Prohibiting Discrimination in the Workplace/ Educational Environment Procedures for Internal Complaints Alleging Discrimination in the Workplace/ Educational Environment	

Title IX Policy

Policy Prohibiting Sexual Assault, Dating and Domestic Violence, Sexual Harassment, Stalking, and other Power Based Personal Violence

I. Introduction

The [College](#) of New Jersey (“TCNJ” or the “College”), as an institution of higher education and a community dedicated to learning and the advancement of knowledge, expects and requires the behavior of [Students](#), faculty, and staff to be compatible with its high standards of conduct. For the [College](#), this means a firm institutional commitment to protect the community and the rights of its members, and to cultivate and sustain a positive living and learning environment. Thus, sexual harassment, including misconduct such as physical sexual misconduct, domestic or dating violence, and stalking (collectively, “Sexual Violence”) will not be tolerated.

Title IX of the Education Amendments of 1972 (“Title IX”) and its implementing regulations protects people from discrimination, based on sex, in education programs or activities. Title IX states that: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” The U.S. Department of Education’s Office for Civil Rights (“OCR”) enforces compliance with Title IX and emphasizes the importance of providing an educational environment free from discrimination. The College prohibits any such

unlawful discrimination. Therefore, any acts of sexual violence against an individual¹ (whether Student, faculty or staff) constitutes such discrimination and in some cases may be a crime.

Individuals who have been subjected to Sexual Violence are strongly urged to promptly report such incidents. The [College](#) will respond promptly to all reports of Sexual Violence. The [College](#) will provide a fair and impartial investigation and resolution for reporting parties and, where appropriate, issue remedial measures and/or sanctions. The severity of the corrective action, up to and including termination or expulsion of the party found responsible, will depend on the circumstances of the particular case. Any person who is classified as a “responsible employee” by the [College](#), ([link to list of Responsible Employees](#)) and who learns of an incident of Sexual Violence must make a report to the Title IX Coordinator. Retaliation against anyone who makes a report of Sexual Violence or cooperates in an investigation of Sexual Violence is prohibited by [College](#) policy as well as Title IX and other state and federal laws.

II. Definitions

“**Advisor**” is a person chosen by either the [Respondent](#) or the [Reporter](#) to accompany the individual during investigations and/or assist the person with any investigation preparations. The advisor may not participate directly in any proceedings or represent any person involved. Any cost associated with the participation of an advisor is the responsibility of the individual.

“**College**” means The College of New Jersey.

“**Effective Consent**” is informed, freely and actively given mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity. A person may be unable to give Effective Consent when they are unable to consent due to their age, or because the person is physically helpless, mentally incapacitated, or [Incapacitated](#) from alcohol or other drugs.

- Effective Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Effective Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Effective Consent may be initially given but withdrawn at any time.
- Effective Consent cannot be given when it is the result of coercion, intimidation, force, or threat of harm.
- When Effective Consent is withdrawn or can no longer be given, sexual activity must stop immediately.

¹ Note, any reference in the *Title IX Policy* to a person or role in the policy or process is intentionally gender neutral to reflect the College’s commitment to an inclusive policy.

“Hostile Environment” is defined as an environment on campus that, through one or more incidents of harassing conduct (e.g., physical, verbal, graphic or written) based on a person’s Protected Category becomes sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from a College program or activity.

“Incapacitated” is being in a state where a person lacks the capacity to understand the fact that the situation is sexual, or cannot understand (rationally and reasonably) the nature and/or extent of the situation. A person who knows or should reasonably know that another person is incapacitated may not engage in sexual activity with that person.

Persons who meet any of the following criteria or conditions are incapacitated: (i) sleeping, (ii) passed out, (iii) under the age of consent or under a certain age in relation to the other party to the sexual activity (both of which are matters of state law) or (iv) due to a disability, do not have the mental capacity to consent.

A person who does not meet any of those criteria or conditions for incapacity may become incapacitated through the use of alcohol or drugs. Such a person’s state of incapacity is a subjective determination that is based on all of the facts available because persons reach incapacitation at different points and as a result of different stimuli.

Alcohol related incapacity results from a level of alcohol ingestion that is more severe than that required to produce the minimum levels of influence, impairment, intoxication, inebriation, or drunkenness. Factors that can influence a person’s status include gender, body size and composition; tolerance for alcohol and other drugs; amount and type of alcohol or other drugs taken or administered, and the mixture taken; amount of food intake prior to administration; propensity for blacking out; genetics; and time elapsed since the ingestion of the alcohol or drugs.

The effects of alcohol and drug use often occur along a continuum. For example, alcohol intoxication can result in a broad range of effects, from relaxation and lowered inhibition to euphoria and memory impairment, and to disorientation and incapacitation. Incapacitation due to alcohol or drug use is a state beyond “mere” intoxication or even being drunk. It exists when a person lacks the ability to make or act on a considered decision to engage in sexual activity. Indicators of incapacitation may include inability to communicate, lack of control over physical movements, and/or lack of awareness of circumstances. An incapacitated person can also experience a blackout state during which the person appears to give consent but does not have conscious awareness or the capacity to consent. Some medical conditions may also cause incapacitation. Incapacity can result from factors including, but not limited to mental disability, involuntary physical restraint, or from the administration of substances.

“Intimate body parts” includes the following: sexual organs, genital areas, anal area, inner thigh, groin, buttock, or breast of a person.

“Prohibited Conduct” defined in Section III, Part H.

“Protected Category” collectively refers to one or more of the following categories: age, race, creed, color, national origin, nationality, ancestry, sex/gender (including pregnancy), marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or

expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability.

“Reporter” is the person who is making a report of experiencing an incident of personal abuse.

“Respondent” is the person who is subject to an investigation, procedural requirements including proceedings, remedial measures, and/or sanctions as a result of information filed in a report, determined through an investigation, and/or conduct proceeding.

“Responsible Employee” defined in Section III, Part C.

“Sexual Contact” is an intentional touching by a person, either directly or through clothing, of another’s [Intimate body parts](#) for the purpose of degrading or humiliating another or sexually arousing or sexually gratifying the actor.

“Sexual Penetration” includes vaginal intercourse, cunnilingus, fellatio, or anal intercourse between persons or insertion of the hand, finger, or object into the anus or vagina either by the actor or upon the actor’s instruction.

“Student” or “Students” includes all persons who accept an offer of admission to the College, register for credit bearing courses or maintain matriculation in a degree program at the College, either full time or part time, degree or non-degree seeking, and have an academic record with Primary Academic Web Services (PAWS), the College’s records and registration system. The status of other individuals who participate in [College](#)-sponsored or recognized programs will be determined solely at the discretion of the Director of Student Conduct. Participants in certificate programs, that are not otherwise a student at the [College](#), such as the Career and Community Studies program, are responsible for adhering to the standards for conduct outlined in the *Student Conduct Code*, but shall be governed by the procedural standards set forth in the applicable certificate program’s policy.

“Third Party” includes individuals who are neither [Students](#) nor Employees, including but not limited to contractors, guests, and consultants.

“Weapon” includes any item that is designed in appearance or function to resemble a firearm, cause harm, or invoke fear or intimidation. Weapons include, but are not limited to, knives, brass knuckles, swords, slingshots, or any other item when used to harm or intimidate another.

III. Policy

a. Scope of the Policy

This policy applies to all members of the [College](#) community, including [Students](#), faculty, and staff. It also applies to contractors and other third parties within the [College’s](#) control. This policy applies to sexual misconduct, Sexual Violence and discrimination based on sex:

- That occurs on [College](#) premises, in any [College](#) facility, or on [College](#) property; or
- At a [College](#) sponsored, recognized, or approved program or activity, regardless of location; or

- That impedes equal access to any [College](#) education program or activity or that creates a hostile environment which impacts the education or employment of a member of the [College](#) community regardless of where the conduct occurred; or
- That otherwise threatens the health and/or safety of a member of the [College](#) community.

b. Title IX Coordinator

The [College](#)'s Title IX Coordinator will oversee the [College's](#) review, investigation, and resolution of those reports to ensure the [College's](#) compliance with Title IX, and related laws and guidance, and the effective implementation of this policy. The Title IX Coordinator will have adequate training on what constitutes sexual harassment, including Sexual Violence.

The Title IX Coordinator and/or EEO Officer generally are:

- Responsible for oversight of the investigation and resolution of all reports of sexual harassment, sexual violence, stalking, and domestic and dating violence involving [Students](#), staff, and faculty;
- Knowledgeable and trained in applicable [College](#) policies and procedures, and relevant state and federal laws;
- Available to advise any individual, including a [Reporter](#), a [Respondent](#), or a [Third Party](#), about the courses of action available at the [College](#), both informally and formally;
- Available to provide assistance to any [College](#) Employee regarding how to respond appropriately to a report of sexual harassment including Sexual Violence;
- Responsible for monitoring compliance with all procedural requirements, record-keeping, and timeframes outlined in this policy; and
- Responsible for overseeing training, and any reviews of campus climate and culture regarding Sexual Violence.

[Title IX Coordinator Contact Information \(http://titleix.tcnj.edu/ \)](http://titleix.tcnj.edu/)

Brower Student Center

609-771-3266

titleix@tcnj.edu

c. Obligation of Responsible Employees

The College designates certain Employees who have administrative or supervisory responsibilities on campus as Responsible Employees. This includes, for example, members of the Board of Trustees, the President, Vice Presidents, Deans, Directors, Coaches, Student Affairs professionals (including Community Advisors), and Advisors to [Student](#) groups. This does not include professional staff in CAPS, AVI, ADEP, or TCNJ Clinic when information is disclosed through a clinical relationship. Responsible Employees will endeavor to honor a [Reporter's](#) request for confidentiality, but must report any incident of sexual harassment including Sexual

Violence to the Title IX Coordinator and so inform the [Reporter](#)². The Responsible Employee shall promptly share all details about a report of Prohibited Conduct including the known details of the incident (e.g., date, time, location), the names of the parties involved, a brief description of the incident and if the incident has been previously reported with the Title IX Coordinator by telephone or by email or through the Online Reporting System at:

https://tcnj-advocate.symplcity.com/public_report/index.php/pid272784? Such reporting ensures timely support for all parties and enables an effective and consistent institutional response.

d. Annual Security Report/Crime Statistics

The College issues the Annual Security Report (ASR) in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. It is the policy of TCNJ to ensure our campus community is informed of all incidents that may impact their safety and security. The campus community is encouraged to report all crimes, whether actual, attempted, or suspected, and all emergency situations to the Office of Campus Police Services or any other campus security authority.³

The [College](#) compiles and discloses statistics of reports of the types of crimes specified in the Clery Act for the campus and immediately adjacent areas. In addition, the [College](#) publishes an annual report to the Department of Education with statistics of Clery Crimes for the last three years, along with other policy statements addressing campus security and safety.

It is important to know that a formal police report or investigation is not needed in order for a crime to be included in the crime statistics provided in this report. Campus security authorities are surveyed monthly for their input during the course of the year. Campus Police does not collect victim information unless specifically authorized by the Reporter or directly reported from the Reporter to law enforcement.

e. Rights of the Reporter and the Respondent

The rights of the [Reporter](#) and [Respondent](#) in a Sexual Violence proceeding includes:

- To have access to applicable [College](#) policies and procedures be informed of the nature of all charges connected with the allegations of the Reporter.
- To be treated with due respect by [College](#) officials.
- To have an [Advisor](#) present during any proceeding, investigation meeting, or related meeting. The role of the [Advisor](#) will be limited to being present only; they will not be allowed to speak during any [College](#) Sexual Violence proceeding, investigation meeting, or related meeting.

² Supervisors are required to report incidents of sexual harassment including Sexual Violence according to the New Jersey State Policy Prohibiting Discrimination in the Workplace.

³ Campus security authorities are represented by, but not limited to the following offices: Vice President for Administration, Provost/Vice President for Academic Affairs, Vice President for Human Resources, Vice President for Student Affairs, Residential Education and Housing, Disability Support Services, Student Health Services, Athletics, and Alcohol and other Drug Education Program (ADEP).

- Adequate, reliable, and impartial investigation and appropriate resolution of all reports of Sexual Violence.
- To be informed by the [College](#) of options to notify proper law enforcement authorities including on-campus and local police, and the option to be assisted by campus authorities in notifying proper law enforcement, if the individual chooses.
- To be notified of available counseling, mental health, academic, legal and other support services, both at the [College](#) and in the community.
- To have allegations investigated by individuals who are properly trained to investigate and resolve allegations of Sexual Violence.
- Equitable participation in the investigation process, including the opportunity to identify witnesses and other appropriate evidence.
- The right to appeal as set forth in these procedures.

f. Training

The [College](#) of New Jersey will provide [Students](#) and Employees with information regarding the prevention of sexual violence and the procedure to be followed in filing complaints. Every incoming [Student](#) is required to complete online training regarding Sexual violence, prevention and intervention, and how to report incidents of sexual violence. The College of New Jersey will provide all new Employees with training on this Policy and the related Procedures within a reasonable period of time after each new Employee's appointment date. Refresher training shall be provided to all Employees, including supervisors, within a reasonable period of time. The [College](#) will also provide supervisors with training on a regular basis regarding their obligations and duties under this *Policy* and the related Procedures. All [College](#) investigators will participate in annual training on trauma-informed investigation techniques to ensure compliance with federal laws and guidelines.

g. Prevention and Education

Prevention strategies employed by the [College](#) include training that focuses on instilling a sense of responsibility in our community members to act when witnessing harmful behavior. This training offered both in person and online, builds confidence and critical skills in our community members to be able to engage in safe intervention strategies for addressing situations. For additional information on prevention and education see Anti Violence Initiatives at oavi.tcnj@edu and Title IX at titleix@tcnj.edu.

h. Prohibited Conduct

This Policy prohibits the following conduct:

Sexual Harassment

Conduct of a sexual nature or based on gender or sexuality that is severe or pervasive enough to create a [Hostile Environment](#) as defined by a reasonable person under similar circumstances. This may include unwanted, unwelcome, or inappropriate sexual or gender-based activities, or comments.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made a condition of

the conferral of any benefit, or rejection of such advance, request, or conduct implies that a person will suffer adverse consequences from another person in an express or implied position of authority.

Third Party Harassment. This Policy also applies to third party harassment. Third Party harassment is unwelcome behavior involving any of the Protected Categories referred to in (a) above that is not directed at an individual but exists in the workplace/educational environment and interferes with an individual's ability to do his or her job as an employee or a student. Third Party harassment based upon any of the aforementioned Protected Categories is prohibited by this Policy.

Physical Sexual Misconduct

Any Sexual Penetration, however slight, of a person without that person's Effective Consent.

Any intentional, non-consensual Sexual Contact with an intimate body part of another, or forcing another to have Sexual Contact with an intimate body part of oneself or another, with any object or body part, or any disrobing of another without Effective Consent.

Stalking

Purposefully or knowingly engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of a third person, or suffer other emotional distress. Such courses of conduct include but are not limited to alarming conduct, following a specific person or otherwise communicating with a person repeatedly in a manner likely to cause fear for safety, or seriously annoy a reasonable person under similar circumstances.

Dating or Domestic Violence (As listed under Physical Abuse section in the Student Conduct Code)

Any action, statement, or use of force against a person where a personal, intimate, or special relationship exists (defined by marriage, civil union, dating, family membership, or co-habitation), that would reasonably be perceived by that person as a threat or intimidation.

Bullying, Intimidation, and Harassment

Engaging in conduct, including any gesture, written, verbal or physical act, or any electronic communication (which includes e-mails, text messages, and Internet postings on web-sites or other social media),; that is so severe or pervasive and objectively offensive that it substantially disrupts or interferes with the orderly operation of the College or the rights of any Student or other member of the College community; and that:

- involves intimidation or threats to another person's safety, rights of personal privacy and property, academic pursuits, College employment, or participation in activities sponsored by the College or organizations or groups related to the College; or
- a reasonable person should know, under the circumstances, will have the effect of insulting or demeaning any person or group; or
- creates an intimidating or Hostile Environment by substantially interfering with a Student's education, or by materially impairing the academic pursuits, employment or participation of any person or group in the College community, or

by severely or pervasively causing physical or emotional harm to the [Student](#) or other member of the [College](#) community; or

- a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a [Student](#) or other person or damaging the person's property or placing the person in reasonable fear of physical or emotional harm to their person, or to any member of that person's family or household, or of damage to the persons' property.

Any attempt to intimidate, threaten, or unduly influence another person with the purpose to discourage cooperation or truthful participation in a student conduct matter, investigation, or proceeding.

Abusive or harassing conduct directed at a person or group because of membership in a [Protected Category](#) may result in an enhanced sanction.

Invasion of Privacy including Sexual Exploitation

Unauthorized making of an explicit or objectively offensive recording (including but not limited to photographs, video, and/or audio) of another person.

Unauthorized display, publication, transmission, or other dissemination (including via the Internet) of explicit or objectively offensive recordings (including but not limited to photographs, video and/or audio) of another person. Consent to be recorded does not imply consent for such records to be displayed, published, transmitted, or otherwise disseminated.

Unauthorized intrusion upon a person's private property or communications.

Unauthorized appropriation and/or use of someone's identifying or personal data or documents.

An act or acts committed through abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or other non-legitimate purpose without the [Effective Consent](#) of the person.

Obscene or Indecent Behavior

Exposure of one's sexual organs or the display of sexual behavior or contact that would reasonably be offensive to others or be observed by any other non-consenting persons who would be affronted or alarmed.

Trespassing, spying, or eavesdropping for sexual arousal.

Retaliation

This policy prohibits retaliation against any [Student](#), faculty, or staff member who in good faith alleges that they were the victim of Sexual Violence, harassment, or discrimination, or provides information in the course of an investigation; or is accused of violating [Prohibited Conduct](#). No Employee or [Student](#) who in good faith files a report, provides information for an investigation, or testifies in any proceeding under this policy shall be subjected to adverse employment or educational consequences based upon such involvement or be the subject of retaliation. For information regarding examples of retaliation in the workplace please refer to [The Policy Prohibiting Discrimination in the Workplace/Educational Environment](#).

For information regarding retaliation prohibited by the *Student Conduct Code* please refer to section [II. Definitions, U. Retaliation](#).

Amnesty

The College's highest priority is the physical and mental health, safety, and well-being of individual Students and the campus community. An element of promoting safety is providing clear, responsible methods of reporting and addressing incidents of Sexual Violence. Therefore, in order to remove potential barriers to reporting Sexual Violence, the College will not charge a Student with violating any expectations of student conduct regarding alcohol or other drugs if that Student reports such conduct within a complaint of possible Sexual Violence.

IV. Procedural Standards

a. Reporting Prohibited Conduct

All Students, faculty, and staff may report prohibited conduct to any one or more of the following: Campus Police, Title IX Coordinator, or EEO Officer. These reporting options are not mutually exclusive. Reporting parties may simultaneously pursue criminal and College disciplinary action. The College will support Reporters in understanding and assessing their reporting options.

Preservation of Evidence: The College recognizes that making the decision to report prohibited conduct often takes time. Nevertheless, pending the decision to report, reporting parties are strongly encouraged to take immediate steps to preserve all evidence that might support a future report of Prohibited Conduct, a Protective Order, or an investigation by law enforcement, by the College, or both. Such evidence may include:

- A forensic sexual assault examination (within 72 hours);
- Tests for alcohol and other drug levels (for use in determining capacity for Effective Consent);
- Any clothing, sheets or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags);
- Electronic exchanges (e.g., text messages, emails, and Facebook, Instagram, Snapchat or other social media posts, to the extent that they can be captured or preserved);
- Photographs (including photographs stored on smartphones and other devices); and
- Voicemail messages and other physical, documentary and/or electronic data that might be helpful or relevant in an investigation. Electronic and photographic evidence may be lost through the upgrade or replacement of equipment (including smartphones), software and/or accounts or may simply be lost to the passage of time.

i. Reporting to Campus Police (Criminal Process)

In all cases of possible Sexual Violence, individuals are also encouraged to promptly file a report by contacting Campus Police at (609) 771-2345 or 911, or by visiting the office located in the Administrative Services Building, room 104.

Campus Police are **not** a confidential resource; therefore any report may require a criminal investigation. Although complete confidentiality cannot be guaranteed, Campus Police strives to treat all persons with equal care, respect, and dignity and will to the best of their ability, preserve the privacy of all persons involved.

ii. Protective Orders

Where prohibited conduct is reported to the Police, it may be possible to obtain a court-ordered emergency or preliminary protective order. These protective orders may be issued if the judge or magistrate believes that there is an immediate threat to health or safety of the [Reporter](#). Later, after a full hearing, the court may agree to issue a “permanent” protective order, in appropriate cases. “Protective orders” are separate and distinct from “no-contact directives” issued specifically by the [College](#). Protective orders may be obtained only from a court of law and are enforceable anywhere in the United States; their violation may result in criminal charges. In contrast, no-contact directives may be obtained from the Title IX Office or Office of Student Conduct and Dispute Resolution Services and are enforceable through the [College](#). The Office of Student Conduct and Dispute Resolution Services or the Title IX Office can arrange and/or attend a meeting with Campus Police, who can explain the process for seeking a protective order and can escort a [Student](#), faculty, or staff member to the appropriate office in order to initiate a petition seeking a protective order.

iii. Joint Investigation

An investigation conducted by Campus Police is a separate investigation from the Title IX investigation. These investigations may proceed on parallel paths and involve different legal obligations under federal or state law.

Campus Police and Student Affairs will work cooperatively to ensure that the [Reporter](#)'s allegation of Sexual Violence is treated seriously and that they are treated with dignity. Their collaboration is essential to a sensitive investigation which requires obtaining, securing, and maintaining information for a potential criminal prosecution and/or Title IX investigation.

Campus Police will advise all [Reporters](#) of any sexual crime or misconduct of existing medical, counseling, mental health, and support services. The [Reporter](#) will promptly be advised that it is his/her right to have any allegation of Sexual Violence investigated by Campus Police. There will be full and prompt cooperation and assistance of campus authorities in notifying Campus Police. This will be in addition to any campus disciplinary proceedings which may take place. The [Reporter](#) will be advised of the outcome of any criminal or disciplinary proceeding which may take place.

Campus Police and Student Affairs will work cooperatively to take reasonable and necessary action to prevent further unwanted contact of [Reporters](#) and [Respondents](#) including notifying the [Reporter](#) of options for no contact directives, housing relocation, and other remedial measures deemed appropriate and reasonable. Campus Police will coordinate with state, county, and municipal agencies to develop and implement domestic violence and sexual violence training programs, and continue to effectively work with front line officers to enhance training on the proper handling of these types of crimes.

Campus Police will initiate a criminal investigation into all sexual assault and domestic violence offenses reported to Campus Police by the [Reporter](#). Any sexual assault or domestic violence offense which comes to the attention of Student Affairs will be reported to Campus Police as a Clery reportable offense prior to the initiation of any administrative investigation. However, Campus Police investigators will not contact the [Reporter](#) or initiate a criminal investigation without the consent of the [Reporter](#).

iv. Confidential Resources

The [College](#) believes it is important that [Students](#) are aware of opportunities for support and assistance. Available confidential resources are listed below. Reporting any allegations of sexual harassment or Sexual Violence to any of the listed resources will not result in an investigation without the consent of the [Student](#) or Employee sharing the information, but on-campus resources may report the crime to Campus Police with no identifying information for inclusion in the annual campus crime report (Clery).

On-Campus Confidential Resources (available Monday-Friday 8:30-4:30pm)

Office of Anti-Violence Initiatives (AVI)

(609) 771-2272

<http://oavi.pages.tcnj.edu/>

Forcina Hall, 308

Counseling and Psychological Services (CAPS)

(609) 771-2247

<http://www.tcnj.edu/~sa/counseling/>

Eickhoff Hall 107

Student Health Services (SHS)

(609) 771-2483

<http://health.pages.tcnj.edu/>

Eickhoff Hall 107

Off Campus Resources (Available 24 Hours)

Capital Health System (Hospital)

(609)-394-6000

750 Brunswick Avenue

Trenton, NJ 08638

<http://www.capitalhealth.org/>

Womanspace, Inc.

(609) 394-0136

1530 Brunswick Avenue

Lawrenceville, NJ 08648

<http://www.womanspace.org/>

Mercer County Domestic Violence & Sexual Assault Hotline
(609) 394-9000

NJ Statewide Domestic Violence Hotline
(800) 572-SAFE

National Hotlines (Available 24 Hours)
Domestic Violence (800) 799-SAFE
Sexual Assault (800) 656-HOPE

For a description of the resources above or for more off-campus resources please visit: <https://oavi.tcnj.edu/get-help-2/victims-survivors/relatedlinks/>

The confidentiality of information provided to these sources is protected by law and individuals' personal information will not be disclosed without the Student's permission.

v. Privacy and Confidentiality

The College is committed to protecting the privacy of all individuals involved in a report of any violation of the Title IX Policy. All Employees who are involved in the Title IX response, including the Title IX Coordinator, Deputy Title IX Coordinators and Investigator(s), receive specific training about respecting and safeguarding private information. Throughout this process, every effort will be made to protect the privacy of all individuals in a manner consistent with the need for a thorough review of the report.

Privacy and confidentiality have two distinct meanings in this process.

Privacy generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those Employees or other relevant parties who "need to know" in order to assist in the active review, investigation, or resolution of the report filed. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

Confidentiality means that information shared by an individual with designated confidential resources outlined in this policy cannot be revealed to any other individual without the express permission of the individual. These resources are prohibited from breaking confidentiality unless there is an imminent threat or harm to self or others, a suspicion of child abuse or by order of a court of law.

The Title IX Coordinator is responsible for assessing whether requests by reporting parties not to disclose their identity to anyone else, including the person who allegedly committed the prohibited conduct can be granted. While such a request may limit the College's ability to investigate and respond to the report, the Title IX Coordinator, in consultation with Campus Police, Office of Anti-Violence Initiatives, and other relevant College administrators (as appropriate), will consider the request in light of the College's commitment to provide a safe and non-discriminatory environment for all Students and Employees, and will honor the request whenever possible. Similarly, the Reporter may request that the Title IX Coordinator refrain from conducting an investigation at all. In either case, the Title IX Coordinator will

review and promptly notify the [Reporter](#) making the request whether the request will be granted. Factors to be considered in determining whether a request to maintain an individual's identity as confidential and/or that the report not be investigated may include but are not limited to:

- Whether there is a perceived risk that the [Respondent](#) may have a propensity to commit acts prohibited by this policy;
- Whether there have been other reports about the same [Respondent](#);
- Whether the [Respondent](#) has a history of arrests or records from the community or a prior institution indicating a history of physical sexual violence or harassment;
- Whether the [Respondent](#) has threatened future physical sexual violence or harassment, or other prohibited acts (including non-sexual violence) against the Reporter or others;
- Whether the alleged sexual violence or harassment was committed by multiple parties;
- Whether circumstances suggest there is an increased risk of future acts of sexual violence or harassment or other prohibited conduct under similar circumstances (e.g., whether the report reveals a pattern of perpetration, such as via the illicit use of drugs or alcohol, at a given location or by a particular group);
- Whether the alleged prohibited conduct was perpetrated with a [Weapon](#);
- Whether the [Reporter](#) is a minor; and
- Whether the [College](#) possesses other means to obtain relevant information (e.g., security cameras, information known to [College](#) personnel, or physical evidence).

b. Interim Measures/Remedies

Reports of sexual violence or harassment in violation of this policy may require immediate interim measures to protect the safety and well-being of the [Reporter](#) or the [Respondent](#) and/or the campus community pending the outcome of the investigative and adjudicative processes. Interim measures may include the following to the extent reasonably available and appropriate:

- i. **No Contact Directive** is an official [College](#) directive that serves as notice to an individual that they must not have verbal, electronic, written, or Third Party communications with another individual.
- ii. **For Students:**
 - Academic accommodations, such as, assistance in transferring to another section of a course, assistance in requesting withdrawal or an incomplete grade in a particular course, leaves of absence or withdrawal from the [College](#), or assistance requesting alternate methods of completing coursework, and
 - Housing accommodations, such as, requiring a [Student](#) to relocate housing assignment pending the outcome of a conduct investigation or proceeding.

This may also include facilitating changes in on-campus housing location to alternate housing, assistance in exploring alternative housing off-campus, and

- Employment accommodations, such as, arranging for alternate [College](#) employment, different work shifts, etc.,
- Arranging a meeting with the Title IX Office and/or Campus Police to discuss or report prohibited conduct;
- Arranging a meeting with Anti-Violence Initiatives and/or Campus Police to discuss safety planning;
- Arranging access to counseling services and assistance in setting up initial appointments;
- Arranging access to medical services and assistance in setting up initial appointments;
- Transportation or parking accommodations;
- Assigning Respondent to interim suspension status; and
- Any other measure that may be arranged by the [College](#) (to the extent reasonably available) to ensure the safety and well-being of a [Student](#) and/or the [College](#) community affected by Prohibited Conduct.

iii. For Faculty/Staff:

- Employment accommodations, such as, temporary assignment, if appropriate, to other work duties and responsibilities, or other work locations, or other work groups/teams or alternative supervision/management;
- Arranging a meeting with the Title IX Office, EEO, and/or Campus Police to discuss or report prohibited conduct;
- Arranging a meeting with Campus Police to discuss safety planning;
- Arranging access to counseling services and assistance in setting up initial appointments;
- Arranging access to medical services and assistance in setting up initial appointments;
- Transportation or parking accommodations; and
- Any other measures that may be arranged by the [College](#) (to the extent reasonably available) to ensure the safety and well-being of an Employee who has been affected by prohibited conduct.

c. Investigation Procedures and Protocols

i. Initial Assessment

Upon receipt of a report of prohibited conduct, the Title IX Coordinator will make an initial assessment of the reported information and respond to any immediate health or safety concerns raised by the report. In this initial assessment, the Title IX Coordinator will:

- A. Assess the [Reporter](#)'s safety and well-being and offer the [College](#)'s immediate support and assistance;
- B. Inform the [Reporter](#) of the right to seek medical treatment, and explain the importance of obtaining and preserving forensic and other evidence;
- C. Inform the [Reporter](#) of the right to contact law enforcement, decline to contact law enforcement, and/or seek a protective order;
- D. Inform the [Reporter](#) about [College](#) and community resources, the right to seek appropriate and available remedial and protective measures, and how to request those resources and measures;
- E. Inform the [Reporter](#) of the right to seek resolution under this policy, and determine whether the [Reporter](#) wishes (i) to seek such resolution, or (ii) to request confidentiality (i.e., that their name or other identifying information not be shared with the [Respondent](#), that no investigation be pursued, and/or that no disciplinary action be taken) if possible considering the unique circumstances of the case;
- F. Explain the [College](#)'s prohibition against Retaliation;
- G. Assess the nature and circumstances of the report, including whether it provides any identifiable information;
- H. Determine whether the report triggers any Clery Act obligations, including entry of the report in the daily crime log and/or issuance of a timely warning, and take steps to meet those obligations.

The Title IX Coordinator will ensure the [Reporter](#) receives a written explanation of all [College](#) resources and options and are offered the opportunity to meet with the Title IX Coordinator to discuss those resources and options. When a decision is reached to impose interim protective measures, to initiate an investigation or to take any action that involves notifying a [Respondent](#), the Title IX Coordinator will also ensure that the [Respondent](#) receives a written explanation of all [College](#) resources and options and are offered the opportunity to meet with the Title IX Coordinator to discuss those resources and options.

ii. Time Frame

The [College](#) will attempt to resolve every report involving a [Student](#) as the [Respondent](#) within 60 calendar days of an initial report, excluding any relevant appeal period. If applicable the procedural standards outlined in the *Student Conduct Code* regarding summer, end of term, and geographically remote cases will apply. Absent exigent circumstances, the [College](#) will attempt to resolve every report involving a faculty and/or staff member as the [Respondent](#) within 120-180 calendar days of the complaint being filed, subject to possible adjustment may be required by applicable negotiated agreement.

The [College](#) recognizes that each case has its own unique circumstances, and time frames for each stage of the process may vary depending on the details of a case and at certain times of the academic year (for example, during breaks, study periods or final exams). The [College](#) may extend any time frame for good cause, with a written explanation to the Reporter and the Respondent.

The [College's](#) process for responding to, investigating and adjudicating reports under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Title IX Coordinator and based upon the unique circumstances of every case. Prior determinations made or sanctions imposed under these procedural standards will not be subject to change because criminal charges arising out of the same facts giving rise to violation of this policy are later dismissed, reduced, or resolved in favor of the criminal law defendant. The investigation may be temporarily delayed so law enforcement may gather evidence, but the investigation will resume once law enforcement has completed evidence-gathering and generally will not wait for the conclusion of any related criminal proceeding.

iii. Informal Resolution

The Title IX Coordinator may seek to resolve certain cases through an informal process involving both the [Reporter](#) and [Respondent](#). (For example, the parties may agree that education or training for the [Respondent](#) is an appropriate and sufficient response in a particular case, or that a no contact directive between the parties provides remediation for the [Reporter](#)). However, the [College](#) will not use mediation or other informal resolutions to resolve cases involving allegations of Sexual Violence and it is within the discretion of the [College](#) to determine whether an informal resolution is appropriate.

Informal resolution can take place during any phase of the Title IX process. If, based on the information known about the incident, the Title IX Coordinator believes such a resolution is possible; the consent of the [Reporter](#) will be sought. If both the [Reporter](#) and [Respondent](#) are satisfied with the proposed resolution and the Title IX Coordinator believes the resolution satisfies the [College's](#) obligation to provide a safe and non-discriminatory environment for all [Students](#) and Employees, the resolution will be implemented and both parties will be provided with written notice of the resolution. If these efforts are unsuccessful, the investigation and/or disciplinary process will continue.

iv. Investigation for Cases involving Student Respondent

Any person may file a report regarding a possible Title IX incident at any time. The Title IX Coordinator will receive the report and determine whether: (i) the allegations in the report, if true, would constitute a violation of this policy, (ii) there are sufficient facts to warrant an investigation, and (iii) the [Reporter](#) will participate in the [College](#) investigation process. Based on the information received, the Title IX Coordinator and [College](#) Administrators may determine that interim action(s) may be necessary to stop or prevent any further harassment from occurring. Should the Title IX Coordinator, in consultation with the Assistant Vice President for Student Affairs, determine that a threat to the health and/or safety of the campus community exists, an interim suspension may be applied for the [Respondent](#) pending the outcome of a

conduct proceeding. No permanent changes in [Student](#) status will occur pending the outcome of the conduct proceeding, however the [Respondent](#) may be relocated or removed from housing or their academic space on a temporary basis. If the [Respondent](#) is neither an Employee nor a [Student](#), the Office of Student Conduct and Dispute Resolution Services and Campus Police may request that the [Respondent](#) be banned from the TCNJ campus community.

For all investigations there will be one or more trained investigators present. The Title IX Coordinator or designee will be the lead investigator and coordinate meetings with the [Reporter](#) and the [Respondent](#).⁴ Both parties will be interviewed and asked to share information they have regarding the incident, as well as all relevant documentation (i.e. text messages, emails, photos, etc.), and identify witnesses who may provide direct information regarding the allegation. The investigator(s) will gather all information and create a statement summary which will be provided to each person providing information for acknowledgement. At that time the Reporter or the Respondent can make additions to or note any concerns or clarifications to their statement summary. The Title IX Coordinator or designee will then add the document to the Title IX Investigation Report. Investigator(s) will strive to gather all information within 35-40 calendars day. (Please refer to the section on time frames for information about delays). An [Advisor](#) of the Reporter or Respondent's choice may be present during the initial meeting, investigation, and any additional meetings with [College](#) staff in relation to a Title IX incident but [Advisors](#) may not represent the party or actively participate in the meeting. The Title IX Coordinator or designee or investigator(s) may also have an advisor present at his or her discretion.

After gathering all information the lead investigator will make a determination of responsibility based on a "preponderance of the evidence" standard to determine whether a violation of the Policy occurred. Preponderance of the evidence means that the investigator(s) must be convinced based on the information considered that the [Respondent](#) was *more likely than not* to have engaged in the conduct at issue in order to find the [Respondent](#) responsible for violating this Policy.

Once the investigator(s) have made a determination regarding responsibility, the full investigation report, including this finding, will be reviewed by the Assistant Vice President of Student Affairs/Dean of Students or designee to ensure that procedural protocol was followed. The Assistant Vice President of Student Affairs/Dean of Students or designee will either confirm that protocol was followed and the incident was fully investigated, or will ask the investigator(s) to further examine section(s) of the investigation report or seek additional information. The Assistant Vice President of Student Affairs/Dean of Students will make that determination within 10 calendar days of receiving the investigation report.

If the investigators determine there are no charges or findings of responsibility and the Assistant Vice President for Student Affairs confirms the investigation to be complete, the [Reporter](#) may appeal the decision by following the process outlined in the *Appeal for Student Cases* section of this policy. If after the

⁴ The [College](#) may retain the right to use external investigators to resolve complaints and will notify both the [Reporter](#) and [Respondent](#) prior to this decision.

investigation and Assistant Vice President for Student Affairs/Dean of Students review, it is determined that the [Respondent](#) is responsible for violation of this policy, the Assistant Vice President for Student Affairs/Dean of Students will forward the report to the Office of Student Conduct and Dispute Resolution Services to assign appropriate sanction(s).

Any sanctions will typically be assigned and communicated to both parties by the Director of Student Conduct or designee within 10 calendar days of receiving the investigation report.

If at the conclusion of a Title IX investigation it is determined that there are no charges pertaining to the Title IX policy but there may be violations of the *Student Conduct Code* the Title IX Coordinator may transfer the case back to the Office of Student Conduct for adjudication.

v. Appeal for Cases Involving Student Respondent

If at the conclusion of a Title IX investigation, there is a finding of responsibility, both the Respondent and the [Student Reporter](#) are afforded the opportunity to appeal decisions and/or any sanctions issued within five business days of the date of the written decision. Appeals will be reviewed by the Vice President of Student Affairs or designee.

All appeals must be in writing, and include any supporting documentation that the [Student](#) wishes to be considered. Deference is given to the original Investigator's findings of fact and decision of responsibility and/or any sanctions, therefore the burden of proof is on the [Student](#) filing an appeal to sufficiently demonstrate cause to alter procedures, the original decision or any sanctions. An appeal will generally be limited to a review of the investigation report and supporting documents for one or more of the purposes below, provided however the administrator may request additional information or clarification from the accused [Student](#), complaining party, witnesses, investigator(s), and/or other administrators for purposes of this review.

- Process review. To determine whether the investigation process was conducted in accordance with published procedures and without bias on the part of the Investigator(s). Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
- Information review. To determine whether there was information presented in the investigation that, if believed by the board or administrator, was sufficient to establish that a violation of the Policy occurred.
- Sanction review. To determine whether any sanctions imposed were appropriate for the violation of the Policy which the [Student](#) was found to have committed.
- New information. To consider new information, submitted by the appealing [Student](#) within the prescribed five business day period, sufficient to alter a decision or other relevant facts not brought out in the original investigation, because such information was not known to the [Student](#) appealing at the time of the original investigation.

Appeal decision. An administrator reviewing an appeal may make one of the following decisions.

- Affirm. The administrator may decide to affirm the decision of the original Investigator(s).
- Alter sanction. The administrator may alter the sanctions issued by the Office of Student Conduct. Alteration in the sanction may include reducing or increasing the sanction or requirements.
- New investigation. The administrator may determine that a new investigation by different investigators is warranted to correct procedural irregularity or to consider new information. A [Student](#) may appeal a decision of the new investigators.
- Remand. The administrator may direct the original Investigators to review their original decision subject to any instructions from the administrator; and may affirm that decision or render a new decision consistent with those instructions. A [Student](#) may appeal a decision made by the original Investigator(s) if there are any changes after the review.

The decision of the administrator reviewing the submitted appeal is the final and conclusive decision of the [College](#) and is appealable only to the New Jersey Superior Court, Appellate Division in accordance with the New Jersey Rules of Court.

vi. Investigation for Cases Involving Employee Respondent

Prohibited conduct falling under this policy by Employees is prohibited under the Policy Prohibiting Discrimination in the Workplace/ Educational Environment (<http://ogc.pages.tcnj.edu/reporting>). Procedures for Internal Complaints Alleging Discrimination in the Workplace/ Educational Environment may be found at <http://affirm.pages.tcnj.edu/complaint>). When a complaint of alleged discrimination is received, the Title IX Coordinator, EEO/AA Officer, or authorized designee will conduct an investigation and prepare an investigatory report including a summary of the complaint, a summary of facts developed through the investigation, and an analysis of the allegations and facts. The report is submitted to the President of the [College](#) who will issue a final determination. Absent exigent circumstances, an investigation and/or disposition will be completed within 120-180 calendar days of the date the complaint is filed, subject to possible adjustment may be required by applicable negotiated agreement.

While an investigation is underway, appropriate and relevant interim protective measures may be put in place including, but not limited to position re-assignment, counseling through the Employee Assistance Program (“EAP”), or suspension. Any determination by the investigator and the President will be made on the basis of whether it is more likely than not that the [Respondent](#) violated the Policy Prohibiting Discrimination in the Workplace/ Educational Environment. Both the [Reporter](#) and [Respondent](#) are entitled to equitable participation in the investigation process. Both the [Reporter](#) and the [Respondent](#) will be sent notifications simultaneously in writing of the result of any institutional disciplinary proceeding (including appeal) that arises from an allegation of discrimination including dating violence, domestic violence, sexual assault, or stalking. Sanctions for a determination that discrimination took place may include but not limited to any of the following sanctions alone or in

any combination: warning/reprimand, position re-assignment, training, counseling, loss of privilege, demotion, suspension, or removal from employment.

vii. Appeals for Cases Involving Employees as Respondent

Appeal Process: If the Reporter disagrees with the determination of the [College](#), depending on the Reporter's status as a career, unclassified, or senior executive service Employee or applicant for employment, they may have the right to submit a written appeal, within 20 calendar days of the receipt of the letter of determination from the [College](#) to the Merit System Board, P.O. Box 312, Trenton, NJ 08625. The appeal should contain a concise explanation of the disagreement. Regulations governing the appeal process are set forth at N.J.A.C. 4A: 7-3.2.

Filing with External Agencies: Any Employee can file a complaint directly with external agencies that investigate discrimination/harassment charges in addition to utilizing this internal procedure.

Sanctions

viii. Student Sanctions

The following sanctions, alone or in any combination, may be imposed upon any [Student](#) found to have violated this Policy.

1. Status Outcomes.

- **Warning.** A notice in writing to the [Student](#) that the [Student](#) is violating or has violated institutional regulations and that further violations may result in more severe disciplinary action.
- **Pending termination of housing.** This status serves as a housing probationary status assigned to a [Student](#) for a specified period of time before his or her housing privileges are terminated. While on this status, any further violations of [College](#) policy may result in termination of housing. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct for five years after a [Student](#) separates from the [College](#).
- **Termination of housing.** Removal or prohibition of a [Student](#) from [College](#) housing after a specific date and for a specified period of time. Through the duration of the termination, the [Student](#) will be restricted from entering all residential floors in [College](#) buildings. [Students](#) removed from [College](#) housing for disciplinary reasons will receive the refund available based on the time of the semester according to the Department of Residential Education and Housing policies and the housing contract. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct for five years after a [Student](#) separates from the [College](#).

- **Pending suspension.** This status serves as the disciplinary probation status assigned to a [Student](#) for a specified period of time before he or she is suspended from the [College](#). While on this status, any further violations of [College](#) policy may result in suspension from the [College](#). In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct for five years after a [Student](#) separates from the [College](#).
- **Suspension.** Termination of course registration and residency (if applicable) from the [College](#) after a specific date and for a specified time. Through the duration of the suspension, the [Student](#) may be restricted from [College](#) property and may be required to provide prior notice and receive approval from the Director of Student Conduct for the purpose of conducting [College](#) business. Before a [Student](#) may be readmitted to the [College](#) after the designated period of time, the Student must meet with the Dean of Students to show satisfactory completion of any assigned directives or to discuss stipulated conditions for his or her return. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct indefinitely. Should a [Student](#) wish to return to the [College](#) after the suspension period, the Student must comply with any academic standards and procedures then in effect.
- **Expulsion.** Permanent dismissal from the [College](#) and restriction from [College](#) property. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct indefinitely. Expulsion is the most serious disciplinary action taken by the [College](#) and is generally reserved for only those cases of behavioral misconduct in which all the relevant facts and aggravating circumstances support a conclusion that the only reasonable sanction is permanent removal from the [College](#).
- **Degree Revocation.** Permanent revocation of an earned degree from the [College](#) and restriction from [College](#) property. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct indefinitely. Degree revocation is reserved for only those case of behavioral misconduct that occur while an individual is a [Student](#), but is not made known to the [College](#) until after a degree is earned, and in which all the relevant facts and aggravating circumstances support a conclusion that the only reasonable sanction is permanent revocation of an earned degree from the [College](#).

2. Education Outcomes.

- **Restorative practices.** Participation in a discussion by trained facilitators with any persons or departments harmed and development of a shared agreement of how to correct the harm. Unlike other sanctions, all participants must voluntarily agree to participate in the restorative process. Restorative

practices will not be available to [Students](#) responding to or being found responsible for any physical sexual misconduct.

- **Mediation.** Participation in a mediated discussion with other disputants facilitated by multipartial, trained mediators with the hope of developing a negotiated agreement serving as resolution to the dispute. Unlike other sanctions, all participants must voluntarily agree to participate in mediation. Mediation will not be available to [Students](#) responding to or being found responsible for any physical sexual misconduct.
- **Master education plan.** Develop a master education plan with the aid of the Director of Student Conduct and mentor committee, agree to the terms of the plan, and to continuous evaluation.
- **Other Discretionary sanctions.** Work assignments, essays, presentations, research projects, conduct contracts, service to the [College](#), or other discretionary assignments.

3. Administrative Directive Outcomes.

- **Administrative Relocation of Housing.** Administrative transfer of a [Student](#) from one campus housing location to another.
- **Loss of privilege.** Denial of any specified privilege for a designated period of time. Examples include but are not limited to: guest privileges, restriction from a College event or program, and/or area or building.
- **Restitution.** Compensation for loss, damage, or injury to [College](#) property. This may take the form of appropriate service and/or monetary or material replacement.
- **Parental notification.** Notification may be sent to parents or guardians of a [Student](#) who is under 18 years of age, or financially dependent on his or her parents or guardians, depending on the circumstances surrounding the incident. Parents or guardians may also be notified of alcohol and other drug incidents for [Students](#) less than 21 years of age, regardless of financial dependency or resulting sanction.
- **No Contact Directive/Extension of Existing No Contact Directive.** This may include a new directive (as described above), or an extension of an original directive with or without altered or additional parameters or instructions. Sanctioned no contact directives may only be removed at the discretion of the Director of Student Conduct, and at the written request of all involved parties.

The [College](#) is required by law to disclose possible sanctioning practices for certain violations of the *Student Conduct Code*. The descriptions below include possible ranges of sanctions that may be applied to [Students](#) who are found responsible for violations meeting the definitions described below. Mitigating or aggravating factors may impact the severity of sanctions assigned.

Physical Sexual Misconduct and Dating and Domestic Violence Sanctions

As required by the federal Jeanne Clery Act, the College must disclose the range of possible sanctions that may be imposed following an institutional disciplinary procedure addressing Sexual Violence or intimate partner violence.

An administrator may impose any sanction that it finds to be fair and proportionate to the violation and that is authorized for violations of the Policy. In determining an appropriate sanction, the administrator may consider any record of past disciplinary matters as well as the nature and severity of the misconduct. The Investigator(s) will consider as part of deliberations whether the [Respondent](#) poses a continuing risk to a member or members of the [College](#) community. The [College](#) expects all cases involving a finding of responsibility for Sexual Violence to involve consideration of the sanctions of suspension or expulsion. Any sanction imposed shall be explained or supported in a written decision of the administrator.

A [Student](#) found responsible for [Sexual Penetration](#) that occurs without the [Effective Consent](#) of the person, or that occurs when the person is unable to give consent will be issued sanctions ranging from suspension to expulsion. [Students](#) found responsible for any intentional, non-consensual [Sexual Contact](#) with an intimate body part of another, or forcing another to have [Sexual Contact](#) with an intimate body part of oneself or another, with any object or body part; or any disrobing of another without [Effective Consent](#) will be issued sanctions ranging from pending termination of housing and pending suspension statuses to expulsion.

Dating and Domestic violence includes any action, statement or use of force against a person where a personal, intimate or special relationship exists (defined by marriage, civil union, dating, family membership, or co-habitation), and would reasonably threaten or intimidate that person. This may include forms of stalking. A [Student](#) found responsible for dating or domestic violence will be issued sanctions ranging from being moved to a different housing location with pending termination of housing status to expulsion.

ix. Disciplinary Actions for Faculty and Staff

Any Employee found to have violated any portion or portions of this Policy may be subject to appropriate administrative and/or disciplinary action which may include, but which shall not be limited to: referral for training, referral for counseling, written or verbal reprimand, suspension, reassignment, demotion, loss of privileges for supervising students, loss of privileges for travel, or termination of employment. Referral to another appropriate authority for review for possible violation of State and Federal statutes may also be appropriate.

V. RELATED DOCUMENTS

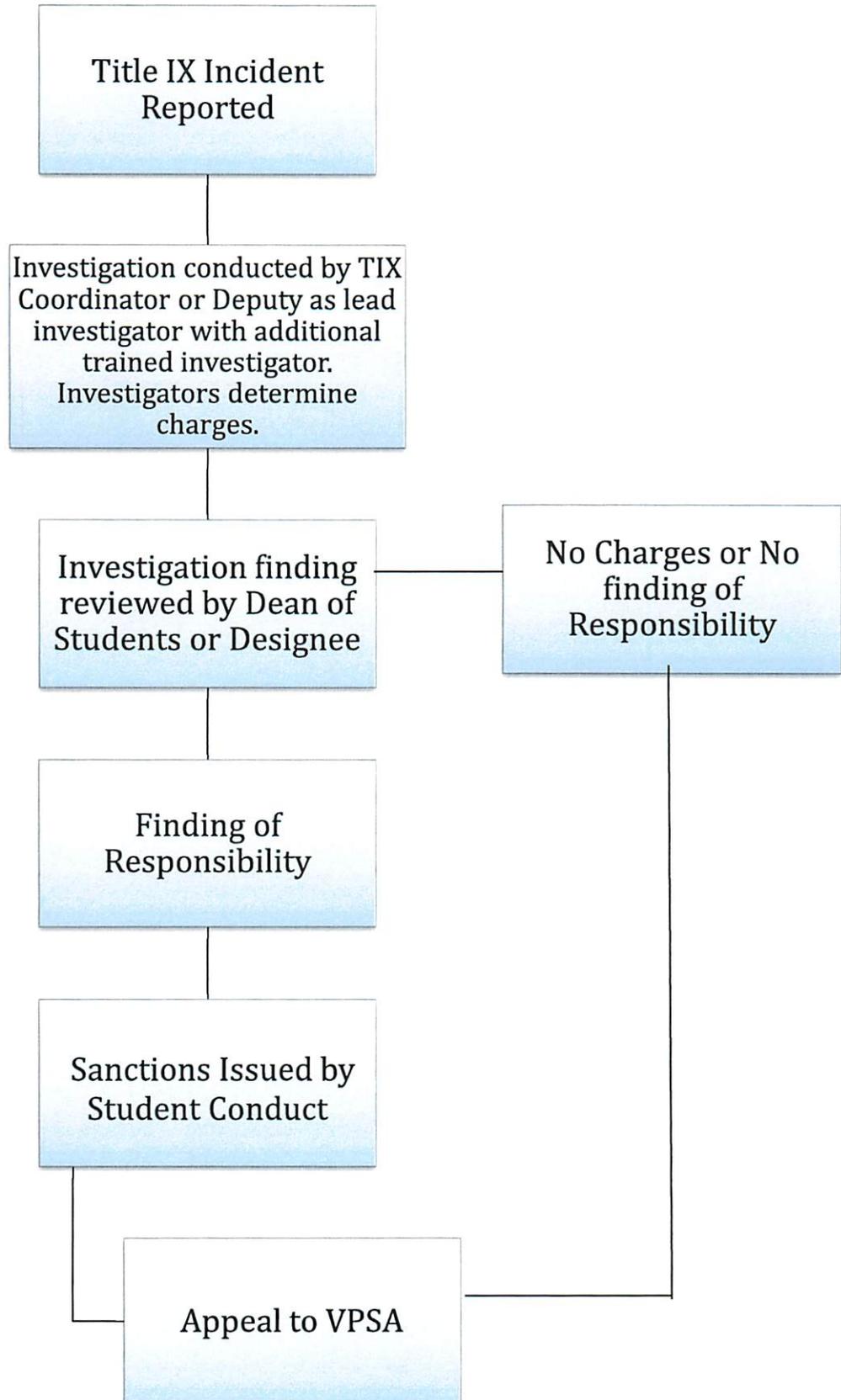
Student Conduct Code

Policy Prohibiting Discrimination in the Workplace/ Educational Environment

**Procedures for Internal Complaints Alleging Discrimination in the Workplace/
Educational Environment**

VI. HISTORY

Appendix A- For Student Respondents



The College of New Jersey Board of Trustees Resolution Approving a Revised Program Approval Process Policy

Whereas: The College of New Jersey's *Policy Framework* calls for the regular review of College policies.

Whereas: The Committee on Academic Affairs has reviewed the Program Approval Process policy and has recommended revisions to improve both the efficiency of the internal approval process and its alignment with the format and content requirements of the New Jersey Presidents' Council.

**Therefore,
Be It**

Resolved: New program proposals begin in an academic unit of the campus, defined to be an academic department, school, or other faculty-led entity housed within the division of Academic Affairs. The academic unit developing the proposal will agree to house the program if it is approved. The academic unit proposing a new program should develop a rationale and obtain pertinent statistics substantiating the need and demand for the program as part of the initial program proposal, and;

**Be It
Further**

Resolved: The president and the provost review the initial proposal and consider whether the proposal is consistent with the College's mission and strategic plan. Preliminary approval by the president and the provost signals the academic unit to begin a more thorough development of the proposal. As the program proposal is developed, the president and provost will share information on its development with the Academic Affairs Committee of the Board of Trustees, and;

**Be It
Further**

Resolved: The academic unit develops a proposal that includes the philosophy and concept of the program with emphasis on indicating how the program is consonant with the mission of the College. An outline of the curriculum will be developed which will include indicators of quality. The proposal also will include a thorough study of needed resources and consultation with the units responsible for these resources. The academic unit developing the proposal will follow the guidelines found in the Academic Issues Committee Manual of the New Jersey Presidents' Council, and include the following sections: program objectives; assessment plan; relationship of the program to the institutional strategic plan and its effect on other programs; need for the program; anticipated student enrollments; program

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resources; and degree requirements. Proposals for undergraduate degree programs will include all academic requirements (such as Liberal Learning and School requirements), and;

**Be It
Further
Resolved:**

An outside consultant will be appointed by the provost, in consultation with the proposing unit, and in accordance with TCNJ and Academic Issues Committee consultant selection criteria, to review the proposal for its quality and the appropriateness of resources for supporting a nationally-recognized quality program. The consultant will visit the campus. The consultant review will include detailed and substantive information and be written according to the guidelines found in the Academic Issues Committee Manual of the New Jersey Presidents' Council, with the following sections: objectives; need; educational programs; students; faculty; support personnel; finances; physical facilities; library; computer facilities; administration; and evaluation. Following receipt of the consultant's report, the proposing unit will revise the proposal as needed and prepare an institutional response to the consultant report. The revised proposal, the consultant report, and the institutional response to the consultant report are sent to the president, the provost and the dean for review and approval, and;

**Be It
Further
Resolved:**

The revised proposal is submitted by the dean to the appropriate school-based curriculum committee for approval. If recommended by the curriculum committee, the proposal is submitted by the dean for recommendation through the College's governance process. All programs involving teacher education and preparation must be reviewed by the Teacher Education Program Council (TEPC). All graduate programs must be reviewed by the Graduate Programs Council (GPC). The recommendations of the Program Councils must be forwarded to the Steering Committee, which will then charge the Committee on Academic Programs (CAP) to review and recommend. The final recommendation should indicate concurrence or non-concurrence with the proposal, and;

**Be It
Further
Resolved:**

If the program is recommended by the College's governance structure, the president or provost submits it to the Academic Affairs Committee of the Board of Trustees. This committee is provided with the full program proposal, the consultant report, and the institutional response to the consultant report. The Academic Affairs Committee of the Board of Trustees recommends the program proposal to the full Board of Trustees for approval, and;

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Be It

Further

Resolved: A program announcement is circulated to the New Jersey higher education community. If objections are raised, efforts may be made to resolve them. The College then sends the following to the Academic Issues Committee of the New Jersey Presidents' Council for its review: the program announcement; responses to the program announcement from other New Jersey institutions; consultant CV; consultant report; the institutional response to the consultant report; and the Board of Trustees' resolution. The Academic Issues Committee recommends the new program to the New Jersey Presidents' Council. If the New Jersey Presidents' Council agrees with this recommendation, it will send the institution a resolution regarding the new program. If there is a concern, the proposal may be sent to the Secretary of Higher Education for further review, and;

Be It

Further

Resolved: In any and every instance of non-approval or non-concurrence there must be reasons provided in writing for such decisions, and;

Be It

Further

Resolved: That this revision to the Program Approval Process policy be approved and replace all previous documents, and;

Program Approval Process Policy

Current Policy	Proposed Policy
Step 1: The program proposal normally begins in an academic unit.	Step 1: A program proposal is initiated by an academic unit. This academic unit must agree to house the proposed program and to be responsible for developing the proposal.
Step 2: preliminary approval by the president and provost	Step 2: preliminary approval by the president and provost, who share the preliminary proposal with the Academic Affairs Committee of the Board of Trustees
Step 3: development of proposal including a study of: faculty and support of instruction; library resources; equipment, laboratory support, computer support; facilities; administrative cost including accreditation cost where applicable; and financial impact	Step 3: development of proposal following state guidelines, with the following sections: objectives; evaluation and learning outcomes; relationship of the program to the institutional strategic plan and its effect on other institutional programs at the same institution; need; students; resources; and degree requirements. Proposals for undergraduate degree programs should include all requirements (such as liberal learning and School requirements), not just requirements for the major.
Step 4: The provost appoints an outside consultant to review the proposal for its quality and appropriateness of resources. A revised proposal is then sent to the dean, provost, and president for approval.	Step 4: The provost appoints a consultant, in accordance with state and College selection criteria, to write a review that follows state guidelines and includes the following sections: objectives; need; educational programs; students; faculty; support personnel; finances; physical facilities; library; computer facilities; administration; and evaluation. A revised proposal is then sent to the dean (or equivalent), provost, and president for approval.
Step 5: initial approval by the Academic Affairs Committee of the Board of Trustees	The Academic Affairs Committee of the Board of Trustees reviews the preliminary proposal in step 2.
Step 6: development of full proposal including: curriculum and syllabi; appropriateness to mission; outcomes; and faculty vitae	Development of the full proposal occurs in step 3.
Step 7: review and approval of the full proposal by the school-based curriculum committee; then, if approved, review and approval through governance. Programs involving teacher education are reviewed by TEPC before being sent to Steering to be reviewed by CAP. Graduate programs are reviewed by GPC before being sent to Steering to be reviewed by CAP.	Step 5: review and approval of the full proposal by the school-based curriculum committee(s). Then, if approved, the proposal is reviewed and approved through governance. Programs involving teacher education are reviewed by TEPC before being sent to Steering to be reviewed by CAP. Graduate programs are reviewed by GPC before being sent to Steering to be reviewed by CAP.
Step 8: The provost appoints a second outside consultant to review the full proposal for its quality and appropriateness of resources.	A consultant reviews the full proposal in step 4.

<p>Step 9: If recommended by governance, the proposal is submitted by the president and provost to the Academic Affairs Committee of the Board of Trustees.</p>	<p>Step 6: If recommended by governance, the proposal is submitted by the president and provost to the Academic Affairs Committee of the Board of Trustees.</p>
<p>Step 10: The Academic Affairs Committee recommends the proposal to the Board of Trustees for approval.</p>	<p>Step 7: The Academic Affairs Committee recommends the proposal to the Board of Trustees for approval.</p>
<p>Step 11: The College sends a program announcement to the New Jersey higher education community.</p>	<p>Step 8: The College sends a program announcement to the New Jersey higher education community. There is a 30 day review period.</p>
<p>Step 12: Notification of the new program is sent to the New Jersey Presidents' Council.</p>	<p>Step 9: Following this 30 day review period, the College sends the following to the Academic Issues Committee (AIC) of the New Jersey Presidents' Council (NJPC) for its review: The program announcement; consultant CV; consultant report; institutional response to consultant report; Board of Trustees' resolution; and responses from other institutions to our program announcement. AIC submission deadlines and meeting dates may be found in the AIC manual.</p> <p>Step 10: The AIC recommends the new program to the NJPC. If the NJPC agrees with this recommendation, it will send the institution a resolution regarding the new program. If there is a concern, the proposal may be sent to the Secretary of Higher Education for further review.</p>



Section:	II.1.16	
Title:	Degree Program Approval Process	
Effective Date:		
Approved By:	Board of Trustees	
Responsible Unit:	Academic Affairs (academic@tcnj.edu , 609-771-3080)	
Related Documents:	Academic Issues Committee Manual of the New Jersey Presidents' Council	
History:		
<u>Version</u>	<u>Date</u>	<u>Notes</u>
1.0	June, 1995	Approved by BoT by recommendation of CUPPS
2.0	February, 2009	Revised to reflect roles of Teacher Education Program Council and Graduate Programs Council
3.0	July, 2016	Incorporates recommendations of CAP memo to Steering Committee (May 5 th , 2016)

I. INTRODUCTION

All new degree programs at the College of New Jersey must go through a series of internal and external review and approval processes before the new program can be implemented and marketed to potential students. This policy outlines the steps an academic unit must take in the degree program approval process.

II. DEFINITIONS

"Degree Program" refers to any program of study leading to the awarding of an academic degree, such as a baccalaureate degree or a master's degree. Other academic programs of study, such as certificate programs, are not considered degree programs and are covered by separate policies.

III. POLICY

Step 1: Initial Program Proposal

New program proposals begin in an academic unit of the campus, defined to be an academic department, school, or other faculty-led entity housed within the division of Academic Affairs. The academic unit developing the proposal will agree to house the program if it is approved. The academic unit proposing a new program should develop a rationale and obtain pertinent statistics substantiating the need and demand

for the program as part of the initial program proposal.

Step 2: Review

The president and the provost review the initial proposal and consider whether the proposal is consistent with the College's mission and strategic plan. Preliminary approval by the president and the provost signals the academic unit to begin a more thorough development of the proposal. As the program proposal is developed, the president and provost will share information on its development with the Academic Affairs Committee of the Board of Trustees.

Step 3: Program Development

The academic unit develops a proposal that includes the philosophy and concept of the program with emphasis on indicating how the program is consonant with the mission of the College. An outline of the curriculum will be developed which will include indicators of quality. The proposal also will include a thorough study of needed resources and consultation with the units responsible for these resources. The academic unit developing the proposal will follow the guidelines found in the Academic Issues Committee Manual of the New Jersey Presidents' Council, and include the following sections: program objectives; assessment plan; relationship of the program to the institutional strategic plan and its effect on other programs; need for the program; anticipated student enrollments; program resources; and degree requirements. Proposals for undergraduate degree programs will include all academic requirements (such as Liberal Learning and School requirements).

Step 4: Outside Consultation

An outside consultant will be appointed by the provost, in consultation with the proposing unit, and in accordance with TCNJ and Academic Issues Committee consultant selection criteria, to review the proposal for its quality and the appropriateness of resources for supporting a nationally-recognized quality program. The consultant will visit the campus. The consultant review will include detailed and substantive information and be written according to the guidelines found in the Academic Issues Committee Manual of the New Jersey Presidents' Council, with the following sections: objectives; need; educational programs; students; faculty; support personnel; finances; physical facilities; library; computer facilities; administration; and evaluation. Following receipt of the consultant's report, the proposing unit will revise the proposal as needed and prepare an institutional response to the consultant report. The revised proposal, the consultant report, and the institutional response to the consultant report are sent to the president, the provost and the dean for review and approval.

Step 5: School Curriculum Committee and College Governance

The revised proposal is submitted by the dean to the appropriate school-based curriculum committee for approval. If recommended by the curriculum committee, the

proposal is submitted by the dean for recommendation through the College's governance process. All programs involving teacher education and preparation must be reviewed by the Teacher Education Program Council (TEPC). All graduate programs must be reviewed by the Graduate Programs Council (GPC). The recommendations of the Program Councils must be forwarded to the Steering Committee, which will then charge the Committee on Academic Programs (CAP) to review and recommend. The final recommendation should indicate concurrence or non-concurrence with the proposal.

Step 6: Academic Affairs Committee of the Board of Trustees

If the program is recommended by the College's governance structure, the president or provost submits it to the Academic Affairs Committee of the Board of Trustees. This committee is provided with the full program proposal, the consultant report, and the institutional response to the consultant report.

Step 7: Board of Trustees' Approval

The Academic Affairs Committee of the Board of Trustees recommends the program proposal to the full Board of Trustees for final approval.

Step 8: Program Announcement

A program announcement is circulated to the New Jersey higher education community. If objections are raised, efforts may be made to resolve them.

Step 9: Academic Issues Committee of the New Jersey Presidents' Council

The College sends the following to the Academic Issues Committee of the New Jersey Presidents' Council for its review: the program announcement; responses to the program announcement from other New Jersey institutions; consultant CV; consultant report; the institutional response to the consultant report; and the Board of Trustees' resolution. Submission deadlines and meeting dates are listed in the Academic Issues Committee manual.

Step 10: New Jersey Presidents' Council

The Academic Issues Committee recommends the new program to the New Jersey Presidents' Council. If the New Jersey Presidents' Council agrees with this recommendation, it will send the institution a resolution regarding the new program. If there is a concern, the proposal may be sent to the Secretary of Higher Education for further review.

In any and every instance of non-approval or non-concurrence there must be reasons provided in writing for such decisions.

**Resolution Approving Waivers
Of Advertising
(Buildings and Grounds Committee)**

Whereas: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$33,000; and

Whereas: The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees; and

Whereas: Waiver requests have been reviewed and are recommended by the Buildings and Grounds Committee, a subcommittee of The College of New Jersey Board of Trustees.

**Therefore,
Be It**

Resolved: The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein.

VENDOR	PURPOSE	FUNDING SOURCE
VFA, Inc. \$305,494	Facility Condition Assessment	E&G Asset Renewal -50% Housing Asset Renewal – 50%
DLB Associates \$20,420	Additional design services related to campus fire water system improvements project	E&G Asset Renewal -50% Housing Asset Renewal – 50%
Wowhaus \$180,000	STEM artist	2013 Bond
Clark Caton Hintz \$48,950	Design services related to Quimby’s Prairie sidewalk replacement project	E&G Asset Renewal
Cloud Gehshan \$50,000	Design services related to campus signage project	Institutional Reserves
Element Architectural Group \$44,000	Additional design services related to Lions Stadium storage project	Institutional Reserves

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Brailsford & Dunlavy \$293,254	Programming and site analysis for new housing project	Housing Capital Reserves
State of New Jersey – Department of Community Affairs \$49,266	Permit and plan fees	E&G Asset Renewal – 66% Housing Asset Renewal – 12% E&G Operating – 18% Housing Operating – 4%
Campus Town Education Association 293,250	Fitness Center Rent	College Operating
FVHD Architects- Planners \$20,000	Additional design services related to CAPS/SHS renovation project	E&G Asset Renewal
Tozour Trane \$119,635	Testing and overhaul of electric chiller	College Operating – 53% BSC Operating – 8% Housing Operating – 39%

**Resolution Approving the College Of New Jersey FY 2017
Unrestricted Current Fund Budget and Establishing
Student Charges to the Level Sufficient To
Balance the Approved Budget**

Whereas: The State College Autonomy Law vests the responsibility with the Board of Trustees to approve the college's unrestricted current fund budget and adjust student charges as necessary; and

Whereas: The College's Treasurer has prepared an unrestricted current fund budget for FY 2017 totaling \$245,242,000 of which \$27,177,000 is the anticipated base state appropriation and \$32,732,000 is the anticipated state funded fringe benefits; and

Whereas: The President has reviewed the proposed unrestricted current fund budget and the student charges required to implement this budget and recommends their approval; and

Whereas: The Finance and Investments Committee of the Board of Trustees has reviewed the proposed unrestricted current fund budget and the student charges required to implement this budget and has recommended their approval; and

**Therefore
Be It**

Resolved: That the Board of Trustees approves the FY 2017 college unrestricted current fund budget totaling \$245,242,000; and

**Be It
Further**

Resolved: That the Board of Trustees approves the student charges for FY 2017 to implement this budget.

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THE COLLEGE OF NEW JERSEY

FY 2017 TOTAL UNRESTRICTED CURRENT FUND BUDGET

CURRENT OPERATING FUND (including fringe benefits)	\$ 162,961,000
GSF/CAPITAL FEE	20,103,000
RESIDENCE LIFE	49,966,000
STUDENT CENTER	2,373,000
SUMMER SCHOOL	4,635,000
MISCELLANEOUS REVENUE ACCOUNTS	5,204,000
	<u>\$ 245,242,000</u>

Undergraduate Global Programs	\$ 2,906,000
Parking	630,000
Graduate Global Programs	1,668,000
	<u>\$ 5,204,000</u>

THE COLLEGE OF NEW JERSEY
FY 2017
TUITION & FEE INCREASE

FULL TIME UNDERGRADUATE IN-STATE STUDENT

FY 2016 ACTUAL CHARGES

TUITION	\$ 10,879
FEES, ROOM & BOARD*	\$ 17,138
TOTAL	\$ 28,017

	FY 2017 PROPOSED CHARGES	COMPARISON TO FY 2016 ACTUAL DOLLAR INCREASE	PERCENT INCREASE
TUITION	\$ 11,124	\$ 245	2.25%
FEES, ROOM & BOARD*	\$ 17,551	\$ 413	2.41%
TOTAL	\$ 28,675	\$ 658	2.35%

***Include: Room Charge, Ala Carte 1 Board Plan, Student Service Fee, GSF/Capital Fee, Computing Access Fee, Student Center Fee and Student Activity Fee.**

**THE COLLEGE OF NEW JERSEY
ANNUAL TUITION AND MANDATORY FEES
FISCAL YEAR 2017**

<u>FULL TIME STUDENTS (Flat Rate Over 12 Credits) / 3 Units</u>			CHANGE	
	FY 2016	FY 2017	AMOUNT	PERCENT
UNDERGRADUATE - NEW JERSEY RESIDENT				
TUITION	10,878.96	11,123.74	244.78	2.25%
STUDENT SERVICE FEE	744.88	761.64	16.76	2.25%
GSF/CAPITAL	2,839.77	2,903.67	63.89	2.25%
COMPUTING ACCESS FEE	458.06	468.37	10.31	2.25%
STUDENT CENTER FEE	248.99	254.59	5.60	2.25%
STUDENT ACTIVITY FEE*	275.40	281.60	6.20	2.25%
SUBTOTAL	\$ 15,446.06	15,793.60	\$ 347.54	2.25%
ROOM AND BOARD (BASE PLAN: ALA CARTE 1)	12,570.46	12,881.13	310.67	2.47%
TOTAL COST	\$ 28,016.53	28,674.73	\$ 658.20	2.35%
UNDERGRADUATE - OUT OF STATE RESIDENT				
TUITION	21,810.46	22,301.19	490.74	2.25%
STUDENT SERVICE FEE	744.88	761.64	16.76	2.25%
GSF/CAPITAL	2,839.77	2,903.67	63.89	2.25%
COMPUTING ACCESS FEE	458.06	468.37	10.31	2.25%
STUDENT CENTER FEE	248.99	254.59	5.60	2.25%
STUDENT ACTIVITY FEE*	275.40	281.60	6.20	2.25%
SUBTOTAL	26,377.56	26,971.05	593.50	2.25%
ROOM AND BOARD (BASE PLAN: ALA CARTE 1)	12,570.46	12,881.13	310.67	2.47%
TOTAL COST	38,948.02	39,852.18	904.16	2.32%
CARD SERVICE FEE (FALL AND SPRING)	\$ 20.00	\$ 20.00	-	0.00%
Pass through annual charge for all students without personal insurance				
UNDERGRADUATE STUDENT HEALTH INSURANCE	\$ 1,480.00	\$ 1,605.00	125.00	8.45%
GRADUATE STUDENT HEALTH INSURANCE	\$ 2,150.00	\$ 3,033.00	883.00	41.07%

* Student Activity Fee increase was recommended by the Student Finance Board and Student Government Association.

**THE COLLEGE OF NEW JERSEY
ANNUAL TUITION AND MANDATORY FEES**

FISCAL YEAR 2017

<u>PART-TIME UG STUDENTS Per Credit/.25 Units</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>CHANGE</u>	
			<u>AMOUNT</u>	<u>PERCENT</u>
UNDERGRADUATE - NEW JERSEY RESIDENT				
TUITION	385.52	394.19	8.67	2.25%
STUDENT SERVICE FEE	26.83	27.44	0.60	2.25%
GSF/CAPITAL	117.59	120.24	2.65	2.25%
COMPUTING ACCESS FEE	16.17	16.53	0.36	2.25%
STUDENT CENTER FEE	10.60	10.84	0.24	2.25%
STUDENT ACTIVITY FEE	11.55	11.81	0.26	2.25%
TOTAL COST	568.26	581.05	12.79	2.25%
UNDERGRADUATE - OUT OF STATE RESIDENT				
TUITION	771.97	789.34	17.37	2.25%
STUDENT SERVICE FEE	26.83	27.44	0.60	2.25%
GSF/CAPITAL	117.59	120.24	2.65	2.25%
COMPUTING ACCESS FEE	16.17	16.53	0.36	2.25%
STUDENT CENTER FEE	10.60	10.84	0.24	2.25%
STUDENT ACTIVITY FEE	11.55	11.81	0.26	2.25%
TOTAL COST	954.71	976.19	21.48	2.25%
PART-TIME GRAD STUDENTS Per Credit Hour				
GRADUATE - NEW JERSEY RESIDENT				
TUITION	694.92	710.56	15.64	2.25%
STUDENT SERVICE FEE	26.83	27.44	0.60	2.25%
GSF/CAPITAL	117.59	120.24	2.65	2.25%
COMPUTING ACCESS FEE	16.17	16.53	0.36	2.25%
STUDENT CENTER FEE	10.60	10.84	0.24	2.25%
TOTAL COST	866.11	885.60	19.49	2.25%
GRADUATE - OUT OF STATE RESIDENT				
TUITION	1,096.06	1,120.72	24.66	2.25%
STUDENT SERVICE FEE	26.83	27.44	0.60	2.25%
GSF/CAPITAL	117.59	120.24	2.65	2.25%
COMPUTING ACCESS FEE	16.17	16.53	0.36	2.25%
STUDENT CENTER FEE	10.60	10.84	0.24	2.25%
TOTAL COST	1,267.25	1,295.77	28.51	2.25%
FLAT RATE				
CARD SERVICE FEE (FALL AND SPRING)	20.00	20.00	0.00	0.00%

Description of Mandatory Fees

- **Student Service Fee** – While it does not cover all necessary expenses, all income from this fee is used to partially fund the operations (including personnel costs) of departments dedicated to the support student service such as the Health Services, Athletics, Intramurals, Campus Wellness, Fitness Services, etc.
- **General Service Fee/Capital** – All income from this fee is dedicated exclusively to fund the annual debt service requirements relating to educational and general (E&G) facilities, in-addition to funding the capital plan that addresses the continuing asset renewal of existing E&G facilities.
- **Student Center Fee** – The Student Center Fee is used exclusively to support the operations and maintenance of the Student Center, including debt service and capital expenditures relating to this facility.
- **Student Activity Fee** – The Student Activity Fee is collected by The College of New Jersey (TCNJ) on behalf of the Student Finance Board (SFB).The SFB is responsible for allocation and management of the funds. The SFB is an elected Board of student representatives. The primary goal of the SFB is to allocate the Student Activity Fund to various student clubs and student service organizations for the purpose of enriching the co-curricular life of the college community.
- **Card Service Fee** – The Card Service Fee is used to partially support the operations (including personnel costs) and equipment maintenance of the College's ID card program.
- **Computer Access Fee** – While it does not cover all necessary expenses, the Computer Access Fee is used to partially fund the computing infrastructure throughout the campus. Student use of computer services, particularly Internet services, has increased significantly. This fee enables the College to provide critical access and other technology services necessary for students to succeed in their academic majors.

**THE COLLEGE OF NEW JERSEY
BOARD CHARGES
FISCAL YEAR 2017**

Room and Board Plans (Annual Charges)	2017 BOARD ONLY (per year)	2017 BOARD ONLY (per semester)	Increase from FY16 (Amount)	Increase from FY16 (Percent)
MEAL RATES				
Ala Carte 1	\$4,087.50	\$2,043.75	\$138.23	3.5%
Ala Carte 2	\$3,433.38	\$1,716.69	\$116.10	3.5%
Ala Carte 3	\$2,774.03	\$1,387.01	\$93.81	3.5%
The Apartment Plan (Phelps and Hausdoerffer Apartment Residents)	\$1,666.21	\$833.10	\$56.35	3.5%
College Houses Plan (Off Campus Apt. Plan)	\$605.89	\$302.94	\$20.49	3.5%
*Carte Blanche Plus (includes \$600 Flex Points per semester) - FALL	\$4,812.98	\$2,468.01	\$162.77	3.5%
*Carte Blanche Plus (includes \$600 Flex Points per semester) - SPRING		\$2,344.97		0.0%
*Carte Blanche A (includes \$400 Flex Points per semester) - FALL	\$4,321.61	\$2,216.33	\$146.14	3.5%
*Carte Blanche A (includes \$400 Flex Points per semester) - SPRING		\$2,105.28		
*Carte Blanche B (includes \$250 Flex Points per semester) - FALL	\$4,012.11	\$2,057.78	\$135.67	3.5%
*Carte Blanche B (includes \$250 Flex Points per semester) - SPRING		\$1,954.33		
*Carte Blanche C (includes \$150 Flex Points per semester) - FALL	\$3,498.18	\$1,793.90	\$118.29	3.5%
*Carte Blanche C (includes \$150 Flex Points per semester) - SPRING		\$1,704.27		
*Carte Blanche Costs are allocated between fall (110.5) and spring (105) feeding days for a total of 215.5 days.				
Meal Equivalency LUNCH or DINNER (for all Carte Blanche Plans)	\$7.76	n/a	\$0.26	3.5%
Carte Blanche Door Rates (Eickhoff Dining):				
Breakfast	\$5.61		\$0.19	3.5%
Lunch	\$8.38		\$0.28	3.5%
Dinner	\$9.76		\$0.33	3.5%
Optional Additional Block Meal Plan	25 Meals	\$183.51	\$6.21	3.5%
Plan (student) * staff pay tax	50 Meals	\$364.28	\$12.32	3.5%
Optional 1855 Block Meal Plan	10 Meals	\$76.30	\$2.58	3.5%
(student) * staff pay tax	25 Meals	\$187.59	\$6.34	3.5%

ROOM RATES	2017 ROOM ONLY (per year)	2017 ROOM ONLY (per semester)	Increase from FY16 (Amount)	Increase from FY16 (Percent)
Room Rate (Per Year)	\$ 8,793.62	\$ 4,396.81	\$ 86.21	2.0%
January Term Room Rate	\$ 200.00			

CCS Room Rate (per year)	\$ 11,200.00	\$ 5,600.00	\$ 0	0.0%
Includes Overhead Costs and Program Services				

The College of New Jersey
Student Revenues
Fiscal Year 2017

	FY 2016	FY 2017
One-Time Mandatory Fees		
Admissions Application Fee (1)	75	75
Graduation Services Fee	100	100
LiveText Learning Assessment Fee	115	115
Transfer Orientation Fee	55	55
Welcome Week/First Year Student Activities Fee	211	211
Transfer Student Welcome Program Fee	125	125
Requested Services Fees		
All Parking Decal Fees:		
• Commuter (Annual cost excluding NJ State sales tax)	95	95
• Residence (Annual Cost)	280	280
• Commuter (Per semester cost excluding NJ State sales tax)	47.50	54
• Residence (Per semester cost)	140	150
• Weekly Parking	15	15
Specialized Programs Fees		
ESLAS Program Tuition - (FY2016 rate includes room and meals)	6,250	4,150
ESLAS Program Tuition - Fall 2016 and Spring 2017	5,000	5,125
NEW ESLAS Program Summer Meal Plan - Summer 2016	-	900
NEW ESLAS Program Summer Housing Fee - Summer 2016	-	1,212
NEW CALC Rutgers Prep ESL Program Course Fee (per unit)	-	2,000
ESLAS Language Testing Fee (per semester/term)	150	150
Optional Summer Transition Program	450	450
NEW Lions Plus Program (Academic year)	-	5,000
NEW Lions Plus Program (Per semester)	-	2,700
Government Program Fee	6,180	6,365
Business Institute Summer Program - credit	5,000	5,000
Business Institute Summer Program - non-credit	4,500	4,500
Provisional Cohort - Freshman	6,362	6,505
NEW Cooperman Academy Summer Program (Summer 2017)	-	4,500
Pre-College Programs – Credit:		
• General	3,640	3,640
• TCNJ Faculty/Staff	3,120	3,120
Pre-College Programs – Non-Credit:		
• Basic Fee Standard Rate (includes tuition, room, board, activities)	1,664	1,664
• Reduced Fee for Faculty/Staff Dependents Faculty/Staff Dependent Rate	1,352	1,352
RN-to-BSN Off-Site Programs	1,318	1,348
Regional Training Center 1 Credit Fee	140	160
Regional Training Center 3 Credit Fee	420	479
Summer Visiting Fee	75	75
Pass Through Fees		
Credit Card Payment Fee	2.35% of amount charged	2.45% of amount charged
Nursing Testing Package		
• Sophomore	165	165
• Junior	245	245
• Senior	245	245
Payment plan enrollment fee (annual)	45	45
Payment plan enrollment fee (semester)	25	25

The College of New Jersey
Student Revenues
Fiscal Year 2017

	FY 2016	FY 2017
Other Fees		
Ewing High School Partnership Tuition - Per Course	150	150
International Student Teaching Fee	450	450
Music Fee	100	100
Fitness Class Program Fee - Per Semester	25	25
Career and Community Studies		
Career and Community Studies Program (per term)	10,874	11,119
Career and Community Studies Program (per half term) Summer Term-5 weeks	5,437	5,559
Career and Community Studies - Computing Access fee (per semester -.5 units)	33	34
Career and Community Studies - General Services fee (per semester -.5 units)	235	240
Career and Community Studies - Student Center fee (per semester -.5 units)	21	21
Career and Community Studies - Student Services fee (per semester -.5 units)	54	55
Career and Community Studies - Student Life fee (per semester -.5 units)	23	24
Career and Community Studies - Residential Life Program fee (per semester)	300	300
Graduate Global Programs		
Tier 1 off-site programs (per credit)	640	654
Tier 2 off-site programs (per credit)	560	573
Tier 3 off-site programs (per credit)	480	491
Tier 4 off-site programs (per credit)	400	409
International Internships (per credit)	755	772
Performance Learning Systems 3rd Learning Course Fee	300	307
Principal's Training Center Course Fee	300	307
Princeton Center for Teacher Education (PCTE) Certificate (per credit)	125	128
PCTE Degree (per credit)	755	772
Undergraduate Study Abroad Programs		
National Student Exchange	425	425
Short-term program deposit fee	500	500
Study Abroad Late Application Fee	50	50
International Student Fee (in-coming) – for Matriculating Students	400	400
NEW - TCNJ Cape Town - Semester (includes tuition, fees, room and cultural excursions)	-	14,500
NEW - TCNJ Cape Town - Semester (includes tuition, fees, room, service learning and cultural excursions)	-	17,000
NEW - TCNJ Chile - Semester (includes tuition, fees, room and cultural excursions)	-	14,000
NEW - TCNJ Chile - Semester (includes tuition, fees, room, service learning and cultural excursions)	-	16,000
NEW - TCNJ England (includes tuition, fees, room and board)	-	11,175
TCNJ London – Semester (includes tuition, fees and excursions)	9,085	9,085
TCNJ London – Summer (includes tuition, fees and excursions)	6,950	6,950
TCNJ Prague – Semester (includes tuition, fees and excursions)	9,150	9,150
TCNJ Prague Deposit Fee-Semester	500	500
TCNJ Spain – Semester (includes tuition, fees, room and board plan - Ala Carte 3)	13,374	13,681
TCNJ Heidelberg – Semester (includes tuition, fees, room and excursions)	11,990	11,990
TCNJ Heidelberg – Summer (includes tuition, fees, room and excursions)	5,000	5,300
NEW- TCNJ Heidelberg – 2 Summer Sessions (includes tuition, fees, housing and excursions)	-	9,100
NEW-TCNJ Heidelberg – Single Room Option	-	400
TCNJ Italy – Semester (includes tuition, fees, room and board)	14,008	13,500
TCNJ Italy Excursion - Semester (co-curricular travel package required for all TCNJ Italy students)	1,350	1,350
TCNJ Washington Center - Semester (tuition, fees and internship placement)	7,733	8,300

The College of New Jersey
Student Revenues
Fiscal Year 2017

	FY 2016	FY 2017
<i>NEW</i> - TCNJ Washington Center - Summer (tuition, fees and internship placement)		6,700
Transcripting fee for short term programs	500	500
Transcripting fee for non-TCNJ students in Int'l programs (semester long)	1,000	1,000
Transcripting fee-per credit	125	125
Undergraduate International & Off-Campus Programs (out-going) – Study abroad application fee	425	425
Undergraduate Global Course Travel Fee – Application Fee for Short-Term, Faculty-Led Programs	150	150
Insurance Fees		
Study Abroad Travel Insurance - Weekly (HTH)	10.85	11.15
Study Abroad Travel Insurance- Annual 6/30/16-6/29/17 (First Risk)	85	95
Study Abroad Travel Insurance- Semi-Annual 6/30/16-12/31/16 & 1/1/17-6/29/17(First Risk)	43	48
Study Abroad Travel Insurance- Quarterly (First Risk)	21	25
Undergraduate Health Insurance- Annual 6/30/16-6/29/17 (First Risk)	1,480	1,605
Graduate Health Insurance- Annual 6/30/16-6/29/17 (First Risk)	2150	3033
Undergraduate Health Insurance- Spring/Summer 1/16/17-6/29/17* (First Risk)	663	726
Graduate Health Insurance- Spring/Summer 1/16/17-6/29/17* (First Risk)	963	1371
J-1 International Exchange Health Insurance (First Risk):		
• Fall Undergraduate (8/23/16 - 12/31/16*)	562	576
• Spring/Summer Undergraduate (1/1/17 -5/31/17*)	731	664
<i>NEW</i> - ESLAS Summer 7/10/16-8/22/16 Health Insurance (First Risk)		193
Tuition Refund Insurance	% varies based on coverage selected (2)	

*coverage date range changed from FY16

- (1) Admissions application fee may be waived for students from new, targeted, out of state districts for one year to support institutional recruitment strategies.
- (2) For example: An annual cost of College of \$15,000 at a suggested tuition refund insurance coverage of \$7,500 per semester, would cost \$214.50/year or 1.43%.

**THE COLLEGE OF NEW JERSEY
SUMMER 2017
TUITION AND FEES**

Undergraduate In-State

Units	TCNJ Students	Visiting Students
0.25	\$546.80	\$ 626.80
0.50	\$ 1,088.60	\$ 1,168.60
0.75	\$ 1,630.40	\$ 1,710.40
1.00	\$ 2,172.20	\$ 2,252.20
1.25	\$ 2,714.00	\$ 2,794.00
1.50	\$ 3,255.80	\$ 3,335.80
1.75	\$ 3,797.60	\$ 3,877.60
2.00	\$ 4,339.40	\$ 4,419.40
2.25	\$ 4,881.20	\$ 4,961.20
2.50	\$ 5,423.00	\$ 5,503.00
2.75	\$ 5,964.80	\$ 6,044.80
3.00	\$ 6,506.60	\$ 6,586.60

Above based on the following per quarter unit costs:

Tuition	\$394.19
General Service	\$120.24
Student Center	\$10.84
Computing Access	\$16.53
Card Service Fee	\$5.00 *

Visiting student's total includes a \$75.00 Visiting Fee plus \$10.00 Card Service Fee

Undergraduate Out-of-State

Units	TCNJ Students	Visiting Students
0.25	\$ 941.95	\$ 1,021.95
0.50	\$ 1,878.90	\$ 1,958.90
0.75	\$ 2,815.85	\$ 2,895.85
1.00	\$ 3,752.80	\$ 3,832.80
1.25	\$ 4,689.75	\$ 4,769.75
1.50	\$ 5,626.70	\$ 5,706.70
1.75	\$ 6,563.65	\$ 6,643.65
2.00	\$ 7,500.60	\$ 7,580.60
2.25	\$ 8,437.55	\$ 8,517.55
2.50	\$ 9,374.50	\$ 9,454.50
2.75	\$ 10,311.45	\$ 10,391.45
3.00	\$ 11,248.40	\$ 11,328.40

Above based on the following per quarter unit costs:

Tuition	\$789.34
General Service	\$120.24
Student Center	\$10.84
Computing Access	\$16.53
Card Service Fee	\$5.00 *

Visiting student's total includes a \$75.00 Visiting Fee plus \$10.00 Card Service fee

Graduate In-State

Credit Hours	TCNJ Students	Visiting Students
0.5	\$ 434.09	\$ 514.09
1	\$ 863.17	\$ 943.17
2	\$ 1,721.34	\$ 1,801.34
3	\$ 2,579.51	\$ 2,659.51
4	\$ 3,437.68	\$ 3,517.68
5	\$ 4,295.85	\$ 4,375.85
6	\$ 5,154.02	\$ 5,234.02
7	\$ 6,012.19	\$ 6,092.19
8	\$ 6,870.36	\$ 6,950.36
9	\$ 7,728.53	\$ 7,808.53
10	\$ 8,586.70	\$ 8,666.70
11	\$ 9,444.87	\$ 9,524.87
12	\$ 10,303.04	\$ 10,383.04

Above based on the following per credit costs:

Tuition	\$710.56
General Service	\$120.24
Student Center	\$10.84
Computing Access	\$16.53
Card Service Fee	\$5.00 *

Visiting student's total includes a \$75.00 Visiting Fee

Graduate Out-of-State

Credit Hours	TCNJ Students	Visiting Students
0.5	\$ 639.17	\$ 719.17
1	\$ 1,273.33	\$ 1,353.33
2	\$ 2,541.66	\$ 2,621.66
3	\$ 3,809.99	\$ 3,889.99
4	\$ 5,078.32	\$ 5,158.32
5	\$ 6,346.65	\$ 6,426.65
6	\$ 7,614.98	\$ 7,694.98
7	\$ 8,883.31	\$ 8,963.31
8	\$ 10,151.64	\$ 10,231.64
9	\$ 11,419.97	\$ 11,499.97
10	\$ 12,688.30	\$ 12,768.30
11	\$ 13,956.63	\$ 14,036.63
12	\$ 15,224.96	\$ 15,304.96

Above based on the following per credit costs:

Tuition	\$1,120.72
General Service	\$120.24
Student Center	\$10.84
Computing Access	\$16.53
Card Service Fee	\$5.00 *

Visiting student's total includes a \$75.00 Visiting Fee plus

**WINTER 2017 "J-TERM"
TUITION AND FEE RATES**

Course Cost - Undergraduate – 1 Unit

Course Cost - Undergraduate – .75 Units

Description	Amount	Description	Amount
Tuition (In-State and Out-of-State)	\$1,576.76	Tuition (In-State and Out-of-State)	\$1,182.57
Computing Access Fee	\$ 66.12	Computing Access Fee	\$ 49.59
Student Services Fee	\$ 109.76	Student Services Fee	\$ 82.32
Total	\$1,752.64	Total	\$1,314.48

Course Cost – Undergraduate - .5 Units

Description	Amount
Tuition (In-State and Out-of-State)	\$788.38
Computing Access Fee	\$ 33.06
Student Services Fee	\$ 54.88
Total	\$876.32

Course Cost - Graduate – 3 Credits

Description	Amount
Tuition (GIS and GOS)	\$ 2,131.68
Computing Access Fee	\$ 49.59
Student Services Fee	\$ 82.32
Total	\$ 2,263.59

NOTE:

1. Students will be charged an In-State tuition and fee rate regardless of residency status
2. Visiting students will not be charged a visiting student's fee

**Resolution Approving The College of New Jersey
Fines, Penalties and Other Charges
for Faculty, Staff, Students, and Visitors**

Whereas: Title 18A of the New Jersey statutes vests the government, control, conduct, management and administration of the College in the Board of Trustees of the College; and

Whereas: Title 18A of the New Jersey statutes provides that the Board of Trustees has general supervision over and is vested with the conduct of the College, including the power and duty to manage and maintain the College's properties and with the power and duty to regulate parking on the College's property; and

Whereas: In order to ensure that the College provides efficient and effective services to members of the campus community and our visitors, other charges and fines are necessary and appropriate.

Whereas: Campus parking penalties and other Fines and Charges, which are applicable to faculty, staff, students and visitors, have been reviewed for Academic Year 2016-2017.

**Therefore
Be It**

Resolved: That the Board of Trustees approves the imposition of parking penalties, charges for requested services and fines on faculty, staff, student, and visitors for specified services and violations of the College's parking and other regulations; and

**Be It Further
Resolved:**

Violations of the College's parking or other regulations shall be issued by the College's Campus Police or other appropriate department and fines shall be collected by College employees designated by the College's administration; and

**Be It Further
Resolved:**

Charges related to requested services shall be issued by the appropriate department and shall be collected by College employees designated by the College's administration; and

**Be It Further
Resolved:**

That the Board of Trustees approves the following fines and charges for Academic Year 2016-2017:

July 5, 2016

**Charges, Fines and Parking Penalties
Academic Year 2016-2017
Campus Parking Penalties**

Parking Violation	Fine/Penalty
Improper parking	\$25.00
Parking in an unpaved area	\$25.00
Parking in a "Caution Area"	\$25.00
Improperly mounted decal	\$25.00
Parking in a No Parking zone	\$25.00
Exceeding 15 Minute Time Limit	\$25.00
Altered decal/pass	\$50.00
Obstructing traffic	\$50.00
Obstructing dumpster	\$50.00
Illegal entry into lots	\$50.00
Parking in a loading area	\$50.00
Parking on a walkway/sidewalk	\$50.00
Parking in the roadway	\$50.00
Parking in a Faculty/Staff lot without proper decal or permit displayed	\$50.00
Parking in a Visitor/Vendor spot without proper decal or permit displayed	\$50.00
Parking in a Service Vehicle spot without proper decal or permit displayed	\$50.00
Not parked in Assigned Lot as per decal displayed	\$50.00
Parking in a fire zone	\$100.00 + Tow
Parked in a handicapped space	\$250.00 + Tow
Fraudulent use of decal or reproduction of decal	Cost of the highest decal + Boot + Revocation of parking privileges for the balance of the semester, as well as for the following academic semester
Parking in a designated winter restriction lot during the designated winter restriction period (as per campus email)	<i>1st Offense:</i> \$50.00 <i>2nd Offense:</i> \$50.00 + Boot <i>3rd Offense:</i> \$50.00 + Boot + Revocation of parking privileges for the balance of the semester, as well as for the following academic semester
Vehicle operators who have three or more outstanding unpaid parking violations (not including tickets issued, for a period of 24 hours)	Boot + Cost of all tickets

Vehicle operators who receive six violations or more in one academic semester will lose parking privileges on campus for the balance of the semester, as well as for the following academic semester.	On receipt of the <i>sixth</i> violation: Boot + Cost of all tickets + Revocation of parking privileges for the balance of the semester, as well as for the following academic semester. If vehicle operator is a student, his/her name will be submitted to Student Affairs for student conduct.
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Additional Fees:

Boot Removal Fee	\$50.00 + Cost of all tickets
Towing/Storage Fee	Established by towing company
Municipal Summons Fines/Penalties	Established by Ewing Township

Citations Appeals Board continues to have the authority to reduce a fine (rather than uphold or dismiss) based on the appeal provided to this group.

Service Charges

Diploma Replacement Charge	\$20.00
Credential Services Charge	\$3.00
Res. Net Software Services including: Operating System, New Application, and Virus Software Installation, Virus and Spyware Removal and General Trouble Shooting Res. Net Hardware Services including: PCI Card, Memory and Hard Drive Installation	\$15.00
Res. Net Data Migration Services Res. Net Data Recovery	\$30.00
Credit by Exam Fee – One Course Unit	\$66.84
Print Sense	5¢ per page for printing

Other Fines/Charges

Late Registration Fine	UG \$150.00 Grad \$125.00
Late Bill Payment Monthly Fine for Balances over \$,1000	Fine equal to the greater of \$25 or a flat amount calculated by multiplying 1.5% by the outstanding balance
Bad Check Fine/Insufficient funds	\$25

Return ACH PMT (A/C not found)	\$10
Lost ID Card Fine	\$10
Late Graduation Filing Fine	\$35
Emergency HELP Loan Per Month Late Fine	\$50

Library Fines/Charges

Overdue Fines	\$0.50/day
Overdue Reserves Fines	\$1.00/hour
Lost Book Charges	current cost of item or \$50.00
Membership Charge - individual	\$25.00/year
Membership Charge - institution	\$75.00/year

Housing Cancellation Fee - Fall 2016 Rate Schedule

Contract cancellations 12/7/15-2/7/16	\$0
Contract cancellations 2/8/16-3/7/16	\$250
Contract cancellations 3/8/16-5/17/16	\$375
Contract cancellations 5/18/16-7/1/16	\$500
Contract cancellations 7/2/16-8/15/16	\$625
Contract cancellations 8/16/16-9/7/16	\$750
Contract cancellations 9/8/16-9/20/16	\$1,099.20
Contract cancellations 9/21/16-10/4/16	\$2,198.40
Contract cancellations 10/5/16 and after*	\$4,396.80

*All contract release requests received after 10/5/16 will be reviewed for a contract release for the spring semester.

Housing Cancellation Fee - Spring 2017 Rate Schedule

Contract cancellations prior to 10/31/16	\$250
Contract cancellations 11/1/16-11/30/16	\$375
Contract cancellations 12/1/16-12/19/16	\$500
Contract cancellations 12/20/16-1/9/17	\$625
Contract cancellations 1/10/17-1/31/17	\$750
Contract cancellations 2/1/17-2/13/17	\$1,099.20
Contract cancellations 2/14/17-2/27/17	\$2,198.40
Contract cancellations 2/28/17 and after	\$4,396.80

RESOLUTION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF NEW JERSEY APPROVING THE REFUNDING OF OUTSTANDING BONDS THROUGH ISSUANCE BY THE NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY OF ITS REVENUE REFUNDING BONDS, THE COLLEGE OF NEW JERSEY ISSUE, SERIES 2016; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE LEASE AND AGREEMENT AND ALL OTHER NECESSARY DOCUMENTS; AND AUTHORIZING OFFICERS OF THE COLLEGE OF NEW JERSEY TO DO ALL OTHER THINGS DEEMED NECESSARY OR DESIRABLE IN CONNECTION WITH THE ISSUANCE BY THE NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY OF ITS REVENUE REFUNDING BONDS, THE COLLEGE OF NEW JERSEY ISSUE, SERIES 2016, AND THE LOAN OF THE PROCEEDS THEREOF TO THE COLLEGE OF NEW JERSEY

WHEREAS: On April 30, 2008, the New Jersey Educational Facilities Authority (the "Authority") issued its Revenue Refunding Bonds, The College of New Jersey Issue, Series 2008 D in the aggregate principal amount of \$287,790,000 (the "2008 D Bonds") to finance, along with other available funds, a project consisting of: (i) the current refunding of the Authority's Revenue Bonds, The College of New Jersey Issue, Series 2002 D; (ii) the current refunding of the Authority's Revenue Bonds, The College of New Jersey Issue, Series 1999 A; and (iii) the payment of certain costs associated with the issuance of the 2008 D Bonds (including certain termination payments in respect of certain interest rate swap agreements); and

WHEREAS: On September 17, 2015, the Authority issued its Revenue Refunding Bonds, The College of New Jersey Issue, Series 2015 G in the aggregate principal amount of \$114,525,000 (the "2015 G Bonds") to finance, along with other available funds, a project consisting of: (i) the advance refunding of a portion of certain callable maturities of the 2008 D Bonds; and (ii) the payment of certain costs associated with the issuance of the 2015 G Bonds; and

WHEREAS: On January 14, 2010, the Authority issued its Revenue Bonds, The College of New Jersey Issue, Series 2010 B (Build America Bonds – Direct Payment) in the aggregate principal amount of \$41,090,000 (the "2010 B Bonds") to finance, along with other available funds, a project consisting of: (i) the demolition of an existing structure, site clearance and site work, utility upgrades and construction of a three story, approximately 70,000 square foot facility to house the College's School of Education; (ii) the funding of capitalized interest on the 2010 B Bonds; and (iii) the payment of certain costs associated with the issuance of the 2010 B Bonds; and

WHEREAS: The Board of Trustees (the "Board") of The College of New Jersey (the "College") desires to fund, together with other available funds, the refunding of all or a portion of the 2008 D Bonds that remain outstanding (the "2008 D Bonds") to achieve debt service savings and short term budget relief, provided

that the net present value savings are at least three percent (3%) of the refunded par amount of the 2008 D Bonds, and, the refunding of all or a portion of the 2010 B Bonds (the “Callable 2010 B Bonds”) to achieve debt service savings and to preserve legal structure and the BABs subsidy through the call date, provided that the net present value savings are at least three percent (3%) of the refunded par amount of the 2010 B Bonds; and

WHEREAS: The College has requested the Authority to assist in the refinancing through issuance by the Authority of its Revenue Refunding Bonds, The College of New Jersey Issue, Series 2016 (the “Refunding Bonds”) in one or more series at the same time or in one or more series at different times as separate transactions; and

WHEREAS: The College is interested in approving a project (the “2016 Refunding Project”) consisting of the funding, with proceeds from the Refunding Bonds and other available funds, of: (i) the refunding of the 2008 D Bonds; (ii) the crossover refunding of the Callable 2010 B Bonds; (iii) the funding of a debt service reserve fund, if necessary or otherwise deemed advisable; and (iv) the payment of certain costs associated with the issuance of the Refunding Bonds; and

WHEREAS: The College wishes to retain the services of a financial advisor; and

WHEREAS: The Board wishes to designate and authorize appropriate officers to retain a financial advisor, to select the 2008 D Bonds and the Callable 2010 B Bonds to be refunded (the “Bonds to be Refunded”), to determine the advisability of the funding of a debt service reserve fund, to finalize the structure of the transaction and to take any and all necessary, desirable and appropriate steps to undertake and implement the 2016 Refunding Project; and

WHEREAS: The repayment of the Refunding Bonds will be secured by one or more Lease and Agreement(s) between the Authority and the College (the “Agreement”); and

WHEREAS: The Board has determined that the 2016 Refunding Project will assist in serving the needs of its students and providing a benefit to the College.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE COLLEGE OF NEW JERSEY AS FOLLOWS:

SECTION 1. The Board hereby approves the 2016 Refunding Project and the issuance of the Refunding Bonds, in one or more series at the same time or in one or more series at different times as separate transactions, in an amount sufficient, with other available funds, to: (i) refinance the Bonds to be Refunded; (ii) fund a debt service reserve fund, if necessary or otherwise deemed advisable; and (iii) pay certain costs associated with the issuance of the Refunding Bonds. The Board hereby authorizes the President and/or the Treasurer of the College (the “Designated Officers”) to retain a firm with qualifications, experience and expertise deemed appropriate by the Designated Officers to serve as the College’s financial advisor; to determine, with the advice of Bond Counsel and

the College's financial advisor, the structure of the financing, including selection of the Bonds to be Refunded and the interest rates and maturities of the Refunding Bonds, that is most advantageous to the College; to determine the advisability of the funding of a debt service reserve fund; and to take any and all necessary, desirable and appropriate steps to undertake and implement the 2016 Refunding Project; provided, however, that the net present value savings resulting from the refunding is at least three percent (3%) of the refunded par amount of the Bonds to be Refunded.

SECTION 2. The Agreement, in substantially the form previously entered into by the Authority and the College in connection with the issuance of the 2008 D Bonds and the 2010 B Bonds with such changes, omissions, insertions and revisions as shall be approved by the Authority and the hereinafter-authorized officers of the College is hereby approved. The Chairperson of the Board, the Secretary to the Board, the President and the Treasurer (hereinafter the "Authorized Officers") are hereby authorized and directed to execute the Agreement in the name of and on behalf of the College, in as many counterparts as may be necessary, and to affix or impress the official seal of the College thereon and to attest the same. Such execution and attestation to be conclusive evidence of the approval of the form and content of such Agreement.

SECTION 3. The Authorized Officers of the College, be and the same, are hereby authorized and directed to execute, deliver and approve any and all such other agreements, documents, certificates, directions and notices and to do and perform such acts and to take such actions as may be necessary or required or which the Authority may deem to be appropriate to implement the purposes of this Resolution, to consummate the issuance of the Refunding Bonds by the Authority and payment of all the costs related thereto, and to effectuate the execution and delivery of the Agreement, the deed(s) to the property on which certain facilities refinanced by the Refunding Bonds are located, if necessary, and any other documentation necessary to effectuate the 2016 Refunding Project and the issuance of the Refunding Bonds by the Authority. Any Authorized Officer of the College is hereby authorized and directed, for and on behalf of and in the name of the College to attest and deliver said documentation and to affix the seal of the College to said documentation. Such execution and attestation to be conclusive evidence of the approval of the form and content of such documentation.

SECTION 4. The Board hereby approves the retention by the Authority of title to the land on which all or portions of the refinanced projects are situated.

SECTION 5. All prior actions of the College in connection with implementation of the 2016 Refunding Project are hereby ratified and confirmed. All resolutions, orders and other actions of the College in conflict with the provisions of this Resolution to the extent of such conflict are hereby superseded, repealed or revoked.

SECTION 6. This Resolution shall take effect immediately.

**Resolution Approving Waivers
Of Advertising
For College Business Purposes**

- Whereas:** State College Contracts Law permits waivers of advertising for specified purchases in excess of \$33,000 and
- Whereas:** The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees, and
- Whereas:** Waiver requests have been reviewed and are recommended by the Finance and Investments Committee, a subcommittee of The College of New Jersey Board of Trustees,
- Therefore,
Be It
Resolved:** The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

VENDOR	FY 2017 <u>International Programs for Academic Year 2016-2017</u> PURPOSE	FUNDING SOURCE
CEPA Gmbh \$63,000	Winter short-term study tour in London	Self Funded Revenue
Council on International Educational Exchange (CIEE) \$108,000	Maymester study tours in Cuba and Ghana	Self Funded Revenue
Foundation of International Exchange (FIE) \$63,595	Fall study abroad program in London	Self Funded Revenue
UIW European Study Center (ESC) \$278,170	Fall study abroad program in Germany	Self Funded Revenue

College Union Board Waivers

Concert Ideas \$120,000	Event sponsored by the College Union Board: Fall 2016 Concert	Student Activity Fee
Degy Booking International, Inc \$55,000	Event Sponsored by the College Union Board: Fall 2016 Comedy Show	Student Activity Fee

Professional Services

ECSI \$47,000	Student Loan Collection for FY 2017	College Operating
Fairmount Capital Advisors, Inc. \$40,000	Bond Financial Advisory Services	College Operating
J & J Staffing \$200,000	Temporary Staffing Agency	College Operating with charge back to function units
Storbeck/Pimentel & Associates \$75,000	Executive Search Firm for Dean of School Arts and Communication	College Operating

**The College of New Jersey Board of Trustees
Resolution Approving
Artwork Gift Policy**

Whereas: The College of New Jersey often receives offers of gifts of artwork and other collectibles; and,

Whereas: These gifts are a valuable contribution to the College's missions of research and scholarship, exhibition, and education, and greatly enhances the cultural life and aesthetics of the College and surrounding community; and,

Whereas: The College recognizes that acceptance of artwork and collectibles also brings with it responsibilities, including costs of ownership, maintenance, and curating; and,

Whereas: Such offers of artwork and collectibles made to the College are considered by the College's Art Gallery Collection Committee, which is charged by the College to make recommendations regarding the acquisition (or rejection), placement, and maintenance of artwork on campus; and,

Whereas: Such gifts are coordinated with the Division of College Advancement; and,

Whereas: The College of New Jersey Foundation is authorized by the President to accept on the College's behalf artwork and collectibles which have been recommended for acquisition by the Collection Committee, and;

Whereas: Acceptance of gifts or bequests of artwork and collectibles (gifts-in-kind) is made with the understanding that there are to be no limiting conditions or restrictions regarding its use, and;

Whereas: Acceptance of a restricted gift must have the unanimous approval of the Collection Committee, and;

Whereas: The Collection Committee reserves the right to determine whether any item donated will be accessioned into the collection, where it will be stored, and how it will be made accessible, and;

Whereas: The College, by recommendation of the Collection Committee, reserves the right to exchange, donate, sell or discard donated items as needed if they are not considered appropriate for the collection, and;

July 5, 2016

Whereas: The College is not legally bound to acquire objects that are bequeathed to it, unless by prior agreement, and;

Whereas: The College Advancement Committee has reviewed and recommend approval of the attached Artwork Gift Policy dated July 5, 2016, incorporating the policy statements above.

**Therefore,
Be It**

Resolved: That the College of New Jersey Board of Trustees hereby approves the Artwork and Collectibles Gift Policy.

July 5, 2016

Section:		
Title:	Artwork Gift Policy	
Effective Date:	July 5, 2016	
Approved By:	Board of Trustees	
Responsible Unit:	Division of College Advancement	
Related Documents:	Art Gallery Collection Manual	
History:		
<u>Version</u>	<u>Date</u>	<u>Notes</u>
1.0	July 5, 2016	New policy; initial release

I. INTRODUCTION

Artwork gifted to, or otherwise acquired by, The College of New Jersey (“TCNJ” or “the College”) is a valuable contribution to the College’s missions of research and scholarship, exhibition, and education, and greatly enhances the cultural life and aesthetics of the College and surrounding community. However, acceptance of such artwork also brings with it responsibilities, including costs of owning, maintaining, and curating the artwork. The purpose of this policy is to provide guidance on the proper process for determining acceptance and acquisition of artwork offered to the College.

II. DEFINITIONS

Art Gallery Collection Committee – Committee appointed by the President with general decision making authority over the Art Gallery Collection.

Artwork – Original creative work such as a painting, drawing, or sculpture. Can include decorative arts, design objects, or cultural artifacts.

Bequest – An item directly willed to the College.

Gift – A private contribution, either outright or deferred, from individuals or organizations, and for which no return services or goods are expected, implied, or forthcoming to the donor.

III. POLICY

Offers of artwork made to the College are considered by the College’s Art Gallery Collection Committee (“Collection Committee”). The Collection Committee is charged by the College to make recommendations regarding the acquisition (or rejection), placement, and maintenance of artwork on campus in accordance with the *Art Gallery Collection Manual*. All gifts are coordinated with the Division of College Advancement. The College of New Jersey

Foundation is authorized by the President to accept on the College's behalf artwork which has been recommended for acquisition by the Collection Committee.

Generally, acceptance of gifts or bequests of artwork (gifts-in-kind) is made with the understanding that there are to be no limiting conditions or restrictions regarding its use. Acceptance of a restricted gift must have the unanimous approval of the Collection Committee. The Collection Committee reserves the right to determine whether any item donated will be accessioned into the collection, where it will be stored, and how it will be made accessible. The College, by recommendation of the Collection Committee, reserves the right to exchange, donate, sell or discard donated items as needed if they are not considered appropriate for the collection. The College is not legally bound to acquire objects that are bequeathed to it, unless by prior agreement.

**Resolution Approving Waivers
Of Advertising
For College Business Purposes
(Audit, Risk Management and Compliance Committee)**

Whereas: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$33,000, and

Whereas: The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees, and

Whereas: Waiver requests have been reviewed and are recommended by the Audit, Risk Management and Compliance Committee.

**Therefore,
Be It**

Resolved: The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

VENDOR	PURPOSE	FUNDING SOURCE
Baker Tilly \$150,000	Internal Audit Services	College Operating
Borden Perlman \$186,500	Athletic Accident Insurance	College Operating
First Risk Advisors, Inc. \$908,655	Student Health Insurance	Student Charges
FM Global \$2,711,852	All Risk Property Insurance Purchases for New Jersey Association of State College and Universities Member Institutions	Reimbursements from NJASCU- \$2,387,382 TCNJ Share - \$324,470
KPMG \$35,000	Additional Enterprise Risk Management Services	College Operating
Willis Towers Watson/ Willis of New Jersey, Inc. \$36,101	Executive Automobile Insurance Purchases for New Jersey Association of State Colleges and Universities Member Institutions	Reimbursements from NJASCU- \$33,521.58 TCNJ Share- \$2,579.42

July 5, 2016