
Middlesex County College

Board of Trustees
Policy Manual

November 20, 2018

FOREWORD

Middlesex County College is subject to applicable state and federal laws and regulations. This Policy Manual contains statements of policy adopted by the Board of Trustees of Middlesex County College. It will be supplemented by the procedures required to implement the policies. The President of the College will develop and apply such procedures consistent with these policies.

**MIDDLESEX COUNTY COLLEGE
BOARD OF TRUSTEES POLICY MANUAL**

Table of Contents

<u>FORWARD</u>	2
<u>MISSION AND VALUES</u>	6
<u>ADMINISTRATION</u>	
3.1.0 College Seal	7
3.3.0 Equal Opportunity/Affirmative Action	8
3.4.0 Archives Charter	9
3.6.0 Indemnification	10
3.7.0 Sexual Harassment	11
3.8.0 Harassment / Discrimination	12
3.9.0 Confidentiality of Library Records	13
3.10.0 Use and Abuse of Drugs and Alcohol	14
3.11.0 Diversity	15
3.12.0 AIDS Non-Discrimination	16
3.13.0 Open Public Records Act	17
3.14.0 Conflict of Interest in Grant Supported Activities	18
3.15.0 Institutional Review Board	19
3.16.0 Acceptable Use of Computer Network, Resources & Facilities	20
3.17.0 Procedures Developed Pursuant to Various Policies	21
3.18.0 Records Retention	22
3.19.0 Smoking	23
3.20.0 Permission for Use of Alcohol on Campus	24
3.21.0 Health Information Privacy	25
3.22.0 Facility Naming	26
3.23.0 Presidential Expense Review	27
3.24.0 Disabilities	28
3.25.0 Consensual Relationships	29
3.26.0 Supervision or Teaching of Relatives	30
3.27.0 Campus Demonstrations and Gatherings	31

3.28.0	Violence Against Women Act & the Campus Sexual Violence Act	32
3.29.0	Sex/Gender Harassment, Discrimination and Misconduct	33

HUMAN RESOURCES

4.1.0	Collective Bargaining - Faculty	48
4.2.0	Collective Bargaining – Teamsters	49
4.3.0	Collective Bargaining – Technical / Clerical	50
4.4.0	Collective Bargaining – Police Officers	51
4.5.0	Outside Employment	52
4.6.0	Contracts for Professional Staff	53
4.7.0	Police Officers	54
4.8.0	Participation in NJ State Retirement System	55
4.9.0	Tuition – Employees and Dependents	56
4.10.0	Salary Reduction Agreements	57
4.11.0	Agreement to Provide Tax Sheltered Investment Opportunities	58
4.12.0	Employee Exchange Agreements	59
4.13.0	Family and Medical Leave Act	60
4.14.0	Side Arms	61
4.15.0	Whistleblower	62
4.16.0	Presidential Search	63
4.17.0	Vice Presidential Appointment	64

FINANCE

5.1.0	Investment of Funds	65
5.2.0	Commercial Operation on Campus	66
5.3.0	Tuition – Senior Citizens of Middlesex County	67
5.5.0	Imprest Cash Fund	68
5.6.0	Purchasing	69
5.7.0	Campus Housing	70
5.8.0	Change Order for Construction Contracts	71

5.9.0	Chargeback Eligibility	72
5.10.0	Student Scholarships and Loans	73
5.11.0	Tuition and Fee Deferred Payment Plan	74
5.12.0	Disposal of College Property	75
5.13.0	Grants	76
5.14.0	Business Functions	77
5.15.0	Malpractice Insurance – Allied Health Credit and Non Credit	78

ACADEMIC AFFAIRS

6.1.0	Academic Freedom	79
6.2.0	Degree and Certificate Requirements	80
6.3.0	Honorary Degree Associate Degree in Humane Letters	81
6.4.0	Library Collection	82

STUDENT AFFAIRS

7.1.0	Tuition and Fee Rates	83
7.2.0	Code of Student Conduct	84
7.3.0	Admissions	85
7.4.0	Student Privacy Rights	86

COLLEGE FOUNDATION

8.1.0	Middlesex County College Foundation, Inc.	87
-------	---	----

MISSION AND VALUES

MISSION STATEMENT

The mission of Middlesex County College is to provide access to a quality, affordable education for a diverse population, to support student success for lifelong learning, and to strengthen the economic, social, and cultural life of the community.

VALUES STATEMENT

Excellence: MCC values a rigorous and supportive learning environment

Integrity: MCC prides itself in fostering an honest and respectful institutional culture

Diversity: MCC respects and celebrates acceptance and understanding

Collaboration: MCC promotes a culture of cooperation and engagement

Transparency: MCC embraces authentic and transparent communication

Civility: MCC fosters mutual respect and collegiality

Adopted: June 23, 1999

Revised: October 20, 2002

Revised: 2009

Revised: August 26, 2015

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.1.0

Area: Administration

Adopted: December 20, 1966

Revised: November 16, 2015

Description: College Seal

The Board of Trustees adopts this design for the College Seal.



3.3.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.3.0

Area: Administration

Adopted: April 21, 1981

Revised: August 25, 1993

Revised: November 28, 2007

Revised: November 14, 2011

Revised: November 13, 2012

Description: Equal Opportunity / Affirmative Action

Middlesex County College is firmly committed to a policy of Equal Opportunity and Affirmative Action. The College will implement this policy to assure that the educational programs, activities, services, benefits and employment opportunities offered by the College are available to all persons, regardless of sex, race, creed, national origin, ancestry, nationality, color, marital status, civil union or domestic partnership status, affectional or sexual orientation, gender identity, age, handicap (and/or disability), service in the armed forces, atypical hereditary cellular or blood trait, genetic information, refusal to submit to genetic tests, or refusal to make available results of genetic tests, in accordance with state and federal laws.

This policy is supplemented by and implemented by Procedure No. 3.3.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.4.0

Area: Administration

Adopted: January 13, 1982

Revised in format only: November 16, 2009

Description: Archives Charter

Middlesex County College Archives is the sole and official archival agency of Middlesex County College. Its purpose is to collect, secure, organize, preserve, and provide access to institutional records and other appropriate materials which document the history and activities of Middlesex County College by whatever resources available.

3.6.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.6.0

Area: Administration

Adopted: July 10, 1985

Revised: November 16, 2009

Revised: November 14, 2011

Revised: December 18, 2017

Description: Indemnification

1. The New Jersey Tort Claims Act, N.J.S.A. 59:1-1 permits indemnification of public employees by Middlesex County College in accordance with its terms.
2. The Board of Trustees hereby provides indemnification to its College employees, officers, and members of the Board of Trustees as permitted by law.

This policy is supplemented by and implemented by Procedure No. 3.6.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.7.0

Area: Administration

Adopted: February 17, 1987

Revised: August 25, 1999

Revised: November 18, 2007

Revised: November 16, 2009

Description: Sexual Harassment

Sexual harassment in any form is against the law and will not be tolerated by Middlesex County College. The College is committed to the belief that all individuals who work at or attend the College have the right to enjoy an environment that is free of inappropriate conduct and communications based on the employee's or student's gender.

Middlesex County College opposes sexual harassment in any form, by any employee, student, or representative of the College, regardless of whether the victim or actor is male or female. Such conduct will not be tolerated and this policy will be vigorously enforced. Violation of this policy is a serious matter and will be dealt with accordingly.

This policy is supplemented by and implemented by Procedure No. 3.7.0.

Related policies can be found in Policy No. 3.8.0 and Policy No. 3.28.0.

3.8.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.8.0

Area: Administration

Adopted: November 28, 2007

Revised: November 14, 2011

Revised: November 13, 2012

Description: Harassment / Discrimination

Middlesex County College is committed to the belief that any employee, student, or representative of the College has the right to enjoy an environment that is free of bullying and inappropriate conduct or communications. The College opposes discrimination and harassment in any form on the basis of sex, race, creed, national origin, ancestry, nationality, color, marital status, civil union or domestic partnership status, affectional or sexual orientation, gender identity, age, handicap (and/or disability), service in the armed forces, atypical hereditary cellular blood trait, genetic information, refusal to submit to genetic tests, or refusal to make available results of genetic tests, whether by any employee or student of Middlesex County College, or by any other party dealing with the College. This policy will be vigorously enforced. Violation of this policy is a serious matter, and will be dealt with accordingly.

*This policy is supplemented by and implemented by Procedure No. 3.8.0.
Related policies can be found in Policy No. 3.7.0 and Policy No. 3.28.0.*

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.9.0

Area: Administration

Adopted: March 17, 1987

Revised: November 15, 2010

Revised: November 13, 2012

Revised: December 18, 2017

Description: Confidentiality of Library Records

The confidentiality of library records will be adhered to in compliance with rules promulgated in accordance with N.J.S.A.18A:73-43.2 as well as any other federal and state statutes or regulations.

This policy is supplemented by and implemented by Procedure No. 3.9.0.

3.10.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.10.0

Area: Administration

Adopted: June 16, 1990

Revised: November 14, 2011

Description: Use and Abuse of Drugs and Alcohol

Middlesex County College will make every effort to provide an environment that is free of the problems associated with the use and abuse of alcohol and controlled substances. The abuse of such substances is inconsistent with the behavior expected of employees and subjects our students, other employees, and the College to unacceptable risks that would undermine the College's ability to operate effectively and efficiently. Working while under the influence of alcohol or drugs can seriously affect job performance, as well as jeopardize the safety of that employee and other employees. Noncompliance with this policy may result in disciplinary action.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.11.0

Area: Administration

Adopted: June 22, 1994

Revised: November 16, 2009

Revised: November 14, 2011

Description: Diversity

Middlesex County College reaffirms its commitment to equal opportunity for students, faculty, staff, and other members of the College community; and renews its pledge to seek to maintain a community that promotes mutual respect and individuality.

MCC is committed to fostering a community in which a diverse student, faculty, and staff population can work and learn in an atmosphere of tolerance, civility, and respect for the rights and responsibilities of each individual.

As an academic institution, MCC welcomes the open exchange of ideas and opinions and cherishes each person's freedom of speech and expression within the campus. The College seeks to continue fostering a civil and tolerant atmosphere which permits the reasonable expression of and debate about divergent beliefs and opinions.

3.12.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.12.0

Area: Administration

Adopted: September 28, 1994

Revised: November 16, 2009

Revised: November 13, 2012

Description: AIDS Non-Discrimination

Middlesex County College shall not discriminate against any employee, student, or representative of the College, based on a diagnosis of AIDS, or asymptomatic Human Immunodeficiency Virus (HIV) infection. Middlesex County College shall provide educational programs to members of the College community to increase awareness of HIV infection for the purpose of preventing further spread of the disease.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.13.0

Area: Administration

Adopted: June 26, 2002

Revised and renumbered: November 16, 2009

Revised: November 14, 2011

Description: Open Public Records Act

Pursuant to the New Jersey Open Public Records Act, (OPRA) N.J.S.A. 47:1A-1, et seq., a Custodian of Government Records shall be appointed.

This policy is supplemented by and implemented by Procedure No. 3.13.0.

3.14.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.14.0

Area: Administration

Adopted: December 28, 1995

Revised: November 16, 2009

Revised: November 14, 2011

Description: Conflict of Interest in Grant Supported Activities

Any parties engaged in the design, conduct, or reporting of research or educational activities supported by federal, state or local funds, shall comply with applicable federal, state and local statutes and regulations regarding conflict of interest and financial disclosure.

This policy is supplemented by and implemented by Procedure No. 3.14.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.15.0

Area: Administration

Adopted: September 26, 2007

Description: Institutional Review Board

The Board of Trustees of Middlesex County College authorizes the College administration to establish an Institutional Review Board (IRB) charged with reviewing any College research activities.

This policy is supplemented by and implemented by Procedure No. 3.15.0.

3.16.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.16.0

Area: Administration

Adopted: November 16, 2009

Revised: November 14, 2011

Revised: September 17, 2018

Description: Acceptable Use of Computer Network, Resources and Facilities

Middlesex County College provides computing resources, services and facilities to support instruction, administration, and other mission-related activities. The use of these resources is a privilege extended to students, faculty, staff, community members, and affiliates of the College. Users of these resources, whether affiliated with the College or not, must comply with all College policies and are responsible for behaving in an ethical, legal, secure, and non-disruptive manner.

The College has implemented Acceptable Use Guidelines to assure that technology infrastructure and all related computing resources remain safe, secure, robust, and in compliance with applicable state and federal laws.

This policy is supplemented by and implemented by Procedure No. 3.16.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.17.0

Area: Administration

Adopted: November 16, 2009

Description: Procedures Developed Pursuant to Various Policies

Many of the policies enunciated herein explicitly call for the development of related procedures. For other policies there is an implicit need for procedures to fully implement the policy.

The President is authorized to adopt and implement procedures to effectuate policies.

All such procedures shall be accumulated in a Procedures Manual and shall refer to the policy to which it applies.

3.18.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.18.0

Area: Administration

Adopted: November 16, 2009

Revised: November 13, 2012

Description: Records Retention

Middlesex County College's record retention program will be in compliance with N.J.S.A. 47:3-16 et seq., as well as any other federal and state statutes or regulations.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.19.0

Area: Administration

Adopted: June 23, 2010

Revised: September 24, 2014

Description: Smoking

Middlesex County College is committed to providing a healthy environment for its students, employees, and visitors. Therefore, the use of any tobacco, nicotine, or related product (including e-cigarettes) whether smoked, inhaled, chewed, or in any way ingested or consumed, is prohibited in all locations owned, leased, or otherwise utilized for College purposes, including College vehicles.

At any Middlesex County College location, smoking and other prohibited activities noted above are permitted only in an individual's personal vehicle.

This policy is supplemented by and implemented by Procedure No. 3.19.0.

3.20.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.20.0

Area: Administration

Adopted: October 27, 2010

Description: Permission for Use of Alcohol on Campus

The President shall adopt procedures concerning the permitted use of alcohol on campus, in College controlled facilities, and at College events.

This policy is supplemented by and implemented by Procedure No. 3.20.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.21.0

Area: Administration

Adopted: October 27, 2010

Revised: November 14, 2011

Revised: November 13, 2012

Description: Health Information Privacy

Middlesex County College is firmly committed to full compliance with the Health Insurance Portability and Accountability Act (HIPAA – Public Law 104-919).

3.22.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.22.0

Area: Administration

Adopted: October 27, 2010

Revised: November 14, 2011

Description: Facility Naming

The Board of Trustees recognizes the appropriateness and value of naming College facilities in recognition of those who have rendered extraordinary service to Middlesex County College by way of financial contributions or otherwise.

This policy is supplemented by and implemented by Procedure No. 3.22.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.23.0

Area: Administration

Adopted: March 30, 2011

Description: Presidential Expense Review

The Board of Trustees of Middlesex County College appoints the Vice Chairman of the Board to review quarterly the expenses of the Office of the President, and to report such review.

3.24.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.24.0

Area: Administration

Adopted: October 24, 2012

Description: Disabilities

The College shall ensure that the provision of any, and all, public services are administered in compliance with all state and federal laws. The College shall provide reasonable accommodations except where such accommodations would result in a fundamental alteration in the nature of the College's services, programs or activities, impose an undue financial and administrative burden or may impose a threat to the health and safety of others.

This policy is supplemented by and implemented by Procedure No. 3.24.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.25.0

Area: Administration

Adopted: October 24, 2012

Description: Consensual Relationships

Consensual romantic or dating relationships create an apparent or actual conflict of interest if one of the parties has the responsibility for supervision, evaluating or directing the other or has the power to influence the other person's educational or employment status. Therefore:

1. No employee may report functionally or administratively to a person to whom he/she is engaged in a consensual dating or romantic relationship; and
2. No instructor may teach or evaluate a person to whom he/she is engaged in a consensual dating or romantic relationship.

This policy is supplemented by and implemented by Procedure No. 3.25.0.

3.26.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.26.0

Area: Administration

Adopted: October 24, 2012

Description: Supervision or Teaching of Relatives

To avoid any actual or apparent conflict of interest:

1. No employee may report functionally or administratively to a relative.
2. No instructor may teach or evaluate a relative.

This policy is supplemented by and implemented by Procedure No. 3.26.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.27.0

Area: Administration

Adopted: October 24, 2012

Description: Campus Demonstrations and Gatherings

Middlesex County College promotes intellectual inquiry and exchange in a respectful and civil manner. The safety of all participants is of utmost importance and the College will not approve any demonstration that will disrupt the mission or orderly operation of the College. Middlesex County College does not tolerate disruptive behavior at any event.

This policy is supplemented by and implemented by Procedure No. 3.27.0.

3.28.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.28.0

Area: Administration

Adopted: September 24, 2014

Revised: May 27, 2015

Description: Violence Against Women Act and the Campus Sexual Violence Act

Middlesex County College is committed to providing an institutional environment where all persons may pursue their studies, careers, duties, and activities in an atmosphere free of threat of unwelcome and unwanted sexual actions. It strongly condemns sexual offenses, will not tolerate sexual offenders, and supports those who have been victimized.

Sexual assaults are serious violations of the college's student judicial code, faculty standards and college employee policies. They are crimes under state and federal laws and punishable by fines and/or imprisonment. In addition, these actions are subject to civil suit for damages.

Each academic year new students will receive sexual misconduct information through presentations given during the new student orientation or by other effective methods. Each academic year, new faculty will receive information about sexual misconduct during faculty orientation.

This policy is supplemented by and implemented by Procedure No. 3.28.0.

Related policies can be found in Policy No. 3.7.0 and Policy No. 3.8.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 3.29.0

Area: Administration

Adopted: February 24, 2016

Description: Sex / Gender Harassment, Discrimination and Misconduct**INTRODUCTION**

Members of the College community, guests and visitors have the right to be free from all forms of sex/gender harassment, discrimination and misconduct, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The College believes in zero tolerance for sex/gender-based misconduct. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the victim and community are remedied, including serious sanctions when a responding party is found to have violated this policy. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and the College's procedures to establish a mechanism for determining when those expectations have been violated, and is derived from a model policy and procedure developed by the Association of Title IX Coordinators (ATIXA) which have been, in part or in full, promulgated by the White House Task Force to Protect Students from Sexual Assault and/or accepted by OCR in resolutions of its investigations of campuses accused of Title IX violations.

The College's sex/gender harassment, discrimination and misconduct policies are not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include controversial or sensitive subject matters protected by academic freedom (The College's definition of academic freedom can be found within the Middlesex County College Board of Trustees Policy Manual.)

The College uses the preponderance of the evidence (also known as "more likely than not") as a standard for proof of whether a violation occurred. In campus resolution proceedings, legal terms like "guilt," "innocence" and "burdens of proof" are not applicable, but the College never assumes a responding party is in violation of College policy. Campus resolution proceedings are conducted to take into account the totality of all evidence available, from all relevant sources.

TITLE IX COORDINATOR

The College's Title IX Coordinator oversees compliance with all aspects of the sex/gender harassment, discrimination and misconduct policy. The Coordinator reports directly to the Vice President for Academic and Student Affairs, and is housed in the Dean's office for the Division of Professional Studies. Questions about this policy should be directed to the Title IX Coordinator. Anyone wishing to make a report relating to discrimination or harassment may do so by reporting the concern to the College Title IX Coordinator:

Name: Mr. James Kinney
Title: Title IX Coordinator, Director of Labor Relations and Compliance
Location/Address: Chambers Hall, Room 232
Telephone: (732) 906-4166
Email: JKinney@middlesexcc.edu

Additionally, anonymous reports can be made by victims and/or third parties using the online reporting form posted, or the reporting hotline. Note that these anonymous reports may prompt a need for the institution to investigate.

Individuals experiencing harassment or discrimination also always have the right to file a formal grievance with government authorities:

Office for Civil Rights (OCR)
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: (646) 428-3800
Facsimile: (646) 428-3843
Email: OCR.NewYork@ed.gov

U.S. Department of Justice Civil Rights Division
950 Pennsylvania Avenue, N.W.
Educational Opportunities Section, PHB
Washington, D.C. 20530
By e-mail to education@usdoj.gov
By telephone at (202) 514-4092 or 1-877-292-3804 (toll-free)
By facsimile at (202) 514-8337

Further information regarding filing a complaint with the Office for Civil Rights can be found at the following link - <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt>

In the event that an incident involves alleged misconduct by the Title IX Coordinator, reports should be made directly to the Vice President for Academic and Student Affairs –

Dr. Jeffrey Herron, Acting Vice President for Academic and Student Affairs
2600 Woodbridge Avenue
Chambers Hall, Room 211
(732) 906-2515
JHerron@middlesexcc.edu

OVERVIEW OF POLICY EXPECTATIONS WITH RESPECT TO PHYSICAL SEXUAL MISCONDUCT

The expectations of our community regarding sexual misconduct can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you do not want. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Previous consent does not imply consent to sexual activity in the future. Silence or passivity -- without actions demonstrating permission -- cannot be assumed to show consent. Consent, once given, can be withdrawn at any time. There must be a clear indication that consent is being withdrawn.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, “No” always means “No,” and “Yes” may not always mean “Yes.” Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a “no.”

OVERVIEW OF POLICY EXPECTATIONS WITH RESPECT TO CONSENSUAL RELATIONSHIPS

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship

also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of the faculty/staff handbooks. The College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the College. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student, supervisor-supervisee) are generally discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to remove the employees from the supervisory or evaluative responsibilities, or shift the students out of being supervised or evaluated by someone with whom they have established a consensual relationship. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

SEXUAL VIOLENCE -- RISK REDUCTION TIPS

Risk reduction tips can often take a victim-blaming tone, even unintentionally. Only those who commit sexual violence are responsible for those actions. We offer the tips below with no intention to victim-blame, with recognition that these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act. Below, suggestions to avoid being subject to a non-consensual sexual act are also offered:

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor “NO” clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Give thought before sharing your intimate content, pictures, images and videos with others, even those you may trust. If you do choose to share, clarify your expectations as to how or if those images may be used, shared or disseminated.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- DON'T MAKE ASSUMPTIONS about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. Your partner's consent should be affirmative and continuous. If there are any questions or ambiguity then you DO NOT have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.
- Don't take advantage of someone's drunkenness or altered state, even if they willingly consumed substances that could lead them to an incapacitated state.
- Realize that your potential partner could feel intimidated or coerced by you. You may have a power advantage simply because of your gender or physical presence. Don't abuse that power.
- Do not share intimate content, pictures, images and videos that are shared with you.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence, passivity, or non-responsiveness cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

SEXUAL MISCONDUCT OFFENSES INCLUDE, BUT ARE NOT LIMITED TO:

1. Sexual Harassment
2. Non-Consensual Sexual Contact (or attempts to commit same)
3. Non-Consensual Sexual Intercourse (or attempts to commit same)
4. Sexual Exploitation

1. **SEXUAL HARASSMENT**

Sexual harassment is:

- unwelcome, regardless of purpose or intent,
- sexual, sex-based and/or gender-based verbal, written, online and/or physical conduct.

Anyone experiencing sexual harassment in any College program is encouraged to report it immediately to the Title IX Coordinator or a deputy. Remedies will be provided in response.

Sexual harassment may be disciplined when it takes the form of quid pro quo or retaliatory harassment or when it creates a hostile environment.

A hostile environment is created when sexual harassment is:

- sufficiently severe, or
- persistent or pervasive, and
- objectively offensive in that it unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the College's educational, employment or social program.

Quid Pro Quo Harassment is:

- Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature
- By a person having power or authority over another constitutes sexual harassment when
- Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational or employment progress, development, or performance, or when a reasonable person might infer such motivation or intent.
- This includes when submission to such conduct would be a condition for access to receiving the benefits of any educational [or employment] program.

Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual-based request; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence; stalking; gender-based bullying.

Some scenarios where possible Sexual Harassment could occur include:

- A professor insists that a student have sex with him/her in exchange for a good grade. This is harassment regardless of whether the student accedes to the request.
- A student repeatedly sends sexually oriented jokes around on an email list s/he created, even when asked to stop, causing one recipient to avoid the sender on campus.
- Explicit sexual pictures are displayed in a professor's office.
- Two supervisors frequently 'rate' several employees' bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in her class in discussions about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. She probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend

to the clear discomfort of the boyfriend, turning him into a social pariah on campus

- Male students take to calling a particular brunette student “Monica” because of her resemblance to Monica Lewinsky. Soon, everyone adopts this nickname for her, and she is the target of relentless remarks about cigars, the president, “sexual relations” and Weight Watchers.
- In some instances, sexual harassment may also constitute sexual violence based on physical contact.

2. NON-CONSENSUAL SEXUAL CONTACT

Non-Consensual Sexual Contact is:

- any intentional sexual touching,
- however slight,
- with any object or body part,
- by a person upon another person,
- that is without consent and/or by force.

Sexual Contact includes:

- Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or
- Any other intentional bodily contact in a sexual manner.

3. NON-CONSENSUAL SEXUAL INTERCOURSE

Non-Consensual Sexual Intercourse is:

- any sexual intercourse
- however slight,
- with any object or body part,
- by a person upon another person,
- that is without consent and/or by force.

Intercourse includes:

- vaginal or anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

4. SEXUAL EXPLOITATION

Occurs when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another person;

- Non-consensual digital, video or audio recording of nudity or sexual activity;
- Unauthorized sharing or distribution of digital, video or audio recording of nudity or sexual activity;
- Engaging in voyeurism;
- Going beyond the boundaries of consent (such as letting your friend hide in the closet to watch you having consensual sex);
- Knowingly exposing someone to or transmitting an STI, STD or HIV to another person;
- Intentionally or recklessly exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation

ADDITIONAL APPLICABLE DEFINITIONS:

- Consent
 - Consent is
 - clear, and
 - knowing, and
 - voluntary,
 - words or actions,
 - that give permission for specific sexual activity.
 - Consent is active, not passive.
 - Silence, in and of itself, cannot be interpreted as consent.
 - Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity.
 - Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
 - Previous relationships or prior consent cannot imply consent to future sexual acts.
 - Consent can be withdrawn once given, as long as that withdrawal is clearly communicated.
 - In order to give consent, one must be of legal age.
 - Sexual activity with someone you know to be or should know to be incapacitated constitutes a violation of this policy.
 - Incapacitation can occur mentally or physically, from developmental disability, by alcohol or other drug use, or blackout.
 - The question of what the responding party should have known is objectively based on what a reasonable person in the place of the responding party, sober and exercising good judgment, would have known about the condition of the reporting party.
 - Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to

understand the “who, what, when, where, why or how” of their sexual interaction).

- This policy also covers a person whose incapacity results from mental disability, sleep, unconsciousness, involuntary physical restraint, or from the taking of rape drugs. [Possession, use and/or distribution of any of these substances, including Rohypnol, Ketomine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>.
- Guidance regarding the definition of “consent” as it applies to New Jersey law can be found at the following link - <http://www.njsp.org/division/operations/sexual-violence-info.shtml>.
- Force: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes free will or resistance or that produces consent (“Have sex with me or I’ll hit you. Okay, don’t hit me, I’ll do what you want.”).
 - Coercion is unreasonable pressure for sexual activity. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
 - NOTE: There is no requirement for a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not negated by the absence of resistance.
- Use of alcohol or other drugs will never function to excuse any behavior that violates this policy.
- This policy is applicable regardless of the sexual orientation and/or gender identity of individuals engaging in sexual activity.
- For reference to the pertinent New Jersey statutes on sex offenses, please see http://www.womenslaw.org/statutes_detail.php?statute_id=5999.

OTHER MISCONDUCT OFFENSES (WILL FALL UNDER TITLE IX WHEN SEX OR GENDER-BASED)

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of sex or gender;
3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;

4. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the College community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Code of Student Conduct);
5. Bullying, defined as
 - a. Repeated and/or severe
 - b. Aggressive behavior
 - c. Likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally
 - d. That is not speech or conduct otherwise protected by the First Amendment.
6. Intimate Partner Violence, defined as violence or abuse between those in an intimate relationship to each other;
 - a. A boyfriend shoves his girlfriend into a wall upon seeing her talking to a male friend. This physical assault based in jealousy constitutes intimate partner violence.
 - b. An ex-girlfriend shames her female partner, threatening to out her as a lesbian if she doesn't give the ex another chance. Psychological abuse is a form of intimate partner violence.
 - c. A Married couple is witnessed in the parking garage, with one partner slapping and scratching the other in the midst of an argument.
7. Stalking
 - a. Stalking, First Level:
 - A course of conduct
 - Directed at a specific person
 - That is unwelcome, AND
 - Would cause a reasonable person to feel fear
 - b. Stalking, Second Level:
 - Repetitive and menacing
 - Pursuit, following, harassing and/or interfering with the peace and/or safety of another
 - c. Examples of Stalking:
 - Joe repeatedly shows up at Jennifer's on-campus place of employment, always notifying the front desk attendant that he is there to see Jennifer. Upon a call to Jennifer, she informs her manager that Joe is uninvited and continuously attempts to see her, even so far as waiting for her outside of classes and following her to the library requesting that they go out on a date together. This would be an example of Stalking, First Level.
 - A student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student she recently tutored, the tutor thanked the student and stated that it was not necessary and would appreciate the gift deliveries to stop. The student then started leaving

notes of love and gratitude on the tutor's car, both on-campus and at home. Asked again to stop, the student stated by email: "You can ask me to stop, but I'm not giving up. We are meant to be together, and I'll do anything necessary to make you have the feelings for me that I have for you." When the tutor did not respond, the student emailed again, "You cannot escape me. I will track you to the ends of the earth. We are meant to be together." This would constitute an example of Stalking, Second Level.

8. Any other action may fall within this section when a violation is motivated by the actual or perceived membership of the reporting party's sex or gender.

RETALIATION

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity (subject to limitations imposed by the First Amendment and/or the College's policy on Academic Freedom). Retaliation against an individual for an allegation, for supporting a reporting party or for assisting in providing information relevant to an allegation is a serious violation of College policy.

SANCTIONS

The following sanctions may be imposed upon any member of the community found to have violated the Sex/Gender Harassment, Discrimination and Misconduct Policy. The following are the typical sanctions that may be imposed upon students or organizations singly or in combination:

Student Sanctions (listed below and defined in the Catalog or on the Website)

- Warning
- Probation
- Disciplinary Suspension
- Disciplinary Dismissal
- Administrative Suspension
- Administrative Dismissal

Employee Sanctions include but are not limited to -

- Warning – Written or Verbal
- Performance Improvement Plan
- Required Counseling and/or Training
- Suspension without Pay
- Interim Suspension with Pay
- Termination

CONFIDENTIALITY, PRIVACY AND REPORTING POLICY

Confidentiality and Reporting of Offenses Under This Policy

All College employees (faculty, staff, administrators) are expected to immediately report actual or suspected discrimination or harassment to appropriate officials, though there are some limited exceptions. In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality – meaning they are not required to report actual or suspected discrimination or harassment to appropriate College officials - thereby offering options and advice without any obligation to inform an outside agency or individual unless a victim has requested information to be shared. Other resources exist for a victim to report crimes and policy violations and these resources will take action when an incident is reported to them. The following describes the two reporting options at the College:

Confidential Reporting

If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with:

- On-campus licensed professional counselors and staff
- On-campus health service providers and staff
- Off-campus:
 - Licensed professional counselors
 - Local rape crisis counselors
 - Domestic violence resources,
 - Local or state assistance agency professionals,
 - Clergy

All of the above employees will maintain confidentiality except in extreme cases of immediate threat or danger, or abuse of a minor. Campus counselors (and the Employee Assistance Program) are available to help free of charge. These employees will only submit timely anonymous, aggregate statistical information for Clery Act purposes. However, if they believe it would be harmful to a specific individual, anonymity may not be able to be maintained.

Formal Reporting Options

All College employees have a duty to report, unless they fall under the “Confidential Reporting” section above. Reporting parties may want to consider carefully whether they share personally identifiable details with non-confidential employees, as those details must be shared by the employee with the Title IX Coordinator and/or Deputy Coordinators. Employees must share all details of the reports they receive. Generally, information received through climate surveys,

classroom writing assignments, human subject research, or events such as Take Back the Night marches or speak-outs do not constitute notice that must be reported to the Coordinator by employees.

If victims do not wish for their names to be shared, do not wish for an investigation to take place, or do not want a formal resolution to be pursued, the victim may make such a request to the Title IX Coordinator or Deputy Coordinators, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. In cases indicating pattern, predation, threat, weapons and/or violence, the College will likely be unable to honor a request for confidentiality. In cases where the victim requests confidentiality and the circumstances allow the College to honor that request, the College will offer interim supports and remedies to the victim and the community, but will not otherwise pursue formal action. A reporting party has the right, and can expect, to have reports taken seriously by the College when formally reported, and to have those incidents investigated and properly resolved through these procedures.

Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party's rights and privacy.

Reports to the Title IX Coordinator can be made via email, phone or in person at the contact information below:

Name: Mr. James Kinney
Title: Title IX Coordinator, Director of Labor Relations and Compliance
Location/Address: Chambers Hall, Room 232
Telephone: (732) 906-4166
Email: JKinney@middlesexcc.edu

Failure of a non-confidential employee, as described in this section, to report an incident or incidents of sex or gender harassment or discrimination of which they become aware, is a violation of College policy and can be subject to disciplinary action for failure to comply.

Federal Statistical Reporting Obligations

Certain campus officials – those deemed Campus Security Authorities - have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety.

Mandated federal reporters include: student/conduct affairs, campus law enforcement, local police, coaches, athletic directors, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Federal Timely Warning Reporting Obligations

Victims of sexual misconduct should also be aware that College administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The College will ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

Additional Policy Provisions

a. Attempted violations

In most circumstances, the College will treat attempts to commit any of the violations noted in this policy as if those attempts had been completed.

b. False Reports

The College will not tolerate intentional false reporting of incidents. It is a violation of the Code of Student Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

c. Amnesty for Victims and Witnesses

The College community encourages the reporting of misconduct and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report to College officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many victims as possible choose to report to College officials, and that witnesses come forward to share what they know. To encourage reporting, College pursues a policy of offering victims of misconduct and witnesses amnesty from minor policy violations related to the incident.

Sometimes, students are hesitant to offer assistance to others for fear that they may get themselves in trouble (for example, as student who has been drinking underage might

hesitate to help take a sexual misconduct victim to the Campus Police). The College pursues a policy of amnesty for students who offer help to others in need.

d. Parental Notification

The College reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status or conduct situation, particularly alcohol and other drug violations. The College may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations. Where a student is non-dependent, the College will contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk. The College also reserves the right to designate which College officials have a need to know about individual conduct reports pursuant to the Family Educational Rights and Privacy Act.

4.1.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.1.0

Area: Human Resources

Adopted: November 4, 1968

Revised: November 28, 2007

Revised: December 17, 2014

Description: Collective Bargaining - Faculty

The Board of Trustees recognizes the American Federation of Teachers, Local 1940 (AFL-CIO), as the collective bargaining unit for the full-time faculty.

The Board of Trustees recognizes the Middlesex County College Chapter of the United Adjunct Faculty of New Jersey, Local 2222 NJSFT, AFT (AFL-CIO), as the collective bargaining unit for the part-time faculty.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.2.0

Area: Human Resources

Adopted: July 15, 1969

Revised: November 28, 2007

Revised: November 14, 2011

Description: Collective Bargaining –Teamsters

The Board of Trustees recognizes Local #11, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, as the collective bargaining unit for the custodians, warehouse, grounds, and maintenance employees.

4.3.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.3.0

Area: Human Resources

Adopted: January 15, 1974

Revised: November 28, 2007

Revised: November 14, 2011

Description: Collective Bargaining - Technical / Clerical

The Board of Trustees recognizes the American Federation of State, County and Municipal Employees, Local 2269, as the collective bargaining unit for the technical and clerical employees.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.4.0

Area: Human Resources

Adopted: May 16, 1972

Revised: November 28, 2007

Description: Collective Bargaining – Police Officers

The Board of Trustees recognizes the Fraternal Order of Police, Lodge 85, as the collective bargaining unit for the full-time commissioned police officers and sergeants.

4.5.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.5.0

Area: Human Resources

Adopted: June 30, 1980

Revised: November 28, 2007

Revised and renumbered: November 16, 2009

Revised: November 14, 2011

Revised: November 20, 2013

Description: Outside Employment

The Board of Trustees establishes guidelines regarding outside employment by full-time employees.

In accordance with New Jersey Administrative Code (N.J.A.C. 9A:3-1.3), a full-time employee may engage in outside employment only if the outside employment does not:

- a. Constitute a conflict of interest
- b. Occur at a time when the employee is expected to perform his or her primary work obligation at the College
- c. Diminish the employee's efficiency in performing his or her primary work obligation at the College

This policy is supplemented by and implemented by Procedure No. 4.5.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.6.0

Area: Human Resources

Adopted: December 21, 1976

Revised: November 28, 2007

Revised and renumbered: November 16, 2009

Revised: November 14, 2011

Description: Contracts for Professional Staff

The Board of Trustees has reviewed “The State and County College Tenure Act,” N.J.S.A. 18A:60-6 et seq and has determined that it is in the best interest of the College to award one year contracts to members of the professional staff.

4.7.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.7.0

Area: Human Resources

Adopted: July 21, 1970

Revised: November 17, 1970

Revised and renumbered: November 16, 2009

Revised: November 14, 2011

Description: Police Officers

All police officers at the College shall be appointed pursuant to the terms of Chapter 211 of the Laws of 1970; and the College Administration shall file the necessary papers with the Edison Police department, as prescribed by the law, to implement this action.

This policy is supplemented by and implemented by Procedure No.4.7.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.8.0

Area: Human Resources

Adopted: March 24, 1965

Revised: November 28, 2007

Revised and renumbered: November 16, 2009

Description: Participation in New Jersey State Retirement System

To the extent permitted by law, employees shall be eligible to participate in the appropriate New Jersey State retirement system.

4.9.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.9.0

Area: Human Resources

Adopted: December 20, 1966

Revised: November 28, 2007

Renumbered: November 16, 2009

Description: Tuition – Employees and Dependents

Free tuition shall be extended to employees, and defined eligible dependents, pursuant to the various bargaining unit agreements and employee handbooks.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.10.0

Area: Human Resources

Adopted: February 20, 1968

Revised: November 28, 2007

Revised and renumbered: November 16, 2009

Description: Salary Reduction Agreements

The Vice President for Finance and Administration, acting as payroll certifying agent on behalf of the Board of Trustees, is directed to enter into employee salary reduction agreements.

4.11.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.11.0

Area: Human Resources

Adopted: December 16, 1980

Revised: November 28, 2007

Renumbered: November 16, 2009

Description: Agreement to Provide Tax Sheltered Investment Opportunities

The administration is directed to enter into an agreement with State approved vendors to provide supplemental retirement annuities. It is understood that the College will make no contribution to this program other than providing recordkeeping services in accordance with the agreement. Employee contributions will be limited to that sum permitted pursuant to N.J.S.A. 18A: 66-190.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.12.0

Area: Human Resources

Adopted: December 21, 1982

Revised: November 28, 2007

Renumbered: November 16, 2009

Description: Employee Exchange Agreements

In support of its commitments to provide opportunities for revitalization and renewal of its faculty and staff, and to provide alternative means for staff development, the Board of Trustees may provide for the implementation of a program for employee exchanges.

4.13.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.13.0

Area: Human Resources

Adopted: July 28, 1993

Revised: November 28, 2007

Revised and renumbered: November 16, 2009

Revised: November 14, 2011

Revised: November 20, 2013

Description: Family and Medical Leave Act

The Board of Trustees authorizes the establishment of a comprehensive family and medical leave program in accordance with applicable federal and state statutes and regulations.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.14.0

Area: Human Resources

Adopted: July 21, 1970

Revised: November 28, 2007

Renumbered: November 16, 2009

Description: Side Arms

Members of the Police Department shall carry side arms at the discretion of the President, provided that only those who are graduates of the training course supported by the New Jersey Police Training Commission be authorized to carry side arms, and provided also that all statutes applicable to the carrying of side arms be complied with.

4.15.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.15.0

Area: Human Resources

Adopted: November 16, 2009

Revised: November 14, 2011

Description: Whistleblower Policy

All employees and students are encouraged to act in good faith to report suspected or actual wrongful conduct. The College is committed to protecting individuals from interference with making a protected disclosure and from retaliation for having made a protected disclosure or for having refused an illegal order as defined in the procedure implemented to effectuate this policy pursuant to N.J.S.A. 34:19-3.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.16.0

Area: Human Resources

Adopted: November 16, 2009

Description: Presidential Search

When there is vacancy, or the Board anticipates a vacancy, in the Office of the College President, the Board shall appoint a presidential search committee consistent with procedures promulgated by the Board.

4.17.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 4.17.0

Area: Human Resources

Adopted: December 18, 2017

Description: Vice Presidential Appointments

The President shall nominate Vice Presidential candidates to the Board. The Board may refer the nomination to the Human Resources Committee to review the search process and the nominee, and to recommend to the Board to either appoint or reject the Presidential nominee. The Board shall either appoint or reject the nominee.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.1.0

Area: Finance

Adopted: June 25, 1974

Revised: November 16, 2009

Description: Investment of Funds

Available College funds will be invested in such a manner as to secure the highest interest rates for periods of time consistent with demands on these funds for College operations.

Investments shall be in accordance with regulations and statutes issued by the State of New Jersey, N.J.S.A. 17:9-41 et seq.

5.2.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.2.0

Area: Finance

Adopted: February 20, 1973

Revised: November 16, 2009

Revised: December 18, 2017

Description: Commercial Operation on Campus

All rights to sell, or offer to sell, goods or services at retail on the Middlesex County College campus can only be authorized by the President or President's designee

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.3.0

Area: Finance

Adopted: April 12, 1973

Revised: July 19, 1983

Revised and renumbered: November 16, 2009

Revised: November 14, 2011

Revised: December 18, 2017

Description: Tuition – Senior Citizens of Middlesex County

Middlesex County residents who are 65 years or older may register for certain courses on a space-available basis and have the tuition and late registration fees waived. Any individual course fees will not be waived.

This policy is supplemented by and implemented by Procedure No.5.3.0.

5.5.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.5.0

Area: Finance

Adopted: September 20, 1983

Revised and renumbered: November 16, 2009

Description: Imprest Cash Fund

Imprest Cash funds can be used for the efficient purchase of goods and services in an amount not to exceed \$100.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.6.0

Area: Finance

Adopted: November 6, 1978

Revised: 1983, 85, 87, 89, 91, 93, 02

Revised and renumbered: November 16, 2009

Revised: November 14, 2011

Revised: December 18, 2017

Description: Purchasing

Purchasing processes will be in conformity with the terms and requirements of the County College Contracts Law, N.J.S.A. 18A:64A-25.1 et seq.

This policy is supplemented by and implemented by Procedure No. 5.6.0.

5.7.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.7.0

Area: Finance

Adopted: January 4, 1979

Revised: March 26, 2003

Revised and renumbered: November 16, 2009

Revised: November 14, 2016

Description: Campus Housing

President's Residence – The campus residence at 105 Hof Road is designated as the residence of the President. This house is constructed to accommodate the personal living requirements of the President, as well as events to maintain communication with campus personnel, the Board of Trustees, and community support and related groups. Tenancy of the President's residence is a condition of employment, provided rent-free, and includes utilities and maintenance of house and grounds as specified in the President's employment contract.

Other Campus Residences – The remaining campus residences may be rented at fair market value, with preference given to College full-time employees. The College administration may determine that one or more of these other campus residences be kept vacant or used for lawful non-residential purposes.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.8.0

Area: Finance

Adopted: November 16, 2009

Revised: November 14, 2011

Description: Change Order for Construction Contracts

Change orders on Board approved contracts for \$1,000,000 or more for the construction, reconstruction, alteration, repair or improvement of buildings and infrastructure (“construction contract”) must be approved by the Board of Trustees.

As timing of change order approvals may affect progress of the construction contract, a change order in an amount less than \$50,000 may be approved by the Chair of the Facilities Committee of the Board of Trustees. In addition, a change order in an amount less than \$5,000 may be approved by the Executive Director of Facilities Management.

Any change order authorized by the Chair of the Facilities Committee of the Board of Trustees or the Executive Director of Facilities Management shall be presented to the Board of trustees for ratification at its next scheduled meeting.

This policy is supplemented by and implemented by Procedure No. 5.8.0.

5.9.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.9.0

Area: Finance

Adopted: November 16, 2009

Revised: November 20, 2013

Description: Chargeback Eligibility

Middlesex County residents seeking to attend another county college because Middlesex County College does not offer a particular program of study may be eligible for Chargeback in accordance with the regulations and statutes of the State of New Jersey.

Residents of other New Jersey counties may attend Middlesex County College at the in-county rate provided their home county authorizes the Chargeback in accordance with the regulations and statutes of the State of New Jersey.

This policy is supplemented by and implemented by Procedure No. 5.9.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.10.0

Area: Finance

Adopted: November 16, 2009

Revised: November 14, 2011

Revised: November 13, 2012

Description: Student Scholarships and Loans

In accordance with federal and state law, the Scholarship Office is authorized to develop comprehensive plans and processes for the obtaining, evaluating, and awarding student financial aid, grants, and scholarships.

The President shall determine in which programs the College will participate.

This policy is supplemented by and implemented by Procedure No. 5.10.0.

5.11.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.11.0

Area: Finance

Adopted: November 16, 2009

Revised: November 14, 2011

Revised: November 20, 2013

Description: Tuition and Fee Deferred Payment Plan

The President is authorized to establish a deferred payment plan.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.12.0

Area: Finance

Adopted: November 16, 2009

Description: Disposal of College Property

The disposal of College property shall comply with applicable statutes (N.J.S.A. 18A:64A-12 and N.J.S.A. 18A:64A-25.27).

This policy is supplemented by and implemented by Procedure No. 5.12.0.

5.13.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.13.0

Area: Finance

Adopted: November 16, 2009

Revised: November 14, 2011

Revised: November 20, 2013

Description: Grants

Grants are pursued to further the mission of the College.

This policy is supplemented by and implemented by Procedure No. 5.13.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.14.0

Area: Finance

Adopted: November 16, 2009

Description: Business Functions

The President is responsible to the Board of Trustees for the proper conduct of all business functions of the College. The authority to supervise these functions is delegated to the Vice President for Finance and Administration, who will be designated as the Chief Financial Officer of the College.

5.15.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 5.15.0

Area: Finance

Adopted: March 15, 1966

Revised and Renumbered: November 15, 2010

Revised: November 14, 2011

Revised: November 20, 2013

Description: Malpractice Insurance–Allied Health Credit and Non-Credit

Students enrolled in all credit and non-credit allied health programs are required to have malpractice insurance. Such insurance must be obtained through the College.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 6.1.0

Area: Academic Affairs

Adopted: September 14, 1970

Revised: November 16, 2009

Renumbered: November 15, 2010

Description: Academic Freedom

Faculty members shall have the freedom within their subject area to report the truth as they see it in the classroom, and to report the truth as they see it in the reports of research activities. There shall be no restraints which would impair the faculty member's ability to present their subject matter in this context.

The College adopts the 1940 Statement of Principles on Academic Freedom and Tenure (as amended) promulgated by the American Association of University Professors.

6.2.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 6.2.0

Area: Academic Affairs

Adopted: April 20, 1976

Revised: October 25, 1995

Revised: April 23, 2003

Revised: June 25, 2003

Revised: November 15, 2010

Description: Degree and Certificate Requirements

The College is authorized to award degrees of Associate in Arts, Associate in Science, Associate in Applied Science, and Associate in Fine Arts, and to award certificates to students who have successfully completed the curriculum requirements of approved programs, including general education, as established by the Board of Trustees and as periodically modified through the academic approval process.

This policy is supplemented by and implemented by Procedure No. 6.2.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 6.3.0

Area: Academic Affairs

Adopted: May 18, 1982

Revised: November 15, 2010

Description: Honorary Degree Associate Degree in Humane Letters

The Board of Trustees authorizes the establishment of an Associate Degree in Humane Letters to be awarded when deemed appropriate by the Board.

6.4.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 6.4.0

Area: Academic Affairs

Adopted: December 13, 1982

Revised: November 15, 2010

Description: Library Collection

The materials collection, whether in print or electronic media, shall be designed primarily to support the academic programs authorized by the Board of Trustees, including non-credit offerings. Access on-site to materials will be allowed to those who are not students, faculty, or other employees of the College to the extent that it does not impact the use by the College community.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 7.1.0

Area: Student Affairs

Adopted: October 17, 1972

Revised: November 20, 1979

Revised: April 23, 2003

Revised and Renumbered: November 15, 2010

Revised: November 14, 2011

Description: Tuition and Fee Rates

The Board of Trustees requires that the schedules of tuition and fees for In-County and Out-of-County residents be approved.

7.2.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 7.2.0

Area: Student Affairs

Adopted: December 19, 1972

Revised: May 21, 1974

Revised: August 19, 1975

Revised: October 2, 1979

Revised and Renumbered: November 15, 2010

Description: Code of Student Conduct

The President shall cause to be developed a code of student conduct and related procedures.

This policy is supplemented by and implemented by Procedure No. 7.2.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 7.3.0

Area: Student Affairs

Adopted: April 19, 1966

Revised March 16, 1976

Revised June 28, 1995

Revised and Renumbered: November 15, 2010

Revised: November 14, 2011

Description: Admissions

The President shall cause to be developed admissions regulations and procedures that are consistent with the College's vision and mission. Admission to some programs may be on a selective basis. Overall enrollment may be limited due to insufficient funds or other resources.

This policy is supplemented by and implemented by Procedure No. 7.3.0.

7.4.0

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 7.4.0

Area: Student Affairs

Adopted: October 21, 1981

Revised and Renumbered: November 15, 2010

Revised: November 14, 2011

Description: Student Privacy Rights

Middlesex County College is firmly committed to full compliance with The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99), and other applicable federal and / or state privacy laws.

This policy is supplemented by and implemented by Procedure No. 7.4.0.

MIDDLESEX COUNTY COLLEGE

BOARD POLICY

Policy No. 8.1.0

Area: College Foundation

Adopted: December 21, 1965

Revised: January 18, 1966

Revised: November 16, 2009

Description: Middlesex County College Foundation, Inc.

Middlesex County College Foundation, Inc. is the primary fundraising arm for the College.