

**The College of New Jersey
Board of Trustees
July 10, 2018
201/106 Trenton Hall
3:00 pm**

Public Meeting Agenda

- 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 _____, seconded by _____, that the Board go into closed session to discuss personnel actions including: Faculty New Appointments – Tenure Track, New Appointments – Temporary, Resignations, Retirement – Emeritus, Reappointments – Temporary, Reappointments to a 4th year, Reappointments to 5th and 6th years, Reappointments to a 5th year, Reappointments to a 6th year; Staff New Appointments, Change of Status, Change of Status – Temporary, One Year Rolling Extension, Resignations, Retirements – Emeritus, Retirements, One Year Reappointments – Non-Unit; pending litigation including: Calogero Paxia v. TCNJ et al.; Ratarsha Willis v. TCNJ; Joseph Gage v. TCNJ; Alexa Madoff v. TCNJ et al.; William Carter vs. TCNJ; Libertarians for Transparent Government v. TCNJ; Landon Jasmin v. TCNJ; and anticipated litigation; items exempt under the Open Public Meetings Act.
- III. Closed Session
- IV. Resumption of Public Session/Pledge of Allegiance
- V. Swearing in of New Trustee
- VI. Approval of the Minutes of the February 20, 2018 Public Meeting
- VII. Approval of the Minutes of the March 27, 2018 Public Meeting
- VIII. Approval of the Minutes of the April 17, 2018 Public Meeting
- IX. Report of the President
- X. Report of Board Officers
 - A. Report of the Board Officers Nominating Committee
- XI. Report of the Trustee Member of the TSC Corporation

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

XIII. Report of the Trustee Member of the TCNJ Foundation

XIV. Report of the Trustee Member of the TCNJ Alumni Association

XV. New Business

A. Report of the Executive Committee

- 1. Faculty Actions – Appointment – New Appointments – Tenure Track, New Appointments – Temporary, Resignations, Retirement – Emeritus, Reappointments – Temporary, Reappointments to a 4th year, Reappointments to 5th and 6th years, Reappointments to a 5th year, Reappointments to a 6th year– Attachment A**
- 2. Staff Actions – New Appointments, Change of Status, Change of Status – Temporary, One Year Rolling Extension, Resignations, Retirements – Emeritus, Retirements, One Year Reappointments – Non-Unit – Attachment B**
- 3. The College of New Jersey Board of Trustees Resolution to Implement FY2019 Merit Salary Adjustment for Non-Unit Employees – Attachment C**
- 4. Resolution Establishing the Schedule of Public Meetings for The College of New Jersey Board of Trustees 2018 to 2019 – Attachment D**
- 5. Resolution appointing a Member to the Board of Directors of the Trenton State College Corporation – Attachment E**

B. Report of the Mission Fulfillment Committee

- 1. The College of New Jersey Board of Trustees Resolution Approving a Revised Title IX Policy – Attachment F**
- 2. The College of New Jersey Board of Trustees Resolution Approving a Revised Student Conduct Code Policy – Attachment G**
- 3. The College of New Jersey Board of Trustees Resolution Approving a Revised Involuntary Health or Safety Withdrawal Policy – Attachment H**
- 4. The College of New Jersey Board of Trustees Resolution Approving a Bachelor of Arts in Biology – Attachment I**
- 5. The College of New Jersey Board of Trustees Resolution Approving a Revised Policy for Degree Program Approval Process – Attachment J**
- 6. The College of New Jersey Board of Trustees Resolution Approving a Revised Policy for Program Closure – Attachment K**

C. Report of the Governance Committee

D. Report of the Business and Infrastructure Committee

- 1. Resolution Approving Waivers of Advertising (College Business Purposes) – Attachment – Attachment L**
- 2. Resolution Approving Waivers of Advertising (Facilities and Construction) – Attachment – Attachment M**

3. Resolution Authorizing The College of New Jersey to Partner with the Trenton State College Corporation in Applying for, Implementing and Maintaining the Federally Funded Transportation Alternative Program ("TAP") Grant for Creating a Walkable Community in an Urbanizing Suburb – Attachment N
4. The College of New Jersey Board of Trustees Resolution Approving The College of New Jersey FY 2019 Unrestricted Current Fund Budget and Establishing Student Charges for FY 2019 – Attachment O
5. Resolution Approving The College of New Jersey Fines, Penalties and Other Charges for Faculty, Staff, Students and Visitors for Academic Year 2018-2019– Attachment P
6. Resolution Approving The College of New Jersey Travel Policy – Attachment Q

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

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

XVI. Presentation by Staff Senate Vice President Monica Jacobe

XVII. Adjournment

Be It

Resolved: That the next public meeting of The College of New Jersey Board of Trustees, will be held on Tuesday, October 23, 2018 at a time and location to be announced.

Be It

Further

Resolved: That this meeting be adjourned.

TO: Timothy Grant,
Chief of Police

FROM: Sgt. Marcie Montalvo,
Administrative Sergeant

DATE: July 1, 2018

RE: Crime Statistics from February 1, 2018 - June 30, 2018

In accordance with New Jersey Statute P.L. 2015, Chapter 220, S485, supplementing Chapter 3b of Title 18A, enacted on January 19, 2016, the president of each public institute of higher education shall report to the governing board of the institution, at each of its regular meetings, all crimes, fires and other emergencies which occurred on campus during the previous reporting period. For the purposes of this report, The College of New Jersey is following the Clery Act definitions for reporting crime statistics.

- Burglary- 0 incidents
- Aggravated Assault- 0 incidents
- MV Theft - 0 incidents
- Arson- 0 incidents
- Sexual Assault- 0 incidents
- Domestic Violence- 0 incidents
- Dating Violence - 0 incidents
- Stalking- 0 incidents
- Sex Offenses- 0 incidents
- Drug Law Offenses- 2 incidents
- Liquor Law Offenses- 12 incidents
- Illegal Weapons Offenses- 0 incidents
- Driving while Under the Influence or Intoxicated- 0 incidents
- Hate Crimes- 0 incidents
- Fire Statistics - 0 incidents
- Other Emergencies – 0 timely warnings issued during this period

****NOTE:** The numbers reported reflect the number of occurrences, *not* the number of victims.

New Appointments – Faculty – Tenure Track

Ann Warner Ault	Assistant Professor World Lang./Cultures Effective: August 4, 2018 - June 30, 2021
Mary Cannito-Coville	Assistant Professor Criminology Effective: August 4, 2018 - June 30, 2021
Marina De Souza	Assistant Professor Music Effective: August 4, 2018 - June 30, 2020
Eric Laprade	Associate Professor Public Health Effective: August 4, 2018 - June 30, 2021
Sharif Mohammad Shahnewaz Ferdous	Assistant Professor Computer Science Effective: August 4, 2018 - June 30, 2021
Yolanda Nelson	Assistant Professor Nursing Effective: August 4, 2018 - June 30, 2021
Adaurennaya Onyewuenyi	Assistant Professor Psychology Effective: August 4, 2018 - June 30, 2021
Ting Sun	Assistant Professor Acct./Info. Sys. Effective: August 4, 2018 - June 30, 2021
Zaara Sarwar	Assistant Professor Biology Effective: August 4, 2018 - June 30, 2021
Nathaniel Sharadin	Assistant Professor Philosophy, Religion & Classics Effective: August 4, 2018 - June 30, 2021

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New Appointments – Faculty – Tenure Track, Continued

Dara Whalen	Assistant Professor Nursing Effective: August 4, 2018 - June 30, 2021
Melkamu Woldmariam	Assistant Professor Biology Effective: August 4, 2018 – June 20, 2020
Melissa Zrada	Assistant Professor Integ. STEM Educ. Effective: August 4, 2018 - June 30, 2021

New Appointments – Faculty – Temporary

Timur Akhunov	Assistant Professor Mathematics Effective: August 4, 2018 - June 30, 2019
Jennifer Bryan	Assistant Professor Sociology & Anthropology Effective: August 4, 2018 - June 30, 2019
David Kamber	Assistant Professor Chemistry Effective: August 4, 2018 - June 30, 2019
Wesley McCann	Assistant Professor Criminology Effective: August 4, 2018 - June 30, 2019
George Leader	Assistant Professor Sociology/Anthropology Effective: August 4, 2018 - June 30, 2019
Beomseob Park	Assistant Professor Political Science Effective: August 4, 2018 - June 30, 2019
Rebecca Triano	Assistant Professor Political Science Effective: August 4, 2018 - June 30, 2019

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New Appointments – Faculty – Temporary, Continued

Melody Slashinski	Assistant Professor Public Health Effective: August 4, 2018 - June 30, 2019
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Resignations – Faculty

Warren Buckleitner	Management Effective: June 30, 2018
Jennifer Childress	Art & Art History Effective: June 30, 2018
Ying Mao	Computer Science Effective: June 30, 2018
Jamie Kennedy	Integrative STEM Education Effective: 6/30/2018
John Leustek	Communication Studies Effective: June 10, 2018 (Deceased)
Bharathwaj Muthuswamy	Computer Science Effective: June 30, 2018
Laura Neuman	English Effective: June 30, 2018
Joshua Roach	Music Effective: June 30, 2018
Sandra Sepulveda-Kozakowski	Psychology Effective: June 30, 2018
Jessica Wilton	English Effective: June 30, 2018

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Retirements – Faculty – Emeritus

Edward Conjura	Mathematics & Statistics July 1, 2018
Amy Dell	Special Ed, Lang, & Literacy July 1, 2018
Francis Hannold	English July 1, 2018
William Nyman	Art & Art History Effective: April 1, 2018

Reappointments – Faculty – Temporary

Aleksey Berg	Assistant Professor World Languages and Cultures Effective: August 4, 2018 End Date: June 30, 2019
Colin Bitter	Librarian/Instr in the Library Library Effective: August 4, 2018 End Date: June 30, 2019
Alberto Carbonilla	Assistant Professor Management Effective: August 4, 2018 End Date: June 30, 2019
Karen Deaver	Instructor Liberal Learning Program Effective: August 4, 2018 End Date: June 30, 2019
Jennifer Del Nero	Assistant Professor Special Ed. Lang. & Literacy Effective: August 4, 2018 End Date: June 30, 2019

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Reappointments – Faculty – Temporary, Continued

Irene Ey	Librarian 2 Library Effective: August 4, 2018 End Date: June 30, 2019
Karen Fenner	Instructor World Languages and Cultures Effective: August 4, 2018 End Date: June 30, 2019
Karen Allyn Gordon	Assistant Professor Educ Admin & Secondary Educ Effective: August 4, 2018 End Date: June 30, 2019
Eileen Heddy	Instructor Elem/Early Childhood Educ Effective: August 4, 2018 End Date: June 30, 2019
Kalani Hettiarchchilage	Assistant Professor Physics Effective: August 4, 2018 End Date: June 30, 2019
Dorothy Johnson	Assistant Professor Special Ed, Lang, & Literacy Effective: August 4, 2018 End Date: June 30, 2019
Hetty Joyce	Assistant Professor Art & Art History Effective: August 4, 2018 End Date: June 30, 2019
Isabel Kentengian	Instructor World Languages and Cultures Effective: August 4, 2018 End Date: June 30, 2019

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Reappointments – Faculty – Temporary, Continued

Celia Liu	Instructor World Languages and Cultures Effective: August 4, 2018 End Date: June 30, 2019
Mirela Manea Krichten	Assistant Professor Chemistry Effective: August 4, 2018 End Date: June 30, 2019
Melanie Phillips	Assistant Professor Special Ed, Lang, & Literacy Effective: August 4, 2018 End Date: June 30, 2019
Karen Prince	Assistant Professor Elem/Early Childhood Educ Effective: August 4, 2018 End Date: June 30, 2019
Robert Richard	Assistant Professor Physics Effective: August 4, 2018 End Date: June 30, 2019
Lisa Roe	Librarian/Instr in the Library Library Effective: August 4, 2018 End Date: June 30, 2019
Susan Schmoyer	Assistant Professor Mathematics & Statistics Effective: August 4, 2018 End Date: June 30, 2019
Wilbur Sowder	Assistant Professor English Effective: August 4, 2018 End Date: June 30, 2019

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Reappointments – Faculty – Temporary, Continued

Diane Steinberg	Assistant Professor English Effective: August 4, 2018 End Date: June 30, 2019
Nelly Taha	Instructor World Languages and Cultures Effective: August 4, 2018 End Date: June 30, 2019
Anthony Uzwiak	Associate Professor Biology Effective: August 4, 2018 End Date: June 30, 2019
Jodi Weinstein	Assistant Professor History Effective: August 4, 2018 End Date: June 30, 2019

Reappointments – Faculty

Reappointments to a 4th year

Marissa Bellino	Educational Administration and Secondary Education
Carolina Blatt-Gross	Art and Art History
Michael Bloodgood	Computer Science
Carolina Borges	Public Health
David Bwire	Special Education, Language and Literacy
Jingyi Duan	Marketing
Joanna Herres	Psychology
Katie Hooven	Nursing
Tanner Huffman	Integrative STEM Education

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Reappointments to a 4th year, Continued

Linda Mayger	Educational Administration and Secondary Education
Nicholas McBride	Music
Lina Richardson	Elementary and Early Childhood Education
Steven Singer	Special Education, Language and Literacy
Rachael Snider	Math and Statistics
Nonna Sorokina	Finance
Abhishek Tripathi	Accounting and Information Systems
Sejong Yoon	Computer Science

Reappointments to 5th and 6th years

Zakiya Adair	Women's & Gender Studies/African American Studies
Mekala Audain	History
Jared Beatrice	Sociology & Anthropology
Laura Bruno	Health & Exercise Science
Angela Capece	Physics
Jonathan Davis	Educational Administration & Secondary Education (EASE)
Josh Fishburn	Interactive Multimedia
Tae-Nyun Kim	Finance
MinSoo Kim-Bossard	Elementary & Early Childhood Education (EECE)

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Reappointments to 5th and 6th years, Continued

Anthony Lau	Biomedical Engineering
David Murray	Humanities Librarian
Lauren Shallish	Special Education Language & Literacy (SELL)
Aimee Stahl	Psychology

Reappointments to a 5th year

Richard Baker	Economics
Leigh-Ann Francis	Women's & Gender Studies/African American Studies
Craig Hollander	History
Sarah Monaco (formerly Domire)	Special Education Language & Literacy (SELL)
Trevor O'Grady	Economics

Reappointments to a 6th year

Larry Pearlstein	Electrical & Computer
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New Appointments – Staff

Barry Beal	Assistant Director Athletics Effective: April 16, 2018
Yvonne Catino	Associate Director Human Resources Effective: March 28, 2018
Sweata Chattopadhyay	Manager Finance & Bus Serv Effective: April 30, 2018
Shivaun Gaines	Associate Vice President College Advancement Effective: April 9, 2018
Keisha Griffin	Professional Services Specialist 3 Record and Registration Effective: May 21, 2018
Elizabeth Masucci	Assistant Director Athletics Effective: April 9, 2018
Joseph McQuoid	Professional Services Specialist 4 Residential, Education & Housing Effective: July 2, 2018
Quindell Moore	Professional Services Specialist 4 Residential, Education, Housing Effective: May 29, 2018
Christina O'Brien	Project Specialist Nursing Effective: February 5, 2018
Pasquale Quintero	Director School of Business Effective: June 2, 2018

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New Appointments – Staff, Continued

Stephanie Shanklin	Director Bonner Institute Effective: May 29, 2018
Evan Shomo	Professional Services Specialist 4 Athletics Effective: July 2, 2018
Chinasa Tyler	Assistant Director Center for Student Success Effective: June 4, 2018
Hannah Yohe	Professional Services Specialist 4 Residential, Education & Housing Effective: June 4, 2018

Change of Status – Staff

Scott DiCheck	Athletics From: Athletic Director 3 To: Athletic Director 2 Effective: July 1, 2018
Jordan Draper	Dean of Students From: Interim Dean of Students/Title IX To: Dean of Students/Title IX Effective: June 15, 2018
Mark Forest	Counseling & Psychological Ser From: Interim Assist Vice President To: Assistant Vice President Effective: June 15, 2018
Richard Galante	Athletics From: Athletic Director 3 To: Athletic Director 2 Effective: July 1, 2018

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Change of Status – Staff, Continued

Timothy Grant	Campus Police Services From: Interim Director To: Director Effective: April 30, 2018
Michael Gross	Counseling & Psychological Ser From: Professional Services Specialist 2 Professional Services Specialist 3 Effective: June 15, 2018
Jennifer Harnett	Athletics From: Professional Services Specialist 3 To: Athletic Director 2 Effective: July 1, 2018
Chelsea Jacoby	Dean of Students From: Interim Professional Services Specialist 4 To: Professional Services Specialist 4 Effective: June 15, 2018
Jamal Johnson	Center for Student Success From: Assistant Director 2 To: Assistant Director 1 Effective: February 17, 2018
Erica Kalinowski	Center for Student Success From: Assistant Director, AFT To: Associate Director, Non-unit Effective: February 17, 2018
Margarita Leahy	Counseling & Psychological Ser From: Interim Assistant Director To: Assistant Director Effective: June 15, 2018

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Change of Status – Staff, Continued

Justin Lindsey

Athletics
From: Athletic Director 2
To: Athletic Director 1
Effective: July 1, 2018

John Marshall

EOF
From: Professional Services Specialist 3
To: Assistant Director 2
Effective: February 17, 2018

Todd McCrary

EOF
From: Professional Services Specialist 3
To: Assistant Director 2
Effective: February 17, 2018

George Nazario

Athletics
From: Professional Services Specialist 3
To: Athletic Director 2
Effective: July 1, 2018

Sally Miller

Athletics
From: Athletic Director 3
To: Athletic Director 2
Effective: July 1, 2018

Grecia Montero

Enrollment Management
From: Director
To: Executive Director
Effective: March 26, 2018

Jonathan Murakami

Counseling & Psychological Ser
From: Interim Staff Counselor
To: Staff Counselor
Effective: June 15, 2018

Sharon Pfluger

Athletics
From: Athletic Director 2
To: Athletic Director 1
Effective: July 1, 2018

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Change of Status – Staff, Continued

Kim Quick

EOF

From: Professional Services Specialist 3

To: Assistant Director 2

Effective: February 17, 2018

Thomas Rakszawski

Payroll Office

From: Associate Director

To: Director

Effective: June 4, 2018

Joseph Russo

Athletics

From: Athletic Director 3

To: Athletic Director 2

Effective: July 1, 2018

William Straniero

Campus Police Services

From: Interim Associate Director

To: Associate Director

Effective: July 1, 2018

Dana Van Nostrand

Finance & Business Services

From: Controller

To: Associate Treasurer

Effective: May 7, 2018

Michael Walker

Athletics

From: Professional Services Specialist 4

To: Professional Services Specialist 3

Effective: July 1, 2108

Change of Status – Staff – Temporary

David Blake

Academic Affairs

From: Professor

To: Interim Vice Provost

Effective: July 1, 2017

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Change of Status – Staff – Temporary, Continued

Audrey Cooper	Career Center From: Assistant Director 3 To: Assistant Director (non-unit) Effective: April 2, 2018
Elizabeth Gallus	Dean of Students From: Director To: Interim Associate Dean June 15, 2018
Kelly Hennessy	Dean of Students From: Associate Dean of Students To: Interim Assistant Vice President Effective: June 15, 2018
William Keep	Academic Affairs From: Dean To: Interim Provost Effective: July 1, 2018
Bozena Leven	Academic Affairs From: Professor To: Interim Dean Effective: July 1, 2018
Crystel Maldonado	Dean of Students From: Assistant Director To: Interim Director Effective: June 15, 2018
Karen Roth	Auxiliary Services From: Director To: Interim Executive Director Effective June 15, 2018
Sean Stallings	Student Affairs From: Interim Associate Vice President To: Interim Vice President Effective: June 15, 2018

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**One Year Rolling Extension – Reappointment Effective (July 1, 2018 – June 30, 2019) –
Non-Unit Staff**

Jennifer Sparks

Director
TCNJ Clinic

Resignations – Staff

Marvin Carter

Residential Education& Housing
Effective: May 19, 2018

Guy Calcerano

Devel. & Alumni Engagement
Effective: June 30, 2018

Colleen Dallavalle

Fraternity & Sorority Life
Effective: April 12, 2108

James Day

School of Arts & Communication
Effective: June 30, 2018

Eileen Kurowski

Counseling & Psychological Ser
Effective: June 30, 2018

Matthew Mastrianni

Devel. & Alumni Engagement
Effective: June 16, 2018

Mark Sapara

EOF
Effective: March 17, 2018

Stacy Schuster

College Advancement
Effective: February 13, 2018

Gerilyn Suschke

Counselor Education
Effective: June 30, 2018

Mark Wieland

Conference & Event Srvcs
Effective: July 5, 2018

Ieva Zake

Academic Affairs
Effective: June 30, 2018

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Retirements – Staff – Emeritus

Brian Bishop	Athletics Effective: April 1, 2018
Carol Evangelisto	Counseling & Psychological Serv Effective: July 1, 2018
Judith Hastie	Office of Payroll Effective: June 1, 2018
Patricia Maple	Office of the President Effective: June 1, 2018

Retirements – Staff

Angela Chong	Student Affairs Effective: June 15, 2018
Jacqueline Taylor	Academic Affairs Effective: July 1, 2018

One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff

Brittany Aydelotte	Project Specialist Bonner Center
Scott Allen	Project Specialist Trenton State College Corp

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Aimee Alt	Project Specialist Athletics
Alan Amtzis	Dir MgmntOcc School of Education
Kelly Andrews	AssocDir MgmntOcc Comm, Marketing & Brand Mgmt
Mosen Auryan	Associate Provost Academic Affairs
Lindsay Barndt	Director Student Engagement
Christina Bell	Project Specialist Counselor Education
Cynthia Bishop-Lyons	Manager Human Resources
Shari Blumenthal	Assistant Director Conference & Event Services
Matthew Bonomo	Project Specialist Campus Construction
Lynn Booth	Director Supp For Teacher Educ Programs
Beverly Breccia	Associate Director Student Accounts
Andrew Brunetto	Manager User Support Services
Deborah Bucca-Bedard	Project Specialist Trenton State College Corp

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Aimee Alt	Project Specialist Athletics
Alan Amtzis	Dir MgmntOcc School of Education
Kelly Andrews	AssocDir MgmntOcc Comm, Marketing & Brand Mgmt
Mosen Auryan	Associate Provost Academic Affairs
Lindsay Barndt	Director Student Engagement
Christina Bell	Project Specialist Counselor Education
Cynthia Bishop-Lyons	Manager Human Resources
Shari Blumenthal	Assistant Director Conference & Event Services
Matthew Bonomo	Project Specialist Campus Construction
Lynn Booth	Director Supp For Teacher Educ Programs
Beverly Breccia	Associate Director Student Accounts
Andrew Brunetto	Manager User Support Services

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Deborah Bucca-Bedard	Project Specialist Trenton State College Corp
Robert Buonocore	Director Enterprise Applications
Heather Camp	Director CELR Center
Michael Canavan	Associate General Counsel General Counsel
Wilbert Casaine	Executive Director Student Financial Assistance
John Castaldo	Executive Director Office of Alumni Engagement
Matthew Cesari	Manager Enterprise Infrastructure
Andrew Chalmers	Project Specialist School of Education
John Coburn	Associate Director Enterprise Infrastructure
Joseph Como	Project Specialist Campus Construction
David Conner	Director Student Activities
Judi Cook	Director Office of Instructional Design
Francis Cooper	Executive Director Records & Registration

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Krystal Corbett	Manager Human Resources
Ivonne Cruz	Director EOF
Karissa Czepiga	Manager Conference & Event Services
Amanda DeMartino	Executive Director Athletics
Bryana DeMonte	Project Specialist School of Education
Tammy Dieterich	Assistant Dean School of Business
Jordan Draper	Dean of Students Student Affairs
Kimberley Fawkes	Assistant Director Admissions
Kevin Fay	Assistant Director Admissions
Delsia Fleming	Assistant Dean School of Education
Thomas Foga	Associate Director Student Financial Assistance
Mark Forest	Assistant Vice President Counseling & Psychological Services
Marlena Frackowski	Assistant Dean Library

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Cindy Friedman	Director Comm, Marketing & Brand Mgmt
Norma Garza	Director Academic Affairs
Ryan Gladysiewicz	Associate Director Office of Instructional Design
Raymond Gonzalez	Project Specialist Residential Education & Housing
Timothy Grant	Director Campus Police Services
Lisa Grimm	Associate Dean School of Humanities & Social Sciences
Alanna Gutchigian	Manager Conference & Event Services
Maurice Hall	Dean School of Arts & Communication
Dionne Hallback	Associate Director Student Financial Assistance
Tomas Hammar	Director Finance & Bus Serv
LaChan Hannon	Assistant Director School of Education
Heather Hardwick	Director Comm, Marketing & Brand Mgmt
Susan Hydro	Director Grad & Advancing Ed, Office of

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Monica Jacobe	Director Center for Amer. Lang. & Cult.
Christen Jones	Director Devel. & Alumni Engagement
David Jurkin	Project Specialist Campus Construction
Erica Kalinowski	Associate Director Center for Student Success
Lynda Kane	Director Campus Planning
Anup Kapur	Executive Director Finance & Bus Serv
Debra Kelly	Director Career Center
Carole Kenner	Dean School of Nursing, Hlth, Ex Sc
Mark Kirchner	Project Specialist Campus Planning
Debra Klokis	Assistant Director Career Center
Shawn Kochis	Project Specialist Trenton State College Corp
Richard Kroth	Director TCNJ Center for the Arts

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Margarita Leahy	Assistant Director Counseling & Psychological Ser
Stephen Leddy	Associate Vice President Conference & Event Services
Allison Lengyen	Associate Director User Support Services
Laurel Leonard	Assistant Dean School of Science
Kathryn Leverton	Associate Vice President Facilities & Admin Services
Jane Levin	Dean School of Humanities & Soc Sci
Melissa Lide	Associate Director Devel. & Alumni Engagement
Michell Lin	Assistant Director College Advancement
Loretta Maguire	Director General Counsel
David Matlack	Manager Campus Planning
Ariel Matos	Assistant Director Admissions

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Vincent Matuza	Project Specialist Campus Construction
Lisa McCarthy	Director Office of Alumni Engagement
Suzanne McCotter	Dean School of Education
James Mehalick	Director Ctr for Inst Effectiveness
Matthew Middleton	Associate Director Admissions
Gary Miller	Director General Counsel
Grecia Montero	Executive Director Enrollment Management
Maura Moore	Associate Director Records & Registration
David Muha	Associate Vice President Comm, Marketing & Brand Mgmt
Christopher Murphy	Associate Provost Liberal Learning Program
LaKitha Murray	Associate Director Athletics
Frank Nardoza	Manager Enterprise Infrastructure

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Khaja Naseeruddin	Assistant Director Enterprise Applications
Candyce Newell	Executive Director College Advancement
Leonard Niebo	Director Enterprise Infrastructure
Eric Nielsen	Project Specialist Campus Construction
Michael Nordquist	Executive Director CELR Center
Christine Nye	Assistant Director Residential Education& Housing
Jane O'Brien	Associate Director Student Financial Assistance
Joseph O'Brien	Director Enterprise Infrastructure
Christa Olson	Director Center for Global Engagement
Susan Orecchio	Director Student Affairs
Jeffrey Osborn	Dean School of Science
Jennifer Palmgren	Associate Provost Academic Affairs

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Taras Pavlovsky	Dean Library
Audrey Perrotti	Director Student Center
William Petrick	Assistant Director Residential Education& Housing
Margaret Pezalla-Granlund	Director Art Gallery
Jeffrey Philburn	Associate Director User Support Services
Ralph Pignatelli	Associate Director Enterprise Infrastructure
Thomas Rakszawski	Director Payroll Office
Avani Rana	Director Leadership Development
Rhelda Richards	Director Fac Mgmt, Cnstrctn, & Safety
Christina Riso	Deputy Chief of Staff President's Office
William Rudeau	Director Campus Construction

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Antonino Scarpati	Assistant Dean School of Nursing, Hlth, Ex Sc
Stephen Schierloh	Director Enrollment Management
Steven Schreiner	Dean School of Engineering
Amy Schuler	Project Specialist School of Education
Scott Sferra	Director Student Accounts
Robert Simels	Director Recreation and Wellness
Jamie Sirover	Paralegal General Counsel
Shawn Sivy	Project Specialist School of Science
Patricia Smith	Director Facilities
James Spencer	Director Devel. & Alumni Engagement
Martha Stella	Assistant Dean School of Engineering
Linda Strange	Project Specialist Campus Planning

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

William Straniero	Associate Director Campus Police Services
Victoria Swift	Project Specialist School of Education
Sara Thomas	Director Residential Education& Housing
Lori Thompson	Director Grants & Sponsored Research
Erin Tiedeken	Project Specialist School of Science
Kerri Tillett	Associate Vice President Human Resources
Tricia Torley	Associate Director Residential Education& Housing
Christina Tormey	Director Residential Education& Housing
Nichole Torres	Project Specialist School of Education
Don Trahan	Director Student Affairs
Dana Van Nostrand	Associate Treasurer Finance & Bus Serv
Robby Varghese	Associate Director Records & Registration

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**One Year Reappointments (Effective July 1, 2018 – June 30, 2019) – Non-Unit Staff,
Continued**

Janice Verneychuk	Director Student Health Services
Amy Walton	Assistant Director Devel. & Alumni Engagement
Debra Watson	Assistant Controller Finance & Bus Serv
Lisa Watson-Cotton	Assistant Director Records & Registration
Brian Webb	Director Facilities & Admin Services
David Williams	Associate Director Enrollment Management
Angela Winterrowd	Assistant Director Devel. & Alumni Engagement
Lori Winyard	Director Energy and Central Utilities
Kortnay Woods	Executive Director Grants & Sponsored Research
Kimberly Woods	Director Human Resources
Charles Wright	Associate Vice President Devel. & Alumni Engagement

July 10, 2018

**The College of New Jersey Board of Trustees
Resolution to Implement FY 2019 Merit Salary Adjustment
For Non-Unit Employees**

Whereas: N.J.S. 18A:64-6, as amended by the Higher Education Restructuring Act of 1994, invests the College's Board of Trustees with the responsibility and authority to administer the compensation of non-unit employees; and

Whereas: The College of New Jersey has developed and implemented an appropriate performance evaluation and merit-based salary adjustment procedures for non-unit employees;

Therefore,
Be It

Resolved: That the Board of Trustees hereby authorizes the President to implement FY2018 salary adjustments for non-unit employees, corresponding to each employee's performance rating; and

Be It

Further

Resolved: That the pool of dollars available for FY 2019 non-unit increases is 3.00% of the salary base as of July 1, 2018, and

Be It

Further

Resolved: That all increases for non-unit employees are based on merit, and

Be It

Further

Resolved: That the FY 2019 salary adjustment for non-unit employees shall be implemented effective on the first day of the first pay period for FY2019.

July 10, 2018

**Resolution Establishing the Schedule of Public Meetings
for The College of New Jersey Board of Trustees
2018 to 2019**

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 2018-2019 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 2018 - 2019

Tuesday, October 23, 2018
Tuesday, December 4, 2018 – Teleconference Call
Tuesday, February 19, 2019
Tuesday, April 23, 2019 – Annual Tuition Hearing
Tuesday, July 9, 2019

July 10, 2018

**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 individual be appointed by The College of New Jersey Board of Trustees to the Board of Directors of the Trenton State College Corporation:

Ms. Kerry Silverman, student member, to a director term for the Corporation effective 7/01/18 through 6/30/20.

July 10, 2018

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

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 *Title IX Policy*, established in 2016, is to be reviewed in accordance with federal and state policies and that any substantive changes will be reviewed in accordance with applicable governance policy and procedures; and

Whereas: Evolving case law informing best practices around student conduct cases involving Title IX and other issues suggest to secure fundamentally fair procedural standards, changes to procedural standards in both the *Title IX Policy* and *Student Conduct Code* are necessary to secure the best interest of the College and our students,

Whereas: The proposed changes to the *Title IX Policy* have been developed under direction of the Interim Vice President for Student Affairs, in collaboration with the Office of General Counsel, and is the result of a comprehensive review; now

Therefore,

Be It Resolved: That on July 10, 2018 the Board of Trustees of The College of New Jersey hereby approves the attached *Title IX Policy* for implementation upon approval.

July 10, 2018

Section:	XI.1.19	
Title:	Title IX Policy	
Effective Date:	July 10, 2018	
Approved By:	Board of Trustees	
Responsible Unit:	Division of Student Affairs (609) 771-2201, sa@tcnj.edu	
Related Documents:	<ul style="list-style-type: none"> • Student Conduct Code • Policy Prohibiting Discrimination in the Workplace/ Educational Environment • Procedures for Internal Complaints Alleging Discrimination in the Workplace/ Educational Environment 	
History:		
Version	Date	Notes
3.0	July 10, 2018	
2.0	October 24, 2017	Revisions approved by The Board of Trustees
1.0	July 5, 2016	New policy; Initial release

I. INTRODUCTION

The Title IX Policy ("Policy") prohibits sexual assault, dating and domestic violence, sexual harassment, stalking and gender based discrimination and harassment.

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 and, where appropriate, issue interim/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 Reporter to accompany and/or assist that individual with any investigation preparations, hearing proceedings, and/or appeals. 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.

"**AVP**" is an Assistant or Associate Vice President (including those serving in an interim or acting role) or a designee appointed by the Vice President of Students Affairs (VPSA).

"**College**" means The College of New Jersey.

"**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.

"**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.

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.

“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.

“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 intimidation, force, or threat of Harm. When Effective Consent is withdrawn or can no longer be given, sexual activity must stop immediately.

“Harm” 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.

“Hearing Administrator” includes any faculty or professional staff member at the College designated and trained by the Office of Student Conduct and/or Office of Title IX to conduct Title IX formal administrative hearings.

“Hostile Environment” is defined as an environment 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 a reasonable 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 ingestion; propensity for blackout; 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 alleged to have experienced an act of Prohibited Conduct defined within the *Title IX Policy*.

"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.

"Sexual Violence" the collective term used to describe all forms of physical sexual misconduct (sexual assault), dating/domestic violence, stalking, and sexual harassment.

"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 *Title IX Policy*, 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.

"Title IX Coordinator" is the Title IX Coordinator (including those serving in an interim or acting role) or a designee appointed by the Vice President of Student Affairs.

"VPSA" is the Vice President of Student Affairs (including those serving in an interim or acting role) or a designee appointed by the President.

"Weapon" includes any item that is designed in appearance or function to resemble a firearm, cause harm, and/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 assault, 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/>)

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. A list of Responsible Employees can be found on the Title IX website: <https://titleix.tcnj.edu/responsible-employee/>.

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 Reporter². 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.symplicity.com/public_report/index.php/pld272784. 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. All campus security authorities³ are required to report this information to Campus Police Services within 24 hours of being notified.

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).

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 Services 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.
- Adequate, reliable, and impartial investigation and appropriate resolution of all reports of Sexual Violence.
- To be informed by the College of options to notify Campus Police Services and/or local law enforcement, and the option to be assisted by Campus Police Services in notifying other 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 website at oavi.tcnj.edu and Title IX website at titleix.tcnj.edu.

H. Prohibited Conduct

This *Policy* prohibits the following conduct:

1. **Sexual Harassment**
 - a. 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.
 - b. 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.
 - c. 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 their job as an employee or a Student. Third Party harassment based upon any of the aforementioned Protected Categories is prohibited by this *Policy*.
2. **Physical Sexual Misconduct (commonly referred to as "Sexual Assault")**
 - a. Any Sexual Penetration, however slight, of a person without that person's Effective Consent.
 - b. 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.

3. **Stalking**

- a. Purposefully or knowingly engaging in a Course of Conduct directed at a specific person that would cause a reasonable person to fear for their 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.

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

- a. 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.

5. **Bullying, Intimidation, and Harassment**

- a. 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:
 - i. 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
 - ii. a reasonable person should know, under the circumstances, will have the effect of insulting or demeaning any person or group; or
 - iii. 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
 - iv. 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.
- b. Any attempt to intimidate, threaten, or unduly influence another person with the purpose to discourage cooperation or truthful participation in a Title IX 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.

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

6. **Invasion of Privacy including Sexual Exploitation**

- a. Unauthorized making of an explicit or objectively offensive recording (including but not limited to photographs, video, and/or audio) of another person.
- b. 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.
- c. Unauthorized intrusion upon a person's private property or Communications.
- d. Unauthorized appropriation and/or use of someone's identifying or personal data or documents.
- e. 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.

7. **Obscene or Indecent Behavior**

- a. 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.
- b. Trespassing, spying, or eavesdropping for sexual arousal.

8. **Aiding or Assisting**

- a. Aiding or assisting another to violate the *Title IX Policy*, or acting in any way to further a violation of the *Title IX Policy*.
- b. Students may be held accountable for the actions of their non-TCN) guest.

9. **Retaliation**

- a. 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 Prohibited Conduct or Violation of Expectations for Student Conduct (*Student Conduct Code*) 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, staff, and Third Parties may report Prohibited Conduct to any one or more of the following: Campus Police Services, Title IX Coordinator, or EEO Officer. These reporting options are not mutually exclusive. Reporting parties may simultaneously pursue a criminal investigation and College disciplinary process. 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 is relevant to a future report of Prohibited Conduct, a Protective Order, or an investigation by law enforcement, by the College, or both. If interested in a criminal investigation or College disciplinary process all Reporters are encouraged to contact Campus Police Services to collect relevant evidence which may include the following:

- A forensic sexual assault examination (within five days). Campus Police Services, if requested, will transport the Reporter to the local hospital;
- 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.

The collection of any of the information above from Campus Police Services does not start a criminal investigation without the active and willing participation of the Reporter.

1. Reporting to Campus Police Services (Criminal Process)

In all cases of possible Sexual Violence, individuals are also encouraged to promptly file a report by contacting Campus Police Services.

Campus Police Services
(609) 771-2345 or 911
Administrative Services Building, room 104
Campuspolice.tcnj.edu

The College maintains its own police department, providing law enforcement and security services 24 hours, 7 days a week. Campus Police Services promotes an effective investigation and criminal prosecution, provides Reporters and their families with guidance and support through the criminal process, and educates the campus community on the prevention of Sexual Violence.

When reporting an incident of Sexual Violence to Campus Police Services, the Reporter has control over their involvement in the criminal process. Campus Police Services ensures that all Reporters have a voice in their process and they will treat all persons with equal care, respect, and dignity and will to the best of their ability, preserve the privacy of all persons involved.

2. 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 Office of Title IX 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 Office of Title IX can arrange and/or attend a meeting with Campus Police Services, 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.

3. Joint Investigation

An investigation conducted by Campus Police Services 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 Services 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 Services and Student Affairs 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 Services. There will be full and prompt cooperation and assistance of campus authorities in notifying Campus Police Services. 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 Services 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 re-location, and other remedial measures deemed appropriate and reasonable. Campus Police Services 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 Services will initiate a criminal investigation into all sexual assault and domestic violence offenses reported to Campus Police Services by the Reporter. Any sexual assault or domestic violence offense which comes to the attention of Student Affairs will be reported to Campus Police Services as a Clery reportable offense prior to the initiation of any administrative investigation. However, Campus Police Services investigators will not contact the Reporter or initiate a criminal investigation without the consent of the Reporter.

4. 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 Services 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.

5. **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 Services, 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:

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 Communications intentionally made through another individual.

1. 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 Office of Title IX and/or Campus Police Services to discuss or report Prohibited Conduct;
- Arranging a meeting with Anti-Violence Initiatives and/or Campus Police Services 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.

2. 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 Office of Title IX, EEO, and/or Campus Police Services to discuss or report Prohibited Conduct;
- Arranging a meeting with Campus Police Services 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 or Resolution Procedures and Protocols

1. 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 and Respondent's safety and well-being and offer the College's immediate support and assistance;

- B. Inform the Reporter and Respondent of the right to seek medical treatment, and explain the importance of obtaining and preserving forensic and other evidence;
- C. Inform the Reporter and Respondent of the right to contact law enforcement, have a criminal investigation conducted, and/or seek a protective order;
- D. Inform the Reporter and Respondent 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.

2. 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.

3. Resolution Process

The College recognizes that there is not one universal resolution process that best meets the needs of our Students and campus community. To adequately address reports of Prohibited Conduct three different procedural processes are outlined. Option One: Administrative Hearing is the default process. To utilize Option Two or Option Three in lieu of Option One there must be consensus of both the Reporter and the Respondent. The College retains the right at any time to select Option One: Administrative Hearing as the most appropriate procedural process.

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 found more likely than not to have occurred, would constitute a violation of this *Policy*, (ii) there is sufficient information 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 AVP, 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 change in Student status will occur pending the outcome of the conduct proceeding, however the Respondent may be relocated or removed from housing, academic space, or College property on a temporary basis. If the Respondent is neither an Employee nor a Student, the Campus Police Services 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 will be the lead investigator and coordinate meetings with the Reporter and the Respondent.⁴ Once an initial report is received, the Title IX Coordinator will meet with both the Reporter and Respondent to gather additional information related to the complaint and ask which resolution process, if any, they would like to utilize. Once a decision is made regarding the resolution process, the investigators will follow the proper protocol outlined below.

Flow charts outlining the process described for all three options can be found in the appendix section of this *Policy*.

Option One: Administrative Hearing for Cases Involving Student Respondent

Both the Reporter and 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 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 will then add the document to the Title IX Investigation Report. Whenever possible, investigator(s) will gather all information within 35-40 calendar days. (Please refer to the section on time frames for information about delays).

Once all information is gathered and compiled into an investigation report, the investigator(s) will meet separately with the Reporter and Respondent for a final review of information. The full investigation report, which does not include any finding or determinations, will be reviewed by the Assistant Vice President (AVP) to ensure that procedural protocol was followed. The AVP 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. Once satisfied with the process review, the AVP will determine whether there are charges based on the facts in the investigation report. The AVP will make that determination within 10 calendar days of receiving the investigation report. If the AVP determines that there are no charges then the Reporter has an opportunity to appeal this finding by following the process outlined in the *Appeal for Student Cases* section of this *Policy*. If charges are assigned, the AVP will then forward the investigation report to a trained staff member who will serve as the Hearing Administrator. The Hearing Administrator will conduct a hearing in which the Reporter, Respondent, and all relevant witnesses, are invited to present and question information gathered for 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 report. Once all information is shared the Hearing Administrator will make a determination of responsibility based on a *more likely than not* standard to determine whether a violation of the *Policy* occurred.

If the Hearing Administrator determines there are no findings of responsibility the Reporter may appeal the decision by following the process outlined in the *Appeal for Student Cases* section of this *Policy*. If the Hearing Administrator makes a determination of responsibility, they will ask the Reporter and Respondent to submit character references or statements and the Reporter may submit an impact statement. Previous conduct history will also be reviewed. After reviewing this information, the Hearing Administrator will determine appropriate sanctions based on the facts of the case as well as all mitigating and aggravating information.

Formal hearing guidelines. Formal hearings shall be conducted according to the following guidelines.

Private hearing. A hearing is conducted in private. The Reporter and Respondent, and Advisor(s) are allowed to attend the entire portion of the hearing at which information is received (this excludes deliberations). Admission of any other person to the hearing shall be at the discretion of the Hearing Administrator.

Joint hearing. In cases involving more than one Respondent, the Hearing Administrator may permit the hearing concerning each party to be conducted either separately or jointly.

Advisors. The Hearing Administrator, the Reporter and, the Respondent may be assisted by an Advisor of their choice, at their expense. Students must notify the Title IX Coordinator 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.

Questions. The Hearing Administrator, the Reporter, and the 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 Hearing Administrator rather than to the other party or witness directly. The Hearing Administrator will determine whether questions or potential information are appropriate at their discretion.

Additional information. Relevant records, exhibits and written statements (including Student impact statements and/or character statements during the sanction phase)

may be accepted as information for consideration at the discretion of the Hearing Administrator.

Decline to provide information. The Respondent and the Reporter have the right to decline to provide any written or oral statements, answer questions posed in a hearing, or provide any information on their behalf. However, the Hearing Administrator may draw an adverse inference from the Student's absence of information or refusal to answer questions.

Procedural questions. All procedural questions are subject to the final decision of the Hearing Administrator.

Basis for decision. The Hearing Administrator's determination shall be made on the basis of whether it is *more likely than not* that the Respondent violated the *Title IX Policy*. 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.

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.

Decision in absentia. If a Respondent, with notice, does not appear for a hearing, the Hearing Administrator 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.

Special accommodation. The Hearing 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 Title IX Coordinator or Director of Student Conduct to be appropriate.

Differing abilities accommodation. The Hearing 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.

If at the conclusion of a Title IX Investigation it is determined that there are no charges of violating to the *Title IX Policy* but there may be violations of the *Student Conduct Code* the Title IX Coordinator may transfer the case to the Office of Student Conduct for adjudication. If the Title IX Coordinator determines that there are violations of expectations outlined in the *Student Conduct Code* that directly relate to a violation of the *Title IX Policy* the Title IX Coordinator in consultation with the Director of Student

Conduct & Dispute Resolutions may decide to adjudicate all charges through the Title IX process.

Option Two: Investigatory Model for Cases Involving Student Respondent

Both the Reporter and 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 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 will then add the document to the Title IX Investigation Report. Investigator(s) will strive to gather all information within 35-40 calendar days. (Please refer to the section on time frames for information about delays).

If the Reporter and Respondent consent to the investigatory model, after gathering all information the lead investigator will make a determination of responsibility based on a "more likely than not" standard to determine whether a violation of the *Policy* occurred.

Once the investigator(s) have made a determination regarding responsibility, the full investigation report, including this finding, will be reviewed by the AVP to ensure that procedural protocol was followed. The AVP 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 AVP 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 AVP 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 investigation and AVP review, it is determined that the Respondent is responsible for violation of this *Policy*, the AVP will forward the report to the Office of Student Conduct and Dispute Resolution Services to assign appropriate sanction(s). Both the Reporter and Respondent will then be contacted and asked to submit character references and the Reporter may submit an impact statement to be taken into consideration when determining sanctions. Previous conduct history will be also be reviewed. After reviewing this information, the Office of Student Conduct will determine appropriate sanctions based on the facts of the case as well as all mitigating and aggravating information.

Any sanctions will typically be assigned and communicated to the Reporter and Respondent by the Director of Student Conduct & Dispute Resolutions or designee within 10 calendar days of receiving the investigation report. The Reporter and

Respondent will then have an opportunity to appeal by following the process outlined in the *Appeal for Student Cases* section of this *Policy*.

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. If the Title IX Coordinator determines that there are violations of expectations outlined in the *Student Conduct Code* that directly relate to a violation of the *Title IX Policy* the Title IX Coordinator in consultation with the Director of Student Conduct & Dispute Resolutions may decide to adjudicate all charges through the Title IX process.

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 Investigator(s) may also have an Advisor present at their discretion.

Option Three: Alternative Resolution for Cases Involving Student Respondent

Alternative resolution is a voluntary process that allows the Respondent to accept responsibility for their behavior. The alternative resolution process is designed to eliminate the Prohibited Conduct, prevent its recurrence, and remedy its effects in a manner that meets the needs of the Reporter while still maintaining the safety of the overall campus community.

The alternative resolution process will only be used at the request and agreement of both the Reporter and Respondent and under the direction of the Title IX Coordinator. The alternative resolution options available under this *Policy* recognize:

- Participation in this process is voluntary and either the Reporter or Respondent can choose to end the process at any time prior to signing the agreement and pursue an investigation;
- Mediation, even if voluntary, will not be used in cases involving sexual assault;
- Both the Reporter and Respondent must participate in individual conference meetings with appropriate staff to learn more about the resolution process prior to participating;
- The process can only be used once and will not be considered if requested by a repeat Respondent under the *Title IX Policy*;
- The Reporter and Respondent must agree to all recommendations laid out in the formal agreement or the case reverts back to investigation and;
- The Respondent may be charged with *Failure to Comply with a Directive of a College Official* (Charge 5a.) under the *Student Conduct Code* for failure to meet the requirements laid out in the agreement.

Possible options that Students may utilize in this process are outlined below:

Restorative Processes is a philosophical approach that embraces the reparation of harm, healing of trauma, reconciliation of interpersonal conflict, and reintegration of people who have been marginalized through participatory learning and improved decision making skills. Rather than focusing on what policies have been violated, Restorative Processes instead identify who has been harmed and what actions are necessary to repair the harm.

- Formal Restorative Conference- Participation in a discussion by trained facilitators with any persons harmed and development of a shared agreement of how to correct the harm. The Reporter and Respondent (and possible community members) work together to develop an agreement that resolves the issue, and can help the Respondent restore their standing in their communities and repair relationships that were damaged by their actions.
- Informal Restorative Conference- The Title IX Coordinator will meet separately with the Reporter and the Respondent. The meetings will include discussion on the behavior, the impact on the Reporter, Respondent and the community. At the culmination of the meetings, the Title IX Coordinator will have a final meeting with the Respondent who will be required to complete exercises and/or educational activities to acknowledge the harm their actions caused. All information discussed in this meeting will be shared with the Reporter.
- Informal Restorative Statements- This may include structured voluntary apology letters, affective questions towards the Respondent including: who was affected, how were they affected, and what was the harm caused, etc. This could be done either in-person with the Respondent or via written statements. All information discussed in this meeting will be shared with the Reporter.

Additional options:

- Counseling Sessions
- Alcohol Education Classes
- Bi-weekly or Monthly check in meetings with the Title IX Coordinator
- Permanent extension of a No Contact Directive with the College
- Restriction from participation in specific clubs and/or organization
- Restriction from participation in particular events (i.e. Senior Week)
- Completion of a master education plan with regular meetings with the Director of Student Conduct & Dispute Resolutions
- Community Service

The College reserves the right to stop this process at any time and revert back to investigation.

Any agreements that are reached during the alternative resolution process must be documented, signed by the Reporter and Respondent, and approved by the Title IX

Coordinator. If no agreement is reached than the matter may be referred to the Title IX Coordinator for further action.

Both the Reporter and the Respondent may be accompanied by an Advisor at any meeting during the alternative resolution process.

D. 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 (VPSA).

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.

E. 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 college resources, 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.

F. 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

G. 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 their 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 their 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.

- **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.
- **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 their 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.

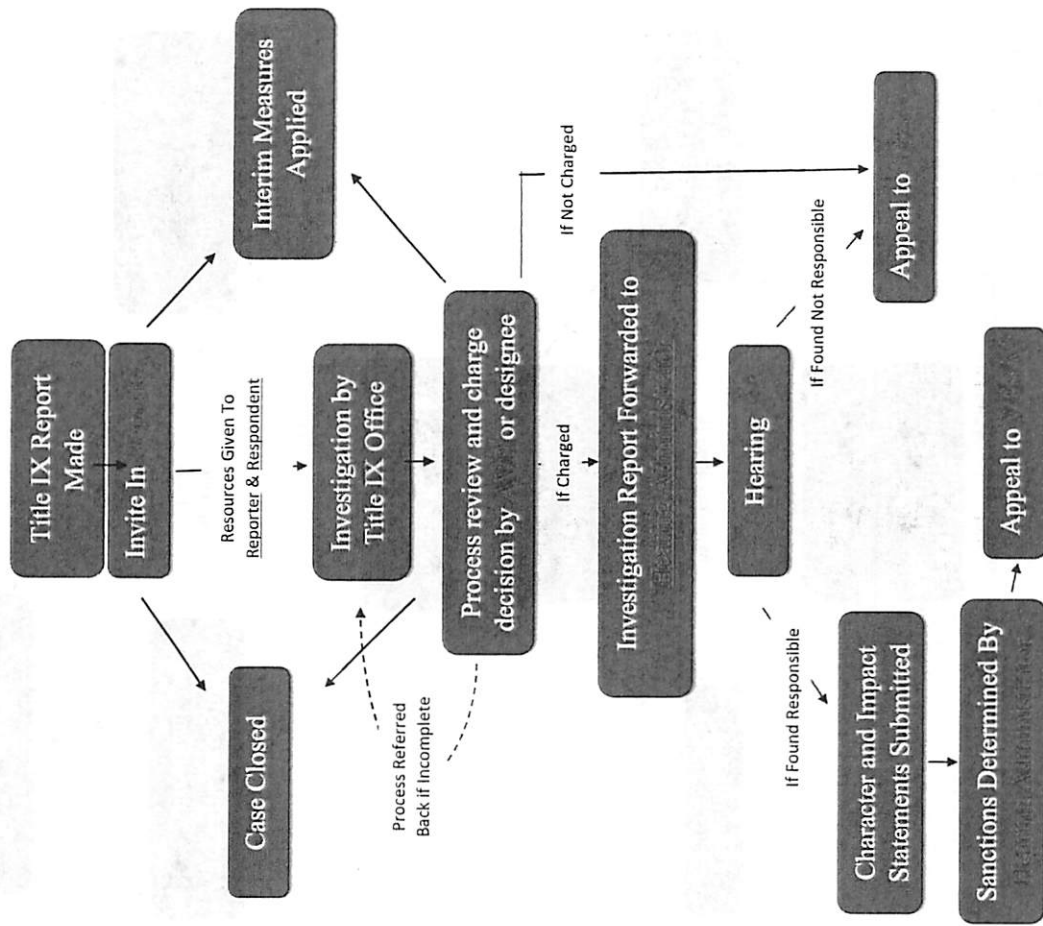
Dating and Domestic violence includes any action, statement or use of force against a person where a personal, intimate or special relationship exists (defined by marriage, civil union, dating, family membership, or co-habitation), and would reasonably threaten or intimidate that person. This may include 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.

V. 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.

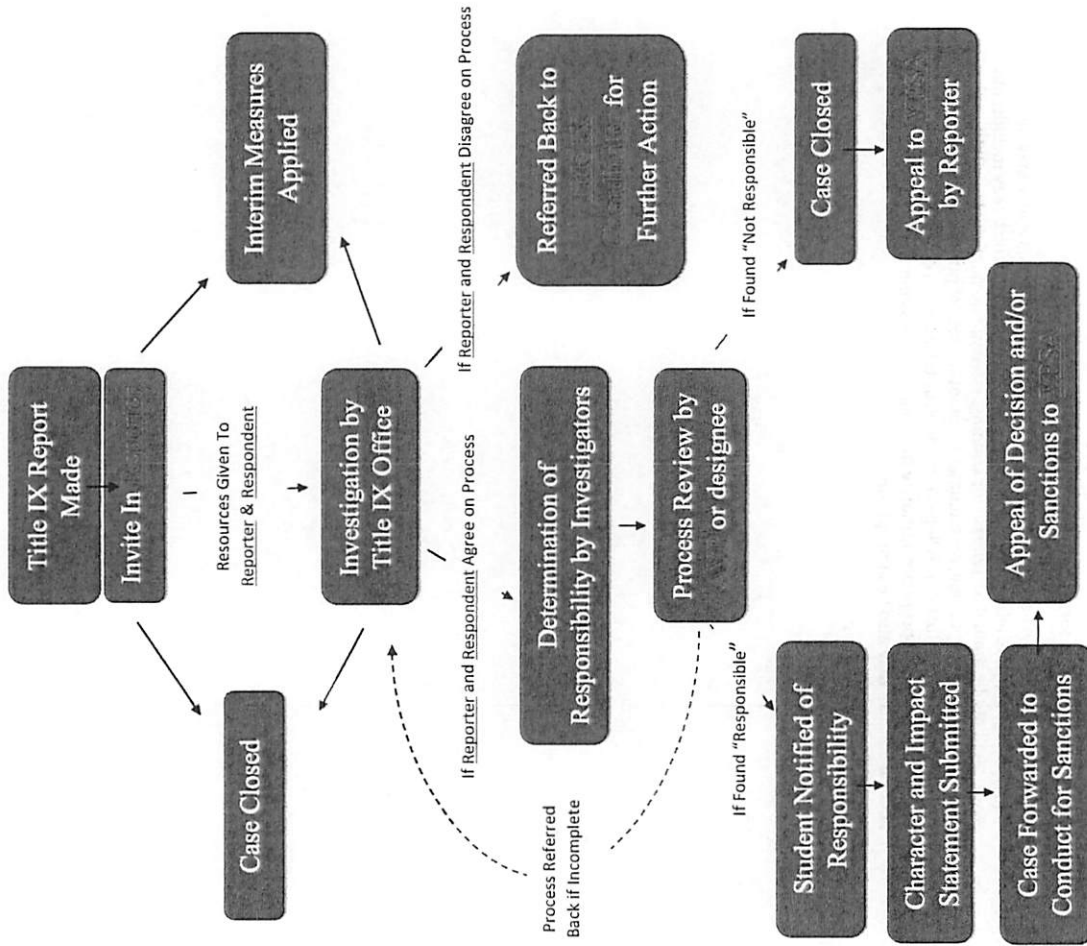
This is the default process used when parties do not agree on a resolution method

Appendix A (Option 1- For Student Respondents)



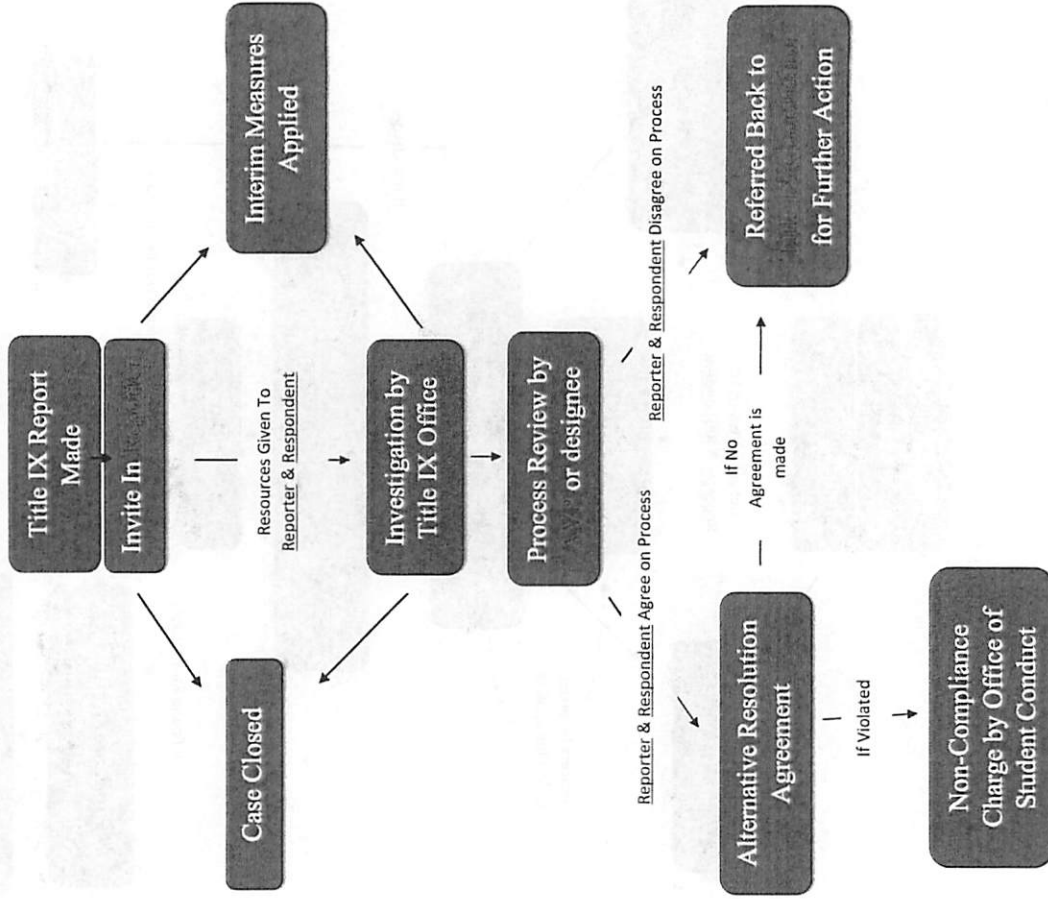
Option One is the default process used when parties do not agree on a resolution method

Appendix B (Option 2 - For Student Respondents)

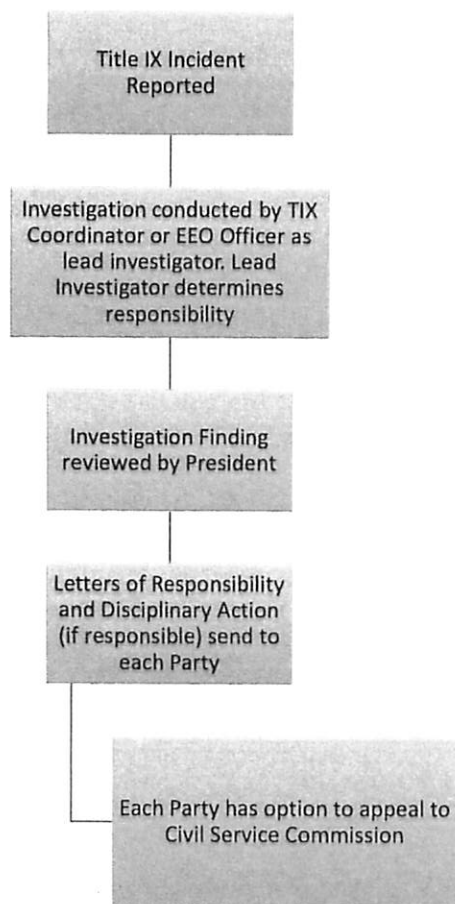


Option One is the default process used when parties do not agree on a resolution method

Appendix C (Option 3: For Student Respondents)



Appendix D- For Employee Respondents



**The College of New Jersey
Resolution of the Board of Trustees 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* last amended in 2016, is to be reviewed in accordance with federal and state policies and any substantive changes will be reviewed in accordance with applicable governance policy and procedures; and

Whereas: Evolving case law informing best practices around student conduct cases involving Title IX and other issues suggest to secure fundamentally fair procedural standards, changes to procedural standards in both the *Title IX Policy* and *Student Conduct Code* are necessary to secure the best interest of the College and our students,

Whereas: The proposed changes to the *Student Conduct Code* have been developed under direction of the Interim Vice President for Student Affairs, in collaboration with the Office of General Counsel, and is the result of a comprehensive review; now

Therefore,

Be It Resolved: That on July 10, 2018 the Board of Trustees of The College of New Jersey hereby approves the attached *Student Conduct Code* for implementation upon approval.

July 10, 2018

Section:	XI.1.5	
Title:	The College of New Jersey Student Conduct Code	
Effective Date:	July 10, 2018	
Approved By:	Board of Trustees	
Responsible Unit:	Division of Student Affairs (609) 771-2201, sa@tcnj.edu	
Related Documents:	<ul style="list-style-type: none"> • Academic Integrity Policy • The College of New Jersey Policy Prohibiting Discrimination in the Workplace/Educational Environment • Student Rights and Freedoms Policy • Computer Access Agreement • Title IX Policy • Involuntary Health or Safety Withdrawal Policy • Use of Campus Property Policy 	
History:		
Version	Date	Notes
5.0	July 10, 2018	
4.0	October 24, 2017	Revisions approved by the Board of Trustees
3.0	July 5, 2016	Revisions approved by the Board of Trustees
2.0	July 8, 2014	Revisions approved by the Board of Trustees
1.0	July 12, 2011	New Policy; Initial Release

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

"**Advisor**" is a person chosen by either the Respondent or Reporter to accompany and/or assist that individual with any investigation preparations, conference meetings, hearing proceedings, and/or appeals. 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.

"**AVP**" is an Assistant or Associate Vice President (including those serving in an interim or acting role) or a designee appointed by the Vice President of Student Affairs (VPSA).

"**College**" means The College of New Jersey.

"**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.

"**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.

"**Controlled Substances**" 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.

"**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.

"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.

"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.

"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 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 intimidation, force, or threat of Harm. When Effective Consent is withdrawn or can no longer be given, sexual activity must stop immediately.

"Harm" 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.

"Hearing Administrator" includes any faculty or professional staff member at the College designated and trained by the Office of Student Conduct & Dispute Resolution Services (hereafter referred to as the Office of Student Conduct) to conduct conferences and Informal or formal administrative hearings.

"Hostile Environment" is defined as an environment 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 a reasonable 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 ingestion; 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.

"Narcotic" refers to an addictive Drug, such as opium or morphine, which reduces pain, alters mood and behavior, and usually induces sleep or stupor.

"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.

"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.

"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 alleged to have experienced an incident of personal abuse as outlined in section 03. *Personal Abuse of the Student Conduct Code*.

"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.

"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.

"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 (CCS) 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.

"Title IX Coordinator" is the Title IX Coordinator (including those serving in an interim or acting role) or a designee appointed by the Vice President of

Student Affairs).

"VPSA" is the Vice President of Student Affairs (including those serving in an interim or acting role) or a designee appointed by the President.

"Weapon" includes any item that is designed in appearance or function to resemble a firearm, cause harm, and/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 of Student Affairs.

The Vice President of Student Affairs may delegate this authority to the appropriate 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 of 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 their 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.

A recognized constituency or the Dean of Students may request a review of the *Student Conduct Code* by submitting a written request to the Vice President of 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 wishing to gather or express their views peaceably should follow the guidelines in the *Use of Campus Property Policy*.

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 College of New Jersey 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. Individuals can access College policies [here](#).

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 Appendix A and Appendix B for non-exhaustive lists of selected state statutes and township ordinances and 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 [here](#). 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 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.
- 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** (commonly referred to as "Sexual Assault")

- i. Any Sexual Penetration, however slight, of a person without that person's Effective Consent.
- ii. 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.
- iii. 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 for Student conduct regarding alcohol or other Drugs if that Student reports such conduct within a report of possible sexual misconduct.
- iv. 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 their person, or to any member of that person's family or household, or of damage to their 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 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 their 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), that would reasonably be perceived by that person as a threat or intimidation.
 - 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 of any hazing activity as described above by a Student 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 their guest.
- 6. **Drugs, Narcotics, Controlled Substances, and/or Paraphernalia**
 - a. Unlawful possession, use, purchase, or attempted purchase of Drugs, Narcotics, or Controlled Substances and/or Paraphernalia.
 - b. Unlawful manufacture, distribution, or intended distribution of Drug, Narcotics, or Controlled Substances 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 Substances.
 - e. Disrupting the campus or off-campus community or engaging in any *Policy* violation while under the influence of a Drug, Controlled Substances, 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 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, and/or some instances of physical abuse if involving an intimate partner, the following process will apply: Title IX Policy.*
2. **Investigation.** The Director of Student Conduct 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

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

the incident can be addressed through a 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 participate in the meeting. The conference administrator may also have an Advisor present at their discretion.

For investigations that are not Title IX related but may result in *Personal Abuse* charges, there will be two trained investigators present whenever possible. The lead investigator will coordinate meetings with the Reporter and Respondent. Both the Reporter and 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 investigator(s) 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 process will apply: Title IX 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. If the Title IX Coordinator determines that there are violations of expectations outlined in this code that are not Title IX in nature but directly relate to a violation of the Title IX Policy, the Title IX Coordinator, in consultation with the Director of Student Conduct, may decide to adjudicate all charges through the Title IX process.

- 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 meeting 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 for 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 considering the expressed preferences of both the 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 or formal administrative hearing at their 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 Respondent if deemed appropriate.

- D. Informal hearing.** If the Respondent selects an informal hearing the administrator conducting the conference may immediately conduct the informal hearing as the Hearing Administrator or schedule the informal hearing to take place within a practical period. However, in the case of a *03. 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.

A 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 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 all charges, the process is concluded (except in *03. Personal Abuse* cases where the Reporter also has the right to appeal the outcome). If the Respondent is found responsible for any charges, the Hearing Administrator will then assign any appropriate sanctions. The decisions and sanctions will be emailed to the Respondent's TCNJ email address after the hearing.

4. **Appeal.** The Respondent (and Reporter in *03. Personal Abuse* cases) 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 or, in cases that will not result suspension or expulsion from the College, a Community Standards Board (CSB) hearing. However, in the case of a *03. Personal Abuse* charge, when the administrator selects a formal hearing, they will have the option of selecting either an administrative hearing or, if suspension or expulsion is not within the sanction range, a CSB hearing. 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, when practicable, has not previously served as a Hearing Administrator in a prior conduct process involving the Respondent. The administrator will hear information presented by the Reporter, the Respondent, and any participating witnesses; and will subsequently render a decision and sanctions if appropriate. A Student may appeal the decision of the Hearing Administrator to the Director of Student Conduct.
2. **Community Standards Board (CSB).** The CSB is a Student board chaired by a Student representative and advised by the Assistant Director of Student Conduct. Quorum for CSB includes minimally two Student voting members and one Student chair. The CSB Board may be comprised of up to 4 voting members and the Student chair who votes only in the case of a tie. The Advisor to the CSB 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 CSB will not hear cases that may result in suspension or expulsion from the College should the Respondent be found responsible for any charges. The CSB may not be available for cases occurring at the end of the semester or during extended breaks such as the summer. In such cases, the Director of Student Conduct will assign the case to an available Hearing Administrator or determine whether the case can wait until a CSB becomes available.
3. **Formal hearing guidelines.** Formal hearings shall be conducted according to the following guidelines.
 - a. **Private hearing.** A hearing is conducted in private. The Reporter (in *03. Personal Abuse* cases) Respondent, and Advisor(s) and in some cases the person bringing the complaint on behalf of the College and Advisor, 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 Administrator or board, 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 Administrator or board, 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 of the hearing 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 their discretion.
 - e. **Additional information.** Relevant records, exhibits and written statements (including Student impact statements and/or character 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 (and in *03. Personal Abuse* cases the Reporter) has the right to decline to provide any written or oral statements, answer questions posed in a hearing, or provide any information on their 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 two 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 CSB 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, audiotape, written statement, or other viable means as determined by the Director of Student Conduct to be appropriate.
- m. **Differing abilities accommodation.** The CSB 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 is the subject of a report resulting in a Respondent being charged under *03. 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, 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, in conjunction with the incident report, will consider this statement. The Respondent will be notified of the Hearing Administrator'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 for minor incidents that occur in a geographically remote location. If the Respondent wishes to appeal the decision of the Hearing Administrator, 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 (in 03. Personal Abuse cases) and the Director of Student Conduct.
- A. **Interim Measures/Remedies.** Under certain circumstances (such as 03. Personal Abuse or Title IX related cases) interim measures may be initiated to protect the safety and well-being of persons involved in an incident or the campus community in conjunction with, or pending the outcome of, a separate behavior review process (such as the Involuntary Health or Safety Withdrawal Policy), and/or the investigative or adjudicative processes of the Student Conduct Code or Title IX Policy. Interim measures may include the following to the extent reasonably available and appropriate:
1. **Interim suspension.** Immediate separation of a Student from the College by the 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. **Interim termination of housing.** Immediate removal and prohibition of a Student from College housing by the Director of Student Conduct (or designee) pending an investigation or adjudication. Through the duration of the termination the Student will be restricted from entering all residential floors in College buildings.
3. **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 Communications intentionally made through another individual.
4. **Behavioral plan.** This is an agreement between the Student and the Office of Student Conduct and/or other appropriate office (including but not limited to Dean of Students Office, Title IX Office, or Division of Academic Affairs) which outlines expected behaviors to aid in a student's success. *This measure may occur prior to, in conjunction with, or as a sanction resulting from a student conduct investigation or proceeding.*
5. **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.
6. **Housing accommodations.** This may include requiring a Student to relocate College 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.
7. **Employment accommodations.** This may include arranging for alternate College employment, different work shifts, etc.
8. **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 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 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 their 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 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 may 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 will 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 their 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.
 - 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 may not be available to Students responding to or being found responsible for 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 their 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.
 - f. **Behavioral plan.** This is a directive to the Student from the Office of Student Conduct and/or in consultation with another appropriate office (including but not limited to Dean of Students Office, Title IX Office, or Division of Academic Affairs) which outlines expected behaviors to aid in a student's success.
- 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 their 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 may 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 their 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: [Disciplinary Background Check Information](#).
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 their anticipated graduation, whichever is later. The request must be made in writing to the Dean of Students by submitting the following form. Administrative deletion requests 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.

other individuals who participate in College-sponsored or recognized programs will be determined solely at the discretion of the Dean of Students.

- M. *Substantial Risk* exists when there is a high probability of significant harm and not just a slightly increased, speculative, or remote risk.
- N. *Support Consultation* occurs after an interim measures have been applied, and if the student is cleared to return to coursework and residence, the student will meet with the Director of Counseling and Psychological Services or designee to review any mental/emotional health supports and recommend any additional health supports or limitations.
- O. *Witness* is any individual who can provide additional information related to or on behalf of a student involved in the involuntary withdrawal process.

III. Policy

- A. A student may be subject to a *withdrawal* if they meet the following criteria:
 - i. If there is a *substantial risk* or evidence of significant *harm* to the health or safety of the student, members of the campus community, and/or others; or
 - ii. If there is a *substantial risk* or evidence of unreasonable *impediment* to the educational process or activity because of apparent medical or mental health issues on the part of the student.
- B. When evaluating whether a student meets either criteria for a *withdrawal*, the following factors will be considered:
 - i. Nature, duration and severity of *harm* or *impediment*, and/or
 - ii. Probability that the *harm* or *impediment* will actually occur¹, and/or
 - iii. Whether accommodations requested by the student (if any) are reasonable and can be provided by the College to reliably and satisfactorily reduce the risk of *harm* or *impediment*.
- C. The *withdrawal* procedures outlined in this policy should not be a substitute for other existing policies or procedures at the College when disciplinary, academic, or other administrative responses are available and the circumstances can best be addressed through existing processes.

IV. Process

- A. Initiation of process
 - i. Report. Anyone may file a *care report* with the Office of the Dean of Students should they have concerns about the health or safety or potential *harm* to an individual student or other community members or if the behavior of a student rises to the level of *impediment*. A *care report* can be filed online at <https://tcnjcares.tcnj.edu/>. However, should there be a more urgent concern for anyone's health or safety, a report should be made directly to Campus Police Services by calling 911 or 609.771.2345.

- ii. Office of the Dean of Students Triage. The office will review each *care report* and determine the appropriate level of review within two business days of submission. Possible actions after review include assisting a student with a voluntary leave of absence, referral to internal and/or external resources, case management services, referral to the Care Team for further support and assistance, or, if warranted, referral to the Dean of Students and BIT should the circumstances demonstrate potential risk of *harm* or *impediment* as described in this policy. For more information about support and services through the Office of the Dean of Students, refer to tcnjcares.tcnj.edu.

iii. Dean of Students and Behavior Intervention Team Review

- 1. The Dean of Students and/or BIT will review available information regarding the student and consider the following:
 - a. The credibility of any information received,
 - b. Whether the information received, or anticipated through the *withdrawal* process describes circumstances or behavior that could meet the criteria for a *withdrawal*, and/or
 - c. Whether existing College administrative responses such as disciplinary, academic, or other processes or supports are appropriate to address the behavior.
- 2. Interim Measures. The Dean of Students will review report information and determine whether any interim measures are appropriate for the safety of the student(s), community members, or others involved. Interim measures may include an interim involuntary withdrawal, no-contact directives, removal from campus housing, removal from academic course(s) or projects, and/or other administrative actions pending a BIT hearing or other resolution to the issue such as an evaluation or voluntary leave of absence. The Dean of Students will make every effort to confer with the BIT before making a determination on interim measures.
- 3. Voluntary Leave of Absence. A student may decide that they need to take time away from College. Any student who is withdrawing from all courses for any given semester must apply for a Leave of Absence from the College. All students will need to complete the Leave of Absence Form found on the website (<https://recreg.tcnj.edu/student-withdrawal-process/>). After the form is received by the Office of Records & Registration, their Office will start the leave of absence process. Students will receive a confirmation email that the form has been received and processed from the Office of Records & Registration. Any student who does not register for

Section:		
Title:	Involuntary Health or Safety Withdrawal Policy	
Effective Date:	July 10, 2018	
Approved By:	Board of Trustees	
Responsible Unit:	Division of Student Affairs (609) 771-2201, sa@tcnj.edu	
Related Documents:	Student Conduct Code	
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<u>Version</u>	<u>Date</u>	<u>Notes</u>
2.0	July 10, 2018	
1.0	July, 2009	New policy; Initial release

Involuntary Health or Safety Withdrawal Policy

I. Introduction

The purpose of this policy is to describe the criteria and procedural standards for an involuntary health or safety withdrawal (*withdrawal*) of a student from The College of New Jersey. This policy is reserved for those circumstances when other supports and resources have been exhausted, or the risk of harm or impediment to the operations of the College are so significant that an involuntary withdrawal is necessary to preserve the health or safety of an individual student or community, or the educational mission of the College. Separation of a student from the College and its facilities may be necessary if there is sufficient evidence that the student is engaging in or is likely to engage in behavior that either poses a danger to self or others or disrupts the learning environment of others. This policy will be applied in a nondiscriminatory manner, and decisions will be based on consideration of the student's conduct, actions, and statements and not on knowledge or belief that the student has a disability.

II. Definitions

A. *Advisor* is a person chosen to accompany the student involved in the involuntary withdrawal process. The Advisor may not participate directly in any proceedings or represent the student involved. Any cost associated with the participation of an Advisor is the responsibility of the student.

- B. *Assistance Plan* is an agreement between the student and the College which outlines resources, supports, and strategies to aid in a student's success.
- C. *Behavior Intervention Team (BIT)* is an interdisciplinary team of administrators who will review any student case under consideration for a withdrawal. Team membership includes, but is not limited to representatives from the Office of the Dean of Students, Records and Registration, Student Conduct and Dispute Resolution Services, Campus Police Services, Counseling and Psychological Services, Residential Education and Housing, and Academic Affairs. A representative from the Office of the General Counsel is included in the team to advise on potential legal matters, but does not serve in a decision-making capacity. The Dean of Students or designee may add members to the team for review of a particular case if circumstances warrant doing so.
- D. *Behavioral Plan* is an agreement between the student and the Dean of Students Office and other appropriate office (including but not limited to Student Conduct, Title IX, or Academic Affairs) which outlines expected behaviors to aid in a student's success.
- E. *Care Report* is an online reporting system that any individual can submit information regarding any type of concern with a student.
- F. *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.
- G. *Harm* 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, self, or other member of the College community.
- H. *Hearing Administrator* includes any faculty or professional staff member at the College designated and trained by the Office of Student Conduct to conduct informal or formal administrative hearings.
- I. *Impediment* is an interference with the pedagogy or administrative processes or activities that prohibits the College from delivering teaching, services, or procedures to others.
- J. *Private Medical Provider (PMP)* is a qualified licensed medical professional.
- K. *Return to Campus Meeting* occurs after the *support consultation*. The student will meet with the Dean of Students or designee to determine other holistic supports, navigate academic concerns such as missed coursework or deadlines, generate an *assistance plan*, and appropriate case management.
- L. *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

two consecutive regular academic semesters will be discontinued and will have to apply for re-entry to the College.

4. *Assistance Plan.* After the *support consultation* and return to campus meeting, the Dean of Students may permit a student to remain enrolled under conditions specified in an *assistance plan*. An *assistance plan* may include, but is not limited to any of the following:
 - a. Academic advising to review the academic plan and course load (in consultation with the student's academic advisor and/or department chair);
 - b. Change in academic major;
 - c. Affiliation with Disability Support Services;
 - d. Compliance with treatment plan recommended by a PMP;
 - e. Compliance with medication regimen recommended by a PMP;
 - f. Compliance with *behavioral plan*; and
 - g. Referral to campus or external resources.
5. *Behavioral Plan.* If the assistance plan is not remediating the behavior than a *behavioral plan* will be developed. A *behavioral plan* may include, but is not limited to any of the following: Compliance with expectations of College's *Code of Student Conduct*, *Title IX Policy*, and academic policies;
 - a. Expectation that student utilizes coping mechanisms that have been set by their PMP's or College counselors;
 - b. Referral to campus or external resources;
 - c. Outline of appropriate resources; and
 - d. Compliance with *assistance plan*.
6. Interim Involuntary Health or Safety Withdrawal. If there is reasonable support of a *withdrawal* in lieu of interim measures, the Dean of Students will, whenever possible convene a BIT review to consider application of this policy as outlined in Section C (*Interim Involuntary Process*) below. If interim measures occur prior, BIT will convene to discuss and ratify decisions.

B. Non-Compliance

If a student is not in compliance with the expectations set forth in their meetings with the Dean of Students Office and the following actions may take place:

i. *Assistance Plan*

1. The Dean of Students Office and/or BIT will review the non-compliant behavior.
2. Student may be required to complete an evaluation through a PMP and/or external counselor.

3. Student may be placed on an interim withdrawal.

4. Behavioral plan may be implemented.

ii. *Behavioral Plan*

1. The Dean of Students Office and/or BIT will review the non-compliant behavior.
2. Student may be required to complete an evaluation through a PMP and/or external counselor.
3. The student's behavior will be evaluated by the appropriate office and charges related to the violation of expectations will be reviewed.
4. Student may be placed on an interim withdrawal.

iii. Interim Involuntary Health & Safety Withdrawal

1. Refer to section C., sub-section i. below for the full process

C. Interim Involuntary Process

The following section outlines in detail the interim measures that can be taken by the Dean of Students Office and/or through a BIT Review.

i. Interim Involuntary Health or Safety Withdrawal

1. A student may be removed from any or all College premises and/or programs pending review and resolution, after consideration of reasonably available information that reflects that a *substantial risk of harm* exists. An interim withdrawal is a preliminary action taken to protect the health and safety of the student and/or others, and is not a penalty nor disciplinary action. Failure to comply with the terms of an interim measure, *assistance plan* or *behavioral plan* may result in further Dean of Students Office and BIT review or progression to an Involuntary Health or Safety Withdrawal.

2. External Evaluation

- a. A student on an interim withdrawal must submit a comprehensive medical/psychological assessment completed by a *private medical provider (PMP)* to aid the College in determining risk to self or others. The PMP may be selected by the Dean of Students at the College's cost. The College retains the right to select the PMP and receive any professional work product generated as part of the evaluation. The Dean of Students Office will submit all relevant information to the PMP.
- b. Under some circumstances, a student may be permitted upon request to the Dean of Students, to secure their own PMP if they are an appropriate fit for the evaluation required by a student's circumstances. If a student is permitted to utilize their own PMP (who is not a family member of the student or has any other

- relationship with the student that compromises objectivity), the College is not responsible for any expense associated with the evaluation. If the student's PMP does not provide sufficient information, the College reserves the right to then utilize the College selected PMP or require the student's PMP to provide additional information.
- c. Guidance for a PMP may include evaluating the following:
 - i. Advisability and risks of the student returning to campus including coursework and residence if relevant;
 - ii. Adjustment to a demanding academic and social environment given any existing supports;
 - iii. Management of emotions and utilization of coping mechanisms;
 - iv. Likelihood for future impulsive or self-destructive behaviors; and/or
 - v. Recommendations for increasing the likelihood of success at the College.
 - d. The PMP's final report should be sent under confidential cover to the Dean of Students or designee for BIT review.
 3. **BIT Review.** The BIT will review all reports and determine whether the student should be cleared to return to coursework and/or residence. If the BIT determines that return is not appropriate, application of this policy as outlined in section D for an involuntary withdrawal will commence.
 4. **Support Consultation.** If the student is cleared to return to coursework and residence, the student will meet with the Director of Counseling and Psychological Services or designee to review any mental/emotional health supports and recommend any additional health supports or limitations.
 5. **Return to Campus Meeting.** After the support consultation, the student will meet with the Dean of Students or designee to determine other holistic supports, navigate academic concerns such as missed coursework or deadlines, generate an *assistance plan*, and appropriate case management.
 6. **Assistance Plan.** After the *support consultation* and *return to campus meeting*, the Dean of Students may permit a student to remain enrolled under conditions specified in an *assistance plan*. An *assistance plan* may include, but is not limited to any of the following:

- a. Academic advising to review the academic plan and course load (In consultation with the student's academic advisor and/or department chair);
- b. Change in academic major;
- c. Affiliation with Disability Support Services;
- d. Compliance with treatment plan recommended by a PMP;
- e. Compliance with medication regimen recommended by a PMP;
- f. Compliance with a behavioral contract; and
- g. Referral to campus or external resources.
7. **Behavioral Plan.** If the assistance plan is not remediating the behavior than a *behavioral plan* will be developed. A *behavioral plan* may include, but is not limited to any of the following: Compliance with expectations of College's *Code of Student Conduct*, *Title IX Policy*, and academic policies;
 - a. Expectation that student utilizes coping mechanisms that have been set by their PMP's or College counselors;
 - b. Referral to campus or external resources;
 - c. Outline of appropriate resources; and
 - d. Compliance with *assistance plan*.
- ii. **Interim removal from housing.** A student may be removed from campus residency pending review and resolution, after consideration of reasonably available information that reflects that a substantial risk of *harm* exists. This is a preliminary action taken to protect the health and safety of the student or others, and is not a penalty nor disciplinary action.
- iii. **Interim removal from courses.** A student may be removed from one or more academic courses pending review and resolution, after consideration of reasonably available information that indicates a substantial risk of *harm*. This is a preliminary action taken to protect the health and safety of the student or others, and is not a penalty nor disciplinary action.
- iv. **Interim No-Contact Directive.** A student may be given notice that they must not have physical contact with or proximity to, or direct verbal, electronic, written, and/or indirect third-party *communication* with another individual.
- D. **Involuntary Withdrawal**
 - i. The Dean of Students and BIT may determine whether a hearing is warranted if any of the following circumstances exist:
 1. After a review of available information, the BIT determines that there is *substantial risk* or evidence of unreasonable *impediment* to the educational process or activity because of apparent medical or mental health issues of the student.

2. After review of an external evaluation, the BIT determines that a *substantial risk* or evidence of significant *harm* to the health or safety of the student, members of the campus community, and/or others exists.
 3. After the Dean of Students exercises reasonable efforts to meet with a student, the student fails to meet or communicate with the Dean of Students, does not meet expectations set forth in the *assistance plan* and/or *behavioral plan*, refuses to undergo an external assessment, does not provide required information or documentation as outlined in this policy, and/or fails to complete the return to campus procedures.
- ii. Administrative Hearing.
1. If any of the circumstances above exist, the College will afford an opportunity for an administrative hearing to determine whether to apply an involuntary withdrawal.
 2. Procedural standards.
 - a. Hearing Administrator. A College administrator who has not been a part of any previous review of the matter will conduct the hearing and determine whether an involuntary withdrawal is warranted based on information provided in the hearing by the Dean of Students.
 - b. Witnesses. The Dean of Students may invite members of the BIT or others to the hearing to provide relevant information for evaluation. The student may invite *witnesses*, *PMP*, or others to the hearing to present information.
 - c. Advisor(s). The student may be assisted by an *advisor* of their choice, at their expense. 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; therefore *advisors* are not permitted to speak or to participate directly in the hearing. 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 student and the Dean of Students may pose questions to any party providing information through the hearing administrator conducting the hearing. The administrator has the discretion to prohibit inappropriate questions or limit questions based on redundancy or relevancy.

- e. Additional Information. Relevant records, exhibits and written statements may be accepted as information for consideration at the discretion of the administrator.
 - f. Decline to provide information. The student may decline to provide any written or oral statements, answer questions posed, or provide any information on their behalf. However, the administrator may draw an adverse inference from the absence of information or refusal to answer questions.
 - g. Basis for decision. The administrator's determination shall be made on the basis of whether it is *more likely than not* that the student poses a substantial risk of *harm* to the health or safety of the student, members of the campus community, and/or others; or an unreasonable *impediment* to the educational process or activity. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in this process.
 - h. Hearing recorded. There will be a single record, such as a digital audio recording of the hearing. The record will be the property of the College.
 - i. Decision in absentia. If a student, with notice, does not appear for the hearing, the administrator may postpone the hearing or hear the information in support of the involuntary withdrawal in the student's absence and make a decision on the available information.
 - j. Differing abilities accommodation. The 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 the Dean of Students in a timely manner.
 - k. Decision. The administrator will notify the student of the outcome of the hearing, including any conditions for readmission, in writing, within five business days of the hearing.
3. Outcome of Hearing
- a. Involuntary applied. If the involuntary has been reaffirmed by the hearing administrator then the student would have the opportunity to appeal the decision to the Vice President of Student Affairs, outlined below.
 - b. Involuntary not applied with recommendations provided by the hearing officer. The hearing administrator may determine that the student does not

pose a *substantial risk of harm* to the health of safety of the student, members of the community, and/or others. The hearing administrator will lift the involuntary withdrawal but will provide recommendations that the student needs to follow. The student would have the opportunity to appeal the decision to the Vice President of Student Affairs, outlined below.

- c. Involuntary not applied. The hearing administrator determines that the student does not pose a *substantial risk of harm* to the health of safety of the student, members of the community, and/or others. The student resumes all activities on-campus.

iii. Appeal

1. A student is afforded one single opportunity to appeal a decision by the administrator as a result of a hearing. A decision for withdrawal or condition for readmission issued may be appealed by the student to the Vice President for Student Affairs within five business days of written notification of the decision and conditions for readmission. Appeals must be reviewed by the Vice President within five business days of receipt of the appeal and any decision is final.
2. Required format. All appeals must be in writing and will be limited to a review of the verbatim record of the hearing and supporting documents. Appeals may be submitted for review for one or more of the following purposes:
 - a. Process review. To determine whether the Involuntary Health or Safety Withdrawal process was conducted in accordance to stated policies and procedures. 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 credible, was sufficient to establish that an involuntary withdrawal for health or safety reasons was appropriate.
 - c. Readmission conditions review. To determine whether the condition(s) imposed were appropriate.
 - d. New information. To determine whether new information sufficient to alter a decision or other relevant facts not brought out in the original hearing or BIT review because such information was not known or available at the time.

3. Appeal decision. The Vice President for Student Affairs may make one of the following decisions:
 - a. Require a new hearing be conducted by the Dean of Students or other administrator designated by the Vice President.
 - b. Uphold the withdrawal.
 - c. Reinstate the student.
 - d. Revise readmission criteria.

E. Returning/Readmission after Involuntary Withdrawal

- i. A student who has been withdrawn under this policy (voluntarily or involuntarily) will have a hold placed on their registration requiring the student to meet with the Dean of Students before returning to classes or applying for readmission.
- ii. A student should provide appropriate documentation of compliance with any conditions of returning/readmission to the Dean of Students for review by the BIT. Any undergraduate student who does not register for two consecutive regular academic semesters will be discontinued and will have to apply for re-entry to the College.
- iii. In addition to the information that the reapplying student submits, the Dean of Students may require the student to undergo an evaluation by a licensed health professional who is not a family member of the student or has any other relationship with the student that compromises objectivity and who has been approved by the DOS.
- iv. Factors the DOS may consider when making a decision regarding readmission include, but are not limited to the following:
 1. The nature and severity of the risk or evidence of *substantial harm or impediment* for which the student either voluntarily withdrew or was administratively withdrawn;
 2. The student's overall academic and education record while previously enrolled;
 3. The conduct's impact on self or others, if any, within or outside the community;
 4. The input of any healthcare professionals with whom the student has consulted (if the College needs additional input from an outside PMP it would be at the college's expense);
 5. The amount of time between the written request and the original withdrawal;
 6. Whether the student has pursued other higher education during the period between the involuntary withdrawal and the request to re-enroll, and if so, the student's academic and education record at any other college or university;
 7. The student's activities and any criminal record as a non-student during the period of involuntary withdrawal;
 8. Other authorized information the DOS deems relevant.

V. Additional Procedures & Options

- A. Voluntary Leave of Absence. A student may decide that they need to take time away from College. Any student who is withdrawing from all courses for any given semester must apply for a Leave of Absence from the College. All students will need to complete the Leave of Absence Form found on the website (<https://recreg.tcnj.edu/student-withdrawal-process/>). After the form is received by the Office of Records & Registration, their Office will start the leave of absence process. Students will receive a confirmation email that the form has been received and processed from the Office of Records & Registration. Any undergraduate student who does not register for two consecutive regular academic semesters will be discontinued and will have to apply for re-entry to the College.
- B. Voluntary LOA in the Middle of the Process.
- Prior to the end of the 9th week of the semester a student would follow the above Voluntary Leave of Absence.
 - After the end of the 9th week of the semester the student would need to work with the DOS office for retro-active withdrawals.
- C. Retroactive Withdrawals. For students who did not withdraw in accordance with the dates listed in the TCNJ academic calendar, may qualify for a retroactive withdrawal if experiencing serious health or other concerns. A retroactive withdrawal would replace all grades for that semester with a "W" on a student's official transcript. In order to appeal the grades for a semester and apply for a retroactive withdrawal a student must meet with the Dean of Students Office, the staff will review the materials needed for a retroactive withdrawal. A student will need to submit all materials which may include: request of appeal, timeline of events, documentation to support request, and other materials as needed, to the Dean of Students Office at least five business days in advance of the next BIT meeting. The BIT members will then review, discuss, and vote on the information packet to determine whether to approve or deny the appeal. A student will be informed of the BIT decision within five business days of the determination.
- D. Tuition Credits. Students who did not withdraw in accordance with the dates listed in the TCNJ academic calendar and left the College during the middle of a semester may qualify for a presidential tuition credit for serious health or other concerns. A tuition credit would refund student tuition either 100%, 75%, or 50% for the semester in which they withdrew. In order to apply for the tuition credit a student must meet with the Dean of Students Office, the staff will review the materials; which may include request of appeal, timeline of events, documentation to support request, previous requests, and other materials as needed, for this process. A student will need to submit all materials to the Dean of Students Office at least five business days in advance of the next BIT meeting. The BIT members will then review, discuss, and vote on the information packet to determine whether to approve or deny the

tuition credit and then determine the level of refund and any financial concerns or repercussions for the student. If a student is denied, they will be informed of the BIT decision within five business days of the determination. If a student is approved for a refund then the tuition credit would be submitted to the President for final approval. If the refund is approved, the President will send all necessary information to Student Finance and a refund will be placed on the student's account. The student will also receive a letter confirming the refund from the Dean of Students Office.

VI. Record Keeping Policy

- A. File maintenance. Any reports and records regarding a student who has referred to the Office of the Dean of Students for support, interim measures, and/or application of this policy has a file created and maintained by the Office of the Dean of Students. Files are maintained for five years after the date the student separates from the College; however, files of students who have been involuntarily withdrawn are maintained indefinitely.
- B. Confidentiality. The federal Family Educational Rights and Privacy Act of 1974 (FERPA) protects a student's education records, including records in the Office of the Dean of Students, from unauthorized disclosure to third parties. A student must sign a waiver to grant access to their record before the College will disclose information protected by FERPA contained in the student's records. These confidentiality requirements apply to student's parents or guardians with the exception of a health or safety emergency, 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 information with specific persons.
- C. Inspection. Students may request to inspect or view their records in accordance with FERPA. To do so, a student should make an appointment with the Dean of Students. Records are not immediately available to students because they must first be reviewed for confidential information regarding others, and thus may need to be redacted. Upon request, the Office of the Dean of Students 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 any recording as an element of their education record by making arrangements with the Office of the Dean of Students. However, copies or transcripts of any recording will not be provided.

**The College of New Jersey Board of Trustees
Resolution Approving a Bachelor of Arts in Biology**

Whereas: The Department of Biology has developed a proposed Bachelor of Arts program in Biology; and,

Whereas: This program will be offered in addition to the Bachelor of Science in Biology; and,

Whereas: This program will allow students to explore a wider variety of interests and support the pursuit of a greater range of career paths; and,

Whereas: This program is consistent with the mission of The School of Science and the mission of The College of New Jersey; and,

Whereas: This program has been reviewed and recommended by the Curriculum Committee of the School of Science and the Committee on Academic Programs; and,

Whereas: This program has been reviewed and recommended by the Mission Fulfillment Committee of the Board of Trustees.

**Therefore,
Be It**

Resolved: That the proposed Bachelor of Arts in Biology be approved.

July 10, 2018

The College of New Jersey
New Degree Program Approval Process Cover Page

Directions: Complete this cover page at Step 5 in the Degree Program Approval Process policy (<http://policies.ccnj.edu/policies/digest.php?docId=9525>) before sending the proposal to the Steering Committee. Submit as a packet the following documents to the co-chairs of the Steering Committee via email: a cover memo from the dean, this cover page; the degree program proposal; and any additional attachments. The Steering Committee will then forward these materials to the Committee on Academic Programs (CAP) for review. Note: the materials for proposed graduate programs should include documentation of review and recommendation by the Graduate Studies Council, and the materials for proposed teacher education programs should include documentation of review and recommendation by the Teacher Education Council.

Degree Program Title and Designation: **Bachelor of Arts in Biology**

Home School: **Science**

Home Department: **Biology**

Contact Person for Information about this Proposal: **Keith Pecor, Biology Chair**

Proposed Semester/Year for Program to Begin: **Fall 2018**

Briefly describe the proposed program. If applicable, list other departments and schools with courses included in the program.

To better serve the needs of our students, the Biology Department has developed a Bachelor of Arts (B.A.) in Biology degree program. This will be offered in addition to our current B.S. in Biology. We have designed our B.A. after carefully considering student needs, offerings at peer/aspirant institutions, and investigating requirements for academic and professional careers. We believe that the B.A. program will fulfill unmet needs amongst our student population by improving opportunities for interdisciplinary training and promoting retention of underserved students.

Attach the most current version of the complete proposal. The signatures below indicate approval of the attached proposal.

Department Chair

Date

School Curriculum Committee



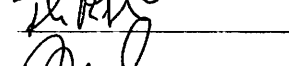
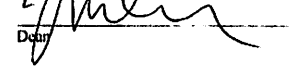
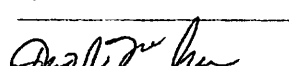
Date

Dean

Date

Consultation with Affected Units

Complete this section if the proposal includes elements that will have an impact on schools outside the proposing unit, such as, but not limited to, increases or decreases in enrollment. If additional library resources will be required, the dean of the library should complete this section as well. The signatures below indicate that the department chairs of affected units and deans of affected schools have had the opportunity to offer feedback on the proposal and that the proposing unit has responded to this feedback. If any affected units have remaining concerns after this process, they should attach a description of their concerns, to which the proposing unit may attach a response.

	<u>11/16/17</u>	COMPUTER SCIENCE
Department Chair	Date	
	<u>11/16/17</u>	Chemistry
Department Chair	Date	
	<u>11/16/17</u>	Math & Statistics
Department Chair	Date	
	<u>NOV 21 2017</u>	
Department Chair	Date	
	<u>21 Nov 2017</u>	Physics
Department Chair	Date	

Final Steps in the Approval Process

After review through college governance, the Steering Committee will forward CAP's recommendation to the provost and president, who will submit the proposal to the Board of Trustees for review and approval. Before a new degree program may be implemented, it must be reviewed by the Academic Issues Committee of the New Jersey Presidents' Council and approved by the New Jersey Presidents' Council.

Program Announcement
The College of New Jersey
Department of Biology, School of Science
Proposed Bachelor of Arts in Biology

To better serve the needs of our students, the Biology Department has developed a Bachelor of Arts (B.A.) in Biology degree program. This will be offered in addition to our current B.S. in Biology. We have designed our B.A. after carefully considering student needs, offerings at peer/aspirant institutions, and investigating requirements for academic and professional careers. We believe that the B.A. program will fulfill unmet needs amongst our student population by improving opportunities for interdisciplinary training and promoting retention of underserved students. In accordance with the guidelines in the *Academic Issues Committee Manual of the New Jersey Presidents' Council*, we have described the proposed B.A. program and how it integrates with the mission of The College of New Jersey.

Program Objectives

The College of New Jersey offers students a personalized, collaborative, and rigorous education within and beyond the classroom. Toward this goal, the Biology Department offers hands-on transformative experiences for our students, fostering critical thinking and promoting lifelong learning. We strive to accommodate the academic interests and goals of all of our students and support them with a variety of course offerings, research opportunities, and individualized advising.

Currently, the Department of Biology offers students a single path through the Biology major, a Bachelor of Science (B.S.) degree. The current B.S. has 17 required School of Science courses, and additional language and liberal learning requirements means that up to 27 of the 32 courses required for graduation are in some way prescribed. To better serve the needs of our students, we have developed a second path for students, a Bachelor of Arts (B.A.) degree. The B.A. reduces the required School of Science courses to 12 (total prescribed courses, including language and liberal learning: 22/32). This B.A. degree will provide significantly more flexibility for students, allowing them to develop a personalized educational plan to match their specific interests. By offering a less-restrictive, yet equally-rigorous, B.A. degree we will provide students with an opportunity to explore a wider variety of interests and support the pursuit of a greater range of career paths. Moreover, the B.A. will aid retention of particular pools of students, such as transfer students, for whom the rigidity of the B.S. program is burdensome.

Biology Degree Outcomes

The Biology Department has defined the overall learning goals and outcomes for the B.S. in Biology degree (Table 1). All of these learning goals are addressed in our five core Biology courses (Appendix 1), and are built upon in our upper level classes. Because B.A. students would still participate in the same five core Biology courses (see Table 3, below), and complete four upper level courses, the learning goals for the B.A. in Biology degree would remain the same as for the B.S. program.

Students graduating with a degree in Biology should demonstrate skills in the areas of:

- Critical analysis and reasoning
- Scientific reasoning
- Quantitative reasoning
- Oral and written communication
- Technological competence
- Information reasoning

Table 1: Learning goals for the B.S. and B.A. in Biology degrees

Domain I: Acquiring knowledge and skills	Domain II: developing skills to conduct biological research	Domain III: Understand the place of science in a broader context
Master the major subdivisions within biology	Generate testable hypotheses	Communicate the broader impacts and/or applications of biological knowledge
Hands-on experience with a comprehensive range of techniques	Design valid experiments to test hypotheses	Gain awareness of career options in the biological sciences
Learn how to generate and/or quantitatively analyze data	Conduct experiments using skills appropriate to subdivisions	Prepare for graduate school, professional school, or a career in biology
Critically evaluate primary literature, in oral or written form	Analyze data using discipline appropriate assessments	
Develop oral communication skills	Interpret data, draw conclusions, and/or refine hypotheses based on data	
Develop written communication skills	Communicate research findings in a variety of formats adhere to ethical standards for biology	

Assessment Plan

Assessment of Learning Outcomes: Currently, learning gains are assessed both by rubric assessment of course assignments (lab reports, written assignments, poster and oral presentations) and scientific skills and critical thinking tests (in-class exams). In addition, we use the *Classroom Undergraduate Research Experience (CURE)* survey (<https://curenets.cns.utexas.edu/>) in our introductory biology course to measure student perceptions of how participating in the course has aided their acquisition of knowledge and skills. To assess students' outcomes related to experimental design, we use the *Experimental Design Ability Test (EDAT)* (Sirum and Humberg, 2011). The test is taken both by first semester freshmen and by seniors, allowing us to assess our curriculum in its entirety. We will continue to use these tools to assess learning outcomes for both the B.S. and B.A. in Biology going forward.

Program Assessment: To determine whether the B.A. in Biology meets our objectives of allowing students to study broadly, supporting diverse career paths and aiding retention, we will also gather data on the following:

1. The numbers of students who enroll in the B.A., and their four-year completion rate.
2. Retention in the Biology major.
3. The number of students completing the B.A. who also complete a minor or a second major.
4. The degree (B.S. vs. B.A.) completed by students who study abroad.
5. The proportion of Biology Secondary Education (BIOT) majors who complete the B.A. degree compared with the B.S. degree.
6. Employment/enrollment in graduate programs at the time of graduation.

Consultant Report

for

Proposed Bachelor of Arts in Biology
Department of Biology, School of Science
The College of New Jersey

prepared by

David J. Berg, Professor
Department of Biology, Miami University, Ohio
bergdi@miamioh.edu

May 31, 2018

Summary

Based on review of the Program Announcement for the Proposed Bachelor of Arts in Biology, review of other department and college documents and web pages, and a site visit that included discussions with Biology faculty, the Dean of the School of Science, and the Provost & Vice President of Academic Affairs, I recommend **Approval upon minor modification** of the B.A. in Biology. The Department of Biology proposes a rigorous, but flexible, curriculum that will provide a deep education in Biology for students while also providing the opportunity to pursue interdisciplinary academic interests through second majors, minors, study abroad opportunities, and other courses of study. By removing barriers to completion, this program also promises to increase the diversity of students pursuing majors in biology at TCNJ, and therefore, increase the diversity of STEM students and graduates.

Modifications needed for this program primarily focus on physical science and mathematics requirements. The chemistry requirement should either be increased to two semesters (CHE201 and 202) or a one-semester general-organic-inorganic-biochemistry (so-called "GOBI") course should be implemented. If the former choice is made, the second semester of chemistry should be required in place of the "SoS approved option" that is currently proposed. The requirement for Calculus A (MAT 127) should be replaced with a requirement for a statistics course that does not have a calculus prerequisite.

Incorporating the modifications into the proposed B.A. in Biology will create a major that provides depth of understanding in biology while also giving students the flexibility to receive an interdisciplinary education. It will create a program that is of the same high quality as the current B.S. in Biology, while affording additional opportunities to Biology students. As a result, this degree should lead to increased diversity of students pursuing a STEM education and increased retention of students who seek a degree in Biology.

The Department of Biology of The College of New Jersey seeks approval for a Bachelor of Arts (B.A.) degree that will be offered in addition to the Bachelor of Science (B.S.) degree that is currently offered. This report serves to evaluate the proposal and make a specific recommendation to the College. The report is being written after consulting the Program Announcement (the proposal) prepared by the Department, the Department's Strategic Map, and the Consultant Report Guidelines. A visit to the College on May 3-4, 2018 included meetings with the Biology BA Task Force, the Dean of the School of Science, the Biology Chair, other faculty in Biology, the Dean of the School of Science, and the Provost. Additional information was obtained by consulting the Biology web page, the College Bulletin, and other pages on the College's website. The organization of the report follows the Consultant Report Guidelines found in Appendix D of the *Academic Issues Committee Manual of the New Jersey Presidents' Council*.

A. Objectives

The current BS in Biology is a rigorous, but highly prescribed degree program with over half of the required courses in the School of Science and total of 27 of 32 required courses. Students have little choice in developing a plan of study. The proposed B.A. would reduce the total number of required courses to 22, in effect giving students more than one full semester of courses that they may choose based on their interests. The objective, then, of the B.A. program is to provide a more personalized plan of study without decreasing the academic rigor that is a hallmark of TCNJ Biology.

The Department proposes this degree in order to 1) allow students to explore a wider range of courses than are available to the B.S. students; 2) provide flexibility that aids retention of students who have difficulty meeting the rigid, inflexible requirements of the B.S. program. The program described by the Department meets these goals. These two objectives are sound and recognize the need to allow students the flexibility to design programs of study that are relevant to their interests and career goals, while also opening the opportunity to study Biology to a more diverse student body.

The mission of The College of New Jersey is to create "personalized, collaborative, and rigorous education that engages students at the highest level within and beyond the classroom" such that students will be empowered "to sustain and enhance their communities both locally and globally." The proposed B.A. is entirely consistent with this mission. The greater flexibility of the degree provides students with more opportunities to experience the breadth of the liberal arts that are a hallmark of a TCNJ education, while increasing the flexibility of requirements will serve to prepare students as "critical thinkers, responsible citizens, and lifelong learners and leaders." This increased flexibility will also allow greater opportunities for students to participate in study abroad opportunities, further preparing them to be global citizens.

B. Need for the Program

The increased flexibility of the proposed B.A. program will provide an opportunity for Biology students to create an interdisciplinary educational experience by allowing them to enroll in more non-Biology courses across the sciences, social sciences, humanities, and fine arts. As such, the B.A. students will have increased ownership of their plan of study, and it will allow them to pursue interests in other fields of study while still having attaining depth of knowledge and competencies in Biology. This should be attractive to students who seek to complete a second major, a minor, or a set of courses focused on a specific subject area.

At the same time, the B.A. may also serve to increase the diversity of students who are able to earn a degree in Biology. It will do this by creating a degree which is more flexible than the current B.S. degree and, if modified slightly, by removing some course requirements that act as barriers to student success. That being said, the primary goal of the B.A. is to serve the interests of students who wish to experience a broader array of courses while still earning a degree in Biology. Additionally, other groups would benefit from this increased flexibility such as transfer students and students who are underprepared in mathematics.

The current B.S. program includes a number of courses in the sciences that may act as barriers that serve to reduce the options available to students and the diversity of students who seek degrees in Biology. These include a number of courses with calculus (MAT 127) as a prerequisite such as MAT 128, STA 215 and PHY 201 and PHY 202. While the B.A., as proposed, still requires MAT 127 (Calculus A), it requires only two additional courses in mathematics or physical sciences, rather than the six additional courses required for the B.S. The removal of these required courses would then allow the B.A. students to greatly expand the breadth of courses they might pursue.

I have several concerns associated with these proposed changes, but each of them can be easily addressed.

1. As proposed, requiring only the first semester of chemistry (currently CH 201) does not seem to be a good choice because topics needed in general, organic, inorganic, and bio-chemistry (GOBI) are likely to be spread across the entire year of chemistry. As such, I recommend that both CHE 201 and 202 be required and that the CHE 202 requirement be substituted for the "SoS approved option" of the B.A. A less-desirable alternative would be the development of a one-semester GOBI course for the B.A. majors while retaining the SoS approved option.
2. It is not clear that any calculus is necessarily required for a degree in Biology and calculus may frequently act as a barrier course for students who are underprepared in mathematics. Thus, I recommend that MAT 127 be removed as a requirement and that an applied statistics course, *without a calculus prerequisite*, be required instead.

Completion of the proposed B.A. degree will still serve to allow students entry into graduate programs in Biology, pursuit of career opportunities in many fields in Biology, while also expanding the potential career paths. By choosing their electives purposefully, B.A. students could still pursue preprofessional training in medicine, law or business. The large number of electives would also allow students to earn minors or second majors, or participate in study abroad opportunities. By removing the calculus requirement, a more diverse group of students will be able to obtain degrees in Biology. At the same time, the proposed B.A. will still retain the rigorous and deep training in Biology for which the Department is known. Graduates with the B.A. in Biology will be able to secure employment in a variety of career paths and they will be qualified to pursue advanced study in the life sciences or in professional schools.

C. Educational Programs

1. The Learning Goals for the B.A. in Biology are the same as those for the B.S. and they reflect the values of the Department. Students in the B.A. will gain extensive knowledge and skills in biology, they will be required to demonstrate the ability to conduct biological research and, most importantly, they will have extensive opportunities to place biology into broader societal contexts. The B.A. in Biology achieves the latter without sacrificing the requirements for knowledge in biology and research.
2. The strategic plan, *TCNJ 2021: Bolder, Better Brighter*, lists five Priorities. The B.A. in Biology fits well into several of these. Priority I emphasizes attracting and retaining diverse students and the B.A. should do just that. By removing calculus as a barrier, it would greatly increase the diversity of students pursuing biology because the discipline would be opened up to students with less preparation in mathematics. With its increased flexibility, the B.A. degree would also be available to transfer students and those who decide to change majors into Biology. The next effect would be greater diversity of students pursuing and completing degrees in Biology.

Priority II of the strategic plan includes five signature experiences, all of which would be available with the B.A. in Biology. Again, because of the larger number of electives, students pursuing this degree would have the opportunity to pursue several of these during their time at TCNJ. For example, elective courses in the social sciences would prepare Biology students for community engagement through interaction with environmental or public health organizations, while elective courses in global and international studies would prepare students for Signature Experiences in global engagement.

The B.A. in Biology fits well with Area B of the Department's Strategic Map. In particular, it will increase the diversity of successful biology students (objective 4). Because of the flexible nature of the curriculum, it serves to retain the depth of education in Biology while also providing more diverse opportunities for

Need for the Program

Unmet student needs

While the current B.S. undoubtedly serves many students well, it is extremely rigid. As a department, we are motivated to offer a rigorous, yet flexible curriculum that can increase retention in the major and allow students to pursue interdisciplinary training. The proposed B.A. program reduces the number of required Biology/correlate courses, providing a greater degree of flexibility that will meet student needs in three domains.

a) Facilitate greater breadth or depth of study: The B.A. will provide flexibility for those students in the Biology major who wish to pursue a breadth of academic interests not possible given the constraints of the current B.S. program. With the new B.A., students would be able to choose a greater variety of courses throughout the liberal arts or sciences. In addition, it would allow students who wish to deepen their engagement in a particular area, for example by adding a minor or a second major. In this regard, it is notable that the B.A. reduces the number of required courses by five, which directly correlates with the five courses required for completion of a minor. In addition, the B.A. could also make it easier for students to study abroad.

b) Support diverse career trajectories: Course requirements under our current B.S. strongly correlate with prerequisites for medical or graduate school. While a significant portion of graduates pursue these careers, many do not. Requiring all students to take these 'pre-med' courses without regard to their chosen career path is unnecessarily onerous. Pursuing science requires increasingly interdisciplinary approaches, and the B.A. would provide more flexibility to personalize a course of study to match career aspirations. In particular, the B.A. would support the Biology Secondary Education [BIOT] majors, who currently have to complete a large number of education classes and student teaching in addition to all of the regular Biology requirements.

c) Promote Retention: The constrained nature of the current B.S. curriculum results in some students struggling to complete the degree in four years. Moreover, some students leave the Biology major not because of a lack of interest in biology, but due challenges in completing all of the correlate courses. For example, students who are required to complete pre-calculus, WRI 101, or WRI 102, which do not count towards graduation, find it difficult to fit all the required B.S. courses into a four-year schedule. In addition, under the current B.S., transfer students who enter with an Associate's Degree often need to juggle three or four science or math classes each semester in order to finish in two years; this creates an extremely demanding schedule for a vulnerable student population.

Peer and aspirant institutions offer comparable B.A. and B.S. programs in Biology

We compared B.A. and B.S. degrees offered at Biology department-defined peer and aspirant institutions and found that there is no established set or number of courses that defines a B.S. or B.A. degree (see Table 2). Among comparator institutions, the number of required courses for our current B.S. degree is at the upper end. Where an institution offers both a B.A. and a B.S. in Biology, the primary difference between the degree programs is a reduction in the number of correlate courses. Similarly our proposed B.A. would reduce the number of Biology and correlate science courses to levels comparable with B.A. offerings at peer/aspirant institutions.

Table 2. Comparison of the number of Biology and correlate science course required for the TCNJ B.S./B.A. with degrees offered by peer and aspirant institutions

Institution	Degree type (if known)	Courses		
		Biology	Correlate	Total
Bucknell	B.A.	8	4	12
	B.S.	9	8	17
Carleton		10	4	14
Davidson		10	1	11
Drew	B.A.	9	4	13
Franklin and Marshall		9	7	16
Gettysburg	B.S.	11	4	15
Grinnell		8	3	11
Middlebury		11	1	12
Oberlin		7	4	11
Reed		8	4	12
Richard Stockton	B.A.	8	3	11
	B.S.	11	7	18
Richmond	B.S.	8	5	13
Saint Mary's, MD	B.S.	9	3	12
SUNY Geneseo	B.S.	10	8	18
TCNJ	B.A.	9	3	12
	B.S.	10	7	17
UNC Asheville	B.S.	10	7	17
William & Mary		9	6	15

Strategic Planning and Effects on Other Programs

One impact of the new B.A. in Biology will be to improve retention in the Biology major, particularly of underserved students. The constraints imposed by the current B.S. curriculum result in some students struggling to complete the degree in four years. Thus, the B.A. in Biology will meet the first priority of TCNJ's Strategic Plan, to 'attract and retain talented students'. The additional flexibility built into the B.A. in Biology will broadly aid retention and improve four-year graduation rate. This new major may also help us to recruit and retain more Biology majors who, in addition to pursuing a Biology degree, have interests that extend more broadly.

The B.A. in Biology will additionally support the second priority of the current strategic plan to 'enhance signature experiences'. The first signature experience is a 'personalized, collaborative and rigorous education'. The B.A. in Biology will maintain the rigor of the current Biology degree while enhancing students' ability to explore multiple academic interests. The flexibility of the B.A. allows students to personalize their program of

study and potentially to pursue a second major, or a minor, either within the School of Science or beyond. The B.A. will allow students to gain the technical knowledge, communication skills and exposure to the ethical standards of science, while also majoring in areas such as education, business, or the humanities. The ability to combine diverse academic interests will aid their personal and professional development and prepare them to excel in a diverse array of careers. Similarly, the additional flexibility may enable students to study abroad, enhancing their 'global engagement', a second signature experience. A third signature experience focuses on undergraduate research. Students enrolled in the B.A. in Biology will still take four upper-level Biology classes, one of which may be independent research in Biology (research for credit) and in addition they can take Bio497/8 Research Capstone. Therefore, the B.A. in Biology will not limit a students' ability to engage in undergraduate research and may even provide the flexibility to engage more deeply.

Effect on other programs

We developed the B.A. in Biology with input from other departments in the School of Science. We do not anticipate that the proposed curriculum for the B.A. will place an additional burden on any specific academic departments, as B.A. students will replace the correlate science courses with a variety of additional courses of their choosing. As proposed, the structure of the B.A. eliminates some high-demand correlate courses and allows student to spread out the requirements for the major over a longer period of time. This may offer some relief for the School of Science in general and reduce the use of adjuncts in high demand courses (e.g. BIO 211, CHE 331, MAT 127, PHY 201).

Anticipated student enrollments

Enrollment management at admission

Instead of selecting a B.A. or B.S. prior to any coursework or exploring their interests, students would be admitted to The College as "Biology" majors. We plan to maintain the total number of students (B.A + B.S) in the entering class at current levels. Thus, other than the change to the admission designation, no changes are anticipated.

Selection of B.A. or B.S.

Students would be required to select either the B.A. or the B.S. by the end of their sophomore year. This window of time will give all students a chance to sample multiple courses in the Biology major and complete several of the correlate courses that are common to both the B.A. and B.S. It would also give students time to identify other areas of interest should they decide to add a minor or second major. Transfer students would select the B.A. or the B.S. at the time of enrollment at TCNJ.

Degree requirements

The degree requirements for the B.A. in Biology (Table 3) were developed with a focus on the Mission of the College, the goals of the Biology Department, and a survey of peer/aspirant institutions. The B.A. will require 9 courses in Biology and 3 correlate courses, including one School of Science approved option. The School of Science approved options include majors-level courses offered in the Chemistry, Physics, Math/Statistics and Computer Science departments*. All language, liberal learning, and civic responsibility proficiencies will be identical to the current B.S. in Biology. A total of 32 course units are required for graduation. For the B.A. in Biology these would be made up as follows: 12 in-major requirements, 10 liberal learning requirements and 10 free electives.

The B.A. degree requirements for students in the Biology Secondary Education program will include the same 12 in-major requirements as for the other Biology B.A. students. In addition to their Biology coursework, these students will follow the same School of Education and Liberal Learning curriculum as the BIOTs who earn a B.S. This coursework includes 7 education courses, student teaching (Clinical Experiences I and II), and 5 additional liberal learning requirements (14 total course units).

Table 3. School of Science courses required for the B.S. and proposed B.A degrees

Course	B.S.	B.A.
BIO 201	1	1
BIO 211	1	1
BIO 221	1	1
BIO 231	1	1
Organismal	1	1
BIO options	4	3
Capstone	1	1
CHE 201	1	1
CHE 202	1	*
CHE 331	1	
CHE 332	1	
MAT 127	1	1
MAT 128 or STA 215	1	*
PHY 201	1	*
PHY 202	#	
SoS approved option^		1
TOTAL	17	12

*This course would count as a 'SOS approved option' for the B.A.

#This course is not required for the current B.S, however the majority of students (approx. 70%) take the course.

^For example: Chemistry 202, Computer Science 220, Math 128 (Calculus B), Physics 201, Statistics 215

transformational experiences. By removing the calculus requirement, it will increase the culture of inclusive success. Adoption of the B.A. degree will require the Department to pay close attention to advising such that students who are enrolled in this degree program are assisted in making *purposeful* choices for their elective courses.

3. The proposed curriculum retains the depth of education in Biology that is to be expected, while significantly decreasing the number of required courses in mathematics and physical sciences. By doing this, students will have greatly increased opportunities to take ownership of their educational experiences while still receiving a rich and comprehensive education in Biology. The proposed B.A. falls in the middle of the range of requirements that are typical of Biology programs at peer and aspirant institutions. The Department should carefully consider the two concerns discussed above (one year of chemistry and the removal of the calculus requirement).
4. The instructional modes and credit distribution are both consistent with the objectives of the B.A. degree. The modes of instruction in Biology are identical to those of the B.S. degree, while the increased breadth of the B.A. suggests more overall breadth in modes of instruction. The credit distribution is appropriate, with nine courses in Biology, three courses in mathematics and physical sciences, and the remaining courses (20) consisting of College requirements and the broader number of electives compared to the B.S. degree.
5. Students pursuing the B.A. in Biology will have the option of pursuing professional studies in healthcare, business, or law. However, the Department will need to ensure that students who wish to pursue these receive clear and consistent advising.
6. Certification/accreditation: not applicable
7. The program has no admission requirements beyond those of the College. That being said, if the calculus requirement is removed, a greater diversity of students will be able to successfully complete the program.
8. Standards for completion of the program are the same as those currently required by the B.S. in Biology, although individual course requirements differ. Both degrees require considerable depth of knowledge and skills in Biology, while completion requirements for the B.A. reflect the Department's desire to allow students a more -flexible and thus broader, education in Biology.
9. Transfer students were a particular population of interest that led to the development of the B.A. in Biology. Because of the decreased number of mathematics and physical science courses required, transfer students should be well-positioned to complete the B.A. in Biology without having to stay "extra"

semesters. If the calculus requirement is removed, this degree will become particularly attractive to transfer students who seek a degree in science.

10. The Department of Biology will need to coordinate some course offerings with the departments of Chemistry and Mathematics. In particular, Biology needs to work with Chemistry to determine with it makes more sense to require the full year of chemistry (CHE 201 and 202) or to identify a suitable GOBI course. Biology will also need to work with Mathematics in order to develop an applied statistics course that does not have a calculus prerequisite.

11. Clinal component: not applicable.

D. Students

1. Enrollment in the B.A. program will primarily be driven by current students who move from the B.S. program, or students who pursue the B.A. because of the increased flexibility of the program (transfer students, or students for whom calculus is a barrier). Because the biology requirements are a subset of the B.S. in Biology requirements, enrollment of additional students will neither require more additional teaching resources, nor strain current course offerings.
2. The proposal does not distinguish between part-time and full-time students.
3. Increased diversity of students enrolling in the program will primarily be due to the increased flexibility in course requirements and removal of the calculus requirement. Both of these provisions should increase the diversity of students majoring in Biology.
4. Advising of B.A. students must be very purposeful, so that students understand that additional course flexibility provides opportunities for students to take ownership of their education at TCNJ. Faculty who advise B.A. students should be familiar with the broad array of opportunities available to these students, including second majors, minors, and concentrations in areas of interest.

E. Faculty

1. The Biology faculty who are currently responsible for course-offerings for the B.S. degree will also be responsible for course offerings for the B.A. This faculty possesses outstanding credentials for teaching both of these degrees.
2. Biology faculty are among the most research-active of TCNJ's faculty. The Department's strategic map commits the department to the teacher-scholar model of faculty and developing research skills is one of the central learning goals for both the B.S. and B.A. degrees in Biology. The faculty commitment to

teaching (also part of the strategic map) and research are very-much aligned with the proposed learning goals and outcomes.

Because the course requirements for the B.A. are a subset of the currently offered B.S. course requirements, the number of faculty and the amount of time to be devoted is compatible with the goals of the program. While there will be some increase in advising needs associated with the B.A. degree, the Department advising infrastructure should be capable of handling this increase. Large increases in enrollment would require additional hiring of faculty.

F. Support Personnel

This program will initially require no additional support personnel. More might be required if enrollment grows by large amounts.

G. Finances

1. Discussions with the Dean of the School of Science and with the Provost showed that both support the proposed B.A. degree in Biology. Again, because this program primarily includes coursework devoted to the B.S. in Biology, adequate resources are already present to ensure a program that is of the same high quality as the B.S. in Biology. Additional resources will only be required if the program is successful in increasing overall enrollment in Biology.
2. As currently proposed, there is little to no need for significant additional financial support from the State of New Jersey. Additional support might be required if the program results in greatly increased enrollments in Biology.

H. Physical Facilities

1. Laboratory space has been recently renovated or is in the process of renovation. The labs contain all necessary equipment for offering high quality educational experiences.
2. The quality of classroom facilities allows for high-quality educational experiences.
3. The only significant effects on other departments are those associated with changes in enrollment in science courses and other electives as students exercise the flexibility in the B.A. curriculum. If the Department of Biology modifies the B.A. to require a full year of chemistry (CHE 201 and 202), the biggest effect will be a potential decrease in enrollment in organic chemistry (CHE 331 and 332) if students move from the B.S. in Biology to the B.A. in Biology. If the Department of Biology opts to require only one semester of

chemistry for the B.A., the Department should work with Chemistry to implement a one-semester GOBI course that touches on all topics necessary for students in biology.

Removal of the calculus (MAT 127) requirement will have several effects. If B.A. students are required to show proficiency in pre-calculus and then to take statistics (my recommendation), a new statistics course without a calculus prerequisite will need to be implemented. This might lead to a loss of enrollment in STA 215. Because the current physics sequence (PHY 201 and 202) also requires calculus, enrollment may decrease in it as well if students move from the B.S. in Biology to the B.A. in Biology. Physics might consider offering algebra-based physics if it seeks to attract B.A. students.

Because of the greater number of electives in the B.A. in Biology curriculum, enrollment in non-science courses might be expected to increase. However, this increase is likely to be spread across many disciplines and to have little effect on other programs.

4. Handicapped accessibility is no different than that currently available for the B.S. in Biology.

I. Library

The library holdings and library resources that support the B.S. in Biology are more-than-adequate to support the B.A. in Biology as well.

J. Computer Facilities

Computer and information technology resources are state-of-the-art and are consistent with the needs of a high-quality program.

K. Administration

1. Administration of the B.A. in Biology will be under the same umbrella as the B.S. in Biology. Administration will be through the Department of Biology, the School of Science, and the Office of Academic Affairs. This line of reporting is sufficiently defined and reasonable. It is the same line of reporting used for the B.S. in Biology.
2. Both the Provost of the College and the Dean of the School of Science have indicated their strong support for the B.A. in Biology. As such, the administrative and budgetary responsibilities (the latter are minimal) are clearly defined and adequate.

L. Evaluation

The Department of Biology describes an Assessment Plan that is capable of determining the success or failure of the B.A. in Biology. Enrollment and completion rates will be tracked, as will the number of students who declare either Biology major (B.S. or B.A.) and then complete a degree in Biology. The number of B.A. students studying abroad will be tracked and compared with that of B.S. students (the presumption is that more B.A. students will be able to study abroad). Comparison of numbers of students completing the Biology Secondary Education major as B.A. students will be compared with those completing the B.S. major. The Department will also track enrollment in graduate and professional programs for both the B.A. and B.S. majors.

Success of the B.A. program will be indicated by increased enrollments in Biology, increased diversity of students enrolling in and completing a major in Biology, increased numbers of transfer students who are able to complete a degree in Biology without staying for extra semesters, and increases in the numbers of second majors, minors, study abroad experiences, and other additional courses of study by Biology majors. Diversity, in many different forms, will be increased if the B.A. program is successful.

Recommendation

Based upon the analysis described above, my 25 years of experience in higher education, and my recent experience designing a new B.S. in Applied Biology at Miami University, I conclude that the Department of Biology at TCNJ has proposed a rigorous, yet flexible, B.A. in Biology that will be of very high quality. It will provide B.A. majors with both depth in the biological sciences while also allowing them to pursue interdisciplinary opportunities via second majors, minors, and study abroad opportunities. I recommend **approval upon minor modification** of the major. The modifications center primarily on ensuring that students receive a broad introduction to chemistry and removing the calculus requirement.

Department Response to Consultant Report

We appreciate the time and effort that Dr. David Berg spent to visit campus and evaluate the proposed Bachelor of Arts (BA) degree program. His feedback was overwhelmingly positive, and he supported this new venture for our department. In his report, Dr. Berg made two recommendations regarding the courses to be included in the BA curriculum- revision of both the Chemistry and Mathematics requirements. Herein, we provide our responses to those recommendations.

Chemistry

Dr. Berg did not think that a single semester of General Chemistry (CHE 201) was sufficient and recommended either including a second semester (CHE 202) or developing a single-semester course that would address the topics that are most relevant to a biologist- general, organic, and biological chemistry. The chemistry requirement was discussed at length as part of the development of the BA proposal, and the inclusion of CHE 202 was part of that discussion. Upon receipt of the Consultant Report, a poll of the Biology faculty indicated support for this recommendation. Thus, the "School of Science option" requirement in the proposal will be replaced by CHE 202.

Mathematics

Dr. Berg recommended elimination of the Calculus A (MAT 127) requirement and inclusion of a statistics course in its place. The existing introductory statistics courses at TCNJ either have Calculus A as a prerequisite (STA 215) or are too basic for science majors (STA 115). As a result, this recommendation would require development of a new course. A poll of the Biology faculty indicated that 91% of respondents rejected the recommendation to remove Calculus A from the BA curriculum. Given this disagreement with the consultant, we provide below our justification for the requirement.

The first argument against Calculus A was the lack of a demonstrated need for the course in a Biology degree program. We counter that argument by noting the widespread application of calculus within the discipline, from the small-scale (*e.g.*, enzyme kinetics) to the large-scale (*e.g.*, population growth). Further, it is not simply the ability to solve certain types of equations, but more the kind of thought developed by engaging with those equations that yields a depth of understanding of selected biological topics and fluency with graphical representations of biological data not possible without the exposure to calculus.

The second argument against Calculus A was the perception that it served as a "barrier" to students. We explained to Dr. Berg during his visit that this was not the case for our student population, and the data support our position. To assess the possibility that Calculus A was in fact a barrier for Biology majors, we examined the class of 2021 (*i.e.*, students who matriculated in Fall 2017). Students at TCNJ are not generally able to change their major during the first year, so a sample of first-year students would include both those who will ultimately stay in the major and those who will ultimately leave the major. Transfer students were removed from the sample, as were students in articulation programs (*e.g.*, seven-year medical program). The former generally take Calculus A before entering TCNJ, and the latter have specialized degree requirements. Of the remaining 115 students, 33 entered TCNJ with AP credit for Calculus A,

and five entered with community college credit for the course. Eight students did not take Calculus A during AY2017-18, and of those, four appear to be leaving the major based on their Fall 2018 enrollments. Thus, a total of 69 first-year Biology majors took Calculus A in AY2017-18. Their grades were as follows:

A	19
A-	8
B+	9
B	13
B-	4
C+	4
C	3
C-	3
D+	0
D	2
F	2
W	2

Of the two students who failed, one passed with a C on the second attempt, and the other appears to be leaving the major based on their Fall 2018 schedule. Of the two students who withdrew, one is taking the course again in Fall 2018, and the other appears to be leaving the major based on their Fall 2018 schedule.

In conclusion, of 115 students who entered the major and could have been eligible for the BA degree program, a total of two students both did not pass MAT 127 and are leaving the major. And it is not clear that the former was a factor in the latter. Calculus A is clearly not a "barrier" course for Biology majors at TCNJ.

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

Whereas: The Committee on Strategic Planning and Priorities (CSPP) has recommended revising the Degree Program Approval Process policy to specify a role for this committee in reviewing preliminary proposals; and,

Whereas: The Committee on Strategic Planning and Priorities recommends that step one of the approval process be revised to state that the president, the provost, and CSPP review the initial proposal and consider whether the proposal is consistent with the College's mission and strategic plan. The president and provost make a preliminary recommendation, taking into account the recommendation of CSPP. Approval of the initial proposal 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 Board of Trustees; and,

Whereas: The Committee on Academic Programs has recommended revising the Degree Program Approval Process policy to specify that review of a proposal by an external consultant and review of a proposal by governance committees may occur in any order; and,

Whereas: The Committee on Academic Programs has recommended adding a note to the approval process policy that steps four and five may be conducted simultaneously or in reverse order, depending on the needs and availability of the proposing unit, outside consultant, and relevant governance entities. However, if major revisions (as determined by the dean) are made in response to feedback in either step four or five, the proposing unit must share the revised proposal with the reviewing entity from the other step, and that entity must provide approval or feedback on those revisions.

**Therefore
Be It**

Resolved: That the attached revised Degree Program Approval Process policy be approved and replace all previous documents.

July 10, 2018



Section:	II.1.16	
Title:	Degree Program Approval Process	
Effective Date:	July 5, 2016	
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, the provost, and CSPP review the initial proposal and consider whether the proposal is consistent with the College's mission and strategic plan. The president and provost make a preliminary recommendation, taking into account the recommendation of CSPP. Approval of the initial proposal 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 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).

Note: Steps 4 and 5 (below) may be conducted simultaneously or in reverse order, depending on the needs and availability of the proposing unit, outside consultant, and relevant governance entities. However, if major revisions (as determined by the dean) are made in response to feedback in either Step 4 or 5, the proposing unit must share the revised proposal with the reviewing entity from the other step, and that entity must provide approval or feedback on those revisions.

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 Council (TEC). All graduate programs must be reviewed by the Graduate Studies Council (GSC). The recommendations of the 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: Mission Fulfillment 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 Mission Fulfillment Committee 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 Mission Fulfillment 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.

Section:	II.1.33
Title:	Program closure - procedure
Effective Date:	June 2006
Approved By:	Board of Trustees
Responsible Unit:	Academic Affairs (academic@tcnj.edu , 609-771-3080)
History:	Approved by Board of Trustees: December, 2005; Recommended by Committee on Planning and Priorities and Committee on Academic Programs; Revised by CSPP February 28, 2018
Related Documents:	

I. INTRODUCTION

This policy includes the criteria for the Closure of Academic Programs and Non-Academic Programs.

II. DEFINITIONS

N/A

III. POLICY

Because of the potentially serious impact of closing an academic program or a nonacademic program on employees of The College of New Jersey (TCNJ) as well as on students, the decision to take any such actions must be done in a deliberate manner. This document is intended to insure that all critical factors are considered when the process of closing a program is initiated. Librarians are considered to be faculty in this document.

The following principles, listed in order of importance, should guide such decisions:

- Preserve the health, safety and security of our students, faculty, staff, and visitors.
- Preserve the integrity and excellence of the educational programs and services through which the College realizes its mission.
- Preserve the institutional integrity of the College, including our obligations to staff, faculty, and students (e.g., scholarships).

A. Academic Programs

For the purpose of this document, academic programs are defined as majors, minors, course sets, interdisciplinary or disciplinary concentrations, certificate programs or college services whose expressed primary function is to deliver instruction or directly enhance or mentor student academic growth. The latter would include library services aimed at student learning and specific academic enhancement programs such as EOF or the Honors program.

Guidelines for Academic Program Discontinuation: The process for academic program discontinuation should roughly parallel that which was followed for approval. To this end:

- a. Those programs that were approved at the department or program level would be dissolved at that level. However, the closure should be communicated and justified to the campus community.
- b. Those programs that needed initial dean's and/or school-wide approval should be discontinued with dean's or school-wide committee approval.
- c. Those programs that initially needed central administration approval at the outset should only be discontinued with central administration approval.
- d. For those programs that initially needed trustee approval at the outset, the procedure outlined in this document should be followed.
- e. In the event of a program closure the College must ensure that those students already enrolled in the program are able to complete the program in a timely fashion.
- f. Before making an official recommendation to discontinue a board approved program, the dean or provost will meet with that department as a whole to discuss recommendation. Prior to such a meeting, the dean will identify all faculty and American Federation of Teachers (AFT) professional staff who would be affected if the academic program is closed. Only after such a meeting is held will the program closure process begin.

Process for Discontinuing Board Approved Programs: In what follows, it is assumed that a dean initiates the process for closure. This process might also be initiated by the provost or president.

Step 1: Initial Program Closure Proposal

In what follows, it is assumed that a dean initiates the process for closure. This process might also be initiated by the provost or president. The dean makes a recommendation to the department to discontinue a program, including a rationale and pertinent statistics substantiating the need and for program closure.

**The College of New Jersey Board of Trustees
Resolution Approving a Revised Policy for
Program Closure**

- Whereas:** The College of New Jersey's *Policy Framework* calls for the regular review of College policies; and,
- Whereas:** The College of New Jersey last reviewed its Program Closure Procedure policy in 2006; and,
- Whereas:** The Committee on Strategic Planning and Priorities has recommended revisions to make this procedure consistent with the steps of the program approval process by allowing the input of CSPP in step two of the procedure; and,
- Whereas:** The Committee on Strategic Planning and Priorities has recommended that the College's principles of prioritization be included in the Program Closure Policy to guide decisions to close programs; and,
- Whereas:** The first priority is to preserve the health, safety and security of our students, faculty, staff, and visitors; and,
- Whereas:** The second priority is to preserve the integrity and excellence of the educational programs and services through which the College realizes its mission; and,
- Whereas:** The third priority is to preserve the institutional integrity of the College, including our obligations to staff, faculty, and students (e.g., scholarships).

**Therefore,
Be It**

Resolved: That the attached revised policy be approved and replace all previous documents.

July 10, 2018

Step 2: Review

The president, the provost, and CSPP review the initial proposal and consider whether program closure is consistent with the College's mission and strategic plan. The president and the provost make a preliminary recommendation, taking into account the recommendation of CSPP. Approval of the initial proposal for closure signals the dean to begin developing a fuller proposal

Step 3: Full Program Closure Proposal & Response

A) The dean develops a proposal that addresses all of the following:

- i. Level of conformity with the mission, goals and character of the college;
- ii. Level of demand for services;
- iii. Degree to which services are being provided as efficiently as possible;
- iv. Level of ability to attract qualified personnel to staff the program;
- v. Changes in external accreditation or credentialing requirements;
- vi. Impact of closure on tenured faculty and long-time employees;
- vii. Ramifications for external constituents (alumni, state decision-makers, etc.) of program closure; and
- viii. Impact of closure on the stature of the college.

B) The dean forwards the full proposal to the department to discontinue a program. Department responds to the dean.

The department's response will include a detailed plan for the future role of all faculty or other employees currently considered to be part of that department. In addition, the department notifies these employees of the possibility that the program might be closed. The Administration recognizes the critical importance of this for all faculty/AFT professional staff and the significance of insuring that they will have the opportunity to continue contributing to the mission of TCNJ after any formal action takes place.

C) Any faculty member or professional staff member in such a situation will have the opportunity, in accordance with relevant collective bargaining agreements, either to move to another department or academic unit with a similar function to the one being phased out or to another available position at TCNJ for which they are qualified at the same level as their current position

Step 4: College Governance

A) The full proposal and departmental response are submitted to CAP for final concurrence or non-concurrence with the proposal. The dean will be present at the CAP meeting when the final recommendation is discussed. The chair of the

affected department and all members of the program being reviewed for discontinuation will be invited to CAP to provide information and answer questions about the recommendation.

- B) Once CAP has responded to the recommendation, the dean will make a final recommendation. This will be sent to the provost along with the response from CAP and the departmental response.
- C) The provost will review the dean's recommendation along with the departmental response and the response from CAP. The provost then makes a recommendation to the president.
- D) Should the dean and provost recommend the discontinuation of any program, the president will review this recommendation. If the president concurs, s/he will inform the Board of Trustees of his/her intention to recommend that the program be discontinued.
- E) The provost identifies those campus constituents, such as records and registration, admissions, etc., who need to be informed in the event of program closure.
- F) Within a specified period of time, the president makes a recommendation to discontinue the program to the Board of Trustees for action. Since decisions to discontinue any program may involve personnel evaluations, the administration has a responsibility to maintain confidentiality of those aspects of its discussions.
- G) The Board of Trustees acts on the recommendation to discontinue.
- H) Subsequent to Board action, the NJ Commission on Higher Education is notified of the program discontinuation action.
- I) The provost informs those campus constituents identified in step eight.

B. Non-Academic Programs

For the purpose of this document, non-academic programs are defined as those which support the functions of the college but that are not involved directly in the delivery of instruction. They might include, but are not limited to, programs involved in student services such as financial services, card and parking services, safety, health and security, campus wellness, campus and community relations, campus planning and construction, etc.

- I. Closure Criteria: The following should be taken into consideration before initiating the process of closing a non-academic program:
 - a. Level of conformity with the mission, goals and character of the college.

- b. Level of demand for services.
 - c. Degree to which services are being provided as efficiently as possible.
 - d. Level of ability to attract qualified personnel to staff the program.\
 - e. Changes in external accreditation or credentialing requirements.
 - f. Impact of closure on tenured faculty and long-time employees.
 - g. Ramifications for external constituents (alumni, state decision-makers, etc.) of program closure.
 - h. Impact of closure on the stature of the college.
2. Guidelines for Non-Academic Program Discontinuation: As for academic programs, the process for non-academic program closure should roughly parallel that which was followed for approval. For those programs that needed trustee or central administration approval at the outset, the following procedure should be followed.
3. Policy for Nonacademic Program Closure
- a. After preliminary discussion between individual(s) advocating the recommendation and the supervisor, an agreement is reached to move toward program closure. The supervisor of a specific administrative area, prior to making an official recommendation to the appropriate executive staff member or cabinet member to discontinue a program will meet with those members of the department responsible for promoting/providing the services found within that program to discuss the supervisor's impending recommendation.
 - b. The department will be given the opportunity to respond to the supervisor and may meet with the supervisor to discuss alternatives to program closure.
 - c. The supervisor's recommendation for program closure is sent to the appropriate executive staff member or cabinet member, providing a summary of factors leading to the recommendation. An executive staff member or cabinet member could make the recommendation directly to the president.
 - d. Upon review, the executive staff member or cabinet member will make a final recommendation to the president.
 - e. Should the executive staff member/cabinet member recommend the discontinuation of any program, the president will review this recommendation, and if she/he concurs, will inform the Board of Trustees of her/his intention to recommend the program be discontinued. At the next scheduled Board meeting, the president makes a recommendation to discontinue the program. Since decisions to discontinue any program may involve personnel evaluations, the administration has a responsibility to maintain confidentiality of those aspects of its discussions.
 - f. The Board of Trustees acts on the recommendation to discontinue as appropriate.

- g. Upon Board action, the executive staff member/cabinet member will submit formal notification of the reversal of funds for the budget under which the program falls to the Office of Budget and Finance.
- h. After a program has been closed or discontinued, any budget requests submitted as an appeal for an eliminated program must be submitted through supplement reallocations with a description and justification for the request submitted to Budget and Finance by the supervisor or executive staff member/cabinet member for that budget.

IV. RELATED DOCUMENTS

N/A

V. HISTORY

Approved by Board of Trustees: December, 2005

Recommended by Committee on Planning and Priorities and Committee on Academic Programs

Revised by CSPP, February 28, 2018

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

Whereas: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$33,300, 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 Business and Infrastructure 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
Thomson Reuters \$17,350	Electronic Databases, Books and Periodical Materials	College Operating
Oracle \$793,948	Oracle Cloud Database Licenses and Maintenance	Operating Reserves
NJEdge \$400,000	Annual Dues/Membership, Network, Software, Licenses and Maintenance	College Operating
Advance 2000 Inc \$156,000	Alcatel- Lucent Voice Communications System	State Bonds and Reserves
Medicat \$38,512	Medicat Patient Health Management System Annual Subscription	College Operating
International Business Machines Corp (IBM) \$42,068	SPSS and Content Manager Annual Software Subscription and Support	College Operating
GreyHeller/ ERP Firewall \$65,400	PeopleSoft Application Infrastructure	College Operating

Degy Booking International, Inc \$95,000	Event Sponsored by the College Union Board: Fall and Spring Comedy Show	Student Activity Fee and Ticket Sales
Degy Booking International, Inc \$55,000	Event Sponsored by the College Union Board: Fall and Spring Lecture	Student Activity Fee and Ticket Sales
Concert Ideas \$275,000	Event Sponsored by the College Union Board: Fall and Spring Concert	Student Activity Fee and Ticket Sales
Wizard's Festival of Fun, Inc \$130,000	College Union Board Annual Funival 2018	Student Activity Fee and Ticket Sales
GrooveBoston, LLC \$150,000	College Union Board concert- production and entertainment	Student Activity Fee and Ticket Sales
Assessment Technologies Institute \$35,000	Nursing Testing Package	Direct Student Charge
National Council for Behavioral Health \$36,200	Mental Health First Aid Instructor Training	Grant Funded
Witt/Kieffer \$97,000	School of Business Dean Search	College Operating
Council for International Educational Exchange (CIEE) \$97,700	Study Abroad-Cuba and Ghana	Program Fees
Beyond Aid \$43,200	Study Abroad- Ghana	Program Fees
International Studies Abroad (ISA)/WorldStrides \$72,000	Study Abroad-Peru	Program Fees

CEPA GmbH \$153,000	Study Abroad-Italy and Strasbourg, Heidelberg	Program Fees
Casa do Brazil \$37,250	Study Abroad-Madrid	Program Fees
WorldStrides \$72,000	Study Abroad-France	Program Fees
Council for International Educational Exchange (CIEE) \$64,000	Study Abroad-Sustainability Europe (Ireland and Portugal)	Program Fees
Hellenic Education & Research Center (HERC) \$57,600	Study Abroad-Greece	Program Fees
UIW European Study Center GmbH \$338,580	Study Abroad-Heidelberg	Program Fees
Foundation for International Education (FIEE) \$72,125	Study Abroad-London	Program Fees
Universita Cattolica del Sacro Cuore,Milan \$39,212	Study Abroad-Milan	Program Fees
The Washington Center (TWC) \$196,434	Study Abroad- Washington Center	Program Fees
Edge Hill University \$59,825	Study Abroad-Ormskirk, England	Program Fees
International Studies Abroad (ISA) \$109,945	Study Abroad-Chile and Cape Town	Program Fees
Spring Hill College \$136,350	Study Abroad-Italy	Program Fees

Instituto Franklin,
University of Alcala de
Henares, Spain
\$135,632

Study Abroad-Spain

Program Fees

Undergraduate Program in
Central European Studies
(UPCES)
\$49,250

Study Abroad-Prague

Program Fees

**Resolution Approving Waivers
of Advertising
Business and Infrastructure Committee
(Facilities and Construction)**

- Whereas:** State College Contracts Law permits waivers of advertising for specified purchases in excess of \$33,300; 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 Business and Infrastructure 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
DLB Associates \$35,300	Additional design services for Domestic Water project	Asset Renewal Reserves
Gittings Associates \$35,500	Additional design services for Green Hall Office project	Operating Reserves
Horizon Associates \$68,993	Additional commissioning services for STEM Building	GO Bond/2013 Bond
Burns Engineering \$65,525	Additional design services related to HRSG project	Asset Renewal Reserves
Campus Town Education Association, Inc. \$315,324	Fitness Center rent and common area maintenance charges	College Operating
SOFTlab \$235,000	Travers Wolfe Project art commission	Housing Reserves to be reimbursed from future bond
Settembrino Architects \$40,750	Design services related to the Center for Integrated Wellness	Strategic Reserves

July 10, 2018

Honeywell International, Inc.
\$33,172

Installation of door alarms

Housing Operating

Smith Engineering
\$43,312

Cogeneration Plant Forensics
and Operations Analysis

Strategic Reserves

**Resolution Authorizing The College of New Jersey to Partner with the Trenton State College Corporation in Applying for, Implementing and Maintaining the Federally Funded Transportation Alternative Program ("TAP") Grant for Creating a Walkable Community in an Urbanizing Suburb
(Business and Infrastructure Committee)**

- Whereas:** The U.S. Department of Transportation has created the TAP Grant program which is designed to provide funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation; recreational trail program projects; safe routes to school projects; and other miscellaneous transportation improvements; and
- Whereas:** The College completed a Multi-modal Transportation Study funded by the New Jersey Department of Transportation ("NJDOT") in 2006 that recommended pedestrian, bicycle and vehicular improvements to the campus to improve safety of and access to the College campus from the local neighborhoods; and
- Whereas:** The improvements recommended by the NJDOT Multi-modal Transportation Study are in the best interests of students, faculty, staff and visitors to the College; and
- Whereas:** The TAP Grant guidelines stipulate that a non-profit entity, such as the Trenton State College Corporation ("TSCC" or the "Corporation"), is eligible to be the lead applicant for TAP Grant funds, while the College is not; and
- Whereas:** The College has approached TSCC about participating jointly in applying for \$800,000 to \$1,200,000 of TAP Grant funding to construct improvements necessary to create a walkable community in and around the College campus; and
- Whereas:** It is anticipated that a TAP grant made jointly to the College and the Corporation would require the College and TSCC to agree to share in the routine maintenance of any TAP grant funded improvements that exist on their respective properties for the normal life of those improvements, and in order to obtain the TAP grant it is in the best interest of the College to do so; and
- Whereas:** TSCC management plans to seek approval of a resolution from the TSCC board on October 2, 2018, authorizing the Corporation to work with the College to apply for and implement the TAP Grant and commit to the maintenance of TAP grant improvement on the property of the Corporation.
- Now
Therefore,
Be It
Resolved:** That The College of New Jersey Board of Trustees authorizes the College to partner with TSC Corporation in the application for and implementation of the TAP grant and commit to the maintenance of TAP grant improvement on the property of the College; and

July 10, 2018

**Be it
Further
Resolved:**

That The College of New Jersey Board of Trustees authorizes the President and other officers of the College to take such actions and prepare such documents as may, in their judgment, be necessary or desirable to apply for and implement the Federally Funded Transportation Alternative Program Grant Improvements to create a walkable community in and around the College campus and to maintain the TAP grant improvement on the property of the College.

**Resolution Approving the College Of New Jersey FY 2019
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 2019 totaling \$266,761,000 of which \$27,177,000 is the anticipated base state appropriation and \$33,227,000 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 Business and Infrastructure 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 2019 college unrestricted current fund budget totaling \$266,761,000; and
- Be It
Further
Resolved:** That the Board of Trustees approves the student charges for FY 2019 to implement this budget.

July 10, 2018

THE COLLEGE OF NEW JERSEY

FY 2019 TOTAL UNRESTRICTED CURRENT FUND BUDGET

CURRENT OPERATING FUND (including fringe benefits)	\$ 169,335,000
GSF/CAPITAL FEE	21,868,000
RESIDENCE LIFE	55,975,000
STUDENT CENTER	2,707,000
SUMMER SCHOOL	4,351,000
MISCELLANEOUS REVENUE ACCOUNTS	12,525,000
	<u>\$ 266,761,000</u>

Undergraduate Global Programs	\$ 2,490,000
Conference and Events Services	3,732,000
Parking Services	637,000
New Jersey Risk Management Program	3,603,000
Graduate Global Programs	2,063,000
	<u>\$ 12,525,000</u>

**THE COLLEGE OF NEW JERSEY
FY 2019
TUITION & FEE INCREASE**

FULL TIME UNDERGRADUATE IN-STATE STUDENT

FY 2018 ACTUAL CHARGES

TUITION & MANDATORY FEES	\$	16,149
ROOM & BOARD*	\$	13,200
TOTAL	\$	29,349

	FY 2019 PROPOSED CHARGES	COMPARISON TO FY 2018 ACTUAL DOLLAR INCREASE	PERCENT INCREASE
TUITION & MANDATORY FEES	\$ 16,551	\$ 402	2.49%
ROOM & BOARD*	\$ 13,617	\$ 417	3.16%
TOTAL	\$ 30,168	\$ 819	2.79%

***Include: Room Charge and Ala Carte 1 Board Plan**

FULL TIME STUDENTS (Flat Rate Over 12 Credits) / 3 Units

			CHANGE	
	FY 2018	FY 2019	AMOUNT	PERCENT
UNDERGRADUATE - NEW JERSEY RESIDENT				
TUITION	12,631.70	12,947.49	315.79	2.50%
GSF/CAPITAL	2,968.99	3,043.22	74.22	2.50%
STUDENT CENTER FEE	260.31	266.82	6.51	2.50%
STUDENT ACTIVITY FEE	287.93	293.69	5.76	2.00%
TOTAL	\$ 16,148.93	\$ 16,551.22	\$ 402.28	2.49%
ROOM AND BOARD (BASE PLAN: ALA CARTE 1)	13,200.06	13,617.21	417.15	3.16%
TOTAL COST	\$ 29,348.99	30,168.43	\$ 819.43	2.79%
UNDERGRADUATE - OUT OF STATE RESIDENT				
TUITION	24,060.63	24,662.15	601.52	2.50%
GSF/CAPITAL	2,968.99	3,043.22	74.22	2.50%
STUDENT CENTER FEE	260.31	266.82	6.51	2.50%
STUDENT ACTIVITY FEE	287.93	293.69	5.76	2.00%
TOTAL	27,577.86	28,265.87	688.01	2.49%
ROOM AND BOARD (BASE PLAN: ALA CARTE 1)	13,200.06	13,617.21	417.15	3.16%
TOTAL COST	40,777.92	41,883.08	1,105.16	2.71%
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	\$ 1,756.00	\$ 1,652.00	(104.00)	-5.92%
GRADUATE STUDENT HEALTH INSURANCE	\$ 3,465.00	\$ 4,468.00	1,003.00	28.95%

<u>PART-TIME UG STUDENTS Per Credit/.25 Units</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>CHANGE</u> <u>AMOUNT</u>	<u>PERCENT</u>
UNDERGRADUATE - NEW JERSEY RESIDENT				
TUITION	448.02	459.22	11.20	2.50%
GSF/CAPITAL	122.94	126.02	3.07	2.50%
STUDENT CENTER FEE	11.08	11.36	0.28	2.50%
STUDENT ACTIVITY FEE	12.07	12.31	0.24	2.00%
TOTAL COST	594.12	608.91	14.79	2.49%
UNDERGRADUATE - OUT OF STATE RESIDENT				
TUITION	852.06	873.36	21.30	2.50%
GSF/CAPITAL	122.94	126.02	3.07	2.50%
STUDENT CENTER FEE	11.08	11.36	0.28	2.50%
STUDENT ACTIVITY FEE	12.07	12.31	0.24	2.00%
TOTAL COST	998.16	1,023.05	24.89	2.49%
<u>PART-TIME GRAD STUDENTS Per Credit Hour</u>				
GRADUATE - NEW JERSEY RESIDENT (including counties of Bucks, Montgomery and Philadelphia)				
TUITION	771.50	790.79	19.29	2.50%
GSF/CAPITAL	122.94	126.02	3.07	2.50%
STUDENT CENTER FEE	11.08	11.36	0.28	2.50%
TOTAL COST	905.53	928.17	22.64	2.50%
GRADUATE - OUT OF STATE RESIDENT				
TUITION	1,190.89	1,220.67	29.77	2.50%
GSF/CAPITAL	122.94	126.02	3.07	2.50%
STUDENT CENTER FEE	11.08	11.36	0.28	2.50%
TOTAL COST	1,324.92	1,358.05	33.12	2.50%
<u>FLAT RATE</u>				
CARD SERVICE FEE (FALL AND SPRING)	20.00	20.00	0.00	0.00%

Description of Mandatory Fees

- **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 dedicated exclusively to support the operations and maintenance (including personnel costs) of the Student Center, including asset renewal and other capital expenditures.
- **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 (including personnel costs) of the college community.
- **Card Service Fee** – The Card Service Fee is dedicated exclusively to partially support the operations (including personnel costs) and equipment maintenance of the College's ID card program.

**THE COLLEGE OF NEW JERSEY
BOARD CHARGES
FISCAL YEAR 2019**

Room and Board Plans (Annual Charges)	2019 BOARD ONLY (per year)	2019 BOARD ONLY (per semester)	Increase from FY18 (Amount)	Increase from FY18 (Percent)
MEAL RATES				
Ala Carte 1	\$4,378.63	\$2,189.31	\$148.07	3.5%
Ala Carte 2	\$3,677.91	\$1,838.96	\$124.36	3.5%
Ala Carte 3	\$2,971.61	\$1,485.80	\$100.50	3.5%
The Apartment Plan (Phelps and Hausdoerffer Apartment Residents)	\$1,784.88	\$892.44	\$60.36	3.5%
College Houses Plan (Off Campus Apt. Plan)	\$649.03	\$324.51	\$21.94	3.5%
*Carte Blanche Plus (includes 745 Flex Points per semester) - FALL	\$5,155.78	\$2,643.79	\$174.35	3.5%
*Carte Blanche Plus (includes 745 Flex Points per semester) - SPRING		\$2,511.99		0.0%
*Carte Blanche A (includes 459 Flex Points per semester) - FALL	\$4,629.41	\$2,374.19	\$156.54	3.5%
*Carte Blanche A (includes 459 Flex Points per semester) - SPRING		\$2,255.22		
*Carte Blanche B (includes 287 Flex Points per semester) - FALL	\$4,297.87	\$2,204.34	\$145.34	3.5%
*Carte Blanche B (includes 287 Flex Points per semester) - SPRING		\$2,093.53		
*Carte Blanche C (includes 173 Flex Points per semester) - FALL	\$3,747.33	\$1,921.67	\$126.72	3.5%
*Carte Blanche C (includes 173 Flex Points per semester) - SPRING		\$1,825.66		
*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)	\$8.31	n/a	\$0.28	3.5%
Carte Blanche Door Rates (Eickhoff Dining):				
Breakfast	\$6.01		\$0.20	3.5%
Lunch	\$8.97		\$0.30	3.5%
Dinner	\$10.45		\$0.35	3.5%
Student Block Meal Plan 25	\$ 196.58		\$6.65	3.5%
Student Block Meal Plan 50	\$ 390.23		\$13.20	3.5%
*Staff Block Meal Plan 25 (*staff pays tax)	\$ 209.60	NJ Tax rate lowered to 6.625%	\$6.61	3.3%
*Staff Block Meal Plan 50 (*staff pays tax)	\$ 416.08		\$13.13	3.3%
1855 Student Block Meal Plan 10	\$ 81.73		\$2.76	3.5%
1855 Student Block Meal Plan 25	\$ 200.96		\$6.80	3.5%
*1855 Staff Block Meal Plan 10 (*staff pays tax)	87.15	NJ Tax rate lowered to 6.625%	\$2.75	3.3%
*1855 Staff Block Meal Plan 25 (*staff pays tax)	214.27		\$6.76	3.3%

ROOM RATES	2019 ROOM ONLY (per year)	2019 ROOM ONLY (per semester)	Increase from FY18 (Amount)	Increase from FY18 (Percent)
Room Rate (Per Year)	\$ 9,238.58	\$ 4,619.29	\$ 134.54	3.0%
Weekly Housing Charge	\$ 288.71		\$ 8.41	3.0%
Summer Weekly Charge	\$ 216.53		\$ 6.53	3.1%
January Term Room Rate	\$ 226.60		\$ 6.60	3.0%

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 2019

	FY 2018	FY 2019
One-Time Program Fees		
Admissions Application Fee (1)	75	75
Graduation Services Fee	100	100
LiveText Learning Assessment Fee	115	115
Transfer Orientation Fee	55	-
Transfer Student Transitions Fee (non-refundable)	-	184
First Year Student Transitions Fee (non-refundable)	215	219
Inclusive Excellence Academy Fee	-	450
Transfer Student Welcome Program Fee	125	-
Requested Services Fees		
All Parking Decal Fees:		
· Commuter (Annual cost excluding NJ State sales tax)	95	105
· Residence (Annual Cost)	280	290
· Commuter (Per semester cost excluding NJ State sales tax)	54	64
· Residence (Per semester cost)	150	160
· Weekly Parking	15	20
Specialized Programs Fees		
ESLAS Program Tuition- Summer Only	4,275	4,382
ESLAS Program Tuition - (per semester)	5,280	5,412
ESLAS Program Summer Meal Plan	1,000	1,100
ESLAS Program Summer Housing Fee -(weekly rate)	N/A	N/A
ESLAS Activity Fee	N/A	300
ESLAS Pathway- Fall and Spring (per semester)	N/A	7,216
CALC High School Prep ESL Program Course Fee (per unit)	2,000	2,000
ESLAS Language Testing Fee (per semester/term)	165	165
Optional Summer Transition Program (Operation Be Well)	450	450
Lions Plus Program (Academic year)	5,000	5,000
Lions Plus Program (Per semester)	2,700	2,700
Government Program Fee	6,365	6,365
Provisional Cohort - Freshman	6,668	6,835
Cooperman Academy Summer Program (Summer)	4,500	4,500
Bonner Pre-College Program – Credit (includes tuition, room, board, activities):		
· General	3,722	3,722
· TCNJ Faculty/Staff	3,190	3,190
RN-to-BSN Off-Site Programs	1,378	1,412
Regional Training Center 1 Credit Fee	N/A	
Regional Training Center 3 Credit Fee	531	513
Summer Visiting Fee	75	75
Pass Through Fees		
Credit Card Payment Fee	2.75% of amount charged	2.75% of amount charged
International Credit Card Payment Fee	N/A	4.25% of amount charged
Nursing Testing Package		
· Sophomore	165	165
· Junior	245	245
· Senior	245	245

The College of New Jersey
Student Revenues
Fiscal Year 2019

	FY 2018	FY 2019
Payment plan enrollment fee (annual)	45	45
Payment plan enrollment fee (semester)	25	25
Other Fees		
Ewing High School Partnership Tuition - Per Course	150	150
International Student Teaching Fee	450	450
Music Fee	100	100
Private Music Lesson Charge	\$500(per 0.25 unit)	\$500(per 0.25 unit)
Nursing Course Fees:		
NUR 230 -Stethoscope, Name Tag, BP Cuff, , Lab Coat.	-	275
NUR 240 -Uniforms (2 pants, 2 shirts - Flynn and Ohara), Bandage scissor Cath Kits, Irrigation kits Kits, IV Tubing, IV Bags, Syringes of various sizes, injection pad, sterile gloves, exam gloves.	-	145
NUR 324 - Maternity Clinical	-	25
NUR 330 - Medical Surgical Lab Class Fee	-	80
NUR 334 - Simulation Class Fee	-	30
NUR 340 - Psych - Clinical	-	25
NUR 344 - Boot Camp - simulation plus Denver's	-	35
NUR 420 - Medical Surgical Class - Skills, Central Line Dressing, Trach Care.	-	55
NUR 424 - Simulation Class fee	-	35
NUR 440 - Simulation Class fee	-	30
NUR 444 - Community Bags - BP Cuff, Hand Sanitizer, Thermometer and thermometer covers, Mouth cover for CPR, Tape measure.		35
School of Science Course Fee - (Lab and Independent Research)	-	\$35 per course
Fitness Class Program Fee - Per Semester	25	25
NEW Fraternity & Sorority Life Involvement Fee		
· Fall Semester	45	45
· Spring Semester	45	45
Career and Community Studies		
Career and Community Studies Program (per term)	11,460	11,747
Career and Community Studies Program (per half term) Summer Term-5 weeks	5,730	5,873
Career and Community Studies - General Services fee (per semester -.5 units)	245	251
Career and Community Studies - Student Center fee (per semester -.5 units)	21	22
Career and Community Studies - Student Life fee (per semester -.5 units)	25	26
Career and Community Studies - Residential Life Program fee (per semester)	307	315
Graduate Global Programs		
Tier 1 off-site programs (per credit)	669	686
Tier 2 off-site programs (per credit)	586	601
Tier 3 off-site programs (per credit)	502	515
Tier 4 off-site programs (per credit)	418	428
International Internships (per credit)	755	774
Performance Learning Systems 3rd Learning Course Fee	300	308
Principal's Training Center Course Fee	300	308
Princeton Center for Teacher Education (PCTE) Certificate (per credit)	128	131
PCTE Degree (per credit)	789	809
Undergraduate Study Abroad Programs		

The College of New Jersey
Student Revenues
Fiscal Year 2019

	FY 2018	FY 2019
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
TCNJ Cape Town - Semester (includes tuition, fees, room and cultural excursions)	14,500	16,695
TCNJ Cape Town - Semester (includes tuition, fees, room, service learning and cultural excursions)	17,000	19,150
TCNJ Chile - Semester (includes tuition, fees, room and cultural excursions)	14,000	11,450
TCNJ Chile - Semester (includes tuition, fees, room, service learning and cultural excursions)	15,000	12,950
TCNJ England (includes tuition, fees, room and board)	11,675	11,965
TCNJ London – Semester (includes tuition, fees and excursions)	9,275	9,275
TCNJ London – Summer (includes tuition, fees and excursions)	7,200	7,200
TCNJ Prague – Semester (includes tuition, fees and excursions)	9,850	9,850
TCNJ Prague Deposit Fee-Semester	500	500
TCNJ Spain – Semester (includes tuition, fees, room and board plan - Ala Carte 3)	13,995	14,345
TCNJ Heidelberg – Semester (includes tuition, fees, room and excursions)	12,500	12,873
TCNJ Heidelberg – Summer (includes tuition, fees, room and excursions)	4,800	4,950
TCNJ Heidelberg – 2 Summer Sessions (includes tuition, fees, housing and excursions)	8,800	8,695
TCNJ Heidelberg – Single Room Option	450	400
TCNJ Italy – Semester (includes tuition, fees, room and board)	13,100	13,365
TCNJ Italy Excursion - Semester (co-curricular travel package required for all TCNJ Italy students)	1,750	1,785
TCNJ Washington Center - Semester (tuition, fees and internship placement)	8,300	8,588
TCNJ Washington Center - Summer (tuition, fees and internship placement)	6,900	7,038
TCNJ Milan- Summer (tuition, fees and housing)	9,200	9,803
Transcribing fee for short term programs	500	500
Transcribing fee for non-TCNJ students in Int'l programs (semester long)	1,000	1,000
Transcribing fee-per credit	125	125
Undergraduate International & Off-Campus Programs (out-going) – Study abroad application fee	425	450
Undergraduate Global Course Travel Fee – Application Fee for Short-Term, Faculty-Led Programs	150	150
Insurance Fees		
Study Abroad Travel Insurance - Weekly (GeoBlue)	11.80	12.55
Study Abroad Travel Insurance- Annual 6/30/18-6/29/19 (Aetna)	95	66
Study Abroad Travel Insurance- Semi-Annual 6/30/18-12/31/18 & 1/1/19-6/29/19(Aetna)	48	33
Study Abroad Travel Insurance- Quarterly (Aetna)	25	16.5
Undergraduate Health Insurance- Annual 6/30/18-6/29/19 (Aetna)	1,756	1,652
Graduate Health Insurance- Annual 6/30/18-6/29/19 (Aetna)	3,465	4,468
Undergraduate Health Insurance- Spring/Summer 1/16/19-6/29/19* (Aetna)	799	750
Graduate Health Insurance- Spring/Summer 1/16/19-6/29/19* (Aetna)	1,576	2,032
J-1 International Exchange Health Insurance (Aetna):		
• Fall Undergraduate (8/23/18 - 12/31/18*)	630	597

**The College of New Jersey
Student Revenues
Fiscal Year 2019**

	FY 2018	FY 2019
Spring/Summer Undergraduate (1/1/19 -5/31/19*)	649	683
ESLAS Summer 7/10/18-8/22/18 Health Insurance (Aetna)	212	190
Daily pro-rated Undergraduate Rate for Visiting Scholars/Limited Duration Programs, including programs through 7/31/19	N/A	4.52
Student Health Insurance bridge/gap extension coverage for full-time Undergraduate Students (6/30/19-7/31/19)	N/A	145
Student Health Insurance bridge/gap extension coverage for full-time Graduate Students (6/30/19-7/31/19)	N/A	392
Tuition Refund Insurance (2)	% varies based on coverage selected	% varies based on coverage selected

**coverage date range changed from AY17-18*

- (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 TUITION AND FEES**

Undergraduate In-State

Units	TCNJ Students	Visiting Students
0.25	\$ 601.60	\$ 681.60
0.50	\$ 1,198.20	\$ 1,278.20
0.75	\$ 1,794.80	\$ 1,874.80
1.00	\$ 2,391.40	\$ 2,471.40
1.25	\$ 2,988.00	\$ 3,068.00
1.50	\$ 3,584.60	\$ 3,664.60
1.75	\$ 4,181.20	\$ 4,261.20
2.00	\$ 4,777.80	\$ 4,857.80
2.25	\$ 5,374.40	\$ 5,454.40
2.50	\$ 5,971.00	\$ 6,051.00
2.75	\$ 6,567.60	\$ 6,647.60
3.00	\$ 7,164.20	\$ 7,244.20

Above based on the following per quarter unit costs:

Tuition	\$459.22
General Service	\$126.02
Student Center	\$11.36
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	\$ 1,015.74	\$ 1,095.74
0.50	\$ 2,026.48	\$ 2,106.48
0.75	\$ 3,037.22	\$ 3,117.22
1.00	\$ 4,047.96	\$ 4,127.96
1.25	\$ 5,058.70	\$ 5,138.70
1.50	\$ 6,069.44	\$ 6,149.44
1.75	\$ 7,080.18	\$ 7,160.18
2.00	\$ 8,090.92	\$ 8,170.92
2.25	\$ 9,101.66	\$ 9,181.66
2.50	\$ 10,112.40	\$ 10,192.40
2.75	\$ 11,123.14	\$ 11,203.14
3.00	\$ 12,133.88	\$ 12,213.88

Above based on the following per quarter unit costs:

Tuition	\$873.36
General Service	\$126.02
Student Center	\$11.36
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	\$ 469.11	\$ 549.11
1	\$ 933.21	\$ 1,013.21
2	\$ 1,861.42	\$ 1,941.42
3	\$ 2,789.63	\$ 2,869.63
4	\$ 3,717.84	\$ 3,797.84
5	\$ 4,646.05	\$ 4,726.05
6	\$ 5,574.26	\$ 5,654.26
7	\$ 6,502.47	\$ 6,582.47
8	\$ 7,430.68	\$ 7,510.68
9	\$ 8,358.89	\$ 8,438.89
10	\$ 9,287.10	\$ 9,367.10
11	\$ 10,215.31	\$ 10,295.31
12	\$ 11,143.52	\$ 11,223.52

Above based on the following per credit costs:

Tuition	\$790.79
General Service	\$126.06
Student Center	\$11.36
Card Service Fee	\$5.00 *
Visiting student's total includes a \$75.00 Visiting Fee plus \$10.00 Card Service Fee	

Graduate Out-of-State

Credit Hours	TCNJ Students	Visiting Students
0.5	\$ 684.05	\$ 764.05
1	\$ 1,363.09	\$ 1,443.09
2	\$ 2,721.18	\$ 2,801.18
3	\$ 4,079.27	\$ 4,159.27
4	\$ 5,437.36	\$ 5,517.36
5	\$ 6,795.45	\$ 6,875.45
6	\$ 8,153.54	\$ 8,233.54
7	\$ 9,511.63	\$ 9,591.63
8	\$ 10,869.72	\$ 10,949.72
9	\$ 12,227.81	\$ 12,307.81
10	\$ 13,585.90	\$ 13,665.90
11	\$ 14,943.99	\$ 15,023.99
12	\$ 16,302.08	\$ 16,382.08

Above based on the following per credit costs:

Tuition	\$1,220.67
General Service	\$126.06
Student Center	\$11.36
Card Service Fee	\$5.00 *
Visiting student's total includes a \$75.00 Visiting Fee plus \$10.00 Card Service Fee	

* A flat \$5.00 Card Service Fee will be assessed to all continuing TCNJ students taking summer course(s)

**WINTER "J-TERM"
TUITION AND FEE RATES
FISCAL YEAR 2019**

Course Cost - Undergraduate – 1 Unit

Description	Amount
Tuition (In-State and Out-of-State)	\$1,836.88
Total	\$1,836.88

Course Cost - Undergraduate – .75 Units

Description	Amount
Tuition (In-State and Out-of-State)	\$1,377.66
Total	\$1,377.66

Course Cost – Undergraduate - .5 Units

Description	Amount
Tuition (In-State and Out-of-State)	\$918.44
Total	\$918.44

0

Course Cost - Graduate – 3 Credits

Description	Amount
Tuition (GIS and GOS)	\$2,372.36
Total	\$2,372.36

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 2018-2019.

**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 2018-2019:

July 10, 2018

**Charges, Fines and Parking Penalties
Academic Year 2018-2019
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
Pre-Entrance Health Requirement 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 2018 Rate Schedule

Contract cancellations 12/4/17-2/4/18	\$0
Contract cancellations 2/5/18-3/5/18	\$250
Contract cancellations 3/6/18-5/15/18	\$375
Contract cancellations 5/16/18-6/28/18	\$500
Contract cancellations 6/29/18-8/13/18	\$625
Contract cancellations 8/14/18-9/5/18	\$750
Contract cancellations 9/6/18-9/18/18	4 weeks housing charge
Contract cancellations 9/19/18-10/2/18	8 weeks housing charge
Contract cancellations 10/3/18 and after*	16 weeks housing charge

*All contract release requests received after 10/3/18 will be reviewed for a contract release for the spring semester.

Housing Cancellation Fee - Spring 2019 Rate Schedule

Contract cancellations prior to 10/31/18	\$250
Contract cancellations 11/1/18-11/29/18	\$375
Contract cancellations 11/30/18-12/20/18	\$500
Contract cancellations 12/21/18-1/14/19	\$625
Contract cancellations 1/15/19-2/5/19	\$750
Contract cancellations 2/6/19-2/18/19	4 weeks housing charge
Contract cancellations 2/19/19-3/4/19	8 weeks housing charge
Contract cancellations 3/5/19 and after	16 weeks housing charge



Section:	XII.1.4
Title:	Travel Policy
Effective Date:	
Approved By:	Board of Trustees
Responsible Unit:	Office of the Treasurer 609-771-2186
History:	July 8, 2008
Related Documents:	

I. Introduction

The College of New Jersey (the "College") understands that travel is essential to the teaching, research and public service missions of the College. The College must establish cost effective practices that are consistently applied and that comply with sponsor and regulatory requirements, while meeting the reasonable needs of travelers on College business. All persons travelling on official College business are expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling at his or her own expense. Reimbursable travel expenses are limited to those expenses essential to transacting the official business of the College.

This policy addresses travel authorization and allowable expenditures for travel on College business and applies to all College employees and other individuals authorized to travel on behalf of the College. The College travel policy is in conformance with the New Jersey State Code of Ethics and other state and federal laws, as applicable. Reimbursement rates are guided by, but should not exceed the most current federal guidelines. Grant funded travel may have additional and/or more restrictive travel requirements that must be adhered to.

The New Jersey Code of Ethics has limitations and restrictions applicable to travel and attendance at conferences. It is the responsibility of the employee and travel approvers to conform to these regulations. Please refer to the College's ethics site for additional details, www.tcnj.edu/ethics.

Note: If a traveler does not meet the criteria outlined in this Travel Policy special approval may be granted at the discretion of the traveler's supervisor.

II. Definitions

Concur is the travel and expense system that must be used for all College travel requests including day trips, overnight trips and blanket travel. Concur is the sole mechanism for travel expense reporting.

Anthony Travel is the College contracted travel management company that will assist employees with travel arrangements.

Travel Request Form is the electronic request form completed within Concur in order to request approval for travel.

Travel Expense Report is the report that documents all travel related expenses incurred while traveling on College business.

Duty of Care is a set of processes within Concur intended to enhance the safety and/or well-being of travelers when away on College business.

Official Station is the office or station provided by the College to which an employee is regularly assigned. The official station for all employees is the College's campus in Ewing, NJ, unless formal approval is given for an alternate location.

GSA Per Diem is the rate allowance for meals, lodging (excluding taxes), and incidental expenses (including fees and tips given to porters, baggage carriers, hotel staff, and staff on ships) established by current federal guidelines.

Group Meals are meals paid for by the College for non-College employee guests such as alumni and charitable donors.

III. Travel

Planning a Trip:

A Travel Request Form must be completed in Concur at least one week prior to travel and must be approved prior to incurring any financial commitments for official College business travel. A Travel Request Form is always required: (a) whether or not the employee is seeking reimbursement from the College; (b) regardless of funding source, i.e. College paid travel, Grant funded, etc. An approved Travel Request Form will ensure that the employee is covered by both applicable workman's compensation insurance and Duty of Care capabilities while traveling on College business.

Travel Booking:

In order to generate maximum benefit and value for the College and its travelers, use of Anthony Travel is strongly encouraged but not required. Both Concur and Anthony Travel provide access to special travel rates through preferred vendors and incorporate guidelines based on this policy.

International Travel:

Decisions to study and conduct research abroad should be made with an understanding of the current world situation, which requires that travelers remain aware, informed, and prepared. Prior to finalizing an international trip, it is important to plan for and to be aware of the health, safety, and security concerns in the region you will visit.

- Consider registration with the U.S. embassy or consulate
- Consider registration via the [Department of State Smart Traveler Enrollment Program \(STEP\) International Travel Registration](#)
- Consider reviewing [Department of State Travel to High Risk Areas and Travel Advisories](#)
- Consider regular visits to [Centers for Disease Control and Prevention \(CDC\)](#)

TCNJ's Center for Global Engagement site also contains additional [Health and Safety](#) information.

IV. Reimbursement

Seeking Reimbursement:

All travelers should complete and submit their Travel Expense Report within 30 days of the conclusion of the expense or trip. The traveler will be personally responsible for any purchase(s) not related to official College business. Out of pocket expenses incurred prior to travel will NOT be reimbursed until after the travel is complete.

Meals:

Meals will be reimbursed at the GSA Per Diem rate for the particular travel destination. Refer to [GSA Travel Resources](#) for both domestic and international rates. The GSA Per Diem for meal allowances includes incidentals such as tips and applicable sales tax. The payment of GSA per diem does not require the submission of supporting receipts.

Meals included as part of the registration fee or in the cost of lodging will not be reimbursed even if the employee chooses not to accept the included meal. Included meal(s) cannot be claimed under the per diem.

Group meals are not subject to the GSA per diem and will be reimbursed at actual cost. Itemized receipts must be submitted with the Travel Expense Report for reimbursement.

For day trips lasting longer than seven hours, meals will be reimbursed at 75% of the GSA per diem rate for the particular travel destination. Meal costs will not be reimbursed for day trips under 7 hours (standard work day).

Note: The College will not reimburse the cost of alcohol under any circumstances.

Air and Rail Travel:

Travel by air or rail must be a coach/economy class fare equivalent. The College will not pay for or reimburse for upgraded seat fares (i.e. exit row, aisle seat, etc.), unless the flight has a scheduled in air flying time in excess of three consecutive hours and must be approved by the traveler's supervisor on the Travel Request Form. The College will not pay for or reimburse for business class fares unless warranted by a medical condition and/or recommended by the traveler's physician and must be approved by the traveler's supervisor on the Travel Request Form. Any seat upgrades using a traveler's own rewards/miles/credits is considered a personal expense and will not be reimbursed. Itemized receipts must be submitted with the Travel Expense Report for reimbursement.

Fees required for early check-in are reimbursed at actual cost and itemized receipts must be submitted with the Travel Expense Report for reimbursement.

Baggage fees that are necessary for the purpose and length of the trip are reimbursed at actual cost and itemized receipts must be submitted with the Travel Expense Report for reimbursement. Fees for baggage that is personal in nature (i.e. golf clubs) will not be reimbursed.

Vouchers or credits for unused air tickets are the property of the College and must be used for College business.

Lodging:

Lodging will be reimbursed at the GSA Per Diem rate for the particular travel destination. Refer to [GSA Travel Resources](#) for both domestic and international rates. The GSA Per Diem for lodging includes incidentals such as tips but does not include tax which may be reimbursed separately. Itemized receipts must be submitted with the Travel Expense Report for reimbursement.

If the official College business travel is related to a conference and selected hotels are offering discounted conference rates, reimbursement will be allowed at that rate.

If necessary and approved, the College allows reimbursement for one night prior to the start of the event and/or one night after the end of the event.

Registration Fees:

Registration fees for conventions, conferences, and staff training are fully reimbursable if approved on the Travel Request Form. Itemized receipts must be submitted with the Travel Expense Report for reimbursement. If advanced payment is required, the departmental Travel Card can be used for pre-payment and should be indicated on the Travel Request Form.

International Travel Expenses:

When traveling internationally, certain expenses including Passport, Visa, and immunization fees will be reimbursed. Itemized receipts must be submitted with the Travel Expense Report for reimbursement.

Transportation:

The College will pay for or reimburse ground transportation and related expenses, such as a shuttle bus (between airport and hotel), taxi, bus, subway, train, and ride-share options.

All travel should be by the most direct and economical routes available. Any deviation from the most direct and economical routes will require justification.

No transportation costs will be reimbursed between the employee's place of residence and the official work station on scheduled work days. When an employee is temporarily assigned to another location or is on College related business travel, and leaves from home to that temporary assignment, the employee will be reimbursed for the mileage from the College OR from their place of residence, to the destination, whichever is the lesser of the two.

Mileage:

Mileage is reimbursed at the [Internal Revenue Service \(IRS\)](#) rate.

Airport Parking:

Airport parking is reimbursed at the Long-Term Airport rate and itemized receipts must be submitted with the Travel Expense Report for reimbursement. For extended travel, the cost of long-term parking should not exceed the cost of other ground transportation options, such as taxi, ride share or public transportation.

Tolls and Parking:

Tolls and parking (not including airport parking) are reimbursed at actual cost and itemized receipts must be submitted with the Travel Expense Report for reimbursement.

Personal Vehicles:

Liability insurance is required if an employee is utilizing a personal vehicle for College related business travel. The College will not reimburse the cost of any motor vehicle violations. Fines for all motor vehicle violations shall be the obligation of the operator of the vehicle.

Car Rental:

If a car rental is deemed necessary, a justification must be submitted with the Travel Request Form. The College will pay for or reimburse for the rental of up to a full-sized vehicle. Larger vehicles may be rented if there are four or more individuals traveling together, if the traveler is transporting sizeable equipment or if there are other valid College related business needs. Itemized receipts must be submitted with the Travel Expense Report for reimbursement.

Employees are required to purchase the comprehensive insurance offered by the car rental company. The College will not pay for or reimburse for the cost of additional equipment and service add-ons such as navigation or satellite radio. The College will not reimburse the cost of any motor vehicle violations. Fines for all motor vehicle violations shall be the obligation of the operator of the vehicle.

Fuel charges will be reimbursed at actual cost and itemized receipts must be submitted with the Travel Expense Report for reimbursement.

College-Owned Motor Vehicles:

College-owned vehicles may be used by College staff for official College business subject to availability. The vehicles must be reserved in advance by contacting Facilities, [Requesting College Owned Vehicles](#). The College will not reimburse the cost of any motor vehicle violations. Fines for all motor vehicle violations shall be the obligation of the operator of the vehicle.

Note: Any accident you may have while driving a College-owned vehicle must be reported to the local police department as well as the Office of Campus Police Services. For additional information regarding the College's fleet usage, please contact Campus Police.

Telephone & Internet Charges:

Telephone charges, such as long-distance and fax expenses, and charges for internet access which are necessary to conduct official College business while traveling will be reimbursed. When necessary for official College business a temporary international phone plan added to a personal mobile account will be reimbursed. Justification and itemized receipts must be submitted with the Travel Expense Report for reimbursement.

Extraordinary Expenses:

Travel Expense Reports for extraordinary expenses that could not have been anticipated prior to traveling are subject to approval before reimbursement. Justification and itemized receipts must be submitted with the Travel Expense Report for reimbursement.

V. Blanket Travel (Daily Repetitive Travel):

Employees, who by the nature of their job responsibilities are required to incur repetitive daily travel, should submit a Blanket Travel Request Form to cover the term of the required travel. The form must specify the types of reimbursement that are authorized (even if not always incurred), such as meals, mileage, parking, tolls, misc. expenses, etc., but need not be

cost specific.

The Blanket Travel Request Form will be used as a means of verifying that the employee is authorized to travel on behalf of the College.

VI. Honorarium Payments:

In accordance with State of New Jersey guidelines, the College does not require that employees offset their Travel Expense Report by any Honorarium received through official College business.

For additional information please refer to the College's ethics site www.tcnj.edu/ethics or to the [Scholarly Capacity](#) rule for more information.

VII. Combined Personal and Business Travel

If personal travel is combined with official College business related travel, only the business portion of the trip is reimbursable. Employees are not covered by the College's workman's compensation insurance while on personal travel. The Concur travel and expense system should not be used to book any personal travel.

VIII. Related Links

- [TCNJ Travel Website](#)
- [TCNJ Travel Procedures](#)
- [IT Security Program - International Travel Guide](#)
- [Travel Card Policy](#)
- [Travel and Expense Approval Workflow](#)
- [Concur](#)
- [Concur Training Toolkit](#)
- [Anthony Travel](#)

**The College of New Jersey
Board of Trustees Resolution Approving a
Revised Travel Policy**

- Whereas:** On July 8, 2008, the Board of Trustees approved the modifications to the TCNJ Travel Policy and Procedures; and,
- Whereas:** The College has adopted Federal Guidelines for the reimbursement of lodging and meals; and,
- Whereas:** In subsequent years reimbursement rates have been adjusted by Federal per diem guidelines; and,
- Whereas:** TCNJ Employees are required to abide by the State of New Jersey Code of Ethics relating to certain travel practices; and,
- Whereas:** The Business and Infrastructure Committee has reviewed the revisions to the Travel Policy and recommends to the Board of Trustees approval of the attached Travel Policy, and;
- Therefore,**
Be It
Resolved: That The College of New Jersey Board of Trustees hereby approves the attached Travel Policy, and;
- Be It Further**
Resolved: That the President is authorized to take such actions to amend such Policy as conditions require and approve changes to the reimbursement rates within the guidelines, but not to exceed the Federal Reimbursement Rates.

July 10, 2018

**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 \$33,300, 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, 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
Baker Tilly \$180,000	Internal Audit Services	College Operating
Aetna \$998,089	Student Health Insurance	Student Charges
Borden Perlman \$207,920	Athletic Accident Insurance	College Operating
FM Global \$3,038,270	All Risk Property Insurance Purchases for New Jersey Association of State Colleges and Universities Member Institutions	College Operating
Willis Towers Watson/ Willis of New Jersey, Inc. \$37,907	Executive Automobile Insurance Purchases for New Jersey Association of State Colleges and Universities Member Institutions	College Operating

July 10, 2018