

**Procedures Associated with
Middlesex County College
Board of Trustees
Policies**

Reauthorized: November 2017

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

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COLLEGE FOUNDATION

Relating to Board Policy 3.3.0**Equal Opportunity / Affirmative Action**

Complaints of violation of the College's Equal Opportunity/Affirmative Action policy shall be handled as follows:

Students:

1. A student shall bring his or her complaint to any of the following:
 - a. A faculty member
 - b. A department chair
 - c. A dean
2. The person hearing the complaint shall attempt to resolve it informally meeting with the complainant and the alleged violator at separate times.
3. If considered appropriate, a meeting will then be held with all parties in an attempt to resolve the issue.
4. If not resolved, the person hearing the complaint shall contact his or her supervisor for further conciliation efforts.
5. If not resolved, the complaint shall be put in writing and referred to the College's Affirmative Action Officer for further action.

Employees:

1. An employee shall bring his or her complaint to any of the following:
 - a. Immediate supervisor
 - b. Next level supervisor
 - c. Director or dean
2. The person hearing the complaint shall attempt to resolve it informally meeting with the complainant and the alleged violator at separate times.
3. If considered appropriate, a meeting will then be held with all parties in an attempt to resolve the issue.
4. If not resolved, the person hearing the complaint shall contact his or her supervisor for further conciliation efforts.
5. If not resolved, the complaint shall be put in writing and referred to the College's Affirmative Action Officer for further action.

Relating to Board Policy 3.6.0**Indemnification**

1. In the event a College employee, officer, or member of the Board of Trustees is named as a defendant in a lawsuit (including by way of counter claim, crossclaim or third-party action) in his or her capacity as a College employee, officer, or member of the Board of Trustees, he or she shall immediately notify the Vice President for Finance and Administration.
2. The Vice President for Finance and Administration shall consult with College counsel, or the Middlesex County Joint Insurance Fund, to determine whether or not the litigation is covered by Policy 3.6.0 and what actions then need to be taken.

Relating to Board Policy 3.7.0**Sexual Harassment**

The College's sexual harassment complaint procedure is:

Complaint: Any allegation by an employee or student that he/she has been the victim of sexual harassment, but shall not include any allegation currently pending or filed with:

1. any union
2. a government agency responsible for reviewing or investigating alleged discrimination practices
3. any court
4. any other grievance or complaint procedure

By filing a complaint under this procedure, the complainant agrees to exhaust this procedure before filing any complaint with the above listed bodies.

Step One: Informal Procedure

1. The complainant arranges to meet with one of the following trained facilitators:
 - a. Female counselor
 - b. Male counselor
2. A confidential interview is held for the purpose of consultation and information. Advice and guidance on both informal and formal procedures for resolution of the problem will be given.
3. With permission of the complainant and upon assessing the probability of resolving the issue, the facilitator may intervene and attempt to resolve the problem informally.

Step Two: Formal

If the complaint cannot be resolved informally to the satisfaction of the complainant, the complaint shall be put in writing and shall include the individual's version of the dispute, the names of the individuals attempting to resolve the dispute and any other pertinent information.

The facilitator shall write a report summarizing the steps taken at the informal step. The report must be prepared upon the submission of the written complaint under this step.

1. The written complaint and other written documentation must be forwarded to the Director of Human Resources acting in his or her office of compliance officer.
2. Within 15 working days of receipt of the complaint, a confidential investigation will be conducted by said Director or such person designated by him or her.
3. A written response will be forwarded to all parties involved within 10 working days of completion of the investigation.

Board Policy 3.7.0 (continued)

4. If the matter has not been resolved to the satisfaction of any party involved, the complaint shall be referred to a College official designated by the President (“Designee”) within 10 working days of receipt of the written response.
5. The Designee will conduct a hearing with both parties represented within 20 working days of receipt of the complaint.
6. A written decision will be rendered within 7 working days of the hearing. If warranted, the decision shall include recommendations for disciplinary action or penalties.
7. Within 10 working days after receipt of the decision issued by the Designee, either party may file exceptions to the decision with the President of the College. If exceptions are filed, the Designee shall submit to the President a written record of the hearing at the previous level and all support documentation collected through the complaint process. Upon receipt of the exceptions, the hearing record and the support documentation, the President may affirm, modify or reject the decision rendered by the Designee.

Miscellaneous

1. Hearings and meetings held under this procedure shall be conducted at a time and place which will afford a fair and reasonable opportunity for all persons entitled to be present to attend.
2. Time limits provided in this procedure may be extended by mutual agreement.
3. Persons exercising their rights under this procedure shall be free from any reprisals.
4. If either party is not satisfied with the decisions, the party is free to pursue this issue with any governmental agency responsible for reviewing or investigating alleged discrimination practices.
5. At any time, the College may elect to refer a complaint to outside counsel for investigation. In that case, the time limits specified herein shall not apply.
 - a. The results of that investigation shall be provided to the Designee for decision. A written decision will be rendered within 7 working days. If warranted, the decision shall include recommendations for disciplinary action or penalties.
 - b. Within 10 working days after receipt of the decision issued by the Designee, either party may file exceptions to the decision with the President of the College. If exceptions are filed, the Designee shall submit to the President a written record of the hearing at the previous level and all support documentation collected through the complaint process.
 - c. Upon receipt of the exceptions, the hearing record and the support documentation, the President may affirm, modify or reject the decision rendered by the Designee.

Relating to Board Policy 3.8.0**Harassment / Discrimination**

Complaints of violation of the College's Harassment/Discrimination policy shall be handled as follows:

Students:

1. A student shall bring his or her complaint to any of the following:
 - a. Any department chair
 - b. Any dean
2. The person hearing the complaint shall attempt to resolve it informally meeting with the complainant and the alleged violator at separate times.
3. If considered appropriate, a meeting will then be held with all parties in an attempt to resolve the issue.
4. If not resolved, the person hearing the complaint shall contact his or her supervisor for further conciliation efforts.
5. If not resolved, the complaint shall be put in writing and referred to the College's Affirmative Action Officer for further action.

Employees:

1. An employee shall bring his or her complaint to any of the following:
 - a. Immediate supervisor
 - b. Next level supervisor
 - c. Director or dean
2. The person hearing the complaint shall attempt to resolve it informally meeting with the complainant and the alleged violator at separate times.
3. If considered appropriate, a meeting will then be held with all parties in an attempt to resolve the issue.
4. If not resolved, the person hearing the complaint shall contact his or her supervisor for further conciliation efforts.
5. If not resolved, the complaint shall be put in writing and referred to the College's Affirmative Action Officer for further action.

The above-stated procedure shall not apply if the matter is currently pending or filed with:

1. Any union
2. A government agency responsible for reviewing or investigation alleged discrimination practices
3. Any court
4. Any other grievance or complaint procedure

By filing a complaint under this procedure, the complainant agrees to exhaust this procedure before filing any complaint with the above-listed bodies.

Relating to Board Policy 3.9.0**Confidentiality of Library Records**

A library record is any document or record, however maintained, the primary purpose of which is to provide for control of the circulation or other public use of library materials. These records include registration records, circulation records, and any other records which might include information relating to the individual library patron.

Library records which contain the names or other personally identifying details regarding the users of libraries are confidential and shall not be disclosed except in the following circumstances:

- a. The records are necessary for the proper operation of the library;
- b. Disclosure is requested by the user; or
- c. Disclosure is required pursuant to a subpoena issued by a court or court order.

Relating to Board Policy 3.13.0

Open Public Records Act

Those seeking documents under the New Jersey Open Public Records Act shall submit a request in substantially the following form:

Board Policy 3.13.0 (continued)

GOVERNMENT RECORD REQUEST FORM

To: Middlesex County College
Custodian of Government Records
2600 Woodbridge Avenue
Edison, NJ 08818
Email address: publicrecords@middlesexcc.edu

INSTRUCTIONS:

Government records not exempt from public access, may be inspected, examined, and copied during regular business hours at the office of the Custodian of Government Records. Copies may be purchased upon payment of the reproduction fee prescribed. Special Service Charges will be added where the requested records are voluminous, are not in the format or medium requested, cannot be reproduced by ordinary document copying equipment, reproduction requires a substantial amount of manipulation, or where extensive use of information technology is required.

Please fully complete all items (1 – 6) on page 2 of the Government Record Request Form. If you prefer to deliver this form anonymously you must arrange to return to the office of the Custodian of Government Records to pay any fees required and to receive access to the requested documents. A deposit is required from anonymous requestors.

Payment of the applicable Reproduction Fee and any Special Service Charges must be made prior to release and/or access of the record by cash or certified check only.

A statement of your rights to access government records of the College and your rights to appeal a denial of access is set forth on the last page of this request form.

Where additional space is required, you may attach additional sheets to this form.

1. Name of Requestor: _____

2. Address of Requestor: _____

3. Telephone number or other means of contacting the requestor: _____

4. Description of the government record(s) to be [*circle applicable word(s)*] examined and/or reproduced _____

5. If you wish the above records to be duplicated or available for inspection:

a. How many copies you wish to receive _____

b. The date and time for inspection or pick- up of the records. This may be done only between the hours of 8:30 am – 4:30 pm, Monday through Friday, at Middlesex County College, Chambers Hall, 2nd Floor, Cashier’s Office. _____

Date

Time

Board Policy 3.13.0 (continued)

6. If you wish the above records to be reproduced by a means other than ordinary copy equipment in ordinary business size and format, describe the special reproduction requested. [NOTE: A Special Service Charge may be imposed for this service.]

Date Signed

Signature of Requestor

TO BE COMPLETED BY CUSTODIAN OF GOVERNMENT RECORDS

Date form was received: _____

Inspection and/or reproduction of the requested documents is: Granted _____ Denied _____

Granted in part _____ Describe part denied _____

Reason for denial: _____

The records for which access is granted will be available by: _____

The records cannot be produced within the time otherwise specified because:

Estimated Fees:

Copies 1 – 10 @ .75 ea. + _____ FAX 1st page @ 2.00 + _____

11 – 20 @ .50 ea + _____ FAX ea. add't @ 1.00 + _____

21 + @ .25 ea + _____ Mail/Hand. Charges + _____

Reproduction Fee = \$ _____

FAX & Mail/Hand. Chrgs + \$ _____

Special Service Charge + \$ _____

Deposit Required - \$ _____

Balance Due \$ _____

[Cash or Certified Check Only] Paid Receipt Number _____

Date form returned to requestor

Date request fulfilled

Signature of Custodian

Board Policy 3.13.0 (continued)**NOTICE OF RIGHT TO ACCESS GOVERNMENT RECORDS OF
MIDDLESEX COUNTY COLLEGE**

The New Jersey Public Access to Government Records Act N.J.S.A. 47:1A et, seq. (the “Act”) requires that the College grant members of the public access to government records as defined in the Act. The Act safeguards from disclosure, proprietary and private records and information. Requests for government records may be made anonymously.

Upon payment of the applicable fee, the College is required to make government records available within the following time periods:

Immediate access will be provided to budgets, bills, vouchers, contracts, including collective negotiations agreements, individual employment contracts, and public employee salary and overtime information. Immediate access will be provided as soon as reasonably possible following receipt of the request if the record is not being used and is not in archive storage.

Not Later than seven business days after receiving the records request, access will be granted or denied to all other government records provided record is currently available, not in use and not in storage or archived. Failure of the Custodian of Government Records to respond within seven business days after receiving a request is deemed a denial, unless the requestor has elected not to provide a name, address or telephone number, or other means of contacting the requestor, in which case the Custodian of Government Records shall not be required to respond until the requestor reappears before the Custodian seeking a response to the original request.

The requestor is entitled to be advised in advance of the estimated amount of fees and charges to be imposed by the College for the reproduction costs and other special services requested.

Right of Appeal. A person who is denied access to a government record by the Custodian, at the option of the requestor, may institute a proceeding challenging the Custodian’s decision by filing a complaint with the Government Records Council or by filing an action in the Superior Court.

An informational pamphlet produced by the Government Records Council which explains the right of the public to access government records and the methods for resolving disputes regarding access is available. Assistance may also be obtained by calling the toll-free helpline of the Government Records Council or by logging on to that agency’s informational website.

Relating to Board Policy 3.14.0

Conflict of Interest in Grant Supported Activities

The following form must be completed and approvals secured before any application for outside funding can be made.

Board Policy 3.14.0 (continued)

MIDDLESEX COUNTY COLLEGE
DECLARATION OF CONFLICT OF INTEREST

Any investigator who is responsible for the design, conduct, or reporting of research or educational activities funded or proposed for funding by a federal agency is required to submit a financial disclosure report detailing all significant financial interests of the investigator, the investigator's spouse, and dependent children that would reasonably appear to be affected by the research or educational activities funded or proposed for funding; or in entities whose financial interests would reasonably appear to be affected by such activities. All financial disclosures must be submitted to the Vice President for Finance at the time the proposal is submitted and, in the case of multi-year awards, must be updated annually during the period of the award.

The term "investigator" means the principal investigator, co-principal investigators, project director, and any other person at the institution with significant responsibility for the project. The term "significant financial interest" means anything of monetary value over \$10,000, including, but not limited to, salary or other payments for services (e.g. consulting fees or honoraria) equity interests (e.g. stocks, stock options or other ownership interests); and intellectual property rights (e.g. patents, copyrights and royalties from such rights).

If a conflict of interest is found to exist, the Director of Grant Accounting will work with the concerned individual to determine what steps will be taken to resolve the situation. If the conflict cannot be resolved, the individual will be disqualified from participation in the portion of the project that would be affected by significant financial interests.

I declare that my participation in the project identified below does not violate the Middlesex County College Conflict of Interest Policy.

Project Title: _____

Funding Source: _____

Project Period: _____

Name: _____

(Print)

Position: _____

Signature: _____

Date: _____

Relating to Board Policy 3.15.0

Institutional Review Board (IRB)

Those seeking approval for a research project shall submit a request in substantially the attached form:

Board Policy 3.15.0 (continued)

 <p>Petition for IRB Review Use of Human Subjects in Research/Grant Projects</p>	<p>For IRB Use Only: IRB #: _____ Received: _____ Reviewed: _____ <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Provisions <input type="checkbox"/> Denied</p>
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The Middlesex County College Institutional Review Board will accept petitions for review from principal investigators at any time and will return decisions within twenty working days. Decisions will be in writing. To be eligible for MCC IRB review, please complete the following information. (Use additional pages if necessary.)

1. _____
 Name of Principle Investigator (P.I.) P.I. Signature Date
2. Project Title: _____
3. P.I. email address: _____
4. P.I. Phone # Office: _____ Home: _____
5. Name of Co-P.I.: _____
6. Co-P.I. email address: _____
7. Co-P.I. Phone # (Office): _____ (Home): _____
8. Project Duration: _____
9. Funding Agency: _____
10. Proposal ID # (if applicable): _____
11. MCC Division/Department Administering the Project: _____
12. Indicate whether or not the project may be exempt from full MCC IRB review. (Yes / No)

Please review the Middlesex County College Statement Regarding the Use of Human Subjects in Research/Grants Projects (attached)

Board Policy 3.15.0 (continued)**MIDDLESEX COUNTY COLLEGE**
STATEMENT REGARDING THE USE OF HUMAN SUBJECTS IN RESEARCH / GRANT PROJECTS**Middlesex County College Institutional Review Board**

1. The purpose of the Institutional Review Board is to conduct initial and continuing reviews of projects that involve the use of human subjects in accordance with the policy.
2. The Director of Grants Development, the Director of Institutional Research, and three members of the faculty or administration appointed by the President of Middlesex County College, will serve three-year terms to insure that the review board is sufficiently qualified through diversity, maturity, experience, and expertise of its members for advice and counsel to safeguard the rights and well-being of human subjects. The President of Middlesex County College will select one of the appointed members to serve as the chair of the MCC Institutional Review Board.
3. In the event that a conflict of interest arises with a member of the IRB related to a project under review, the member will not participate in the review process for that project.
4. The review board will be guided by and operate in compliance with applicable sections of Title 45, CFR, Part 46, Protection of Human Subjects.
5. The Middlesex County College Institutional Review Board will accept petitions for review from principal investigators at any time and will return decisions within twenty working days. Decisions will be in writing. To be eligible for review, Petitions for Review will contain the following information:
 - Name of Principal Investigator with a signature and date, as well as an e-mail address and telephone number.
 - Name of Co-Principal Investigators with e-mail addresses and telephone numbers.
 - Name of division or department that is administering the project.
 - Project duration.
 - Project title.
 - Funding Agency and Proposal ID number (if applicable).
 - Statement addressing real or potential conflict of interest.
 - Indication of whether or not the project may be exempt from full MCC IRB review.
 - Brief statement of how human subjects are to be involved in the project.
 - Project summary.
 - Copy of the grant proposal (if applicable).

The following types of projects are exempt from Institutional Review Board review: Data gathered for the purposes of fundraising; market research for the purposes of admissions recruiting; recruiting efforts for faculty or staff; and statistical data collected for the management of institutional affairs, including surveys of students, prospective students, and alumni. Please note that a project that does not clearly fall into one of these categories should be brought to the MCC IRB Chair for a determination of whether it is exempt. Note: The principal investigator(s) themselves cannot make the determination as to whether a project is exempt from review by the Middlesex County College Institutional Review Board.

Board Policy 3.15.0 (continued)**Purpose**

This statement regarding the use of human subjects in research activities recognizes the institution's responsibility to comply with applicable Federal Regulations; protect the rights, well-being and personal privacy of individuals; assure a favorable climate for the conduct of academic oriented inquiry; and, protect the interests of Middlesex County College.

Procedures

1. Any principal investigator related to Middlesex County College (as defined below) who engages in scholarly research involving human subjects; either on- or off-campus, must apply to the Middlesex County College Institutional Review Board (MCC IRB) for approval of the research. Such approval must be obtained before undertaking the research. Individuals who meet the definition of "principal investigator" must apply for approval from the Middlesex County College Institutional Review Board even if their research has been approved by another institution's or organization's Institutional Review Board.

Under this policy, the following individuals are considered to be principal investigators:

- Middlesex County College faculty and staff.
- Middlesex County College faculty who are on leave, and who are conducting research involving human subjects either at Middlesex County College, or with Middlesex County College students.
- Researchers not affiliated with Middlesex County College who are conducting primary research with human subjects on campus. While at Middlesex County College, these individuals may, through the courtesy of an on-campus liaison, conduct MCC IRB approved research on human subjects. The liaison should provide the visitor with appropriate institutional forms including this policy, and assure that the forms are sent to the MCC IRB before the research is undertaken.

2. No research activity involving human subjects shall be undertaken unless the Middlesex County College Institutional Review Board has reviewed and approved such activity. This review shall determine whether the activity/ research design will adequately protect the rights and welfare of such subjects.

3. Renewal Petitions - Projects eligible for continuation beyond the duration of the initial project are subject to renewal application review. Projects for which the scope of work or activities that involve human subjects change substantially during the project are also subject to renewal application review.

4. Minimum Risk Proposals – Expedited Review

Research activities which involve no more than minimal risk and in which the only involvement of human subjects is as outlined below, may be reviewed and approved by the Middlesex County College Institutional Review Board through its expedited review procedure. Under this procedure, the MCC IRB review may be carried out by the chairperson of the board, or in the chairperson's absence, by a member of the board designated by the chairperson. In reviewing research under this procedure, the reviewer may not disapprove the research. A research activity can only be disapproved after review by the full MCC IRB.

Board Policy 3.15.0 (continued)

The following activities shall be eligible for expedited review:

- a. Minor changes in previously authorized research during the period for which approval is authorized.
- b. Research involving survey or interview procedures where all of the following conditions occur:
 - Responses are recorded in such a manner that human subjects cannot be identified, directly or through identifiers linked to the subjects.
 - The subject's responses, if they become known outside of the research, would not place the subject at risk of civil or criminal liability or be damaging to the subject's financial standing or employability.
 - The research does not deal with sensitive aspects of the subject's own behavior, such as illegal conduct, drug use, sexual behavior, or use of alcohol, and is not likely to cause the subject undue stress, fatigue, or any other psychological reactions.
 - The research proposal makes adequate provision for obtaining the informed and voluntary participation of subjects.

If, in the reviewer's judgment, the proposal goes beyond the criteria for expedited review, it shall be subject to full MCC IRB review and approval.

The chair shall provide to the MCC IRB summaries of research proposals certified through expedited review procedures and copies of review disposition letters to investigators.

All other cases require a full board review.

Relating to Board Policy 3.16.0

Acceptable Use of Computer Network, Resources and Facilities

The executive director of information technology is authorized to develop acceptable use practices for the College's computers and networks in consultation with the President's Cabinet.

Relating to Board Policy 3.19.0**Smoking**

1. All matters dealing with the investigation and prosecution of violations of the college's smoking policy shall be handled by the College police department
2. The police department shall develop a set of standard operating procedures in form and substance similar to those used for parking and automobile moving violations
3. The Board of Trustees shall approve a schedule of fines and other penalties that it deems appropriate.

Relating to Board Policy 3.20.0**Permission of Alcohol Use on Campus**

Any individual, group or organization seeking to serve alcohol on the Edison campus, The New Brunswick Center or Perth Amboy Center, or at any event sponsored by the College:

1. Shall submit a written request for permission to do so to the President or his / her designee at least 21 calendar days prior to the event.
2. The request shall contain sufficient information to allow the President to make a decision and shall include:
 - a. The name of the person in charge of the event
 - b. The estimated number of people who will attend
 - c. Whether any attendees will be under the age of 21
 - d. Who will be serving the alcohol
 - e. Whether any admission or other charges will be imposed
3. The request shall also contain a statement that the individual, group or organization seeking to serve alcohol will obtain any required state or municipal approvals and will furnish copies to the President prior to the event. Failure to provide evidence of the approval or the lack of their need automatically cancels any approval previously given.

Relating to Board Policy 3.22.0**Facility Naming**

The merits of naming any physical facility, space, academic program or endowed fund should be determined by carefully weighing one's high scholarship, devotion, or distinguished service, and should be able to stand the test of time. All naming requests will take into account that the honoree meets the highest values and societal standards.

Procedure

1. The donor, either in response to a solicitation or of his or her own volition, indicates to a Middlesex County College representative an interest in making a gift of significance to benefit the College.
2. The representative informs the President of the donor's intentions.
3. The Director of the Foundation determines the exact nature of the gift intention, and discusses the application of the named gift program policies with the donor to identify naming opportunities of interest.
4. The Director of the Foundation and the President review the details for the potential gift, determine appropriate naming opportunities available, and then share their recommendation with the College's Board of Trustees and then the donor.
5. Once the naming opportunity is approved all required levels, a formal contractual commitment is executed outlining parameters of the gift.
6. The College reserves the right to rescind a naming opportunity at any time should the naming bring negative public perception and/or attention upon the College due to a donor's inappropriate behavior or public legal issues or any other situation that will reflect negatively on the College.

Relating to Board Policy 3.24.0**Disabilities****Introduction**

Middlesex County College provides reasonable accommodation for qualified individuals with disabilities. Inquiries regarding compliance may be directed to the Affirmative Action Officer, Middlesex County College, Chambers Hall, 2600 Woodbridge Avenue, Edison, New Jersey 08818-3050.

A person with a disability, according to Federal and New Jersey laws, is someone with a physical or mental impairment that substantially limits one or more major life activities. A person is considered disabled if (1) he/she has a disability, (2) has a record of the disability, or (3) is regarded as having the disability. This includes, but is not limited to, such disabling conditions as visual impairments, psychological/emotional disabilities, speech, hearing impairments, mobility impairments or learning disabilities. A qualified handicapped person, under Section 504 of the Rehabilitation Act of 1973, is defined as one who meets the requisite academic and technical standards required for admission or participation in the post-secondary institution's programs and activities.

Institutional Responsibilities

The College makes every effort to accommodate a student with a disability. However, the student must meet all the academic requirements of his/her program. Accommodation is not a guarantee of success. If a student believes that he/she has not received a reasonable accommodation, he/she are encouraged to discuss the situation with the Counselor for Students with Disabilities in ED 100.

Student Responsibilities

A Middlesex County College student with a disability has the right to reasonable accommodations under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

- A. Self-identification. It is the responsibility of the student with a disability to self-identify to Disability Services (Edison Hall 100, 732-906-2546) and to request appropriate accommodations in writing. Students requesting services are required to complete a Special Services application and submit appropriate documentation in a timely manner. Students must also make an appointment for an intake interview to discuss their needs and requests for accommodations.
- B. Documentation. Eligibility for services and accommodations for a student with disability is based on review of the documentation submitted. Middlesex County College reserves the right to request additional documentation. Generally, the following will be required:
 - a. Students with learning disabilities should provide recent written documentation (typically within the last three years) which includes:

Board Policy 3.24.0 (continued)

- (1) Psychological evaluation (WAIS preferred; standard scores should be used) including sub-test scores; and
 - (2) An educational evaluation (Woodcock Johnson III preferred; standard scores should be used) with sub-test scores.
 - (3) A discussion of the nature and severity of the learning disability and its impact on academic work.
- b. Students with physical, visual, hearing, emotional, or other health impairments must provide:
- (1) Medical and/or psychological documentation of the impairment; and
 - (2) Professional recommendations of accommodations necessitated by the impairment in an academic setting.

Counseling and Career Services Responsibilities

The Department of Counseling and Career Services will assist students with disabilities in the provision of accommodations. This will be done for persons with disabilities who identify themselves, provide adequate documentation of their disability and request services. This Department works with academic departments to assist them in meeting their responsibilities. Disability Services Counselors may be reached at 732-906-2546, Edison Hall, Room 100.

- A. **Handling of Confidential Material.** Any documentation provided to the Disability Services Staff is treated as confidential material. This information is not released to anyone else without the student's written consent. Confidential records are maintained for seven years after a student graduates or leaves the College. Students are encouraged to make their own file copy of any information submitted to the Disability Services Office.
- B. **Accommodations.** Once a student makes a specific request for an accommodation and the accommodation need has been verified by Disability Services Staff, a meeting will be scheduled with a staff member to complete a Classroom Accommodation Form and transmit it to the faculty member or office involved. Classroom Accommodation Forms must be completed each semester.

Faculty Responsibilities

Faculty are required by Federal Law to accommodate a student's request for reasonable accommodations. Failure to do so may result in personal as well as institutional liability.

A faculty member is not required to provide any accommodations unless notified through an official Accommodations Form from the Department of Counseling and Career Services. Faculty may verify the request by contacting the professional staff named on the form.

The accommodations shall not compromise the content of the course or the essential requirements of the degree. If a faculty member has questions about the request, they are encouraged to contact Disability Services.

Board Policy 3.24.0 (continued)

Faculty are encouraged to alert students to the availability of special services by placing a statement such as the following in their course syllabi:

"Students with disabilities, whether physical, learning or psychological, who believe that they may need accommodations in this class, are encouraged to contact Disability Services as soon as possible to ensure that the accommodations are implemented. Please meet with the Disability Services staff in Edison Hall, Room 100, 732-906-2546."

Appeal Procedure

Students who believe that they have been denied equal access to appropriate accommodations, modifications, auxiliary aids, or effective communication or suffered discriminatory harassment as described in the above mentioned laws shall follow the procedures outlined below. The complaint procedure will be conducted in a way that respects the privacy of all persons involved. The investigation shall be conducted in a prompt, thorough and impartial manner.

Step One

Students are encouraged to first try to resolve complaints with the Disability Service Office of the Department of Counseling and Career (ED 100). However, if the matter is not resolved, complaints may be addressed to the Compliance Officer, Gateway, who has been appointed to coordinate disability services compliance efforts.

Step Two

The complaint must be in writing, filed within 45 calendar days of when the aggrieved became aware of the alleged violation, and include:

1. The Complainant's name and address
2. The date of the complaint.
3. The accommodation/service not provided.
4. Facts alleged, dates, and times of incidents.
5. Names, addresses and phone numbers of witnesses, if applicable.
6. Remedy sought.
7. Complainant's signature.

Upon receipt of the complaint, the Compliance Officer will:

1. Investigate the complaint by contacting all interested parties.
2. The investigation will include interviewing the complainant and others who may have information relevant to the complaint. The complainant may be accompanied by a colleague, peer, friend, or representative in any discussions relating to the investigation of a formal complaint.
3. The findings of the Compliance Officer will be forwarded to the Executive Director of Labor Relations and Human Resources no later than 25 days after the complaint was filed.
4. The findings will include:
 - a. A synopsis of the complaint.
 - b. A complete listing of the facts.

Board Policy 3.24.0 (continued)

- c. Conclusions drawn from the evidence and facts.
- d. Recommended action.

The results of the investigation shall be forwarded to the Executive Director of Labor Relations and Human Resources to determine whether or not a violation has occurred. Prompt remedial action will be taken when appropriate.

Step Three

Within 15 working days of receipt of the findings and recommendations from the Compliance Officer, the Executive Director of Labor Relations and Human Resources shall, in writing, either:

1. Accept the recommendations of the Compliance Officer;
2. Accept the findings of the Compliance Officer and modify the recommended sanction;
3. Dismiss the case based upon the presented record.

The decision of the Executive Director of Labor Relations and Human Resources shall be final.

Other Information:

The right of a person to a prompt and equitable resolution of the complaint filed here shall not impede the person's pursuit of other remedies such as filing a Section 504/ADA complaint with the responsible federal department or agency. Utilization of the grievance procedure is not a prerequisite for other remedies.

Project Connections

Students with learning disabilities may apply to Project Connections, the comprehensive support service program for students with learning disabilities.

This supplemental service, which goes above and beyond what the law requires, is grant-funded. Students must submit a separate application form directly to the Project Connections office. Students may call (732) 906-2507 to request an application. The application to the program is competitive and space is limited. The application deadline is February 15, prior to the fall semester in which the student will enroll. Students not accepted to Project Connections may receive accommodation support through Disability Services in ED 100.

Relating to Board Policy 3.25.0

Consensual Relationships

Issues or questions concerning this policy should be directed to the Labor Relations and Human Resources office.

Relating to Board Policy 3.26.0

Supervision and Teaching of Relatives

Issues or questions concerning this policy should be directed to the Labor Relations and Human Resources office.

Relating to Board Policy 3.27.0**Campus Demonstrations and Gatherings****I. General Considerations**

1. Middlesex County College reserves the right to determine the time, place, and manner of all demonstrations on campus, as well as to take steps to ensure public safety and the orderly continuation of College operations. Those decisions will be made with regard for constitutional and statutory provisions and judicial decisions.
2. For purposes of this Procedure, a “demonstration” is defined as a public display of a group or individual position for or against a person or cause.
3. Students or student organizations and individual faculty or staff speak only for themselves, not the College as an institution in their public expressions, demonstrations or protests.
4. For specific events which are open to the outside community, Middlesex County College invites the public to join the events and extends free speech and expression privileges during these events.
5. These procedures shall apply to all College owned and operated facilities and property.

II. Approval for Demonstrations

1. Any use of the College campus for demonstrations requires advance approval of the College.
2. Those wanting to stage a demonstration on College property must contact the Office of the Vice President of Institutional Advancement to review the location, time and manner of the demonstration. Before a demonstration may take place, written permission must be granted by the Vice President. In typical situations, a decision will be made within three business days of application.
3. The decision will be based upon safety considerations and the operational requirements of the College without regard to the person or cause that is the subject of the demonstration.

III. Disruptive Behavior

1. Middlesex County College does not allow disruptive behavior at events on its campus. “Disruption” is any action that significantly or substantially interferes with the rights of members of the academic community to go about their normal business or that otherwise interrupts the educational mission or ordinary operation of the College, such as interference with access to campus facilities and grounds, purposeful blocking of the view of others at an event; banners or other action that block the audience's view; noise or actions that disrupts the ability of the audience to hear.
2. If an event is disrupted by a group or individual, a representative of the College may request the action to stop or that the person or group causing the disruption leave the event or campus or move to a different approved location. Individuals or groups who disrupt an event or fail to leave when asked are in violation of the College's policy.

Board Policy 3.27.0 (continued)

These violations of College policy may result in College disciplinary proceedings against students and may also result in arrest and criminal charges or disorderly persons charges.

IV. Location, Time, and Duration of Events

1. The College will designate clearly marked areas for demonstrations on the campus. Locations will be designated that provide access to large segments of the College community while avoiding those that will likely disrupt the academic and educational mission or orderly operation of the College.
2. If the event targets an issue at another approved College event that will occur simultaneously, the location of an approved demonstration will be as proximate to the other event as deemed appropriate. The following will be considered in determining the location, duration and time of an event.
 - a. Nature of and size of the event or events.
 - b. Public safety and security needs of the event or events.
 - c. Vehicular traffic.
 - d. Any other considerations set forth in this Policy.

V. Hours of the events shall be limited to the hours of 9:00 am to 5:00 pm.**VI. Conduct at Demonstrations**

1. Demonstrators may not erect structures or tents on the College campus.
2. Demonstrators may not have open fires.
3. Demonstrations may not block access to any campus facility.
4. Demonstrations may not block roadways, sidewalks or parking areas.
5. Demonstrations utilizing pickets, large items, loud or amplified sound-making devices will be confined to the exterior of buildings so as not to disrupt regular and essential operation of the College or create health and safety issues. Sound amplification will only be allowed at the discretion of the College.
6. Demonstrations may not generate noise levels that disrupt other authorized activities.
7. Distribution of materials such as leaflets may not be confrontational.
8. Organizers must remove all items at the end of the demonstration, including but not limited to signs, equipment, printed materials, and chairs.
9. Demonstrators may not use intimidating tactics.
10. Demonstrators may not infringe upon the protected rights of others.
11. Demonstrators may not use unwelcome physical contact between demonstrators, counter demonstrators, the audience, the speaker or performers, or College officials. Force and violence is never permitted.

Board Policy 3.27.0 (continued)**VII. Violation of College Policy**

1. At any event, College authorities, including police, will endeavor to locate the leaders of a demonstration before taking any action in any situation of non-violent behavior, unless the disruption necessitates action to prevent (i) greater disturbance or confrontation, or, (ii) injury to persons or property, or (iii) acts of violence, threats of violence, or overcrowding.
2. If the College police have been asked to deal with the person or persons creating a non-violent disturbance, they will ask the person or persons to stop the disruptive behavior prior to asking that the person or persons leave the event or take any other action.
3. In the event of a disruption in violation of College Policy, a statement will be read by an appropriate designated official of the College. The official statement follows:

Any demonstration that interferes with the freedom of members of the academic community to go about their normal business or interrupts the operations of the College constitutes a disruption and violates College Policy. It is necessary for me as a duly authorized officer of Middlesex County College charged with responsibility in this matter to inform you that your present action constitutes a disruption and is in violation of both state law and College Policy. I advise you that you must desist from this present disruption within ten minutes or be subject to prosecution under the laws of the state and the Code of Student Conduct, including possible suspension from the College. I further advise you that any agreement reached by an administrator while under duress or restraint will not be honored by the College.

4. In addition to punishment for violation of criminal law or disorderly persons offense, students who take action on campus in violation of this Policy, or are convicted of a criminal offense or disorderly person's offense arising from incidents occurring on campus may be subject to disciplinary action for violations under the Middlesex County College Code of Student Conduct Policy.
5. In case of violations of this Policy, the College may bar any person from the College.

Relating to Board Policy 3.28.0

Adopted by Board of Trustees: May 27, 2015

Violence Against Women Act and the Campus Sexual Violence Act

Middlesex County College is compliant with **VAWA (Violence Against Women Reauthorization Act)** and the obligations on all post-secondary institutions under **SAVE (Campus Sexual Violence Act)**. This policy is intended to implement requirements of these Acts and regulations promulgated by the United States Department of Education, 34 C.F.R. §668.46. Those obligations, as they pertain to new employees and incoming students, require that the college promotes awareness and prevention methods of the following offenses:

Criminal Offenses Required to be Disclosed

Categories of crime statistics are disclosed as follows:

Criminal Homicide, including

- a) murder and non-negligent manslaughter, and
- b) negligent manslaughter;

Sexual Assault and Sexual Offenses including

- a) forcible, and
- b) non-forcible

Robbery; aggravated assault; burglary; motor vehicle theft; and arson

Dating violence, domestic violence, and stalking.

The term “sexual assault” means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent. This includes an offense that meets the definition of rape, fondling, incest or statutory rape as used in the Federal Bureau of Investigation Uniform Crime Reporting (UCR) Program.

The term “sexual offenses-forcible” means any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

The term “sexual offenses non-forcible” means any unlawful, non-forcible sexual intercourse (e.g., incest, statutory rape).

“Sexual Assault” means any non-consensual sexual act proscribed by federal or state law, including when the victim lacks capacity to consent and includes:

- the attempt or act of rape (sexual intercourse without consent or with a child under the age of thirteen, by a stranger, an acquaintance, or an intimate)
- forced sodomy (forced oral or anal sex)

Board Policy 3.28.0 (continued)

- forced penetration by a foreign object either animate such as a finger, or inanimate
- sex offenses definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting System of the Federal Bureau of Investigation

“Non-Penetration Sexual Assault” includes the act of touching an unwilling person’s intimate parts such as genitalia, anus, groin, breast, or buttocks, or the clothing covering these parts, or forcing an unwilling person to touch another’s intimate parts.

The above acts constitute sexual assault when they are committed against a person’s will as evidenced by refusal of consent or through the use of force, threat, manipulation, or intimidation, or against a person who, by virtue of mental incapacity or physical helplessness, is unable to give or withhold **“consent”** (to give assent, acceptance or approval as to the proposal of another). This includes, but is not limited to, incapacity or helplessness caused by alcohol or other drugs. Intoxication of the assailant shall not diminish the assailant’s responsibility for the sexual assault.

Hate Crimes – any of the above-mentioned offenses, and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. The categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

“Domestic Violence” includes violent misdemeanor and felony offenses committed by the victim’s:

- current or former spouse or domestic partner
- current or former cohabitant
- anyone else protected under domestic or family violence law
- any person with whom the victim has had a dating relationship

“Dating Violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- the length of the relationship
- the type of relationship
- the frequency of interaction between the persons involved in the relationship

“Stalking” means a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for her, his, or other’s safety, or
- suffer substantial emotional distress

Board Policy 3.28.0 (continued)

Course of conduct can include repeatedly watching, following, monitoring, threatening, interfering with a person's property or harassing the person. This may include repeated verbal, written or electronic threats and gestures.

"Incest" means non-forcible sexual intercourse between persons who are related to each other within the degrees where marriage is prohibited by law.

"Statutory Rape" means non-forcible sexual intercourse with a person who is under the statutory age of consent.

"Consent"

- Consent must be clear, verbal, sober, and affirmative.
- Consent must be obtained for each and every sexual activity to constitute effective consent.
- Consensual activity requires a mutual decision of both parties without any hint of force, threat, coercion, pressure, fraud, manipulation or fear of injury.
- Consent cannot be given if the victim is mentally or physically incapacitated due to alcohol and/or other drugs or due to a temporary or permanent mental or physical condition.
- Silence, passivity or the lack of active resistance is not consent.
- Previous sexual activity does not equal current consent.
- Consent to one form of sexual activity does not equal consent to other forms of sexual activity.
- Consent can be withdrawn at any point.

"Retaliation" - Intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's formal or informal complaint or participation in a college investigation or proceedings related to sexual violence or assault.

The College Sexual Assault Response System

If you or someone you know is a victim of sexual assault:

- You have the right to privacy. All information you share about the incident must and will be kept confidential. College officials cannot talk about your experiences without your permission. Campus police has an obligation, however, under the Clery Act to report to the state only the date of the incident.
- You have the right to make decisions about who can be contacted and if and how any intervention will proceed. You have the option, or not, to notify and seek assistance from law enforcement and campus authorities. You have the option of seeking assistance from any of the services mentioned in this Policy.
- You have the right to institutional implementation of no-contact, restraining and protective orders.

Board Policy 3.28.0 (continued)

- You have the right to obtain the following documents located in the Office of the Title IX Coordinator located in North Hall, room 206.

Notice of Annual Security Report Availability

The Middlesex County College Annual Security Report is now available. This report is required by federal law and contains policy statements and crime statistics for Middlesex County College. The policy statements address the College's policies, procedures, and programs concerning safety and security, for example, policies for responding to emergency situations and sexual offenses. Three years' worth of statistics are included for certain types of crimes that were reported to have occurred on campus, in or on off-campus property controlled by the College and on public property within or immediately adjacent to property controlled by the College.

Be an Active Bystander**What is a Bystander?**

Bystanders are the largest group of people involved in violence (sexual, dating and domestic). They greatly outnumber both the perpetrators and the victims. Some bystanders know that a specific assault is happening or will happen. Some bystanders see an assault or a potential assault in progress. **Bystanders have the power to stop assaults from occurring and to get help for people who have been victimized.**

Take for example, the typical perpetrator of college sexual assaults. The person may be outwardly charming, have a lot of friends, and do not consider the actions to be wrong. People who know this person (bystanders) and who might be friends with this person, often do not want women they care about (sisters, friends, etc.) to date or hang around this person. But when the behavior is directed at other women whom they are not close to, they often do not think they need to get involved. Bystanders often know that this person's behavior is inappropriate and potentially illegal, but they do not know what they can do to make a difference.

As opposed to being the bystander who stands by and does nothing, we want to create a culture of bystanders who are actively engaged in the prevention of violence.

Safe and Positive Options for Bystander Interventions:

- Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers for intervening, identifying safe and effective intervention options, and taking actions to intervene.

Board Policy 3.28.0 (continued)

- Believe someone who discloses a sexual assault, abusive relationship, or experience with stalking.
- Be respectful of yourself and others. Make sure any sexual act is okay with your partner if you initiate.
- Watch out for your colleagues, students, and friends. If you see someone on or off campus who looks like they are in trouble, ask if they are okay. If you are afraid to interfere with the situation, call that person over for something very general (“Can I speak to you about the homework from the other day?”). If you see a colleague, student, or friend doing something harmful, say something.
- Speak up. If someone says something offensive, derogatory, or abusive, let them know if you can do so safely, that behavior is wrong and you don’t want to be around it. Don’t laugh at sexist, racist, or homophobic jokes.

Ways to Reduce Your Risk of Sexual Assault

Sexual abuse is a form of physical abuse. Any situation in which you are forced to participate in unwanted, unsafe or degrading sexual activity is sexual abuse. Forced sex, even by a spouse or intimate partner with whom you also have consensual sex, is an act of aggression and violence. Furthermore, people whose partners abuse them physically and sexually are at a higher risk of being seriously injured or killed.

While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted.

- Be aware of your surroundings.
- Try to avoid isolated areas.
- Walk with purpose. Even if you don’t know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Don’t allow yourself to be isolated with someone you do not trust or someone you don’t know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings.

If someone is pressuring you and you need to get out of an uncomfortable situation:

- Remember that being in this situation is not your fault.
- Don’t feel obligated to do anything you do not want to do.
- Have a code word with your friends or family so that you can call them and communicate your discomfort without the person you are with knowing.
- Try to think of an escape route. How would you get out of the room? Where are the doors? Windows?

Board Policy 3.28.0 (continued)**Crime Prevention Programs for Students and Employees**

A common theme of crime prevention program is to encourage students and employees to be aware of their responsibility for their own security and the security of others. The College holds annual crime prevention programs for students and employees through several venues. These programs include:

Middlesex County College Campus Resources:**Counseling and Career Services:****Personal Counseling**

The Department of Counseling and Career Services located in Edison Hall provide personal counseling for students. Students can schedule a confidential appointment by calling 732-906-2546 or stop by Edison Hall room 100.

Faculty and Staff Resources:

The counseling staff provides procedures for referrals and consultation, and links to websites that will increase understanding of the role of emotion in learning. Counselors are available to consult with faculty and staff at any time during normal business hours (8:00 am – 7:00 pm Monday and Thursday, 8:00am – 5:00 pm Tuesday, Wednesday, Friday) either via phone or in person. In the case of emergencies, counselors will make immediate adjustments to the office schedule to see a student in crisis or be available to consult with a faculty or staff member.

Referral:

Counselors will make immediate adjustments to their schedule to see a student in crisis, consult with a faculty member or administrator. The following steps will facilitate this:

Phone or escort student to Department (Edison Hall room 100; 732-906-2546). The first contact will be the Counseling and Career Services Receptionist. Briefly explain that you are concerned about a student and ask to speak with the Director.

If the Director is unavailable let the receptionist know the nature of your concern without going into detail. The receptionist will immediately identify a counselor that you can consult with.

Employee Assistance Program –provides free and confidential counseling and referral services to MCC employees and their families.

Board Policy 3.28.0 (continued)Local and State Resources:

Rape Crisis Intervention Center
29 Oakwood Ave. Edison N.J.
(732)-745-8270

Coordinated Family Care
30 Silver Line Drive Suite 1
North Brunswick Township N.J.
(732)-572-3663

Women Aware, Inc.
250 Livingston Ave. New Brunswick N.J. 08901
Emergency Hotline
24- Hour hotline (732)-249-4504
Office: (732)-249-4900

Middlesex County Center for Empowerment
Sexual Violence, Counseling, Advocacy and Prevention Education
29 Oakwood Ave.
Edison, NJ 08837
Toll Free Hotline 1-877 665 7273

Manavi, Inc. (Serving South Asian Women)
PO Box 3103
New Brunswick, NJ 08903
732-435-1414
Fax 732-435-1411

International Center for Assault Prevention
606 Delsea Drive
Sewell NJ 98876
856-582-7000
Fax 856-582-4206

New Jersey Coalition Against Sexual Assault
2333 Whitehorse Mercerville Road, Suite J
Trenton NJ 08619
609-631-4450
Fax 732-631-4453
Information on Sexual Assault Centers: <http://njcasa.org/find-help>

National Sexual Violence Resource Center
[www .nsvrc.org](http://www.nsvrc.org)

Board Policy 3.28.0 (continued)

Crime prevention is further enhanced by the dissemination of the college's Student Code of Conduct and Disciplinary Appeal Procedure. This information is provided to students each semester.

The key elements to crime prevention can be best achieved through coordination between the Campus Police Department, faculty, staff, and students.

Public Safety Suggestions

If you travel unescorted, especially at night, you should be aware of measures you can use to safeguard yourself from attack. Middlesex County College Police Department is a professional, service-oriented agency ready to assist you in any emergency. The emergency phone number at the college, 732-906-2500 or 911, is accessible at all times for use if your safety is threatened. Exterior emergency call boxes are located at 11 locations on campus:

- Lot 2 Nearest Millgate
- Lot 2 Furthest from Millgate
- Lot 4
- Lot 4A
- Lot 5
- Lot 6
- Lot 6A
- Lot 6B
- Johnson Learning Center Exterior Front
- Main Hall Exterior Rear
- West Hall Exterior Front

In the event of an emergency or for other assistance, you can contact the police dispatcher by simply pushing the appropriate button on the box. If you are calling from a cell phone for an emergency, we recommend that you dial 911 and speak directly to the police dispatcher.

You can help combat crime if you are aware of:

- Suspicious Persons
- Questionable Actions
- Dangerous Conditions

Your information is valuable. Give it to the Campus police quickly. Time is important. The following observations help identify people:

- Observe the individual's height, weight, age, complexion, dress, speech, movement, and anything else unusual in appearance or actions. Identify two or more notable characteristics. Compare physical proportions and age with someone you know.

Board Policy 3.28.0 (continued)

- Observe distinguishing marks, e.g. a ring or other jewelry, tattoo or scar, missing tooth or finger, bow legs, etc.
- Observe if a car is used. Write down the color, make and license number.

While Walking

The best weapon against attack is psychological preparedness. An attacker usually expects a passive victim. Walking at a steady pace, looking confident and knowing where you are going makes a difference. Although there is no sure way to protect yourself against attack, certain factors can decrease your vulnerability.

- Try to avoid going out at night alone. When possible, walk with another person or in a group. If walking alone, be even more alert to your surroundings.
- Walk near the curb and avoid walkways that pass close to shrubbery, dark doorways and other places where someone may hide. Avoid shortcuts and stay in well-lighted areas.
- Do not accept rides from strangers. If a car approaches and you are threatened, scream and run in a different direction opposite that of the car. The driver will have to turn around to pursue you.
- Maintain a secure grip on your purse. Avoid carrying large amounts of money or wearing expensive jewelry.
- Avoid working in or leaving classrooms alone at night. When possible, arrange for an escort.
- Avoid over loading your arms which renders you defenseless. Be prepared to drop bundles and run.
- Consider wearing clothing that would not impede your ability to run quickly.
- If you fear danger, scream loudly or blow a whistle. Don't be afraid to be afraid. Raising a commotion in an uneasy situation may prevent an attack.
- Carrying a defense implement, such as an umbrella or a spray can, should be considered with caution and should be used only to stop an attack in order to get away.
- Avoid telephone conversations while walking alone especially during the hours of darkness.

When Going to Your Car

Whether your car is parked in your own driveway or in a parking lot, it is a good idea to remember the following rules:

- Avoid walking through or next to wooded areas or bushes whenever possible.
- Always have your car keys ready.
- Always approach your car dead center from the front or rear, never from the side. This allows you complete visibility on both sides (driver and passenger) and also allows detection of anyone hiding or lurking there.

Board Policy 3.28.0 (continued)

- It is advisable to carry a pocket flashlight or penlight at all times. Before getting into the car, look in the back seat and on the rear floor of the vehicle. Check the cars adjacent to you to assure that no one is hiding or waiting for you.
- Upon getting in the vehicle, lock all doors at once.
- Start the engine immediately—don't just sit and wait.
- Should anyone try to break into the vehicle while you're in it, press down firmly on the horn and keep it pressed down to attract as much attention as possible. Make every attempt to drive away.
- Whenever possible, have someone accompany you to your vehicle, then drive the person to his/her car.

When Driving

- Travel on well-lighted, busy streets. Keep windows rolled up and doors locked.
- Do not leave your wallet or purse in view. Put it in the glove compartment or on the floor opposite you.
- Keep your car in gear at all traffic lights and stop signs. If your safety is threatened, hold down on the horn and drive away.
- When stopped behind another vehicle make sure you can see the rear wheels of the vehicle touch the roadway. Never drive any closer. This will allow room to drive away if danger approaches.
- If you have reason to believe that another vehicle is following you, do not stop. Drive to the nearest police station or open business. Write down the license number and description of the vehicle.
- Park only in well-lighted areas and look for loiterers before leaving your vehicle.
- Lock your vehicle and do not leave valuables in view. Lock them in the trunk. This will discourage thieves.
- Don't hitchhike, and don't pick up hitchhikers.

Reporting an Incident of Sexual Misconduct

A "responsible employee" is an employee who has a duty to report an incident of sexual misconduct to the Title IX Coordinator or other college official with authority to take action to redress an incident of sexual misconduct. A reporting employee must report to the Title IX Coordinator or other college official with authority all relevant details about the alleged sexual misconduct shared by the victim including the names of the victim and accused(s), any witnesses and other relevant facts, including the date, time and specific location of the alleged incidents.

The following employees (or categories of employees) are the college's responsible employees:

- Administrators
- Deans
- Coaches

Board Policy 3.28.0 (continued)

- Directors
- Health Services
- Faculty
- Campus Police

Procedures for Disciplinary Action in Cases of Alleged Dating Violence, Domestic Violence, Assault or Stalking

The disciplinary proceedings shall provide for prompt, fair and impartial process commencing with the initial investigation to the final result and be conducted by officials who, at a minimum, receive annual training on the issues relating to dating violence, domestic violence, sexual assault and stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Investigation

Complaints shall be submitted to Office of the Title IX Coordinator located in North Hall, room 206.

Complaints may be made by mail, delivery or electronically to title9@middlesexcc.edu. The College will inform the complainant before starting an investigation. The complainant may request that an investigation not be undertaken. The College, in consultation with the appropriate Title IX Coordinator(s), will consider such a request in light of the College's commitment to provide a safe and non-discriminatory environment for all students. If the College determines not to investigate, it will notify the complainant in writing, including that the determination was made at the complainant's request. At the complainant's request, the College will also notify the respondent in writing, including that the complainant asked the College not to investigate.

If an investigation proceeds, the College will notify the respondent in writing that a report has been filed. The notice will describe the allegations in the report.

The College's process for responding to, investigating and adjudicating gender-based misconduct reports will continue during any law enforcement proceeding. The College may need to temporarily delay an investigation while the police are gathering evidence but it will resume the investigation after it learns that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding.

The College will designate a specially trained investigator (or team of investigators) to interview the complainant, respondent, and any witnesses. The investigator will also gather pertinent documentary materials (if any) and other information. The investigator will follow the protocols set forth below:

- **Preserving Evidence.** The investigator will direct the complainant, respondent, witnesses, and other interested individuals to preserve any relevant evidence.

Board Policy 3.28.0 (continued)

- **Character Witnesses.** The investigator will not interview witnesses whose sole purpose is to provide character information.

The proceedings shall provide the accuser and the accused with the same opportunities to have others present during any disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The College procedures shall set forth the extent to which the advisor may participate in the proceedings. Such restrictions shall apply equally to both parties.

The College shall simultaneously notify in writing both the accuser and the accused of the results of the disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking, the College's procedure for the accused and the victim to appeal the result of the disciplinary proceeding, any change to the result; and, when such result becomes final.

The proceeding shall provide reasonable time frames, including a process that allows for the extension of time frames for good cause with written notice to the accuser and the accused of the delay and the reason for the delay and be conducted in the manner that is consistent with the College's policies and transparent to the accuser and accused. The proceeding shall include timely notice of meetings at which the accuser and accused may be present and provide timely and equal access to the accuser, the accused and the appropriate officials to any information that would be used during the disciplinary proceedings and meetings and hearings relating thereto and be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

The complainant and respondent may be accompanied to any meeting or hearing related to the proceedings by an advisor of their choice. The advisor may not address the hearing panel, including by questioning witnesses or making objections.

“Advisor” means any individual who provides the accuser or accused support, guidance, or advice.

“Proceeding” means all activities related to a non-criminal resolution of the disciplinary complaint, including but not limited to, fact finding investigations, formal or informal meetings and hearings.

The **“result”** means any initial, interim, and final decision by any official or entity with the right to resolve disciplinary matters. The result must include any sanctions imposed by the College. The result must also include the rationale for the result and the sanctions.

The College and its employees and agents may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provisions of this Policy.

Board Policy 3.28.0 (continued)

The College shall cause an annual security report to be filed in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program.

Notice

The College will give the complainant and respondent, respectively, a written explanation of their rights and options, and any available accommodations, as soon as possible after an incident is reported. The College will also ensure that both the complainant and respondent are updated throughout the investigative process, including with timely notice of meetings where either or both the complainant and the respondent may be present.

More specifically, the complainant and respondent will simultaneously be given the following written notices:

- Conclusion of the Investigation - Notice of an opportunity to review the investigative report and any other information that will be used in the disciplinary proceedings, consistent with federal law governing the privacy of student information.
- Administrative Resolution - Notice of whether the respondent accepts responsibility for violating the Policy.
- Hearing Panel - Notice of the date and time of any hearing and list of hearing panel members and notice of the hearing panel's finding of "responsible" or "not responsible," along with the rationale for the outcome. This notice will include an explanation of the University's appeals process.
- Sanctioning - Notice of the sanctions imposed and the reasons for the sanctions. This notice will include an explanation of the College's appeals process.
- Appeals Process - Notice of whether an appeal has been filed, notice of whether the responsibility determination or sanctions have been modified, and notice when the responsibility determination and sanctions become final.

Conflicts of Interest

The College requires any individual participating in the investigation, hearing process, sanctioning or appeal determinations to disclose to the College any potential or actual conflict of interest. If a complainant or respondent believes that any individual involved in the process has a conflict of interest, he or she may make a request to the College that the individual not participate. A complainant or respondent who believes that a member of a hearing panel has a conflict of interest must submit this written request to the College President within three days after notification of the panel's membership. Any request should include a description of the conflict. If the President determines that a conflict of interest exists, the College will take steps to address the conflict in order to ensure an impartial process.

Informal Resolution

The College may seek to resolve certain gender-based misconduct cases through an informal process involving both the complainant and respondent. (For example, a complainant and

Board Policy 3.28.0 (continued)

respondent may agree with the College that education and training for the respondent are an appropriate and sufficient response in a particular case). This type of informal resolution can take place during the investigation or after its conclusion. If, based on the information known about the incident, the College believes such a resolution is possible, the College will speak with the complainant. If the complainant agrees, the College will then speak with the respondent. If both complainant and respondent are satisfied with a proposed resolution and the College believes the resolution satisfies the College's obligation to provide a safe and non-discriminatory environment for all students, the resolution will be implemented, the disciplinary process will be concluded and the matter will be closed. If these efforts are unsuccessful, the disciplinary process will continue. Before starting these discussions, the College will notify the complainant and respondent that each has the right to end the informal process at any time. The College will not use informal resolution for cases involving allegations of sexual assault.

Mediation

A student may request mediation from the College at any stage of the process. The complainant and respondent will be asked not to contact each other to discuss mediation. Mediation will be used only with the consent of both the complainant and respondent, and either has the right to terminate the mediation process and resume the regular disciplinary process at any time. The mediation process will typically commence within ten days after consent is received from both complainant and respondent and will continue until concluded or terminated by either the complainant or respondent. If the mediation results in a resolution, the disciplinary process will be concluded and the matter will be closed. If a resolution cannot be reached, the disciplinary process will proceed. The College will not use mediation for cases involving allegations of sexual assault.

Administrative Resolution

After the complainant and respondent have had an opportunity to review the investigative report and related material, the College will ask the respondent to respond to the alleged violation in one of the following ways: 1) Responsible; 2) Not Responsible; or 3) No Response. If the respondent accepts responsibility, the matter will proceed to the sanctions stage, followed by any appeals. If the respondent declines responsibility, or chooses not to respond, the College will convene a hearing panel.

Hearing Panel

If informal resolution, mediation or administrative resolution is not available or appropriate, the College will convene a hearing panel following the end of the investigation. The hearing will normally be scheduled by the College within five business days or class days of the charge. The hearing panel determines whether the respondent is responsible or not responsible for a violation of the Policy. If the respondent is determined to be responsible, the matter proceeds to the sanctions stage.

The hearing panel will generally have three members drawn from a small group of specially-

Board Policy 3.28.0 (continued)

trained College administrators. In certain matters, the College may include retired judges, lawyers or other individuals with relevant experience and special training. Panelists will not be from the department of either the complainant or the respondent. All panelists will receive training from experts in the field at least once a year. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of gender-based misconduct. The complainant and respondent will be informed of the panel's membership before the hearing process begins.

Written Submissions

Both the complainant and respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the hearing panel. Each of the complainant and respondent will have the opportunity to review any written submissions by the other. The hearing panel may set reasonable parameters for these written submissions. The hearing panel will review the investigation report and written submissions. The panel may determine that a hearing is not necessary when all three panel members agree that the information in the investigation report and the written submissions (if any) is sufficient to make a determination (for example, where the complainant and the respondent do not disagree about the relevant facts). If the panel decides that a hearing is not necessary, the panel will proceed directly to make a determination, including an explanation of why a hearing is not necessary, as described below.

Hearing Procedures

The College will, whenever possible, give the complainant and respondent at least five days' advance notice of the hearing. The hearing is a closed proceeding, meaning that no one other than the panel members, the complainant and respondent, their respective advisors, witnesses (when called), and necessary College personnel may be present in the hearing room or rooms during the proceeding. The College will work with other College personnel so that any student whose presence is required may participate in the hearing.

In general, hearings will proceed as follows:

- Complainant statement
- Respondent statement
- Questions to the complainant by the hearing panel
- Questions to the respondent by the hearing panel
- Witness testimony and questioning by the hearing panel
- Questions to the investigator by the hearing panel
- Closing statement by complainant
- Closing statement by respondent

The panel may set reasonable time limits for any part of the hearing. Each of the complainant and respondent will have the opportunity to present witnesses and other information consistent

Board Policy 3.28.0 (continued)

with this Policy. The panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the complainant and respondent are not able to be present for the hearing panel, arrangements will be made for participation via alternate means.

In cases where either the complainant or respondent opts not to participate in the hearing, the panel may still hear from the other.

Additional hearing rules include:

- **Testimony via Closed-Circuit Television.** The hearing panel may decide in appropriate cases that only the person testifying (and that person's advisor, if applicable) is in the hearing room during his or her testimony. Each of the complainant and respondent is able to view testimony from a separate, private room via closed-circuit television.
- **Questioning.** Only the panel may ask questions of the complainant and respondent and any witnesses. Both the complainant and respondent will have the opportunity to suggest questions of the other and of witnesses by submitting suggested questions to the panel in writing. The panel may revise or not ask any or all submitted questions.
- **Information Regarding Romantic or Sexual History.** The panel will not consider the romantic or sexual history of either the complainant or respondent in cases involving allegations of gender-based misconduct, except for testimony offered by one or the other about the complainant's and respondent's shared sexual history that the panel deems relevant. If such information is offered by the complainant or respondent, the other has the right to respond. The existence of a prior consensual dating or sexual relationship between the complainant and respondent by itself does not support an inference of consent to alleged gender-based misconduct.
- **Prior Conduct Violations.** The hearing panel will not consider the respondent's prior conduct violations, unless the College or the respondent's school provided that information to the investigator because:
 - The respondent was previously found to be responsible, and
 - The previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.
- **Hearing Recording.** The College will keep an audio recording of the hearing for the use of the panel, for sanctioning, and for purposes of appeal. The panelists may request a transcript of the recording.
- **Cell Phones and Recording Devices.** Cell phones and recording devices may not be used in the hearing room(s) unless approved by the panel in advance.

Panel Determinations/Standard of Proof

The panel will use "preponderance of the evidence" as the standard of proof to determine whether a violation of the Policy occurred. Preponderance of the evidence means that a panel must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at issue in order to find the respondent responsible for violating the Policy.

Board Policy 3.28.0 (continued)

The panel will find a student responsible, or not responsible, based on a majority vote. The panel will generally render a decision within ten business or class days after the conclusion of a hearing. The panel's decision will include an explanation of the basis for the decision.

If the panel finds the respondent responsible, the matter will proceed to the sanctions stage. The College will transmit the panel's determination to the President of the College ("Appellant Officer"), the respondent and the complainant. The President may designate the Vice President for Academic Affairs to serve as the "Appellant Officer" and determine the appeal.

Sanctions and Other Remedies**How Sanctions Are Determined**

To promote consistency with the College's handling of similar cases, appropriate training will be provided to the President and Vice President for Academic and Student Affairs at least once a year.

The Appellant Officer will impose sanctions that are:

- Fair and appropriate given the facts of the particular case;
- Consistent with the College's handling of similar cases;
- Adequate to protect the safety of the campus community; and
- Reflective of the seriousness of gender-based misconduct.

The Appellant Officer will consider relevant factors, including if applicable:

- the specific gender-based misconduct at issue (such as penetration, touching under clothing, touching over clothing, unauthorized recording, etc.)
- the circumstances accompanying the lack of consent (such as force, threat, coercion, intentional incapacitation, etc.) the respondent's state of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.)
- the impact of the offense on the complainant the respondent's prior disciplinary history
- the safety of the College community
- the respondent's conduct during the disciplinary process.

In determining what sanctions will protect the safety of the College community, the Appellant Officer will consider the risk that the respondent may engage in additional gender-based misconduct, and the deterrent or permissive effect of a particular sanction on the campus community, including on particular individuals and organizations aware of the offense (keeping in mind that a sanction must always be fair and appropriate for the particular case).

The Appellant Officer will render a sanctioning decision within five days following the receipt of the panel's determination. The sanctioning decision will be communicated in writing to the complainant and the respondent ("Sanctioning Notice").

Board Policy 3.28.0 (continued)**List of Sanctions**

The College may impose any one or more of the following sanctions on a student determined to have violated the Policy:

- Reprimand/warning
- Changing the respondent's academic schedule
- Disciplinary probation
- Revocation of honors or awards
- Restricting access to College facilities or activities (including student activities and campus organizations)
- Issuing a "no contact" order to the respondent or requiring that such an order remain in place
- Dismissal or restriction from College employment
- Suspension (limited time or indefinite)
- Expulsion
- Community Service
- Revocation of degree

In addition to any other sanction (except where the sanction is expulsion or revocation of a degree), the College will require any student determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the gender-based misconduct violation at issue. The College may also recommend counseling or other support services for the student.

Ongoing Accommodations for Complainant

Whatever the outcome of the hearing process, a complainant may request ongoing or additional accommodations and the College will determine whether such measures are appropriate.

Potential ongoing accommodations include:

- Providing an escort for the complainant
- Changing the complainant's academic schedule
- Adjusting the complainant's work schedule
- Allowing the complainant to withdraw from or retake a class without penalty
- Providing access to tutoring or other academic support, such as extra time to complete or re-take a class

Additional Responses

The College may also determine that additional measures are appropriate to respond to the effects of the incident on the College community. Additional responses for the benefit of the College community may include:

Board Policy 3.28.0 (continued)

- Increased monitoring, supervision, or security at locations or activities where the misconduct occurred
- Additional training and educational materials for students and employees
- Revision of the College's policies relating to gender-based misconduct

Appeal

Either the respondent or the complainant or both may appeal the determination of the Hearing Panel and the Appellant Officer to a Committee of the Board of Trustees within five business or class days of the notification of the sanctions imposed. The individual requesting an appeal must submit an appeal letter to the President of the College.

The three grounds for appeal are:

1. A procedural error affecting the determination or sanction;
2. New information that was not available at the time of the investigation or hearing and that may change the determination or sanction; and
3. Excessiveness or insufficiency of the sanction.

Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

The appealing student must submit the appeal in writing to the College President within five days after receiving the sanctioning notice. If either the complainant or respondent submits an appeal, the College President will notify the other that an appeal has been filed and the grounds of the appeal. The non-appealing student may submit a written response within five days after notice of an appeal.

If the Board of Trustees Committee concludes that a change in the hearing panel's determination is warranted or a change in the sanction is warranted, the Board Committee may enter a revised determination or sanction, reconvene the panel to reconsider the determination, or return the matter for additional investigation or change the sanction.

The Board of Trustees Committee will notify the complainant and respondent of the final decision in writing. All appeal decisions are final.

Records Disclosure

Disciplinary proceedings conducted by the College are subject to the Family Educational Records and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside the College without the student's consent, but it does provide for release of student disciplinary information without a student's consent in certain circumstances.

Board Policy 3.28.0 (continued)

Any information gathered in the course of an investigation may be subpoenaed by law enforcement authorities as part of a parallel investigation into the same conduct, or required to be produced through other compulsory legal process.

Amendments

The College may amend the Policy. Nothing in the Policy shall affect the inherent authority of the College to take such actions as it deems appropriate to further the educational mission or to protect the safety and security of the College community.

See also Procedure Manual relating to Policy No. 3.7.0 and Policy No. 3.8.0.

Relating to Board Policy 4.5.0**Outside Employment**

This form must be completed, signed and returned to the Labor Relations and Human Resources office by all Middlesex County College full-time employees who engage in employment outside the College. Please return by October 31st.

If you did not engage in outside employment, you may either:

- Check the first box below, sign the form and return it, or
- Simply not return the form, which will be considered the equivalent of having reported no involvement in outside employment.

Note that this information is being gathered in accordance with the New Jersey Administrative Code, Title 9A-Higher Education, Chapter 3-Institutional Code of Ethics, Subchapter 1-General Standards (NJAC 9A:3-1.3, 2013).

Board Policy 4.5.0 (continued)



Name: _____

Please Print/Type

STATEMENT ON OUTSIDE EMPLOYMENT

This form must be completed, signed, and forwarded to the Director of Human Resources no later than October 31st.

I understand that the primary work obligation of full-time officers and employees of Middlesex County College ("the College") is to the College. I further understand that no full-time officers or employees of the College shall engage in any employment outside of the College that (i) constitutes a conflict of interest; (ii) occurs at a time when the employee is expected to perform his or her primary work obligation at the College; or (iii) diminishes the employee's efficiency in performing his or her primary work obligation at the College.

I hereby certify that, to the best of my knowledge, information and belief, I am not currently engaged in any employment outside of the college that (i) constitutes a conflict of interest; (ii) occurs at a time when I am expected to perform my assigned duties at the College; or (iii) diminishes my efficiency in performing my primary work obligation at the College.

I have not engaged in outside employment during the preceding fiscal year (July 1, xxxx through June 30, xxxx)

I have engaged in outside employment during the preceding fiscal year (July 1, xxxx through June 30, xxxx)

Name of outside employer: _____

Address of employer: _____

Please describe your job responsibilities with outside employer: _____

On what date did the employment begin and end? _____

Days worked per week: _____ Hours worked per day: _____

Describe the amount of time you worked for this outside employer, if the above does not apply: _____

Signature of Employee

Date

Relating to Board Policy 4.7.0

Police Officers

All appointments of police officers shall be in accordance with N.J.S.A. 18A:6-4.2, N.J.S.A. 18A:6-4.3, and N.J.S.A. 18A:6-4.3a.

Relating to Board Policy 5.3.0**Tuition – Senior Citizens of Middlesex County**

Middlesex County residents who are 65 years or older may take courses on a space-available basis and have the tuition waived. Students using a senior waiver may register two business days prior to the start of the session. Students will not be admitted into a course that has reached its maximum enrollment. All other course fees must be paid by the student and are due on the day of registration.

Students will not be reimbursed and allowed to apply a waiver to any registration that was paid previously.

Relating to Board Policy 5.6.0

Purchasing

The processes/“rules” for purchasing shall be posted on the College’s website.

Relating to Board Policy 5.8.0**Change Orders for Construction Contracts**

This procedure applies to change orders for contracts for the construction, reconstruction, alteration, repair or improvement of buildings and infrastructure (“construction contract”) entered into by the Board of Trustees that have a total contract amount in excess of \$1,000,000.

1. In the event that a change order in an amount up to \$5,000 is required, the Executive Director of Facilities Management may authorize the change order.
2. In the event that a change order in an amount exceeding \$5,000 is required, the Chair of the Board of Trustees Facilities Committee may authorize the change order in an amount up to \$50,000.
3. In the event that a change order is required in an amount exceeding \$50,000, the Board of Trustees shall authorize the change order at a public meeting advertised in accordance with the Open Public Meetings Act after which the Vice President for Finance and Administration shall execute the change order.
4. Any change order authorized by the Executive Director of Facilities Management or the Chair of the Facilities Committee of the Board of Trustees, as the case may be, shall be presented to the Board of Trustees at its next scheduled meeting for ratification.
5. Any change order authorized and executed by the Executive Director of Facilities Management or by the Chair of the Facilities Committee of the Board of Trustees, as the case may be, shall be executed by the Vice President for Finance and Administration prior to the issuance of the change order to the contractor. The copy of the change order sent to the Vice President for Finance and Administration of the College shall be accompanied by a statement from the Executive Director of Facilities Management or Chair of the Facilities Committee of the Board of Trustees, as the case may be, explaining the reason for the issuance of the change order.
6. In the absence of the Chair of the Facilities Committee of the Board of Trustees, the Chair of the Board of Trustees shall act in lieu of the Chair of the Facilities Committee of the Board of Trustees. In the absence of the Vice President for Finance and Administration or the Executive Director of the Facilities Management, the College President shall act in lieu of the Vice President for Finance and Administration or the Executive Director of Facilities Management.

Relating to Board Policy 5.9.0**Chargeback Eligibility**

Middlesex County residents who are taking courses at another community college in New Jersey may have a portion of their tuition paid through the Chargeback process. Middlesex County residents may obtain a Chargeback application from the Office of the Registrar. Chargeback applies to students who are matriculated at another New Jersey community college in a degree program not offered at Middlesex County College or for non-matriculated students in a course(s) not offered at Middlesex County College. To be eligible, students must submit the Chargeback application along with two forms of identification showing permanent domicile in Middlesex County, acceptance letter, detailed program and course descriptions and college placement test scores/transcripts indicating completion or that no more than one course are of remediation (English, math, reading) is required. Matriculated students will be evaluated on a program-to-program basis. Non-matriculated students will be evaluated on a course-by-course basis. Students must submit the Chargeback Application as soon as they are admitted and tested. Retroactive requests for previously completed semesters are not eligible for Chargeback.

Residents of other New Jersey counties attending Middlesex County College may be eligible for chargeback. Eligibility and application procedures will be determined by the home county.

Relating to Board Policy 5.10.0**Student Scholarships and Loans**

All scholarships and/or loans, including MCC Foundation scholarships, are processed through the Financial Aid office and that office will authorize distribution of all proceeds and credits. Middlesex County College Foundation scholarships will be processed through Middlesex County College Financial Aid office.

The authority to pay out a scholarship and/or loan proceeds to a student is the award notification received from the Financial Aid Office.

Student awards shall be applied to their accounts in a timely manner. Distribution will be made in the following order: The award is first applied to unpaid college bills. Any balance will be paid to the student.

Relating to Board Policy 5.12.0**Disposal of College Property**

1. For items with an estimated fair market value exceeding the threshold set by County College Contract Law N.J.S.A. 18A:64A-25.3, excluding perishable goods, the Director of Purchasing shall compile a list of items, advertise the sale in the college legal newspaper, and accept sealed bids at a time and place advertised. Sale shall be made to the highest bidder. The Board of Trustees shall approve the sale of these items. If no bids are received the property may be sold at private sale without further publication.
2. For items with an estimated fair market value less than the threshold set by County College Contract Law 18A:64A-25.3, the Director of Purchasing shall compile a list of all surplus equipment items, and conduct a private sale without advertising for bids.
3. No college employee may make any commitment for disposal of equipment without specific prior approval of the Director of Purchasing.
4. The disposition of items, which were purchased with grant funds, may be restricted by the granting agency. The Grant Director shall make a determination as to whether the sale of such items violates the terms of the grant.
5. All money received from the sale of the equipment is allocated to general institutional funds.
6. College employees may purchase surplus equipment in the same manner and at the same time as any other purchaser.

Relating to Board Policy 5.13.0

Grants

The President, or his or her designee, will review and approve all grant applications and awards, determining that the College has sufficient funds and the ability to meet the terms and conditions.

The Board of Trustees will review and approve grant awards.

Relating to Board Policy 6.2.0**Degree and Certificate Requirements****Degree Requirements**

1. Satisfactory completion of all courses in an approved program that requires not fewer than 60 nor more than 66 semester credit hours, except when required for licensure, accreditation, or transfer of full junior status.
2. Minimum grades of “C” in English composition courses.
3. Minimum cumulative grade point average of 2.0.
4. Residency Requirements: Individual programs may require a minimum number of courses in the major to be taken at Middlesex County College. The College may accept up to 45 credits for courses successfully completed at another college.

Associate in Arts Degree

1. 9 credits in communication
2. 12 credits in mathematics, science, technology
3. 6 credits in social science
4. 9 credits in humanities
5. 6 credits in history
6. 3 credits in diversity
7. A minimum of 1 credit in physical education or health education
8. A minimum of 12 credits in one area of concentration
9. Additional credits as detailed in the sample plan of study to comply with general college requirements

Associate in Fine Arts Degree

1. A minimum of 6 credits in communication
2. A minimum of 3 credits in mathematics, science, technology
3. A minimum of 3 credits in humanities or social science
4. A minimum of 8 other general education credits
5. A minimum of 1 credit in physical education or health education
6. Additional credits as detailed in the Associate in Fine Arts to comply with the specific Fine Arts discipline requirements

Associate in Science Degree

1. A minimum of 6 credits in communication
2. A minimum of 3 credits in the humanities
3. A minimum of 3 credits in social science
4. A minimum of 3 additional credits in social science or humanities
5. A minimum of 9 credits in mathematics, science, technology
6. A minimum of 6 additional credits in general education
7. A minimum of 1 credit in physical education or health education

8. Additional credits as detailed in the sample plan of study to comply with general College requirements

Board Policy 6.2.0 (continued)

Associate in Applied Science Degree

1. A minimum of 6 credits in communication
2. A minimum of 3 credits in social science or humanities
3. A minimum of 3 credits in mathematics, science, technology
4. A minimum of 8 additional credits in general education
5. A minimum of 1 credit in physical education or health education
6. Additional credits as detailed in the degree requirements to comply with general College requirements

Second Associate Degree

A second Associate's Degree may be awarded upon completion of degree requirements for the second degree.

Certificate Requirements

1. Satisfactory completion of all courses in an approved program that requires not fewer than 30 and no more than 36 credit hours
2. Minimum grades of "C" in English composition courses when those courses are required in the approved program
3. Minimum cumulative grade point average of 2.0
4. Individual programs may require a minimum number of courses in the major to be taken at Middlesex County College. The College may accept up to 15 credits for courses successfully completed at another college
5. A minimum of 6 credits of General Education courses comprised of 3 credits in communication and 3 credits in mathematics, science or Technology

Certificate of Achievement Requirements

1. Satisfactory completion of all courses in an approved program which requires no more than 29 degree credit hours
2. Minimum cumulative grade point average of 2.0
3. The College may accept up to 9 credits for courses successfully completed at another college

Relating to Board Policy 7.2.0**Code of Student Conduct**

In order to provide for the maximum safety and well-being of the College community, including guests, certain standards of behavior have been established at Middlesex County College. Upon admission to the College, all students accept an unqualified commitment to adhere to such standards and to conduct themselves in a manner that reflects pride in themselves and the College. These standards of conduct will apply to students engaging in College sponsored activities both on and off-campus.

Conduct that adversely affects a student's responsible membership in the academic community may result in appropriate disciplinary action. The College will not tolerate disruptive behavior, violence or physical interference with the rights of any member of our college community.

The Code of Student Conduct identifies behavior deemed unacceptable at Middlesex County College. Infractions of the Code include, but are not limited to the prohibited conduct listed as follows:

Prohibited Conduct

1. Unauthorized use or possession on the campus of weapons, ammunition, explosives, fireworks, or other dangerous substances or materials.
2. Threatening, harassing or inflicting bodily harm or physical abuse or injury to the person of a fellow student, faculty or staff member, administrative officer or guest of the College.
3. Harassment, intimidation or bullying to the person of a fellow student of the College. Harassment, intimidation or bullying is defined as any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on the property of the College or at any function sponsored by the College that substantially disrupts or interferes with the orderly operation of the institution or the rights of other students' and that:
 - a. a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property;
 - b. has the effect of insulting or demeaning any student or group of students in such a way as to cause disruption in, or interference with, the orderly operation of the College; or
 - c. creates a hostile educational environment for the student at the College; or

Board Policy 7.2.0 (continued)

- d. infringes on the rights of the student at the College by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.
- 4.** Obstruction or disruption of teaching, learning, research, administration, discipline procedures or other College authorized event. Disruptions of teaching and learning which may include tardiness, offensive language or behavior, noise and improper use of personal communication devices (eg: cell phones, headphones, pagers, PDAs and laptops).
- 5.** All forms of academic dishonesty, including but not limited to cheating, copyright infringement, facilitating academic dishonesty and plagiarism or assisting others to engage in those activities.
- 6.** The failure to report any action or plan of dishonesty whether knowledge of such act or plan is obtained directly or indirectly.
- 7.** The soliciting of assisting another to do any act which would subject a student to probation, suspension or expulsion.
- 8.** Unauthorized distribution, use, or possession of any substance constituting a "controlled dangerous substance" within the meaning of the New Jersey Controlled Dangerous Substance Act, N.J.S.A. 24:21-1 et seq., or any illegal drug, on College property or at College sponsored activities.
- 9.** Failure to comply with the College's policy on smoking.
- 10.** Illegal gambling on College property.
- 11.** Any charge relating to the violation of any of the criminal statutes of the State of New Jersey, which violation occurs either on the campus, at off campus sponsored events or directly affects the College community. The College will cooperate fully with any law enforcement agency investigating such violations.
- 12.** Falsification, alteration or withholding information related to records or documents maintained by the College.
- 13.** Theft, misappropriation, vandalism, non-accidental damage, grossly negligent damage or arson to any College property or private property of a fellow student, faculty or staff member, administrative officer or guest of the College.
- 14.** Failure to present student identification to a College employee in response to a request.

Board Policy 7.2.0 (continued)

- 15.** Unauthorized entry into any secured building or facility, obstructing access to any campus building or facility, the unauthorized use or occupation of any classroom, public or common indoor areas, recreational or athletic facility, faculty office or any other components of the College's physical plant or property.
- 16.** Failure to register the dissemination of printed material or unauthorized display of posters and advertising material.
- 17.** Abusive or unauthorized use and operation of outdoor and indoor sound systems, public address systems sound tracks, or bull horns.
- 18.** Unauthorized consumption and/or unauthorized possession of alcoholic beverages on campus.
- 19.** Failure, after a warning, to wear adequate clothing and foot covering while attending classes or utilizing any campus facility.
- 20.** Consumption of food and beverages outside of authorized areas unless authorization has been given by a faculty member, staff or administrator.
- 21.** Soliciting or assisting another to do any act which would subject that student to any sanction within the Code of Student Conduct.
- 22.** A failure to abide by the "acceptable use policies for computers."
- 23.** It is the policy of this College that membership in fraternities or sororities or any other clubs or organization not sponsored by the College is prohibited. Organizations that initiate, advocate, or promote activities which threaten the safety or well-being of persons or property on College grounds, which disrupt the program environment or are harmful to the education process, are prohibited. Activities involving initiations, hazing, intimidation, and/or related actions of such group affiliations which are likely to cause bodily danger, physical harm, personal degradation or disgrace resulting in physical or mental harm to students are prohibited. Any student causing and/or participating in activities which intimidate or adversely affects the attendance of another student or staff member will be subject to disciplinary action.
- 24.** Engaging in or the soliciting of any activity which would interfere with the normal operation of the College.

Disciplinary Sanctions

The various penalties for the commission of a violation are listed below. Upon a finding, or plea, of guilt, for any violation, one or more of the listed sanctions may be imposed independently or cumulatively.

Board Policy 7.2.0 (continued)

- a. Warning: Notice, orally or in writing, that continuation or repetition of conduct found wrongful may be cause for more severe disciplinary action.
- b. Probation:
 - 1. Exclusion from participation in privileged or extracurricular College activities for a period not to exceed one year.
 - 2. Fine, restitution, and/or community service not to exceed 50 hours and/or counseling services as may be required.
- c. Disciplinary Suspension: Temporary exclusion from the College for a period of time not to exceed two years.
- d. Expulsion: Permanent exclusion from the College for all programs, academic or extracurricular.

Administrative Action

The Vice President for Academic and Student Affairs (VPA&SA) or his or her representative shall have the authority and responsibility to secure the well-being of the College community and to enhance the College's ability to carry out its mission. Seeking to ensure this environment, in addition to any action brought under the Code of Student Conduct, any act or threat which, in the opinion of the VPA&SA, endangers any individual, any act which may result in the disruption of College activities or interfere with the right of any member of the College from performing assigned duties or attending class or which results in terrorizing any member of the College community or guests may warrant immediate suspension from classes and expulsion from all College properties and sites.

The VPA&SA shall schedule a hearing within three business days of such suspension for the purpose of determining whether or not the suspension should be ended, extended or result in a dismissal of the student. At the hearing, the student (who shall be permitted on campus for the limited purpose of attending the hearing) shall be afforded an opportunity to be heard and to produce witnesses. The student may request another student to act as his or her spokesperson or advisor (but not legal counsel) at the hearing. The VPA&SA shall request any person deemed relevant to appear in person, or by written statement, at the hearing and may consider such documents as are appropriate.

The VPA&SA shall preside over the hearing and it will be conducted in a manner designed to elicit as much information as possible. Formal rules of evidence shall not apply but all testimony, documents, and proofs considered shall be relevant to the issue being considered. A decision will be rendered by the VPA&SA within 48 hours after the completion of the hearing. That decision will be final.

Board Policy 7.2.0 (continued)

Disciplinary Procedures

Detailed information on procedures for filing complaints, hearings, the Judicial Board and appeals are available in the Office of Student Activities.

Relating to Board Policy 7.3.0**Admissions****1. Policy**

The College provides educational opportunities for all students who have a reasonable chance of benefiting from college level work and who have a reasonable chance of successfully participating in the educational program for which enrollment is sought.

2. Program Categories

The College recognizes the following categories of students as either part-time or full-time:

- a. Matriculated students enrolled in programs of study leading to a degree or certificate.
- b. Non-matriculated students taking credit courses for personal interest, career advancement, enrichment or transfer back to another institution.
- c. Non-credit students taking programs of varying lengths for which no credit is assigned, for purposes of personal enrichment, career advancement or professional education.

3. Admission Eligibility and Conditions for Credit Programs and Credit Courses

Except for admission to restricted programs listed in Section 6, admission to credit programs and courses is open to all individuals with a high school diploma or general equivalency diploma (GED) and individuals not possessing a high school diploma or GED who are at least 18 years of age. In addition, high school students meeting the criteria under Section 4 may apply for admission.

4. Credit Programs for High School Students

High school students are permitted to enroll in credit courses for which they meet the prerequisites, with the written acknowledgment of a high school counselor or principal and permission of a parent or guardian.

**Some course selections will require applicants to take the College Placement Test and/or receive test exemptions.*

5. Documentation Required

All applicants are required to complete and file the online application form for admission prescribed by the College. The student should arrange to have high school/college authorities forward official transcripts in sealed envelopes to the Office of Admissions. The student must also provide a valid record of immunization.*

**New Jersey law requires that as a condition of enrollment all degree seeking applicants present a valid record of immunization against measles, mumps and rubella. All matriculated students carrying 12 or more credits born after 1956 are required to submit to the Health Services Office a valid record of immunization against measles, mumps, and rubella, and as of 2008, New Jersey Law requires that students carrying 12 or more credits must submit an immunization record for Hepatitis B as well.*

Board Policy 7.3.0 (continued)**6. Selective Enrollment**

Admission into certain programs is restricted or may be limited if the number of applicants exceeds the number that can be enrolled at a particular time. Accordingly, admission to the following specialized selective programs is subject to additional criteria: Respiratory Care, Radiography, Medical Lab Technology, Nursing, and Dental Hygiene.

7. Part-Time Enrollment

A part-time student is one who takes fewer than 12 credit hours per semester.

8. Transfer Students

Applicants who have attended another college must submit official transcripts of all college and high school work to the Office of Admissions. Transfer credit, subject to the approval of the dean of the division, is generally defined as coursework required in the curriculum and equivalent in content and credit hours to courses offered by Middlesex County College. Only letter grades of “C” and above are accepted.

Students seeking transfer credit for courses taken at a foreign institution should submit a course-by-course evaluation from World Education Services (WES) or another evaluation service which is a member of the National Association of Credential Evaluation Services (NACES). The College grants transfer credit for certain non-collegiate educational programs in accordance with the recommendation of the American Council on Education contained in “The National Guide” or “A Guide to Educational Programs in Non-collegiate Organizations.” These credits are granted consistent with graduation requirements for college-level courses as determined by appropriate academic departments with the concurrent approvals of the chairperson and dean. Transfer credit from another institution is listed on the transcript with a “T” grade. Courses completed at another institution will not be applicable for a grade point average recalculation. Course Time Limits – Math, Science, and Computer Science courses are subject to review after five years and all other courses after ten years. The review procedure also applies to the evaluation of transfer credits.

9. Advanced Placement Credit

The College may grant credit for Advanced Placement Examinations (minimum grade of 3). The Advanced Placement Program, sponsored by the College Entrance Examination Board, offers students the opportunity to pursue college-level study while in secondary school and receive advanced placement and/or credit upon entering college.

10. Placement Testing Requirements

MCC students are required to complete the College’s placement test. Performance on the test will determine eligibility for enrollment in credit courses.

See “Placement Test Exemptions” under Academic Standards and Regulations. ESL students do not take the college placement test until completion of the ESL sequence. Visiting students will not be asked to complete the College’s placement test. It is highly recommended that visiting students meet with their home institution advisor and review the MCC course descriptions to ensure appropriate academic preparedness for the course(s) to be taken at MCC and that the

Board Policy 7.3.0 (continued)

course(s) meets program requirements and will transfer back to the home college. It is the Visiting Student's responsibility to verify that the course(s) he or she takes at Middlesex County College will transfer to the home institution and that the student has the prerequisites necessary to succeed in the course.

11. International Students

Middlesex County College is authorized under federal law to enroll non-immigrant alien students. International applicants must follow degree programs as full-time students if they require a Certificate of Eligibility (Form I-20). Students from other countries apply to Middlesex County College in the same way as all other students. In addition to admission requirements for other students, international students must submit documentary evidence of sufficient funds for college and living expenses in the United States. A sponsor must submit financial documentation, including an Affidavit of Support form which is supplied by the College. International students are not eligible for federal study grants, nor is there any financial aid or scholarship program for international students. Some international students with visas other than F-1 may be eligible for admission subject to approval by the director of admissions.

12. Admission to Non-Credit Courses

Eligibility for admission to developmental non-credit courses is determined by performance on the college placement test. Eligibility for admission to other non-credit courses is determined on a course-by-course basis as a function of course level, content, and requirements.

13. Insurance Requirements

All full-time students shall maintain health insurance coverage which provides basic hospital benefits. This insurance coverage shall be maintained throughout the period of the student's enrollment. Group basic health insurance coverage shall be automatically provided and billed as a mandatory charge to all full-time students. A full-time student may waive this coverage and associated charge upon presentation of satisfactory evidence of individual coverage through an alternate basic hospital benefit health insurance arrangement. All students enrolled within a Health Technologies curriculum shall purchase and maintain a group malpractice policy throughout the period of enrollment. This insurance shall be automatically provided and billed as a mandatory charge to all students so enrolled. The malpractice insurance may not be waived or substituted without regard to such other coverage as the student may enjoy.

Relating to Board Policy 7.4.0**Student Privacy Rights**

Students have the right to inspect and review all education records maintained by the College. The College is not required to provide copies unless, for reasons such as great distance, it is impossible for students to inspect the records.

Students have the right to request that the College correct records believed to be inaccurate or misleading. If the College decides not to amend the record, the student has a right to a formal hearing with the Dean of Enrollment and Student Support Services. After the hearing, if the College still decides not to amend the record, the student has the right to place a statement with the record commenting on the contested information in the record.

The College will not release any confidential information from a student's record without the written consent of the student, with the exception of the following: to College officials, including contractors and volunteers performing institutional functions, with a legitimate educational interest, to other Institutions at which a student seeks or intends to enroll, to certain government officials in order to carry out lawful functions, to appropriate parties in connection with financial aid to a student, to organizations conducting certain studies for the College, to accrediting organizations, to individuals who have obtained court orders or subpoenas, and to persons who need to know in cases of health and safety emergencies.

The College may disclose directory information without the written consent of the student. Directory information includes the following: name, address, telephone number, email address, dates of attendance, anticipated graduation date, enrollment status, class, previous institutions attended, major field of study, awards, honors (including Dean's list), degrees/ certificates conferred including date, past and present participation in officially recognized activities, student's photograph and photographic images, height and weight (for athletes only), and date and place of birth.

Students may request the withholding of disclosure of directory information. To ensure that a request is properly processed, it must be submitted on the official "Request to Prevent Disclosure of Directory Information" Form, which is available in the Office of the Registrar. In order to prevent all disclosures of directory information, the official request must be filed prior to the first day of the semester. However, the College will accept requests at any point during the semester. The request will remain in effect until the student submits signed authorization to allow disclosure of directory information. The College assumes that failure on the part of any student to specifically request on the official form the withholding of release of directory information indicates individual approval of disclosure.

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA (Family Educational Rights and Privacy Act). Contact the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202.